

**EVANGELICAL LUTHERAN CHURCH IN AMERICA  
CHURCH COUNCIL**

**MINUTES  
November 14-17, 2008  
Lutheran Center  
Chicago, Illinois**

The sixtieth 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. The meeting began on Friday, November 14, 2008, with committee meetings and a service of Evening Prayer, led by Mr. Kevin E. Anderson and the Rev. Jennifer Phelps Ollikainen of the Worship and Liturgical Resources section of the Office of the Presiding Bishop.

**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	Mr. John S. Munday
Mr. Baron Blanchard	Mr. Mark W. Myers
Ms. Rebecca Jo Brakke	Ms. Ann C. Niedringhaus
Ms. Judith Anne Bunker	Pr. J. Pablo Obregon
Ms. Deborah L. Chenoweth	Pr. David W. Peters
Pr. Rachel L. Connelly	Pr. J. Paul Rajashekar
Mr. John R. Emery	Ms. Lynette M. Reitz
Ms. Karin Lynn Graddy	Pr. John C. Richter
Mr. Mark S. Helmke	Ms. Sandra Schlesinger
Ms. Norma J. Hirsch	Pr. Norene A. Smith
Pr. Keith A. Hunsinger ( <i>excused</i> )	Pr. Jeffrey "Jeff" B. Sorenson
Pr. David E. Jensen	Mr. David Truland
Mr. Mark E. Johnson	Ms. Judith Tutt-Starr
Pr. Susan Langhauser	Mr. Richard L. Wahl
Pr. Jonathan W. Linman	Ms. Phyllis L. Wallace ( <i>excused</i> )
Mr. William R. Lloyd Jr.	Mr. Gary L. Wipperman
Pr. Steven P. Loy	

***Representatives of the Conference of Bishops***

Bp. Allan C. Bjornberg ( <i>excused</i> )	Bp. Gerald L. Mansholt
Bp. Leonard H. Bolick	Bp. Murray D. Finck
Bp. Callon W. Holloway ( <i>excused</i> )	Bp. Peter Rogness
Bp. Marie C. Jerge ( <i>excused</i> )	Bp. Paul Stumme-Diers
Bp. H. Gerard Knoche	Bp. Martin D. Wells

**Advisory Members**

**Youth:**

Ms. Arielle Mastellar

Mr. Samuel F. Schlouch

**Advisors:**

Mr. Michael D. Bash, chair of the board of trustees, Augsburg Fortress, Publishers (*excused*)

Pr. Chi Shih Chen, Association of Asians and Pacific Islanders

Pr. Michael L. Cooper-White, seminaries

Pr. Khader N. El-Yateem, chair, Multicultural Ministries program committee

Ms. Elizabeth Gaskins, president, American Indian and Alaska Native Lutheran Association

Mr. Kent L. Henning, colleges and universities (*excused*)

Ms. Kristin Kvam, Consulting Committee for Justice for Women

Pr. Sarah Lee-Faulkner, chair, Evangelical Outreach and Congregational Mission program committee

Pr. O. Dennis Mims, president, African American Lutheran Association (*excused*)

Mr. Fuad Nijim, president, Association of Lutherans of Arab and Middle Eastern Heritage (*excused*)

Pr. Nelson H. Rabell-Gonzalez, Association of Latino Ministries (*excused*)

Pr. Frederick Strickert, chair, Global Mission program committee

Mr. Kai S. Swanson, chair, Vocation and Education program committee

Pr. Roger A. Thompson, chair, Church in Society program committee

Ms. Suzanne G. Wise, social ministry organizations

Ms. Beth Wrenn, president of the board, Women of the ELCA

**Resource Persons**

**Office of the Presiding Bishop:**

Pr. Kathie Bender Schwich, executive for synodical and constituent relations

Pr. M. Wyvetta Bullock, executive for administration

Pr. Marcus R. Kunz, executive for discernment of contextual and theological issues

Ms. Myrna J. Sheie, executive for governance and institutional relations

**Section Executives and Staff:**

[vacant], executive for worship and liturgical resources and chaplain to the Church Council

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

**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 Beyer, executive for information technology

Ms. Karen Rathbun, executive for management services

Pr. Jeffrey R. King, support specialist, information technology

**Program Unit Executives:**

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  
Ms. Beth A. Lewis, president, Augsburg Fortress, Publishers  
Pr. Stephen P. Bouman, executive director, Evangelical Outreach and Congregational Mission  
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, Foundation of the ELCA, and executive director, Development Services  
Mr. John G. Kapanke, president, Board of Pensions  
Mr. Daniel J. Lehmann, editor, *The Lutheran* magazine  
Ms. Eva M. Roby, executive vice president for administration, Mission Investment Fund (*excused*)

**Press:**

Mr. John R. Brooks, director, ELCA News Service  
Ms. Elizabeth M. Hunter, *The Lutheran* magazine  
Mr. Frank F. Imhoff, associate director, ELCA News Service  
Ms. Melissa Ramirez-Cooper, ELCA News Service

**Ecumenical Guests:**

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

**Saturday, November 15, 2008  
Plenary Session I**

The first plenary session of the sixtieth meeting of the Church Council of the Evangelical Lutheran Church in America began with a service of Responsive Prayer, led by Ms. Karin Lynn Graddy.

Vice President Carlos E. Peña called to order the first plenary session at 8:26 A.M. He welcomed all those present, calling attention to those who were attending for the first time and those absent due to health and other issues. Vice President Peña made a number of routine announcements about the council's procedures, including the sign-up sheets for one-on-one stewardship conversations. He reminded members of the presence of the Prayer Team and invited members to submit Joys and Concerns and to ask for prayer throughout the meeting.

Vice President Peña called on Mr. David D. Swartling, secretary of the Evangelical Lutheran Church in America, to share information about fire safety and procedures in case of an emergency in the Lutheran Center.

**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 noted the deadline for removal of items from the *en bloc* resolution. Secretary David D. Swartling 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, he called for a vote.

**VOTED:**

**CC08.11.28            To adopt the agenda and to permit the chair to call for consideration of agenda items in the order the chair deems most appropriate.**

**APPROVAL OF MINUTES  
(Agenda I.H.)**

*Background:*

The minutes of the April 11–13, 2008, meeting 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 June 18, 2008, July 25, 2008, September 17, 2008, and October 16, 2008, 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:**

**CC08.11.29            To approve the minutes of the April 11–13, 2008, meeting of the Church Council;  
and  
                              To ratify actions of the council's Executive Committee as indicated in the minutes**

**of the June 18, 2008, July 25, 2008, September 17, 2008, and October 16, 2008, meetings.**

## **INTRODUCTION TO PROCESS OBSERVATION**

(Agenda V.B.1.; Agenda/MINUTES Exhibit D, Part 5)

### *Background:*

The Church Council received a report on anti-racism training for the Church Council at its April 2007 meeting. One of the recommendations included in the report related to racial justice monitoring. Following discussion, the Church Council voted (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 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 Board Development Committee requested a proposal for a racial justice monitoring pilot to be undertaken by the Church Council at its regular meetings from April 2008–April 2009. The committee appointed Ms. Judith Tutt-Starr, Ms. Lynette M. Reitz, and Ms. Shenandoah M. Gale, coordinator for anti-racism education and training, as a design team. The committee approved the final proposal at its February 2008 meeting.

### Pilot Method

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: connection between advisors and council; comfort in sharing and speaking in plenary
  - Just before the end of a session, observers compile information into one report. Observers report to the plenary what they saw and heard.
  - A written report of observations is given to the chair of the Board Development Committee.
  - At the end of the third observation session, members and advisors complete and submit a pilot evaluation form.
  - Upon consideration of this report, the Board Development Committee may make corresponding recommendations to the Executive Committee for consideration.
  - Compiled pilot evaluation results are given to the Board Development Committee Chair and incorporated into the pilot design for the Fall 2008 implementation.

The Board Development Committee, in consultation with Ms. Gale, authorized a delay in the process observation pilot until the November 2008 meeting of the Church Council in order to identify and secure two experienced and external observers.

Ms. Paula Cole Jones will serve as consultant for the pilot project and will be present at the April 2009 and November 2009 meetings. Mr. Chuck Wooldridge served as process observer on Saturday, November 15, 2008.

### *Church Council Information:*

Vice President Carlos E. Peña called on Ms. Lynette M. Reitz, Ms. Judith Tutt-Starr, and Ms. Shenandoah M. Gale

to talk about process observation at the current meeting. Ms. Reitz explained that the purpose of obtaining feedback on the Church Council process is to help the council reflect on how decisions are being made, who is being included in decision-making, and whether the decisions are conscious, honest, accountable, just, and equitable.

Ms. Gale outlined the practical pieces of implementing the pilot at this particular meeting. Over the next three meetings, the pilot is designed for sequential, cumulative capacity building. The current meeting will be observed by an outside practitioner of process observation. At the March 2009 meeting, a core group of council members will be trained in the practice of process observation. At the November 2009 meeting, this core group will implement the practice of process observation with coached feedback from consultant Ms. Paula Cole Jones of the Unitarian Universalist Association (UUA.) After completion of the pilot, the Church Council will decide on next steps.

Ms. Gale introduced the process observer for this meeting, Mr. Chuck Wooldridge, a member of the UUA Board of Trustees and a colleague of Ms. Jones. He will follow a set of questions, which council members also have as a guide for their own reflection, and report his observations at the end of the third plenary session. On Sunday, Ms. Reitz and Ms. Tutt-Starr will give feedback about their experience as Church Council members. There will be a time for verbal feedback from the council as well as gathering members' written responses.

## **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: "Much has changed since we were together in July in our world. What two words would you use to describe the context in which we are now called to lead and live and serve? Turn to the person next to you and share. . . . Now a second question: 'How would you describe yourself in midst of that context?' There's a third question: 'What kind of leadership do you think that context calls for from us?'"

"Two words I would use to describe the context since July would be 'turbulent' and 'expectant.' A text for a time like this, that calls us to live with confidence in the midst of turbulence and to live with generosity in the midst of expectant hopefulness, is from Luke's Gospel." Presiding Bishop Hanson read aloud Luke 12:32-34.

"My report today is to reflect with you on the kind of leadership. . . times such as these, as expectantly hopeful and turbulently chaotic as they have been, calls for. First of all, I think times such as these call for leadership that is prayerful, thoughtful, and responsible. It was wonderful to see Lutherans testify . . . about the centrality of prayer in our life. In my written report, I describe an experience I had in Dar es Salaam, Tanzania, last summer where I was invited to give the morning meditation at the Lutheran cathedral at 7 a.m. I said, 'Is it some holy day?' They said, 'No, we gather Monday through Friday at 7 A.M. for morning prayer.' I thought there would be a few faithful, saintly, older people. A thousand people stop every morning on their way to the market, to work, to classes to pray. I said, 'How did this come about?' They said, 'Some young adults a couple years ago began to ask if only Muslims can pray at the break of day. . . . Can't we Christians do the same?' They began to call people to pray every morning, and now a thousand gather. I can't tell you how encouraging it is to move around this church and be told over and over again, 'Bishop Hanson, we pray for you and this church every Sunday,' or 'I pray for you every day.'

"Prayerful leadership, and thoughtful and responsible leadership. I want to lift up especially the leadership of our three financial service units and their incredibly thoughtful and responsible leadership these last few weeks, in turbulent economic times: John Kapanke, you and your colleagues at the Board of Pensions; Christina Jackson-Skelton and your colleagues at the Mission Investment Fund; and Cynthia Halverson and your colleagues at the Foundation. Though I know many rostered leaders tell me that they just drop your reports into the shredder or they don't dare open them to see how their retirement funds are doing, the communications have been clear, the decisions have been responsible, and we have great confidence in you.

"I also want to thank Beth Lewis and her colleagues at the Augsburg Fortress publishing ministries of this church in their new business plan—making difficult, thoughtful, responsible decisions to position us to continue to provide vibrant and viable resources for ministry and the faith practices of this church and the commitments we have made to be engaged in God's mission for the life of the world.

"I also want to express gratitude to the administrators of our eight seminaries. All of our institutions have been

affected by the turbulent economy, but particularly today I want to lift up my confidence and my gratitude for our eight seminaries that, too, are making challenging, difficult, thoughtful, responsible decisions so that we might continue to offer one of the many strengths of this church: quality theological education that forms missional leaders for a changing context, increasingly centers of ecumenical formation, distance learning, diverse programs, but always centered in the richness of what it means to be Lutheran Christians engaged in God's work. So, I thank our colleagues on the seminary staffs and the four colleagues here who work with them and all who are working on the ELCA churchwide initiative to reduce seminary debt.

"But, times like this also call for leadership that is generous, faithful, and fruitful. Particularly with the downturn in the economy, there's a real temptation to begin to want to hunker down and to think of ourselves as a poor church that's getting even poorer. Please pay attention to the numbers in David Swartling's report on the level of giving to congregations last year: \$2.82 billion. Though these figures may have changed since his report came and the reports from congregations, there still was \$2.16 billion held by congregations in savings, trust, endowment, cemetery funds. Do a quick math calculation. That's \$5 billion. You've heard me say it before; I will say it again. Generous, faithful, fruitful leadership calls us to challenge one another not to hunker down and hold those resources so that they might keep doors open for difficult days, but let us imagine how to put them to work for the sake of the Gospel and God's mission in the world. Please read my written report and the written reports of colleagues in the churchwide organization. They take a lot of time . . . to share with you in written form how they are being faithful and fruitful leaders and stewards of the gifts of this church in ministry.

"Finally, I want to say that times like this call for leadership that is evangelical, missional, and imaginative. . . . It's very tempting in turbulent times like these, as laden with anxiety as they are, to think that simply maintaining is enough. I don't think this church has called and elected us in this room to leadership simply to try to maintain, though sometimes maintenance is a fairly significant accomplishment. But I think we've been called to let go, to let go, as you've heard me say over and over again, of the still deep-seated resistance in this church to claiming who we say we are in our name: Evangelical Lutherans. Gerhard Forde once wrote, 'We stand at a crossroads.' That was many years ago. I think we're still at the same crossroads. 'Either we must become more radical about the gospel, or we'd be better off to forget it altogether . . . What is at stake is the radical gospel, radical grace, the eschatological nature of the gospel of Jesus Christ crucified and risen. . . .' A radical Lutheranism would be one that regains the courage and the nerve to preach the Gospel unconditionally. Simply let the bird of the Spirit fly. There's too much timidity, too much worry that the Gospel is going to harm someone, too much of a tendency to buffer the message and to try to bring it under control. How do we not think that times like this are ripe for the good news of God's grace and forgiveness and mercy and steadfast love in Christ Jesus given for all?

"Sometimes in anxious times, I think we who are in leadership are called first to go out into the church and to be those messengers like God sent so often in Scripture to God's people to simply announce 'Do not be afraid.' The image I carry of leadership today is . . . to try to hold back the walls of anxiety, [giving] God space to do a radically new thing. As we go forward to 2009 and the Churchwide Assembly, there will be understandable anxiety in this church about the decisions we take and their implications for our life together. Maybe one of the first things we in this room are called to do is to help push back the walls of that anxiety by simply saying 'Do not be afraid' and then give the Spirit space to do a radically new thing for the sake of the Gospel and the life of the world.

"Let's resist the temptation in coming months to hunker down and to hold on to the resources that we seem to think are ours rather than becoming radically imaginative and generous about releasing those resources for the sake of the life of the world, particularly those who live in poverty.

"Perhaps you, like I, have been absolutely overwhelmed by the tragic political situation in Zimbabwe. If there's any place in the world that I have probably felt most hopeless for, most immobilized in response to, it's been Zimbabwe. Even the attempt to find a coalition government seems again to have stalled. The desire to respond to human suffering . . . is there, but can I trust that our response would actually get to those who are in most need of that response? Yesterday morning . . . with colleagues from Global Mission, I sat with Bishop Ambrose Moyo, formerly bishop of the Lutheran Church in Zimbabwe, the Lutheran World Federation's Lutheran Communion in Southern Africa director. He again brought to mind visually, persuasively what's going on in Zimbabwe and the need for us to respond. Listen to Bishop Moyo."

Bishop Moyo spoke on video: “The situation in Zimbabwe right now is not very encouraging. There has been a great deal of suffering for the last ten years, and it is deteriorating every year, with an inflation rate of more than 230 million percent. Unemployment is very high; a lot of people are dying because the health services have literally collapsed. Hospitals cannot afford food for patients. The staff also in the hospitals and institutions have difficulties simply in finding food. Students, pupils are collapsing in schools, in classrooms. The church, like any other institution, is also struggling to make a living, to provide whatever they can find for the people. At the moment, the challenge to the churches . . . is getting food on the tables of the people and, secondly, to get some seed to the people so that the people can grow food. The church is in a very difficult situation. Pastors are reporting that they are spending most of their time consoling people, burying people. The death rate is just totally unacceptable. The \$600,000 which has already been given by the ELCA, most of it really would go to support the health and medical services. We would really appreciate it if people in ELCA could in one way or another contribute towards the provision of food and, secondly, at this stage perhaps more important, the provision of seed. Our hope is, of course, in the message of the resurrection. We believe in the resurrection and in a God who intervenes in history. And people certainly hope that sooner or later God is going to intervene and there will be a change.”

Presiding Bishop Hanson continued: “Our hope is in the resurrection. As Steve Bouman says, ‘We as people of faith have bet the farm that Christ who was crucified is alive and risen and is loose in the world.’ What Bishop Moyo has challenged us to do we will do. You have read, you will hear more at the unit lunch with Rafael Malpica, and Bishop Moyo referred to it, that we released in August \$600,000 that will focus on four hospitals so that those important health care centers can continue to offer healing and hope. He also alluded to what’s being experienced now, that staff of those hospitals are fainting from malnourishment. As he indicated, we have a critical window right now because it’s the growing season, the rainy season, but there is no seed. So, in response to his appeal, those who steward so responsibly the World Hunger Appeal funds are releasing another \$330,000 next week, which will pay for 90 metric tons of seed. Bishop Moyo says we have the capacity to let the trucks with those seeds get it into Zimbabwe. We can get them to thousands of families. Get that seed into the ground now so that it may bring a harvest in a few months, and hungry people will be fed. We also believe that action now on our part, with other partners around the world joining in, will hopefully leverage the United Nations World Food Program to feed 5 million Zimbabweans, 80 percent of whom live on a dollar or two a day, and over half of whom are chronically malnourished. How can we do this? By not hunkering down and holding on to what we have, but generously releasing it, responsibly stewarding it, boldly partnering with partners on the ground. That’s what it means, I think, to provide evangelical, missional, imaginative leadership in difficult times.

“I think times like this also call for us, as a still predominantly white church, to continue to confront, we who are white, the power and privileges that are ours in this church and this society. As much as I’ve moved around the country in the last ten days since the excitement and the bold move that this country made in the election of Barack Obama as its president, I trust that will be a sign of the work yet to be done rather than the occasion for complacency, as if we have now accomplished all that there was to do. I trust that the commitments we made as Church Council members on our retreat will continue to inform our decisions and, through us, will shape this church’s commitments to becoming inclusive racially and ethnically and continue to be intentionally anti-racist. One of my fears has always been that we who are white will look upon our ethnic associations and our ethnic ministry strategies as instruments to make diverse a predominantly white church, not because we believe we must die and rise to become a different community of faith, but because we believe we need persons of color to continue to perpetuate a predominantly white church. As I’ve told you before, I think there’s deeply held commitments all over this church, in congregations, to become racially, ethnically diverse. But when I push at that commitment, I don’t hear beneath it the realization that to become racially and ethnically diverse will mean that we need to die as white folks to power and privilege and rise to a different way of being the body of Christ together. I think times such as this call for that kind of bold, evangelical, missional imagination.

“Times like this also call for us to become fluent in first language of faith, the language of Scripture. We will not know what those words ‘evangelical, missional imagination’ mean if we are not living in the living Word of God each day. I’ve never seen anything in my . . . years of leadership in this church that has so caught fire in this church as the Book of Faith initiative is catching fire. I had a pastor in Las Vegas send me a book that he wrote and got published as his contribution to the Book of Faith initiative. I don’t think anybody asked him to do it. . . . But congregations are



creating [their own] resources to invite people into living the Word. . . I think the Holy Spirit is literally in charge of this, and we're trying to keep up. What an exciting response in an anxious time when we'd be tempted to hunker down.

"I also think that evangelical, missional imagination calls us to step back and look at our ecumenical full-communion relationships with new eyes. Don McCoid and I gathered in Denver with the leadership of our three Reformed partners in the "Formula of Agreement" (the Presbyterian Church U.S.A., the Reformed Church in America, and the United Church of Christ) to look back at what this relationship of full communion has meant for us over these ten years. There are anecdotal evidences, more than I probably would have thought, that it is impacting how we do ministry and mission together; but nothing like I think those relationships could bring to our vitality, to our imagination. Not just the three Reformed partners, but The Episcopal Church, the Moravian Church USA; we pray, soon, The United Methodist Church, and, with the "Joint Declaration on the Doctrine of Justification," the Roman Catholic Church. Reception is the word to describe the process of living into those new relationships made possible because of full communion. We put too much energy in the ELCA into the adoption and the controversies around the adoption of those agreements, and we have put far too little imagination into what those relationships make possible. . . . If we were serious about reception, I believe it would mean at every governance table we would have voting members from our full-communion partners, including in this Church Council. That would indicate that we are serious about mutual accountability to full-communion partners. It would mean that we would never plant a new congregation absent consultation with our full-communion partners. We would never expand campus ministry, we would never train global mission personnel, we would never offer a new product through our publishing house until it had been vetted with our full-communion partners. So that what they were doing would be complementary rather than competitive with what we are doing. I think we need that kind of bold, imaginative leadership coming from this group and from colleagues in the churchwide organization.

"Times such as these call for a deepening of faith practices. Karin, I love that you wandered around and made us talk about faith practices in our life. That's leadership. That's the kind of mutual accountability that I think we should bring as we leave here and go back to congregations and synods. Ask those questions: 'How are you coping in the midst of anxiety?' 'What renews you when you experience the absence of God in your life?' 'Tell me about a time . . . .' It's not hard if we're willing to ask the questions and take time to listen. Evangelical, missional imagination will just be abstract words of the presiding bishop if they don't flow from 4.7 million people daily praying, living in the Word, practicing hospitality, practicing advocacy, gathering weekly in worship. One of the statistics that most concerns me from David's looking back over last year is, I think, the most significant drop in average worship attendance that we've experienced in the last 20 years. We will not be evangelically, missionally, imaginatively engaged if we are not gathering weekly as the assembly around Word and Sacrament, where the Holy Spirit literally breaks us open with the word of forgiveness, sets us free to go out and serve our neighbor, care for the creation, work for justice and peace, and to end poverty together. We are absolutely convinced as a churchwide organization that our imagination and resources need to increasingly be partnered with synods and other institutions and agencies all focusing on the 10,444 congregations so that they continue to grow as vibrant centers of mission. The future of this church will be bleak if it is not the consequence and result of growing vibrant centers of ministry and mission in those 10,400 congregations."

#### **UPDATE ON EVANGELICAL OUTREACH AND CONGREGATIONAL MISSION STAFFING**

Presiding Bishop Mark S. Hanson introduced the Rev. Stephen P. Bouman, executive director of the Evangelical Outreach and Congregational Mission program unit.

Pr. Bouman emphasized the importance of congregations, saying that they are the heartbeat of a missional church. Pr. Bouman asked: "What would it look like for one mainline denomination to not accept the dwindling fate of its congregations and realign its expectations, but instead corporately together as a community in solidarity, in the Holy Spirit's tether move towards each other and toward the future together?" He cited seven activities of his unit that are aimed at changing the system:

- The Blue Ribbon Committee is asking how the unit is staffed for stewardship.
- 1400 congregations said on their annual report they would like help with stewardship. The unit is trying to reach out and connect them to resources.
- EO asked 13 synods (the bishop and a few key lay, clergy, or staff leaders) to (1) look at an overall missional

strategy for the synod, and (2) take an area, drill down, and spend time helping congregations and other institutions in that area re-root in their communities. Over time this activity will be done in all synods.

- Review tables have a bishop from every region, and seminary presidents have been to send someone as well. These review tables are where decisions are made about spending money. Too often there are opportunities for mission but no leaders.
- The process of renewal grants was disheartening. Proposals come from congregations trying to figure out how to keep going, but many have no clear sense of what they want to do, no evidence of any discernment process where the Spirit led and shaped a decision, no annual reports, no mission support, and no evidence there is any partnership with the synod or the churchwide organization. This process is being changed to invest in growth, in what the Spirit is already doing in many congregations.
- Staffing is being changed from a system of deployed, shared staff to one director for evangelical mission in each synod with two jobs: mission (new and renewed evangelical congregations) and mission support. The unit is looking for adaptive leaders, who can help the people of God be shaped by discipleship and make some crucial decisions now about the future of the church on their territory. The process has been a series of 65 negotiations.
- Ethnic strategies are just words until they show up where people live and minister. Congregations need to be planted where this church's strategies indicate they should be.

Presiding Bishop Hanson continued with his report: "I'm convinced that we will exercise evangelical, missional imagination only if we more consistently and creatively tell the . . . story of what God is doing through this church. I hope that wherever you go you are challenging people to subscribe to *The Lutheran* and *The Little Lutheran*. It is still the best denominational journal that tells the stories of what God is doing anyplace in the world. Drive people to our Web site. And finally, invite and challenge people to use our shared branding. If we don't use a common branding, we will be a house divided within itself that diminishes our capacity to be a diverse house united for the sake of the communities around us."

#### UPDATE ON THE ELCA BRANDING INITIATIVE

Presiding Bishop Hanson called on Ms. Kristi S. Bangert, executive director of Communication Services unit, to give an update and overview of the ELCA brand mark and some pieces of the advertising initiative.

Ms. Bangert pointed out the three elements of the brand mark. The first, and most important, is the emblem. The second is the name of this church. The third is the tag line, "God's work. Our hands." These three elements are intended to be used together. It is possible to use the emblem and the name of this church alone. But the tag line must be used together with the emblem and the name of this church. The tag line is absolutely grounded in the cross; separate, it is just another four words or a label.

Ms. Bangert said the tag line emerged as part of the advertising initiative pilot project in Denver. People said "God's work. Our hands" represented who this church is and what it does.

Ms. Bangert continued by saying that the audiences are members of the ELCA, congregations, synods and synod staffs, the churchwide staff, Lutheran-related organizations and institutions, and, as information, to ecumenical partners and others. One goal is that the brand mark permeates both church and culture so that the ELCA is recognized as the church of "God's work. Our hands." Other goals are that members are proud ambassadors of the ELCA and that the ELCA grows, inspired by mission.

In terms of outcomes, Ms Bangert said that other ELCA tag lines will be replaced, that there is a new focus for the narrative in this church, that there will be a positive change in opinions about the ELCA among leaders and members, and that, ultimately, the decline in membership would be reversed.

Ms. Bangert showed some examples of how the brand mark is already being used in congregations, synods, and the units of the churchwide organization. The ELCA brand material is available at [www.elca.org/GodsworkOurhands](http://www.elca.org/GodsworkOurhands).

Ms. Bangert finished by showing examples of advertising materials that use the tag line.

Presiding Bishop Hanson remarked that discussion of the brand mark and identity leads naturally into the report on the feasibility study for a churchwide campaign: "Our capacity to raise new funds *vis a vis* a major churchwide appeal will obviously enable much of this to bear fruit in ways that we cannot now do within the limits of budget."

Presiding Bishop Hanson concluded his report: "I end virtually all my presentations with the prayer for the anointing of the Holy Spirit because I'm absolutely convinced it's not the presiding bishop or the Church Council or synod bishops that ultimately will motivate and move this church. It is the power of the risen Christ working through the Spirit. 'Father in heaven, for Jesus' sake stir up in these women and men the gift of your Holy Spirit; confirm their faith, guide their lives, empower them in their serving. Give them patience in suffering and bring them to everlasting life. Amen.'"

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

The Rev. Susan Langhauser asked if it were possible to download the DVD of Bishop Moyo. Staff advised her that it would be placed on the Web site, coupled with a news release about the additional \$330,000 for Zimbabwe. The first \$600,000 released for Zimbabwe was made possible because of an unexpected \$2.5 million bequest to the World Hunger Appeal.

Ms. Cynthia J. Halverson, president of the Foundation of the ELCA and executive director of Development Services, added that the donation resulted from a conscious decision to think about how to use the generous bequest over and above regular commitments to World Hunger.

Presiding Bishop Hanson commented that the colleagues who serve in the churchwide organization have an amazing balance of responsible, thoughtful stewardship and an imaginative, expansive, missional kind of imagination.

Mr. Richard L. Wahl asked about "Living in God's Amazing Grace," the tag line enthusiastically endorsed by the Church Council several years ago. Presiding Bishop Hanson called attention to his theological discussion of the new tag line in his column in the October 2008 issue of *The Lutheran*.

In response to the comment that the tag line lacks a Christological focus, Presiding Bishop Hanson responded that it is impossible to get from God's work to our hands other than through the cross of Christ. That is why the branding, which starts with the cross of Christ for the world, is crucial. The cross of Christ releases disciples' hands, mouths, and feet to be about God's work.

Ms. Bangert added that the article in *The Lutheran* is absolutely the best piece for understanding the tag line. There is a link on the brand mark Web site to *The Lutheran* magazine article.

Ms. Bangert also addressed letting go of "Living in God's Amazing Grace." While some people loved it, many did not, she explained. People did not understand it because they do not know what "grace" is. It is important to be careful about the language used to tell this church's story, she said.

## REPORT OF THE VICE PRESIDENT

### (Agenda II.A.2; Agenda/MINUTES Exhibit A, Part 2)

Mr. Carlos E. Peña, vice president of the Evangelical Lutheran Church in America, handed over the chair to Presiding Bishop Mark S. Hanson in order to present his report. In introducing Vice President Peña, Presiding Bishop Hanson remarked that he had been in Galveston and realized first hand the personal challenges he and his wife have faced in response to Hurricane Ike and yet how he has continued to lead this church.

Vice President Peña began his report with an account of Hurricane Ike and the recovery from it, both personally and for the community of Galveston. Following the hurricane, the Peñas returned to Galveston to find no damage to their home, but considerable damage to the family business. They decided to stay and salvage what they could.

Vice President Peña spoke of the lessons he learned:

- Never put too much value on material things. If you are measured by what you have, what does it mean when it is gone?
- We are all in this together; there were no strangers during those days.
- Amazement at how much was taken for granted: 90% of the city did not have water.
- Galveston will return; it has a rich history of coming back.

Vice President Peña expressed his concern for those who lost homes, cars, jobs, and access to health care. He also expressed concern about the red tape and bureaucracy that come with these kinds of disasters. For instance, the city council is debating whether or not turning Galveston into a gambling mecca is a quick fix for its devastation.

Vice President Peña asked for continued prayer, not just for those in Galveston, but for all affected by disasters. He thanked the following: Presiding Bishop Hanson for his pastoral care and sense of accompaniment, Ms. Myrna J.

Sheie for being his lifeline to the outside world, the Rev. Kevin Massey of Lutheran Disaster Response, and the Rev. Michael W. Rinehart, bishop of the Texas-Louisiana Gulf Coast Synod.

Vice President Peña addressed council members's reports on synod visits. He stressed the need for council members to attend synod assemblies, especially this next year, and to listen and bring back questions and comments, not just on what went well but what needs to be improved in order to build relationships. He urged members to finish their reports and hand them in. He reminded the council that there are funds to help cover expenses to attend synod council meetings and assemblies.

In response to a request to clarify who has voice at Church Council meetings, Vice President Peña stated that voting members have voice and vote, and advisory members have voice but no vote. The chair has discretion to allow staff members to address specific issues under discussion. Under the ELCA's open meeting policy, visitors present at an open meeting have no voice and no vote in the deliberations of the body. However, under *Robert's Rules of Order*, the body can suspend its rules by unanimous consent or a two-thirds vote, to allow visitors to speak to a specific issue.

Vice President Peña thanked all who have participated in the past in Vision for Mission, the annual appeal for undesignated support for the ministry of the churchwide organization. He invited council members to participate once again.

Vice President Peña advised the council he is willing to serve another term as vice president of the ELCA, "if God and the Churchwide Assembly see fit." He thanked council members for the opportunity to serve and for all they do to proclaim the kingdom of God.

Presiding Bishop Hanson introduced the new executive for Information Technology, Mr. Jonathan Beyer, and then returned the chair to Vice President Peña.

## **UPDATE ON LUTHERAN DISASTER RESPONSE (Agenda VI.A. )**

Vice President Carlos E. Peña called on the Rev. Kevin A. Massey, director for Lutheran Disaster Response (LDR) and Domestic Disaster Response, for an update. He also reminded the council that the offering taken at Sunday worship would be for the ELCA's domestic disaster response.

Pr. Massey thanked everyone for their prayers and support for the ministry of LDR, a collaborative ministry of the ELCA and The Lutheran Church-Missouri Synod. He pointed out that 2008, which marked the 20<sup>th</sup> anniversary of LDR, was one of the worst years for natural disasters in the United States. There were a record number of tornadoes, and it was the second worst season for hurricane property damage.

Pr. Massey said that anytime, anywhere, any Lutheran provides a caring gesture to a neighbor, that person is a part of LDR. Specifically, LDR services are provided in collaboration with congregations and synods, and overseen by Lutheran social service agencies. The emphasis is on long-term recovery. One year after the floods in Rushford, Minnesota, LDR and the Salvation Army are the only non-profit disaster responders still present, he commented.

In 2008, LDR concluded a project of case management services provided to people affected by Hurricane Katrina. Case managers help clients navigate the bureaucracy and receive the services and resources to which they are entitled. In the Katrina case management project, LDR was asked to serve 10,000 of the total 100,000 clients, providing 24 percent of the total financial value of services and resources.

Pr. Massey reported that LDR has been asked to provide case management services in Iowa following the Midwest floods.

Pr. Massey said the financial gifts are not what they were in the Katrina years. This reduction in funds requires more collaboration and creativity as well as more reliance on local initiatives.

Vice President Peña asked for questions and comments on Pr. Massey's report.

Mr. Richard L. Wahl pointed to the recommendation (Exhibit B, Part 1b, 4a-c) that Pr. Massey's verbal report be the final response to the resolutions from the Texas-Louisiana Gulf Coast Synod, commenting that the report did not seem to address the issues raised in the resolutions.

The Rev. Rebecca S. Larson, executive direction of the Church in Society program unit, indicated that responses to these concerns have been reported to the council on a number of occasions. The responses have taken a number of

forms, including a consultation bringing together a wide variety of stakeholders concerning disaster response. The commitment to LDR is a collaborative commitment to serve in the community but at the same time to keep in mind the particular needs of congregations. Questions about mission and ministry—what happens to a congregation or a church building in a disaster—need to be answered around a broader table than the one in Church in Society. In recent disasters, concrete steps have been taken to work with the Mission Investment Fund, Communication Services, and the Evangelical Outreach and Congregational Mission unit.

Pr. Massey added that the concerns of the Texas-Louisiana Gulf Coast Synod about how the churchwide organization provides help for congregations, rostered leaders, and buildings remain a significant issue in New Orleans. Pr. Massey and Presiding Bishop Hanson's recent trip to Galveston included visiting all the ELCA congregations on Galveston Island to see the damage. The question of whether and how these buildings get repaired is a missional question. Repair of all the structures may not be the most responsible response in terms of stewardship. The Rev. Michael W. Rinehart, bishop of the Texas-Louisiana Gulf Coast Synod, is focusing on mission as he navigates these conversations with the congregations and their leaders.

Pr. Larson added that while there were many non-formal processes in place that looked after mission and ministry needs in disasters, the devastation caused by Katrina was on a scale for which no one was prepared. Following Katrina, as stated earlier, there had been a consultation, the report of which came to an earlier Church Council meeting.

The Rev. Steven P. Bouman, executive director of the Evangelical Outreach and Congregational Mission unit, commented that when informal mechanisms run out, the need to sustain congregations comes to his unit. At the last review table for renewed congregations, the unit received large grant proposals to pay salaries of pastors, begging the question about a mission strategy. Bp. Rinehart and the 13 ELCA congregations of New Orleans are attempting to develop a strategy that does not focus on who will survive but defines the mission field and makes decisions based on mission.

Secretary David D. Swartling pointed out that the recommended action concerning the resolutions from the Texas-Louisiana Gulf Coast Synod is in the *en bloc* section and should be removed if there were a desire for additional discussion.

## **RECESS**

The Church Council entered into recess at 10:30 A.M.

**Saturday, November 15, 2008**  
**Plenary Session II**

Vice President Carlos E. Peña reconvened the November 2008 meeting of the Church Council at 10:50 a.m.

**REPORT OF THE EXECUTIVE FOR ADMINISTRATION**  
(Agenda II.C; Exhibit E, Part 1)

At the request of Vice President Carlos E. Peña, the Rev. M. Wyvetta Bullock, executive for administration, presented her report.

Pr. Bullock began by describing her first half marathon—the training, running, and encouragement of the crowd. She said she has often compared her work and that of the churchwide organization to running a long race. Running a marathon is about preparation, pacing, and endurance. She cited the writer of Hebrews, who in chapter 12 reminds Christians that they are like runners in a race, surrounded by great cloud of witnesses. They should set aside anything that would slow them down, and run the race that is before them.

Pr. Bullock reviewed the work of the Program Planning and Coordinating Team to engage in strategic thinking about positioning the churchwide organization for the future. The team continues to examine the opportunities and challenges facing this church, to identify churchwide organization priorities, and to explore ways to strengthen a mutually supportive senior leadership team.

Pr. Bullock described how the long-term perspective has been applied to viewing the work of the financial services units (Board of Pensions, Mission Investment Fund, and Foundation of the ELCA) in the Mission ONE (Opportunities Now Emerge) project.

Pr. Bullock stated that she looks forward to continuing the work she and Presiding Bishop Mark S. Hanson have done to deepen their relationship and strengthen their cooperative leadership. Her personal goals are to continue to align the churchwide organization's resources with its priorities, to increase the interdependent functioning of units, and to create leadership development opportunities that strengthen this church's capacity for doing God's work through its hands. She thanked the council for its partnership in this work.

Vice President Peña called for questions.

Presiding Bishop Hanson added that he and Pr. Bullock have been working with an executive coach, Mr. Michael Hanson, who has helped them differentiate their shared leadership. He stated that one of the reasons he can travel so extensively is his utter confidence that the day-to-day work of the churchwide organization rests capably in her hands and those of the colleagues who lead with her. He described Pr. Bullock as a woman of deep faith and incredible vision, and he thanked her for a marvelous year of shared leadership.

**REPORT OF THE PLANNING AND EVALUATION COMMITTEE**  
(Agenda II.E.5.)

At the request of Vice President Carlos E. Peña, the Rev. Jeffrey "Jeff" B. Sorenson, chair, presented the report of the Planning and Evaluation Committee.

**COMMUNAL DISCERNMENT**

(Agenda III.F.1; Agenda/MINUTES Exhibit H, Part 2)

*Background:*

The Church Council, at its August 2007 meeting, acted on a resolution from the Southwestern Minnesota Synod related to communal discernment. The Church Council voted [CC07.08.57]:

- To receive the resolution of the Southwestern Minnesota Synod related to communal discernment;
- To refer the resolution to the Church Council Planning and Evaluation Committee in consultation with the Administrative Team and the Conference of Bishops with a request that a report and possible

recommendations be brought to the April 2008 meeting of the Church Council; and

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

At its April 2008 meeting, the Church Council voted [CC08.04.09]:

To give thanks to the Southwestern Minnesota Synod for its resolution asking the Church Council to appoint a task force to examine models of communal discernment and report “recommendations about how we might work together in a way that fosters trust and deepens our spiritual discernment of challenging dilemmas and issues in our future”;

To underscore the importance of communal discernment to the interrelationships and life of this church in each of its expressions and to anticipate that this examination will serve not only to provide a vehicle to speak to each other about difficult issues in difficult times, but also to call this church to look deeply and prayerfully at how it seeks to be led by the Holy Spirit in all its communal discernment processes;

To recognize that this request asks the Evangelical Lutheran Church in America (ELCA) to examine specific criteria for discernment, both current and future, and therefore a breadth of representation on the task force and a flexible time line are necessary;

To anticipate that, together with the Book of Faith initiative, this church is committing itself to a journey with the Spirit, a journey of spiritual renewal through Holy Scripture and discernment;

To appoint a communal discernment task force to explore whether there may be better ways for the Evangelical Lutheran Church in America in all its expressions to engage emotional and divisive issues, seek the guidance of the Holy Spirit, and make difficult decisions as a church body in ways that will increase mutual trust, build respect for each other as the body of Christ, and deepen spiritual discernment;

To encourage the task force to engage in a thorough study of alternative possibilities for communal discernment, to recommend to the Church Council alternative models of communal discernment it deems helpful, and to offer leadership to this church as it seeks to be led by the Holy Spirit in its communal discernment processes;

To request that the task force consult regularly with the Administrative Team and the Conference of Bishops, work collaboratively with all expressions of this church, and report its findings and possible recommendations through the Planning and Evaluation Committee to the Church Council;

To include as members of the task force people selected for their interest and expertise from among:

- the Church Council;
- the Conference of Bishops;
- churchwide officers and staff;
- teaching theologians;
- rostered and lay leaders from congregational settings; and
- institutions and agencies;

To include as advisors to the task force people selected for their interest and expertise from among ecumenical partners and intentional faith communities who have explored, or already employ, alternative models of communal discernment;

To anticipate that the task force, as it determines what will be helpful for its work, may invite resource people from a wide range of faith traditions who practice varied models of communal discernment;

To allocate \$20,000–\$25,000 for the work of the task force; and

To request that the task force be named and convened by July 1, 2008, and that the task force provide to the November 2008 meeting of the Church Council, following consultation with the Administrative Team the following: 1) a preliminary outline of the scope of its work and a time line for completing it, and 2) any recommended changes in the process of deliberation that would affect the 2009 Churchwide Assembly.

The communal discernment task force, co-chaired by Ms. Suzanne G. Wise, Church Council advisor representing Lutheran Services in America, and the Rev. Jon V. Anderson, bishop of the Southwestern Minnesota Synod, has met several times.

In a memorandum to the Church Council's Planning and Evaluation Committee, the Rev. Marcus R. Kunz, staff advisor to the task force from the Office of the Presiding Bishop, wrote: "In establishing the Communal Discernment Task Force the Church Council asked it to provide two things to the November 2008 meeting of the Church Council following consultation with the Administrative Team: '1) a preliminary outline of the scope of its work and a timeline for completing it; and 2) any recommended changes in the process of deliberation that would affect the 2009 Churchwide Assembly.' At its most recent meeting (October 29-31, 2008) the task force worked on both requests, resulting in two items for consideration." Those items are as follows:

### **1. Recommendations for the 2009 Churchwide Assembly**

At its first meeting (July 17-19, 2008), the task force considered whether to make any recommendations for change in the process of deliberation for the 2009 Churchwide Assembly (CWA). Reasons not to make any recommendations included: a preference to invest time and energy on the larger scope of communal discernment and goals beyond the 2009 CWA; the difficulty of developing recommendations in a short time frame; and the potential for these recommendations being wrongly perceived as carrying a hidden agenda for any of the issues to be considered by the 2009 CWA. For these reasons and others, the task force appeared to be leaning away from making any recommendations for 2009.

However, in an October 1, 2008, telephone conference call, the task force decided to consider possible recommendations in three areas: the relationship between worship and deliberation; how to deal with proposals introduced without advance notice and without adequate time for deliberation or debate; and how to structure deliberation or debate to include those who are neither for nor against a motion as it is before the assembly.

When the task force met on October 29-31, 2008, its discussion led eventually to the development of recommendations in five areas (see Exhibit H, Part 2). These recommendations are best seen as a menu of possibilities, offered with respect and goodwill. The task force trusts that those responsible for planning and leading the assembly will exercise good judgment informed by experience in deciding what, if any, suggestions to consider implementing at this next assembly. The task force also acknowledges and respects the dedicated work of elected leaders and staff reflected in the existing practices and procedures. The recommendations are not intended to imply that alternatives and underlying issues have not been considered or attempted previously. Moreover, they are not offered as a fully developed and integrated plan, demanding that all suggestions be implemented at once.

These recommendations have been given to the Administrative Team, and they are being considered by Churchwide Assembly Planning Team and the Legal and Constitutional Review Committee.

### **2. A preliminary outline and timeline for continuing work**

From the beginning, the task force has recognized that the potential scope of its work could be broader than simply reviewing alternative models for decision-making in legislative assemblies of this church. Identifying "how we might work together in a way that fosters trust and deepens our spiritual discernment of challenging dilemmas and issues in our future" also can involve consideration of what it means to be a *community* in deliberation as well as consideration of the ways of discerning what is truth, good, and other issues (i.e., not just the ways of deciding to act).

Faced with a potentially enormous task, the task force carefully considered the scope of what it would recommend for continuing work. The outline and timeline [in Exhibit H, Part 2] is what the task force both recommends and is prepared to work on over the next two-and-a-half years, although it recognizes that the Church Council may choose to adjust this plan and/or recruit others for this work.

This action plan obviously involves financial costs and investments of time and energy. Costs for travel, housing, and meals for the first task force meeting in July totaled \$7,448.34. Based on that amount, the estimated cost for the action plan as recommended is approximately \$50,000 over the next two-and-a-half years (through the 2011 Churchwide Assembly).

#### *Church Council Action*

The Rev. Jeffrey "Jeff" B. Sorenson, chair of the Planning and Evaluation Committee, introduced the proposed



action on communal discernment. He asked Ms. Suzanne G. Wise, chair, the Rev. Susan Langhauser, and the Rev. Jonathan W. Linman of the Church Council to bring a report of the work of the task force.

Pr. Langhauser outlined several areas of task force work: to determine whether the task force would submit any recommendations for the 2009 Churchwide Assembly and to decide if this would be ongoing work and, if so, to present a timeline and funding requests. She noted that the task force has sought to model communal discernment in the process of talking about it.

Pr. Langhauser acknowledged that the process for the 2009 Churchwide Assembly was too far along to make substantial changes. The task force recommended only minor adjustments, which have been sent to the appropriate people.

Ms. Wise thanked the members of the task force and the Rev. Marcus R. Kunz, executive for discernment of contextual and theological issues, who has staffed the task force. She noted that the name of the task force often requires explanation; once its mission is explained, then people get excited about it. She pointed out that recommendations dealing with the 2009 Churchwide Assembly were made in three areas: the relationship (or what some have called the disconnect) between worship and deliberation; the best way to handle those proposals that come at the last minute; and a process that would allow people to speak without taking a stance on an issue.

Ms. Wise emphasized that the task force was not only about formulating another process for making decisions; it represented an attempted culture shift. The shift would allow voting members to come together, listen to one another, listen for the Holy Spirit, and discern together where this church is being led. The proposed timeline and budget are for two and a half years of work, allowing for the task force to do more studying, listening, and learning before bringing final recommendations to the Church Council.

Vice President Peña opened the floor for discussion.

Mr. Richard L. Wahl expressed interest in hearing Secretary David D. Swartling's reaction to the suggestions for the Churchwide Assembly. Secretary Swartling indicated that the Office of the Secretary and the Churchwide Assembly Planning Team already have begun the process of evaluating the suggestions. He feels that some of the issues addressed by the Communal Discernment Task Force already have been incorporated in the rules, for example, the requirement to provide substitute motions in writing. With respect to mechanisms for evaluating issues, the committee of the whole has been used successfully in the past, and discussion already has begun about using it in 2009, not just with respect to the social statement on human sexuality but for other issues as well. He expressed concern about unintended consequences of tinkering with *Robert's Rules of Order*. He added that there are differing views about whether a countdown clock is desirable.

The Rev. Donald J. McCoid raised a question on behalf of the Worship and Liturgical Resources section, which wondered about the effects of some of the task force's recommendations on the integrity of the worship service. Ms. Wise replied that the intention was for some of the guests bringing greetings to preach or participate in worship in some way. Presiding Bishop Hanson remarked that he would be meeting with the Worship and Liturgical Resources section later to discuss their concerns. Secretary Swartling added that the Churchwide Assembly Planning team already is looking at slightly reconfiguring the space in the plenary hall to make it more worshipful.

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

**VOTED:**

- CC08.11.30**      **To receive with deep gratitude the report of the Communal Discernment Task Force;**
- To encourage review of the recommendations as information for Churchwide Assembly planning, including the 2009 Churchwide Assembly of the Evangelical Lutheran Church in America:**
- **by the Church Council as it considers the Rules of Organization and Procedure for the 2009 Churchwide Assembly;**
  - **by the Office of the Presiding Bishop and the Office of the Secretary related to their constitutionally mandated responsibilities for agenda, worship, and**

**arrangements related to each Churchwide Assembly; and  
To approve the proposed budget and timeline for the continued work of the  
existing task force.**

Pr. Sorenson concluded by reporting on a number of other items. He noted that the committee intends to take up the anti-racism recommendations in more depth at the March meeting, especially those related to working with young adults and people living in poverty. He stated that the committee heard reports on the requested evaluation of the Evangelism Strategy and on the strategic planning process. The committee also approved the unit review timeline. It discussed a process for fulfilling the assignment from the 2005 Churchwide Assembly that Planning and Evaluation report annually to the council and biennially to the Churchwide Assembly on the ways the churchwide organization advances the strategic directions or fails to do so.

**REPORT OF THE SECRETARY  
(Agenda II.A.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 reported that since his election he has been in 20 states and Canada. He informed the council that he usually begins synod presentations by talking about the Plan for Mission and strategic directions, as well as organization and meeting principles. He regularly advises that attendance at meetings, consistent both with fiduciary responsibility and as part of this church, requires preparation, participation, and prayer.

Secretary Swartling reported that the Office of the Secretary (OS) remains in a time of transition. The Rev. Paul A. Schreck's departure in August put additional stress on the staff, and Secretary Swartling expressed his admiration for all the members of the OS staff for their ongoing work. In September, he had asked Emma Porter Graber to conduct a consultation for OS. One of her recommendations was not to replace Pr. Schreck immediately. His work has been reallocated, some of it being taken on by the Rev. Karen G. Bockelman, until recently on the staff of the Northeastern Minnesota Synod, who will serve on a contract basis, working both in Duluth, Minnesota, and in Chicago.

Secretary Swartling sees as one of his responsibilities taking the message of the ELCA and the concept of interdependence into synods and regions. He has attended six regional consultations and seven Synod Assemblies thus far, visiting with bishops, officers, and staffs of about two-thirds of the synods. He also represented the ELCA at the fall meeting of the National Council of the Evangelical Lutheran Church in Canada (ELCIC). In his visits, he talks about synergistic leadership and the importance of collaboration between lay and clergy and other rostered persons, the strategic direction to raise up faithful, wise, and courageous leaders, and ways to facilitate wise decision-making.

Secretary Swartling remarked that congregational reports are an important aspect of OS work, and he called attention to the details of the summary of 2008 statistics contained in his written report. He highlighted total giving to ELCA congregations of \$2.3 billion and total assets of those congregations of over \$20 billion. He noted a very small increase in ethnic membership, specifically of biracial or multiracial members. Conversely, he pointed to the decline in baptized membership and low percentage (less than 30%) of baptized members attending weekly worship.

Secretary Swartling reported on Churchwide Assembly preparation, saying that out of approximately 1,040 voting members, only ten persons did not provide an e-mail address. A revised orientation video for voting members and on-site orientation will include some of the communal discernment suggestions.

With regard to the Rules of Organization and Procedure, Secretary Swartling said that he intentionally devoted considerable staff time to provide extensive background material in order to be as transparent as possible. Most of the proposed changes are to provide clarity or to recognize current practice. The intention of the proposed Part Ten is to provide an opportunity for the council to debate the merits of a two-thirds or a majority vote on issues relating to the social statement on human sexuality.

Secretary Swartling briefly highlighted other Churchwide Assembly matters: amendments to the governing documents, the need to identify qualified candidates for nomination to churchwide committees, and access to the list of voting members. All of these were matters addressed in more detail in his written report.

Secretary Swartling commented on the change in the ELCA's endorsed insurance program to Church Mutual

Insurance Company. He urged council members to encourage congregations looking for insurance to check with Church Mutual about its product and to make sure to consider comparable coverage when evaluating insurers.

Secretary Swartling pointed out the list of Church Council calls attached as Appendix 1 to his written report. He highlighted three matters currently on the OS agenda: model rules of organization and procedure for synods, issues related to corporate social responsibility, and an oral history of the ELCA.

Secretary Swartling concluded by saying how delighted he is to be the secretary of this wonderful church in order “to use these hands for God’s work, and to join these hands with yours to do God’s work with our hands.”

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

Vice President Carlos E. Peña called upon Mr. William R. Lloyd Jr., chair, for the report of the Legal and Constitutional Review Committee.

#### **RECOMMENDATIONS FOR THE 2009 CHURCHWIDE ASSEMBLY (Agenda II.E.4; Agenda/MINUTES, Exhibit G, Part 5)**

##### *Background:*

The Church Council has the responsibility for submitting recommendations for action by the 2009 Churchwide Assembly. For constitutional amendments, a six-month notice to the synods is required for adoption of such amendments in one Churchwide Assembly (churchwide constitutional provision 22.11.a.). Notice of proposed bylaws also is provided to the synods as information. The proposed amendments also are distributed to the voting members in the Pre-Assembly Report.

##### *Church Council Action:*

Mr. William R. Lloyd Jr. introduced the action and reviewed the proposed changes in the *Constitution, Bylaws, and Continuing Resolutions*. Secretary David D. Swartling announced that provisions 19.11.01. and C12.03. already had been removed for separate consideration.

Vice President Peña opened the floor for questions.

Mr. Richard L. Wahl stated that the reasons for his request to remove provisions 19.11.01. and C12.03. from *en bloc* consideration already have been addressed by Mr. Lloyd, so he withdrew his request.

In response to a question about moving to ten percent representation for youth and young adults, Mr. Lloyd commented that these are goals, that there is language that requires a plan, but that there is no enforcement mechanism.

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

#### **VOTED**

**CC08.11.31**        ***To recommend the following for adoption by the 2009 Churchwide Assembly of the Evangelical Lutheran Church in America:***

***To adopt, with the exception of those amendments that may be considered separately, the amendments to the Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America as detailed in Exhibit G, Part 5.***

#### **DWELLING IN THE WORD**

The Rev. Paul Stumme-Diers, bishop of the Greater Milwaukee Area Synod, reflected on dwelling in the Word: “Bishop Hanson calls us to be a church fluent in the first language of faith. My ‘Dwelling in the Word’ moment curiously came to me in a language in which I didn’t think I was fluent. My Spanish, as they say is, ‘Nicht so gut.’

“I have the unique distinction of having successfully lived in Cuernavaca, Mexico, for a total of nine months in my life without learning Spanish. That, my friends, is hard to do. I lived there when I was eight, when my father was

studying liberation theology with Ivan Illich, and then again when I went there to study liberation theology in college through the Center for Global Education at Augsburg College.

“I can recall, as an eight year old, visiting the cathedral for mass on Sundays and feeling the hope arising among the very poor people gathered there as Bishop Mendez Arceo sat in his cathedral chair and preached what was obviously a message of good news that inspired and empowered the poor and angered the more wealthy.

“I can recall as a college student living for a month with a family, sharing together one dusty room with the family and their chickens, in Colonia San Antonio, with my sole source of communication being my smile. They shared everything, and in the evening they came together with the others in their base Christian community to share God’s Word. After a day of work, of making ice cream in the early morning, then selling it on the streets, making tortillas and selling them from a stand in front of the home, attending school when possible, caring for the sick and elderly, they would gather in the evenings and share Scripture. I knew that from the Biblia from which the two who could read would read.

“Dwelling in the Word, together they shared their sorrows. I could tell from their tears. They shared dreams, I could see from their lit up faces, even in the dim light. They shared their weariness, apparent from their drawn expressions. They shared a sense of hope, I could identify from their organizing to have the street in front of their homes someday paved. And often they shared in disagreements, with voices raised, because they cared so much.

“Together we were dwelling in the Word, a word shared in prayer, in hospitality, in smiles, in community, in patience, in an abundance celebrated in the midst of deprivation. It was a language I could understand after all, a language that then and now I yearn to speak with more fluency.”

#### **ANNOUNCEMENTS**

Secretary David D. Swartling made a number of routine announcements, including a 12:15 P.M. deadline for removal of items from *en bloc*, as well as matters for separate consideration in the Rules of Organization and Procedure.

Vice President Carlos E. Peña called on the Rev. J. Pablo Obregon for prayer.

#### **RECESS**

The Church Council recessed at 12:03 P.M.

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**Saturday, November 15, 2008  
Plenary Session III**

Vice President Carlos E. Peña reconvened the November 2008 meeting of the Church Council at 1:34 P.M.

**BIBLE STUDY**

The Rev. Stanley N. Olson, executive director of the Vocation and Education program unit, led a Bible study on Jeremiah 1:4-19, using the Book of Faith Bible study circle model.

**REPORT OF THE TREASURER**

(Agenda II.A.4; Agenda/MINUTES Exhibit A, Part 4; Exhibit F, Parts 1-11)

Ms. Christina Jackson-Skelton, treasurer of the Evangelical Lutheran Church in America, focused her report on a financial update as well as actions coming to the council from the Budget and Finance Committee. She began by saying that, even in the midst of the global financial crisis, she feels a sense of calm and confidence. At the same time, she stressed the need to aware of and attentive to the impact the financial situation can have on the members of this church.

Treasurer Jackson-Skelton reviewed the report on current operating funds for the eight months ending September 30, 2008. She pointed out that the report indicated a net operating deficit of \$700,000, but added that figure is a positive variance to the plan of about \$3.7 million. Revenue is positive to budget by about \$1.2 million. Compared to 2007, expenses have increased by \$1.5 million, but spending is under plan by \$2.5 million.

Focusing on income, Treasurer Jackson-Skelton reported an increase of \$319,000 in mission-support income compared to 2007, although that amount was under budget by \$77,000, a 0.2% negative variance. Bequest and trust income has been positive to 2007 by \$2.4 million and \$1.8 million positive to plan. Support from the Mission Investment Fund and Thrivent Financial for Lutherans for new congregational development is consistent with plan. There has been an increase of \$364,000 over 2007 in distributions from endowments benefitting churchwide ministries. Missionary Sponsorship, although down somewhat, is very close to budget. Vision for Mission is behind budget by \$121,000 and is expected to end the year a little under expectations. Investment income, obviously a volatile category, has a negative variance of \$700,000, most of which is unrealized adjustment for the market value. Overall, Treasurer Jackson-Skelton said, she anticipated that income for the year would be close to budget.

Regarding churchwide organization spending, Treasurer Jackson-Skelton reported that it was close to plan at about 95.5%.

Treasurer Jackson-Skelton reported another extraordinary year of giving to the World Hunger Appeal (WHA). The \$12.1 million already received for the annual appeal represents a favorable variance of \$1.7 million to 2007 and to what was budgeted by \$2.6 million. The knowledge that some large bequests had been received and that a very large bequest was coming enabled discussion with the units about distribution of the gifts, leading to the suggestion that more money be sent to Zimbabwe. She added that the Church Council would consider an action to raise the WHA spending authorization. Treasurer Jackson-Skelton pointed out some changes in the WHA report in order to provide information on specific funds under the WHA umbrella. She announced that total WHA income to date, including gifts to specific programs, is \$12.4 million with expenditures of \$9.5 million.

Finally, Treasurer Jackson-Skelton called attention to the written report on the work of the Office of the Treasurer, including the Management Services and Information Technology sections.

**REPORT OF THE BUDGET AND FINANCE COMMITTEE**

(Agenda II.E.2.)

Vice President Carlos E. Peña asked Ms. Ann C. Niedringhaus to present the report of the Budget and Finance Committee in the absence of Ms. Phyllis L. Wallace, its chair.

**A. REVISIONS TO 2008 SYNOD MISSION-SUPPORT PLANS**

(Agenda III.C.1.)

*Background:*

The Church Council has responsibility for reviewing and approving or withholding approval for synods' mission support plans. Since the April 2008 Church Council meeting, revisions for 2008 mission-support plans have been received from seventeen synods.

*Church Council Action:*

Ms. Ann C. Niedringhaus of the Budget and Finance Committee, introduced the proposed action and reviewed the changes in 2008 mission support plans.

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

**VOTED**

**CC08.11.32a To affirm with sincere appreciation the increases in the percentage for the sharing of 2008 mission-support contributions by congregations for synodical and churchwide ministries of the following synods: Nebraska, Arkansas-Oklahoma, and Indiana-Kentucky synods; and**

**To affirm the revised 2008 mission-support dollar estimates for the sharing of mission-support contributions by congregations for synodical and churchwide ministries of the following synods: Northwest Washington, Eastern Washington-Idaho, South Dakota, Northwestern Minnesota, Northern Texas-Northern Louisiana, Northern Great Lakes, Northwest Synod of Wisconsin, Greater Milwaukee, North/West Lower Michigan, Northwestern Ohio, Upstate New York, Delaware-Maryland, Virginia, and Southeastern synods.**

**B. REVISIONS TO 2009 SYNOD MISSION-SUPPORT PLANS**

(Agenda III.C.1.)

*Background:*

Since the April 2008 Church Council meeting either new or revised 2009 mission support plans have been received from eighteen synods.

*Church Council Action:*

Ms. Ann C. Niedringhaus of the Budget and Finance Committee introduced the proposed action and reviewed the changes in 2009 mission-support plans.

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

**VOTED**

**CC08.11.32b 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: Southwestern Washington, Southwest California, Arkansas-Oklahoma, Northern Texas-Northern Louisiana, Indiana-Kentucky, Upstate New York, and North Carolina synods; and**

**To affirm the revised 2009 mission-support dollar estimates for the sharing of mission-support contributions by congregations for synodical and churchwide ministries of the following synods: Northwest Washington, Pacifica, Central States, Texas-Louisiana Gulf Coast, Northern Great Lakes, North/West Lower Michigan, Upper Susquehanna, and West Virginia-Western Maryland synods; and**

**To acknowledge the decision of the following synods to request a reduction of their previously established percentage for the sharing of mission-support contributions by congregations for synodical and churchwide ministries; to affirm their prayerful efforts in continuing to be strong partners; to encourage them to restore their percentage to their previous level in the future; and to commit to supporting them in this process through continuing conversation and collaboration on behalf of our shared ministries: Greater Milwaukee and Lower Susquehanna synods, and South-Central Synod of Wisconsin.**

**2008 INCOME ESTIMATE AND EXPENDITURE AUTHORIZATION**  
(Agenda III.C.2; Agenda/MINUTES Exhibit F, Parts 3a-3b)

*Background:*

Income estimates of \$82,017,500 for the current unrestricted operating fund and \$22,700,000 for the World Hunger fund previously have been approved by the Church Council. No change in the current unrestricted operating fund estimate is proposed.

The current World Hunger income estimate, approved in April 2008, is anticipated to be surpassed by \$3.1 million in bequests and trust income. Other income is projected to be less than originally budgeted by \$400,000. An increased distribution of up to \$2.7 million in additional World Hunger project support in 2008 for international and domestic projects is proposed. Any balance of income not allocated and distributed prior to year end, plus any income over estimates or expenditures below plan, will become part of a pool available for allocation and distribution in 2009 following the established process for allocating World Hunger "overages."

*Church Council Action:*

Ms. Ann C. Niedringhaus of the Budget and Finance Committee introduced the proposed action and reviewed the proposed spending authorization.

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

Ms. Rebecca Jo Brakke asked how this church can be sure that the money released for Zimbabwe and the supplies that it buys will get to the people who need it. The Rev. Rafael Malpica-Padilla, executive director of the Global Mission program unit, responded that while it is impossible to receive absolute assurance, Bishop Moyo has been able to enter into an agreement with the local authorities for the fast processing of those goods that will come into the country. Funds have been transferred successfully to the foreign account at Barclay's Bank in Zimbabwe. Part of the agreement with the government is that inspectors will be sent to facilitate the transfer of the goods.

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

**VOTED:**

**CC08.11.33 To approve a revised World Hunger spending authorization for fiscal year 2008 of \$22,700,000.**

**2009 INCOME ESTIMATE AND EXPENDITURE AUTHORIZATION**  
(Agenda III.C.2; Agenda/MINUTES Exhibit F, Parts 4a-4b)

*Background:*

As detailed in Exhibit F, Part 4a, current fund income is estimated to increase by \$527,200 to \$82,447,200 from the 2007 Churchwide Assembly-approved 2009 income proposal. This is an increase of \$430,050 from the revised 2008 income estimate. The largest budget increase is in mission-support income, with an expected increase of \$900,000 to \$67,200,000. This is an increase of \$600,000 from the revised 2008 fiscal year estimate and equals 97 percent of synod

mission-support plans. Endowment distributions are expected to increase \$252,600 from the assembly-approved estimate due to the identification of additional endowments available for support of the current operating budget.

Gifts expected for Vision for Mission have been reduced by \$150,000 from the assembly-approved estimate and \$100,000 from the revised 2008 estimate. Investment income estimates reflect a decrease of \$200,000 as a result of lower cash balances. The \$75,400 decrease in rental income is due primarily to the adjusted estimate of available lease space in the Lutheran Center. Bequests and trust income has been reduced by \$100,000 in both unrestricted and temporarily restricted income, reflecting the decision to maintain a constant \$2.5 million combined budget level.

The proposed 2009 expenditure authorization is shown in Exhibit F, Part 4b. It reflects an allocation to units of \$1,060,000 for increased compensation and benefit costs based on an average salary increase of 3.5 percent for approximately 511 full-time, part-time, and term staff; 185 missionary positions; 159 mission developers supported either on churchwide payroll or through grants; and increases in the cost of benefits, especially health care premiums.

Increases were made in the allocation to the Office of the Treasurer in order to maintain information technologies at required levels, as well as a net increase for the costs of management of the Lutheran Center and the Washington, D.C., offices after realizing savings in mortgage interest expense.

The strategic initiative fund is budgeted at \$309,425, including a \$200,000 amount reserved for the implementation of the new staffing structure in EOCM.

The revised income proposal does not keep pace with the expenditure increases identified above. In order to create a balanced budget, 5.5 vacant positions were eliminated and other program reductions were identified in many units, including a \$100,000 reduction in the subsidy support of the ELCA Foundation.

World Hunger income is anticipated to increase \$600,000 from the amount approved at the 2007 Churchwide Assembly. The unusually large bequests in 2008 that led to the 2008 increased spending authorization are not expected to recur; therefore, the total income projected for the World Hunger appeal in 2009 is less than the 2008 revised estimate.

*Church Council Action:*

Ms. Ann C. Niedringhaus of the Budget and Finance Committee introduced the proposed action.

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

**VOTED:**

**CC08.11.34            To approve an initial current fund spending authorization for fiscal year 2009 of \$82,447,200; and  
                                 To approve an initial World Hunger spending authorization for fiscal year 2009 of \$20,600,000.**

**NEW CHURCH COUNCIL DESIGNATED FUND**

(Agenda III.C.4; Agenda/MINUTES Exhibit F, Parts 5a-5h)

*Background:*

The established method for funding the mission plans of the churchwide organization is through the operating budget. The operating budget, developed after review of potential income sources, is used to establish expense guidelines for the various units of the churchwide organization as they provide programs or support outlined in the ELCA governing documents.

The Church Council is asked occasionally to establish designated funds for support of certain specific programs or events that may not be included in the “normal” yearly operations of the churchwide organization. Approved requests may be managed in two different ways.

The first way designated funds are managed is through investment in the ELCA Foundation as Church Council designated funds “functioning as endowment.” They are reported annually to the Church Council in April through the Church Council Budget and Finance Committee.

The second way designated funds are managed is through the ELCA treasury as a designated fund to be used for a specific activity within a given time frame. Exhibit F, Part 5a is a summary exhibit of all active Church Council



designated funds, exclusive of those “functioning as endowments.” Exhibit F, Parts 5b-h includes reports for each of the active Church Council designated funds.

The Board of Trustees for the ELCA Foundation and Advisory Committee for the Development Services unit approved the following resolution:

WHEREAS, this church is mandated to sustain a church magazine; and

WHEREAS, from time to time the magazine has an operating surplus; and

WHEREAS, the surplus activity could be used for purposes identified by the editor, *The Lutheran* and the treasurer of the ELCA; now therefore, be it

RESOLVED, that the ELCA Foundation Trustees recommend to the Budget and Finance Committee of the ELCA Church Council to create a Church Council designated fund to hold the operating surplus in a special development fund for *The Lutheran* magazine; and be it further

RESOLVED, that in any given year when *The Lutheran* magazine has a positive year-end net income amount, that amount shall be transferred to the special development fund for *The Lutheran* magazine; and be it further

RESOLVED, that this operating surplus will be available to be used in support of the ministry of *The Lutheran* and for the development and operation of the magazine at the request of the editor, *The Lutheran* in consultation with the treasurer of the ELCA.

Since the churchwide organization and Augsburg Fortress, Publishers, negotiated a revised statement of working relationship for the operation of *The Lutheran* in April 2000, which was further revised in May 2006, the practice has been to transfer the operating surplus of the periodical into a fund managed by the Foundation. The funds were combined with an already existing fund established in the Foundation with funds received from the Lutheran Church in America through Augsburg Fortress, Publishers, “to be maintained as a reserve for the church periodical . . . less the interest and principal are drawn upon by the churchwide office for deficit coverage of *The Lutheran*.” In subsequent reviews by the ELCA Foundation, it was realized that the fund had included donor-restricted gifts. The compelling reason for this resolution is the need to separate unrestricted and restricted funds on the records of the ELCA Foundation as required by accounting regulations, FASB 117. With establishment of this fund as a Church Council designated fund, the council would remain the authorizing entity and retain full control of the use of the fund.

*Church Council Action:*

Ms. Ann C. Niedringhaus of the Budget and Finance Committee introduced the proposed action.

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

A question was raised whether the word “may” means “may” or “will.” Mr. Daniel J. Lehmann, editor of *The Lutheran* magazine, said that he would not seek to transfer surplus funds at the end of the operating year when he could tell there would be a major shortfall at the beginning of the following year. Ms. Christina Skelton-Jackson, treasurer, added that the Foundation fund had been carried over from predecessor church bodies but had commingled funds that needed to be separated for accounting purposes. While it is not the practice of the churchwide organization to permit units to carry over money and put it in a designated fund, this action, with its built-in consultation, is a recognition that *The Lutheran* magazine is intended to be financially independent.

Mr. William R. Lloyd Jr. asked what language in the action would fix the commingling problem. Treasurer Skelton-Jackson responded that it is not the language but the establishment of a separate fund that is accounted for separately in the financial statements that solves the problem.

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

**VOTED:**

**CC08.11.35**

**To approve the creation of a Church Council designated fund to be invested with the ELCA Foundation and that income in excess of expense in any given operating year of *The Lutheran* may be transferred to this fund with the approval of the treasurer of the ELCA; and**

**To authorize that the funds will be available for the support of the ministry of *The Lutheran* magazine with the approval of the Office of the Presiding Bishop and the treasurer of the ELCA.**

Ms. Ann C. Niedringhaus reviewed other items discussed by the Budget and Finance Committee and expressed the committee's thanks to Treasurer Jackson-Skelton and her staff for their high quality work.

**UPDATE ON AUGSBURG FORTRESS, PUBLISHERS**

Ms. Beth A. Lewis, president and chief executive officer, gave a detailed presentation on the six-month strategic planning process her unit had undergone at the request of the Augsburg Fortress Board of Trustees. She stated explicitly that the process assumed Augsburg Fortress would remain a unit of the ELCA and would continue to serve ELCA congregations. Ms Lewis outlined aspirations for 2009-2011: achieving net sales growth and sustained profitability; providing curricula and other resources for core faith formation courses; determining, with the ELCA worship office, the next generation worship resource needs; and doubling adoptions and revenue in the academic market.

Ms. Lewis used the concept of "grow, hold, fold" to demonstrate what these aspirations would mean for Augsburg Fortress.

- Grow: curriculum and worship materials for congregations, textbooks for the academic market, inside sales group, Web store, and Christian education clinics
- Hold: arts, supplies, and devotionals for congregations; monographs and reference materials for the academic market; bookstore at Luther Seminary; music clinics; synod theological conferences; display at the Churchwide Assembly
- Fold: apparel, Augsburg books, Lutheran Voices, field sales, bookstores, and displays at Synod Assemblies and the Youth Gathering

Ms. Lewis detailed staff reductions and additions over the next six months.

Ms Lewis concluded with the publishing ministry's business vision: to occupy the leading position in the core markets of congregations and higher education; to create clearly superior products; to excel in large group-use categories; to move to a 90% mix of proprietary products; to lead the market in branding and "web-marketing;" to utilize low-cost, high-impact sales channels; to put technology at the center; to remain agile.

**REPORT OF THE PROGRAM AND SERVICES COMMITTEE**

(Agenda II.E.6)

At the request of Vice President Carlos E. Peña, the Rev. Steven P. Loy, chair, presented the report of the Program and Services Committee.

**UPDATE ON ELCA STUDIES ON SEXUALITY**

(Agenda V.2; Exhibit K, Parts 1a -1d)

*Church Council Information:*

Ms. Norma J. Hirsch, Church Council advisor to the task force, reviewed the ways in which the members of the task force have received responses to the draft social statement on human sexuality. She noted the significant variability in responses at the synodical hearings, commenting on the need to communicate the difference between being heard and being agreed with. The comments have been summarized for the use of the task force, and each comment has been sent to at least one member of the task force for individual review. She also noted that the task force has remained committed to the inclusion of youth in this process.

Ms. Hirsch reported that the task force met November 7-8, 2008, to begin preparing revisions to the proposed social statement. There were three purposes for the meeting: to give guidance to the writing team regarding the proposed

statement, to give guidance to the writing team regarding the implementing resolutions, and to begin the separate task of preparing a response to the 2007 Churchwide Assembly's directive regarding recommendations for rostering.

Ms. Hirsch commended the integrity of the members of the task force. She called attention to the important role the council will have in this process; namely, to forward the proposed statement and recommendations to the 2009 Churchwide Assembly with clarity, transparency, and integrity.

The Rev. Roger A. Willer, director for studies in the Church in Society program unit, reviewed the handling of responses to the draft social statement. He noted that a preliminary report on those responses is available in Exhibit K, Part 1b. A summary report on the hearings for the draft social statement on human sexuality is in Exhibit K, Part 1c. At its January meeting, the task force will finalize two documents: the proposed social statement with implementing resolutions and the document and recommendations on rostering, specifically any changes to policies that preclude practicing homosexual persons from the rosters of this church.

The Rev. Kaari M. Reiersen, associate director for studies in the Church in Society program unit, reported on general themes in the hearings. There was broad agreement that this church is deeply divided. There was also agreement that the draft statement is too long and too complex. There were both affirmations and criticisms, often about the same issues. She closed with a quote from a pastor: "We've heard from both sides a need and desire for certainty, yet we have a theological tradition that is created out of tension, and we are called to live out that tension."

The Rev. Rebecca S. Larson, executive director of the Church in Society program unit, reviewed the timeline found in Exhibit K, Part 1a. For council members, she emphasized the dates of February 27, 2009, the deadline for council members to give comments to the Program and Services Committee, and March 27-30, 2009, the meeting of the Church Council at which action will be taken.

The Rev. Stanley N. Olson, executive director of the Vocation and Education program unit, reviewed Exhibit K, Part 1d, a summary of policies and procedures related to ministry rosters, along with three possible broad approaches for consideration in response to the 2007 Churchwide Assembly action.

#### *Church Council Discussion:*

The Rev. John C. Richter asked if the comments from the bishops would be individual ones or a single common statement. Pr. Larson responded that the bishops would determine the nature of their response, but in the past a snapshot of their comments has been provided. The Church in Society program committee would like a sense of the comments of the bishops, she added.

Ms. Judith Tutt-Starr asked if there was any consensus concerning the general tendency of comments in the hearings, indicating that her sense was that there were more negative comments than positive ones. Pr. Reiersen responded that the hearings are just one of many streams of comments coming to the task force.

The Rev. Jeffrey "Jeff" B. Sorenson asked if there was been any sense of the direction in which the task force is leaning regarding the proposed approaches. Pr. Willer responded that while the task force discussion did give some sense of direction, no poll was taken.

## **SOCIAL STATEMENT ON GENETICS**

### *Church Council Information:*

The Rev. Steven P. Loy, chair of the Program and Services Committee, reported briefly on the study underway on genetics. The study guide has been distributed, he said; the draft social statement will be issued in 2010.

## **PROCESS OBSERVATION**

Mr. Chuck Wooldridge, member of the Unitarian Universalist Association (UUA) Board of Trustees and anti-racism process observer at the Church Council meeting, offered the following report: "Process observation is a shared practice. There are already a couple of council members who are going to take the lead and help you with some training. It becomes a leadership competency that every member of the council learns. Process observation is also a common language, terminology, analytical framework that all members of the council will be able to utilize. It will become a lens

that informs your work in whatever committee or task force assignments you might have. It will also inform your work in synods and local congregations. Process observation is a commitment to continuous leadership learning. Process observation provides information to allow you to make an assessment as to what further competency development work and training the council should consider in the future.”

Mr. Wooldridge offered his comments on a number of evaluative questions that had been distributed.

*Question 3: Were the handouts useful, clear, and accessible to all members?* “The issue underlying this question is whether this is reflective of an open and inclusive council culture and process. Does the availability of information, the time it is provided in advance, to whom it is provided . . . reflect the culture and process of this council? The issue of accountability to under-represented groups becomes the issue of how voices are heard in the council. Are the voices being truly heard? Are they invited to real and meaningful dialog? That requires some intentional exchange of information in advance.”

*Question 5: How was conflict or dissent handled? Specifically, how were under-represented perspectives heard and considered?* “While you don’t want to encourage conflict, you certainly want to invite dissent or minority viewpoints.”

*Question 6: Was business conducted and were decisions made in a way that honored differences in style amongst members?* “Different styles of worship are reflective of openness. This morning’s worship shows the diversity of worship styles that exist in any religious denomination, including the use of the camera and the video interviews. . . . You are ahead of us in greening; the IT support you are providing, reducing the amount of paper. That’s also a matter of style. This is the way business is being done. There is an environmental justice reason for moving in that direction.”

*Question 7: Did the council agenda include items which addressed issues of racism, sexism, ageism, and oppression both internally to ELCA and in the larger society?* “There was a rich expression of issues, beginning this morning with the report of Presiding Bishop Hanson, who highlighted anti-racism, multiracial, multicultural work, the issue of privilege, and issued a call to action, moving beyond commitment to live into the vision. Secretary Swartling mentioned things like corporate social responsibility and shareholder advocacy. Is this church aligned with issues that matter to minorities, people of color, under-represented groups? The Evangelical Outreach and Congregational Mission report brought up the planting of new congregations in places that are aligned with the vision of being a more multiracial, multicultural denomination. I noted in the treasurer’s report a line item for multicultural ministries. Some might want to ask the question of why those positions have not been filled and what impact those vacancies might have.”

*Question 8: Did the reports from officers, staff and/or committees reflect a commitment to racial, gender and age justice and inclusion?* “Yes, in a number of places, including Presiding Bishop Hanson’s call to move beyond the words of commitment and begin to see this work taking root in the three expressions of this church. There was also work from the retreat needing to be done. What does this mean for future planning?”

*Question 9: Was there evidence of outreach to people of color, women, varied age groups who might be stakeholders in decisions made during this meeting?* “I have understood there are many ways you seek out voices of this church. I know there are representatives of ethnic associations present today. Do you have a sense of how healthy and meaningful the relationships are with those representatives? Are they regularly consulted as work is planned, evaluated? Do they attend and are they active observers in committee and working group meetings? Does the council own its accountability to the leaders of these organizations in shaping, implement, and informing the work? There were a couple of examples in the work being done in disaster response of understanding the need to partner with those on the ground. There is a deep theological reflection around the issues of privilege in our generosity. When we express our generosity, how do we feel and how do the recipients feel?”

*Question 10: Were probing questions asked about the impact of decisions on under-represented and oppressed person in ELCA and in the larger society?* “In the branding presentation, has there been outreach to multiracial, multicultural voices? In the planting of new congregations and missions, there’s a sense that targets have not been met or been as successful as desired. How is the planning taking place in terms of building relationships on the ground? Significant issues to keep radar on include the report on communal discernment; that gets to the heart of inclusiveness at the Churchwide Assembly. Do changes make congregation members and leaders feel more, or less, franchised?”

*Question 12: Were policy decisions and recommendations made in today’s meeting that move ELCA closer to reflection and action on being an institution that values racial, gender, and age justice and inclusion?* “One example

would be the move toward a 10% presence of youth and young adults throughout the expressions of the church. The most global-minded, most multiculturally competent leaders are youth and young adults.”

*Question 13: What suggestions do you have to improve the process next time?* “One would be to let some of you start practicing process observation. I would propose that some group receive these suggestions and try to discern some direction for the council. It is important that these process observations need to be pushed down into committees and working groups. It is helpful to think of the work and your leadership role as council members as not just at this level, but in synods and congregations as well.”

The Rev. Norene A. Smith asked what the protocol would be if one sees that a piece of the process is not being observed. Mr. Wooldridge replied that he would encourage camaraderie and collegiality so that either in the conducting of business or at a break it can be addressed. It also has to do with how you handle dissent, how you express differences of opinion. The UUA Board of Trustees has a team that is responsible for monitoring the process and talking to the parties.

### **ANNOUNCEMENTS**

Secretary David D. Swartling made a number of routine announcements, including information on the health and wellness break scheduled for the recess.

### **RECESS**

The Church Council recessed at 4:11 P.M.

**Saturday, November 15, 2008**  
**Plenary Session IV**

Vice President Carlos E. Peña reconvened the November 2008 meeting of the Church Council into executive session at 4:45 P.M. The Church Council received the report of the U.S.A. National Committee of the Lutheran World Federation and a legal update from Mr. Phillip H. Harris, general counsel. No minutes were kept of that session.

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**Sunday, November 16, 2008**  
**Plenary Session V**

**SERVICE OF HOLY COMMUNION**

Prior to the beginning of the fifth plenary session of the November 2008 meeting of the Church Council, participants gathered for a service of Holy Communion. The Rev. Susan Langhauser preached, Vice President Carlos E. Peña served as assisting minister, and Presiding Bishop Mark S. Hanson presided. Mr. Robert Sitze, former director for hunger education, was the musician.

Following the service, Vice President Carlos E. Peña reconvened the meeting at 9:17 A.M. He thanked those who had participated in the service.

**REPORT OF THE CONFERENCE OF BISHOPS**

(Agenda II.B; Exhibit A, Part 5)

In the absence of the Rev. Allan C. Bjornberg, bishop of the Rocky Mountain Synod and chair of the Conference of Bishops, and the Rev. Marie C. Jerge, bishop of the Upstate New York Synod and vice chair, the Rev. Gerald L. Mansholt, bishop of the Central States Synod, gave the report of the Conference of Bishops. Bishop Mansholt indicated that the October meeting of the conference had marked a time of transition. It had been the first meeting since the death of the Rev. John H. K. Schreiber, bishop of the Southeast Michigan Synod, and it had been as well a time to welcome nine new bishops.

In January 2009, he reported, members of the Conference of Bishops will travel to the Holy Land as the annual Academy for Bishops. The trip is a part of this church's engagement with Israel and Palestine, he commented. Among its purposes are to deepen awareness of what is taking place on the ground, to accompany the Evangelical Lutheran Church in Jordan and the Holy Land, and to engage in advocacy for those strategies that might create a just and lasting peace.

Bishop Mansholt called attention to the bishops' pastoral letter addressing this time of economic crisis. The letter begins with a prayer from *Evangelical Lutheran Worship*, that God may "teach us how to govern the ways of business to the harm of none and for the sake of the common good." The letter, he explained, raises up concern for people in poverty and addresses personal and corporate responsibility, the need for good government, and the benefits and limits of the free enterprise system. It calls on members of this church to live lives not in fear but in hope.

Bishop Mansholt also reported that the Conference of Bishops had held a hearing on the sexuality statement, beginning a conversation that will continue in March 2009. The bishops are seeking to discern how they will lead pastorally, hopefully, and with love and concern for the whole of Christ's church on this matter. A smaller group has been designated to have a preliminary meeting in December to propose how the Conference of Bishops might best respond to the proposed social statement and the task force's recommendations.

Bishop Mansholt expressed deep gratitude for the Church Council's leadership and partnership. He assured members of the bishops' prayers and support.

**REPORT OF THE BOARD DEVELOPMENT COMMITTEE**

(Agenda V.B.)

Vice President Carlos E. Peña called on Ms. Judith Tutt-Starr and Ms. Lynette M. Reitz, members of the Board Development Committee, to lead a discussion of the process observation pilot.

**FEEDBACK ON PROCESS OBSERVATION PILOT**

(Agenda V.B; Agenda/MINUTES Exhibit D, Part 5)

Ms. Judith Tutt-Starr reflected that process observation creates a community climate of honesty, transparent discussion, and reflective decision-making that is inclusive of all voices. It requires understanding when there is evidence of institutional racism or sexism. It means having someone else in the room, listening to the dialogue, thinking of the unsaid, listening to see if the council is being inclusive of other voices, especially those not present in the room, or affirming that which was said was not intimidating. She pointed out that this was the first opportunity to be in deliberation with a process observer present. She expressed her struggle with the phrase "being comfortable" because comfort is not the goal, but it is important to be mindful of one another's comfort level. Ms. Tutt-Starr reflected that the council engaged in listening and speaking without trampling on anyone's rights. The council's actions have been encouraging of various age groups and other stakeholders. Ms. Tutt-Starr added that process observation begins in the committees. She urged the council to continue to be intentional in incorporating new practices of self-reflection in order to remain accountable to the vision and ideal of a new future. Members need to ask: Is the council's practice honest, conscious, transparent, inclusive, accountable, and just? Is it confronting racism, ageism, sexism, and classism as it makes decisions?

Ms. Tutt-Starr then invited council members to speak about this process, focusing on questions 9 and 11. In addition, she asked for thoughtful, written responses to the questions in order to aid the subcommittee in its future planning.

*Question 9: Was there evidence of outreach to people of color, women, varied age groups who might be stakeholders in decisions made during this time?*

The Rev. Norene A. Smith commented that the issue of youth is one of the council's vulnerabilities.

Presiding Bishop Hanson remarked that outreach is the thing the council does least well. When an open-ended invitation to participate is extended, but the voice of the advisors from the ethnic associations or persons of color or youth are not specifically requested, then the council has not made the move to change its culture.

Ms. Elizabeth Gaskins, president, American Indian and Alaska Native Lutheran Association, commented that as an advisor to the Legal and Constitutional Review Committee, she was invited and given ample opportunity to comment and participate at the committee level.

The Rev. Jeffrey "Jeff" B. Sorenson stated that while the council has tried to encourage participation, he did not recall one of the younger people or people of color ever making a motion or amendment. He wondered how to encourage more participation. Mr. Samuel F. Schlouch, youth advisory member, responded that advisory members are not allowed to make motions.

*Question 11: Did Council members share responsibility for raising all concerns pertinent to the council's mission and areas of focus, i.e., race, ethnicity, gender, age?*

The Rev. Sarah M. Lee-Faulkner, chair of the Evangelical Outreach and Congregational Mission program committee, noted the absence of the word "class" in the question and wondered how the council can increase the participation of those living in poverty.

Ms. Reitz commented that the subcommittee decided to focus on the issues it started with: racism and sexism.

Ms. Ann C. Niedringhaus hoped that issues related to disability also would be on the agenda.

Ms. Tutt-Starr stated that there will be a process observer present at the March 2009 meeting. Mr. Mark E. Johnson suggested the process observer be present when the council was likely to discuss something controversial. Secretary David D. Swartling stated that the plan for March is to have the process observer present for the entire meeting.

Ms. Karin Lynn Graddy commented that the summer retreat raised her awareness, and she was thinking about the topic of the retreat when making the video for Saturday morning worship.

The Rev. Jonathan W. Linman observed that the absence of issues around race and gender in the agenda is revelatory.



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**REPORT OF THE LEGAL AND CONSTITUTIONAL COMMITTEE (CONTINUED)**

(Agenda III.E.)

At the request of Vice President Carlos E. Peña, Mr. William R. Lloyd Jr., chair, presented the report of the Legal and Constitutional Review Committee.

**CHURCHWIDE ASSEMBLY RULES OF ORGANIZATION AND PROCEDURE**

(Agenda II.E.4; Agenda/MINUTES, Exhibit G, Parts 6a-b)

*Background:*

In each biennium, the Church Council submits a recommendation to the Churchwide Assembly of the Evangelical Lutheran Church in America on proposed Rules of Organization and Procedure. Voting members of the assembly act on the Rules in the first plenary session. A two-thirds vote of the assembly is required for adoption of the Rules. The text of the proposed Rules is printed in Exhibit G, Part 6. These Rules have been developed and refined as a result of the experiences of the ten previous Churchwide Assemblies as well as the experience of predecessor church bodies.

Most of the proposed changes in the 2009 Rules were made to update or reorganize the document or to clarify an issue (e.g., the meaning of “germane motion” or “memorial”). The most substantive amendments are in Part Ten under the heading “Vote to Adopt Certain Recommendations and Resolutions from a Social Statement Task Force.” For Part Ten the following rules were presented by the Office of the Secretary to the Legal and Constitutional Review Committee:

A two-thirds vote of the voting members of the Churchwide Assembly present and voting shall be required to adopt recommendations or resolutions originating from a social statement task force report, or amendments or substitute motions relating to them.

A two-thirds vote of the voting members of the Churchwide Assembly present and voting shall be required to adopt recommendations or resolutions from a task force report or amendments or substitute motions related to them that require amendment of a constitution or bylaw provision for implementation.

The second paragraph is the Rule that was adopted by the 2003, 2005, and 2007 Churchwide Assemblies and is consistent with the constitution of the ELCA.

The Office of the Secretary proffered these Rules in Part Ten not as advocates of a particular point of view, but primarily to frame clearly the discussion of this section and to address transparently the pending resolution of the Northwestern Minnesota Synod (Exhibit B1b). These Rules also are consistent with what has been proposed in the past and what had been practice with respect to social statements and their implementing resolutions prior to the 2007 Churchwide Assembly, as is evident from this review of the following recent history of the Rules in this section:

**2005 Churchwide Assembly**

At the November 2004 Church Council meeting, the Rules of Organization and Procedure for the 2005 Churchwide Assembly were considered. In Part Ten, “Amendments to and Votes on Major Statements,” under the heading “Vote to Adopt Certain Recommendations from Task Force Reports,” the following rules were commended to the Churchwide Assembly [CC04.11.65]:

A two-thirds majority vote of the voting members of the Churchwide Assembly present and voting shall be required to adopt recommendations from a task force report that require amendment of a constitution or bylaw provision for implementation.

A two-thirds majority vote of the members of the Churchwide Assembly present and voting shall be required to adopt recommendations from a task force that would establish for this church a new practice or policy that is contrary to a social statement of this church on the subject of the policy or social statements received from the immediate predecessor church bodies of this church that have not been replaced or superseded by social statements or decisions of this church.

A two-thirds majority vote of the voting members of the Churchwide Assembly present and voting shall be required to adopt recommendations from a task force report that would establish for this church a new practice or policy that is contrary to an existing policy that has been adopted by the

Church Council upon recommendation of a board or committee, as authorized by the constitution or bylaws of this church.

A two-thirds majority vote of the voting members of the Churchwide Assembly present and voting shall be required to adopt recommendations from a task force report that the Church Council recommended to the Churchwide Assembly and specified that a two-thirds affirmative vote of the assembly will be necessary for adoption.

A two-thirds majority vote of the voting members of the Churchwide Assembly present and voting shall be required to adopt recommendations from a task force report that would establish policy for the oversight by synods of the official rosters of this church.

A majority vote of the voting members of the Churchwide Assembly present and voting shall be required to adopt recommendations from a task force report that are provided as advice to congregations of this church, except recommendations in implementing resolutions for a social statement for which a two-thirds vote is required.

At the first plenary session of the 2005 Churchwide Assembly, the assembly considered the Rules. It voted initially to adopt the Rules, exclusive of quoted and highlighted constitutional provisions and bylaws that are already in force, and the material removed for separate consideration [CA05.01.01]. The Rules approved in the section "Vote to Adopt Certain Recommendation from Task Force Reports" included only the following:

A two-thirds majority vote of the voting members of the Churchwide Assembly present and voting shall be required to adopt recommendations from a task force report that require amendment of a constitution or bylaw provision for implementation.

Paragraphs two–six were removed for separate consideration.

After considerable debate on those paragraphs, the assembly voted to adopt the "Rules of Organization and Procedure," Section I, page 13, Part Ten, paragraph 3, "Vote to Adopt Certain Recommendations from Task Force Reports":

A two-thirds majority vote of the voting members of the Churchwide Assembly present and voting shall be required to adopt recommendations from a task force report or an amendment or substitute motion related to them that would establish for this church a new practice or policy that is contrary to an existing policy that has been adopted by the Church Council upon recommendation of a board or committee, as authorized by the constitution or bylaws of this church.

No other proposed Rule in Part 10 was adopted, nor were amendments to them approved.

### **2007 Churchwide Assembly**

At its April 2007 meeting, the Church Council considered the Rules of Organization and Procedure for the 2007 Churchwide Assembly. In Part Ten, "Amendments to and Votes on Major Statements," under the heading "Vote to Adopt Certain Recommendations from Task Force Reports," the following Rules had been proposed:

A two-thirds vote of the voting members of the Churchwide Assembly present and voting shall be required to adopt recommendations from a task force report or amendments or substitute motions related to them that require amendment of a constitution or bylaw provision for implementation.

A two-thirds vote of the members of the Churchwide Assembly present and voting shall be required to adopt recommendations from a task force report or amendments or substitute resolutions related to them that would establish for this church a new practice or policy that is contrary to an existing policy that has been adopted by the Church Council upon recommendation of a board or committee, as authorized by the constitution or bylaws of this church.

After extensive debate, the Church Council voted to recommend to the Churchwide Assembly to adopt the Rules of Organization and Procedure (exclusive of quoted and highlighted constitutional provisions and bylaws that are already

in force) [CC07.04.24]. Under the heading in Part Ten “Vote to Adopt Certain Recommendations from Task Force Reports,” only the following rule was recommended:

A two-thirds vote of the voting members of the Churchwide Assembly present and voting shall be required to adopt recommendations from a task force report or amendments or substitute motions related to them that require amendment of a constitution or bylaw provision for implementation.

At the first plenary session of the 2007 Churchwide Assembly, the assembly considered the Rules of Organization and Procedure. In Part Ten under the heading “Vote to Adopt Certain Recommendations from Task Force Reports,” the following rule was adopted:

A two-thirds vote of the voting members of the Churchwide Assembly present and voting shall be required to adopt recommendations from a task force report or amendments or substitute motions related to them that require amendment of a constitution or bylaw provision for implementation.

### **Social Statements and Implementing Resolutions**

Bylaw 12.12.01. of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* states:

**12.12.01.** A social statement, which is developed by the appropriate churchwide unit and presented to the Churchwide Assembly as a proposed social statement of the Evangelical Lutheran Church in America, shall require for adoption a vote of two-thirds of those voting members present and voting in a Churchwide Assembly. The text of a proposed social statement shall be approved and recommended to the assembly by the Church Council.

Up until 2007, social statements and their implementing resolutions were combined in a single action, which required a two-thirds vote for approval. Specifically, only a single action on “Caring for Health: Our Shared Endeavor,” combining approval of the social statement and implementing resolutions, was taken by the 2003 Churchwide Assembly [CA03.05.13]. Similarly, only a single action on “Sufficient, Sustainable Livelihood for All,” combining approval of the social statement and implementing resolutions, was taken by the 1999 Churchwide Assembly [CA99.05.14]. Again, only a single action on “For Peace in God’s World,” combining approval of the social statement and implementing resolutions, was taken by the 1995 Churchwide Assembly [CA95.05.24]. The 1993 Churchwide Assembly voted a single action [CA93.04.06], combining approval of the social statement and implementing resolutions, on “Caring for Creation: Vision, Hope, and Justice.” It also took a single action on “Freed in Christ: Race, Ethnicity, and Culture” [CA93.07.43]. The 1991 Churchwide Assembly voted a single action on the social statement on abortion [CA91.06.38], combining approval of the social statement and implementing resolutions. It also took a single action on “Social Practice Statement on the Death Penalty” [CA91.03.09] and a single action on “The Church in Society: A Lutheran Perspective” [CA91.02.04].

In 2007, the practice was altered. The 2007 Churchwide Assembly took separate actions on the social statement and its implementing resolution. It approved (Yes-949; No-35) the social statement in one action [CA07.05.21], which required a two-thirds vote, and approved (Yes-996; No-17) the implementing resolutions in another [CA07.07.22] on a simple majority.

### **2009 Churchwide Assembly**

Following debate, including possible amendment or substitutes for the proposed rules, the Church Council will recommend adoption of the Rules to the 2009 Churchwide Assembly. The assembly then will debate and vote on the Rules during the first plenary session. Amendments and substitute motions to the recommendation of the Church Council are, of course, in order.

#### *Church Council Action:*

At the request of Vice President Carlos E. Peña, Mr. William R. Lloyd Jr., chair of the Legal and Constitutional Review Committee, introduced the action. A request having been made to Secretary David D. Swartling that Part Ten be addressed separately, Mr. Lloyd reviewed changes in items other than Part Ten, pointing out sections that had been

moved from one place to another; changes in dates, time, and the number of voting members; and a provision authorizing the Minutes Committee to review and recommend approval of the minutes to the secretary and presiding bishop.

Vice President Peña opened the floor for discussion.

Mr. Richard L. Wahl asked if these rules and procedures would be open for amendment at the March 2009 Church Council meeting. Secretary David D. Swartling stated that *Robert's Rules of Order* provides a mechanism to review actions previously adopted, through a motion to amend something previously adopted. There being no further discussion, Vice President Peña called for a vote.

**VOTED:**

**CC08.11.36**        ***To recommend adoption of the following resolution by the voting members of the 2009 Churchwide Assembly:***

**To adopt the “Rules of Organization and Procedure,” except for Part Ten, for the 2009 Churchwide Assembly (exclusive of quoted and highlighted constitutional provisions and bylaws that are already in force); and**

**To authorize the presiding bishop and secretary of this church to prepare revisions that may be found necessary for the rules prior to their publication in the *Pre-Assembly Report* and to recommend any changes to the Church Council at its March 2009 meeting.**

*Church Council Action:*

Mr. William R. Lloyd Jr. introduced Part Ten of the Rules. As edited by the Legal and Constitutional Review Committee, the Rules on voting to adopt recommendations or resolutions from a social statement task force were as follows:

***Vote to Adopt Certain Recommendations or Resolutions from a Social Statement Task Force***

A two-thirds vote of the voting members of the Churchwide Assembly present and voting shall be required to adopt recommendations or resolutions originating from or relating to the subject of a social statement task force report or amendments or substitute motions related to such recommendations or resolutions.

***Vote to Adopt Certain Recommendations or Resolutions from a Social Statement Task Force Requiring Amendment of Constitutional Provisions or Bylaws***

A two-thirds vote of the voting members of the Churchwide Assembly present and voting shall be required to adopt recommendations or resolutions originating from or relating to the subject of a social statement task force report or amendments or substitute motions related to such recommendations or resolutions that require amendment of a constitution or bylaw provision for implementation.

He cited several reasons for the Legal and Constitutional Review Committee’s recommendation of a two-thirds vote: to provide language for a two-thirds vote under certain circumstances, to transmit what was proposed for full vetting by the council, to make sure whatever is enacted has widespread support, and to give the same weight to a decision on rosters as to a social statement. The vote of the committee was unanimous, although there were abstentions.

Mr. Lloyd pointed out that the fifth paragraph, “Vote to Adopt Certain Recommendations or Resolutions from a Social Statement Task Force Requiring Amendment of Constitutional Provisions or Bylaws,” simply states what is required with or without the rule.

Mr. Lloyd further described the impact of the proposed draft Rules. If the implementing resolutions are attached to the social statement, a single two-thirds vote would be required. If the implementing resolutions are a separate document and would not require an amendment to the constitution or bylaws, arguably those implementing resolutions could be passed by the assembly with a majority vote, absent a special rule. Under this proposed rule, an implementing resolution

arising or originating from a task force report or related to the subject of a task force report, would require a two-thirds vote. In addition, a memorial coming from a Synod Assembly seeking to instruct the Church Council, the Vocation and Education program unit, and the Committee on Appeals to revise “Vision and Expectations” and “Guidelines for Discipline” in a way that would change the rules on rostering of gay or lesbian clergy in committed relationships could be approved by a majority vote, absent a rule to the contrary. However, with this rule, because the proposed action is related to the subject of the task force, a two-thirds vote would be required.

Following these comments, Mr. Lloyd moved to approve the addition of Part Ten to the previously approved “Rules of Organization and Procedure” for the 2009 Churchwide Assembly.

**Moved;**

**Seconded:**

*To recommend adoption of the following resolution by the voting members of the 2009 Churchwide Assembly:*

To adopt the “Rules of Organization and Procedure” for the 2009 Churchwide Assembly, Part Ten, as amended.

Vice President Carlos E. Peña called on the Rev. Rebecca S. Larson, executive director of the Church in Society program unit, for comment. Pr. Larson described the two responsibilities given to the task force: the development of a social statement and the development of a report on rostering. A social statement, she explained, normally has implementing resolutions that are part of the social statement document. The development of a social statement is covered by a policies and procedures document that specifies a two-thirds vote to approve the social statement and, by implication, the implementing resolutions. There are no policy documents related to a vote on the rostering document.

The Rev. Steven P. Loy, chair of Program and Services Committee, reported that the task force intended to keep the two documents separate and that the committee will try to deal with them separately in the spring. At the Churchwide Assembly, any amendments or changes that come from the floor will be managed by an *ad hoc* committee large enough to be split in two, if necessary, to deal with the documents separately.

Mr. Lloyd stated that the committee’s intention was that with the proposed language would cover both the implementing resolutions related to the social statement and the implementing resolutions related to the question of rostering.

Pr. Larson asked the Council to keep the language clear. The social statement has implementing resolutions, with policies already in place regarding the percentage for the vote. “Implementing resolutions” is a technical term relating to the social statement. The report on rostering does not have implementing resolutions but will have recommendations.

Presiding Bishop Mark S. Hanson outlined a possible scenario: What would happen if the social statement, along with the implementing resolutions, fails to achieve a two-thirds vote and is defeated, and then the assembly takes up the recommendations of the task force related to rostering? Does this rule requiring a two-thirds vote cease to exist because there is no longer a social statement before the body? Mr. Lloyd responded that the language of the rule does not refer to recommendations relating to the social statement, but rather recommendations originating from or relating to the subject of a social statement task force report. Therefore, the rostering document would be covered by this rule as currently written, even if the social statement were not approved.

Ms. Ann C. Niedringhaus asked if “Vision and Expectations” and “Guidelines for Discipline” had been adopted by majority vote or two-thirds. The Rev. A. Craig Settlege, director for mission support, confirmed that both documents had been adopted by a majority vote of the Church Council.

Mr. Mark S. Helmke noted that the proposed fourth paragraph, though broader than any rule in the past, has the advantage of uniformity; the social statement, the implementing resolutions, the rostering recommendations, and any amendments in the course of deliberation on any of those would require a two-thirds vote. He asked about the possibility that, because of its breadth, the rule would not be adopted by the assembly. He was advised that, in that case, the social statement, because of the bylaw provision, would require a two-thirds vote. Everything else to which Part Ten applies would be subject to majority vote, according to *Robert’s Rules of Order*.

Presiding Bishop Hanson cited the experience of the 2005 Churchwide Assembly in Orlando debating the Rules of Organization and Procedure. He noted that it takes a majority vote to amend by striking and a two-thirds vote to adopt

the amended rule. If more than 50 percent, but less than two-thirds, want to strike a rule, the result is a body that doesn't want to adopt its rules because they do not include the provision that a majority just struck. That is where the Orlando assembly became stuck late into the night, he recalled.

The Rev. Norene A. Smith commended Mr. Lloyd and Secretary Swartling on their very careful and thorough work, but expressed concern about recommending to the assembly a two-thirds vote for dealing with matters relating to a social statement. She said she did not want to be part of a leadership of this church that would make any proposed changes harder to adopt.

Pr. Loy commented that requesting a two-thirds vote on the recommendations related to rostering would be problematic because "Vision and Expectations" and "Definitions and Guidelines" were passed by the Church Council, not a Churchwide Assembly, and they were passed by majority vote.

Ms. Norma J. Hirsch commented on the importance of keeping the social statement and implementing resolutions separate from the document regarding rostering. She expressed her sense that this church is not asking the council to make the decision, but to convey a faithful, fair, and just process for the assembly to use in its deliberations. If the Churchwide Assembly believes that an action with regard to rostering requires a two-thirds super-majority, the Churchwide Assembly will be able to say that. She commended the effort at clarity but felt justice would be sacrificed for simplicity. She expressed her desire for a two-thirds vote for the social statement, but a simple majority for rostering recommendations. If the implementing resolutions or recommendations require changes in the constitution or bylaws, those would require a two-thirds vote. If not, the vote would be by majority. Presiding Bishop Hanson clarified that Ms. Hirsch was arguing the model relative to the education statement in 2007 rather than the implementing resolutions and social statements prior to 2007.

Mr. David Truland wondered if the proposed action from the Legal and Constitutional Review Committee went further than the resolution from the Northwestern Minnesota Synod requested. That resolution stated: "When a Churchwide Assembly adopts a social statement, all resolutions and recommendations for implementation of said social statement shall require for adoption a 2/3 vote by the Churchwide Assembly." Mr. Lloyd responded that the assumption of the synodical resolution was that its language covered any proposed change in the rules on rostering. Secretary Swartling commented that, at the time the resolution was drafted, the way the rostering recommendations would be presented was not known. Many assumed the recommendations would be contained in the social statement's implementing resolutions. His understanding was that the Northwestern Minnesota Synod resolution was intended to encompass anything that would come out of the task force.

Mr. Mark E. Johnson commented that historically social statements and implementing resolutions required a two-thirds vote because of the necessity of having significant support for such statements of this church. It seems somewhat anomalous, he pointed out, to adopt a social statement on any subject that requires a two-thirds vote, but to require only a majority for the statement's practical application. The Legal and Constitutional Review Committee was interested in raising the issue and trying to craft language that would be comprehensive enough to cover all possibilities. Mr. Johnson spoke in support of the motion, but he was clear that the assembly would make the final determination of its rules.

The Rev. John C. Richter wondered if it would be possible to pass changes in rostering without a social statement that may or may not have addressed that issue. Presiding Bishop Hanson stated that it would be very possible because the mandate to bring back recommendations relative to rostering was separate from the action calling for a social statement on human sexuality. Mr. Lloyd added that if the proposed rule were adopted, even with the defeat of the social statement, recommendations related to rostering would require a two-thirds vote.

Pr. Larson commented that while "Policies and Procedures of the Evangelical Lutheran Church in America for Addressing Social Concerns" is not entirely clear, it does lean in the direction that social statements and implementing resolutions would both be passed by two-thirds, as has been the case in all but the last social statement. If the social statement is defeated, the consideration of rostering recommendations would be parallel to the situation in 2005. At that time the decision was if the recommendations involved a constitutional change, a two-thirds vote would be required. Otherwise, the normal rules of the assembly would require a majority vote.

Secretary Swartling added that in 2005 the Church Council offered a very detailed series of six paragraphs that talked about changing policy. The problem, from a parliamentary perspective, was how to define a change in policy. The purpose of this rule is to clarify whether a two-thirds vote would be required in all circumstances.

Mr. John S. Munday suggested that since the Northwestern Minnesota Synod had been aware since the 2007 Churchwide Assembly that the task force would develop rostering recommendations, the lack of inclusion of the issue in its resolution might imply the synod was not interested in that topic.

Mr. John R. Emery spoke in favor of the recommendation of the committee. He stated that the council, as the interim legislative body of this church, was empowered and elected to act for the health and the well being of the body. The council is somewhat removed from the pressure that will be placed on the members of the assembly and should offer its best counsel, because in making decisions of this magnitude, it is important to build as close to a consensus as possible for that decision. The assembly has the power to adopt the rules and may choose to disregard the council's advice.

Mr. Gary L. Wiperman asked if the proposed rule meant that any resolution or recommendation that might come up related to the subject of any social statement—for example, the education statement—would require a two-thirds vote. Mr. Lloyd responded in the affirmative, provided that the resolution was related to the subject of a social statement task force report and it was otherwise in order. Secretary Swartling responded further that the answer would depend on the specific nature of the motion. Under the proposed rule, a motion to amend a previously adopted implementing resolution of a social statement task force would require a two-thirds vote. If, however, the motion has a tenuous relationship to something adopted in the 1990s, the answer would be no. It would be treated as a non-germane motion unless it were related to the particular issue on the agenda, and it would be transmitted to the Reference and Counsel Committee for consideration.

Ms. Judith Anne Bunker expressed concern about the spiritual aspect of the whole discussion. The duty of the council is to make it easier for the assembly to do its work in an atmosphere of communal discernment and not with rules that would make voting members work harder.

The Rev. Jeffrey "Jeff" B. Sorenson suggested that the role of the council is to create a larger middle space, finding a way to respect differences and to agree to disagree. Asking for a two-thirds vote is onerous for those matters that accompany the social statement and gives a greater likelihood that the social statement could pass but not the accompanying policy that is consistent with it. Asking for a super-majority of 60% would encourage a policy that represents the broad middle. It would be harder for advocates on either extreme to pass changes or vote down change by 51 percent, and it would make less likely passage of resolutions that contradict the social statement.

Pr. Sorenson moved to amend the rule by substituting "60 percent" for the words "two-thirds" in the fourth paragraph of Part Ten. Hearing a second, Vice President Peña called for discussion on the amendment.

**Moved;**

**Seconded:** To substitute "60 percent" for "two-thirds" in Part Ten of the proposed 2009 Churchwide Assembly Rules of Organization and Procedure.

The Rev. John C. Richter commented that this amendment might create more space in the middle, but 34 percent of the Churchwide Assembly could reject the rules, in which case *Robert's Rules of Order* would call for a simple majority.

The Rev. David P. Anderson stated his concern that adopting two separate sets of percentages could create confusion and anxiety.

Pr. Richter expressed his uneasiness that, with or without this amendment, 34 percent of voting members can reject the rules. While 60 percent might make it easier for some people to vote to adopt the rules, a two-thirds vote would still be needed to approve the 60-percent margin. Presiding Bishop Hanson commented that all the uncontested rules are adopted first. A contested rule could be defeated by 34 percent or a majority vote to strike the rule.

Mr. Mark E. Johnson inquired whether, if the recommendation of a two-thirds vote were to be defeated on the floor of the assembly, a motion to adopt a rule of 60 percent would be in order? Secretary Swartling replied that, in general, the answer would be "yes." An assembly can create a rule that is different from what is proposed by the Church Council. Presiding Bishop Hanson added that once the rules are adopted, it takes a two-thirds vote to amend them, but while they are under consideration, it takes only a majority to amend.

Mr. Wiperman expressed sympathy with the attempt to create a broader middle, but raised concern about adding another percentage, a move that could be seen as a sign of political game-playing or as an attempt to make something

easier or harder to accomplish. He spoke in favor of a simpler approach, keeping the percentage to a simple majority or two-thirds.

Mr. Munday asked why someone who wanted two-thirds or someone who wanted a simple majority would vote for 60 percent.

There being no further discussion on the amendment, Vice President Peña called on Ms. Norma J. Hirsch for prayer. He then called for a voice vote.

**Moved;**

**Seconded;**

**Defeated:** To substitute “60 percent” for “two-thirds” in Part Ten of the proposed 2009 Churchwide Assembly Rules of Organization and Procedure.

Presiding Bishop Hanson and Secretary Swartling abstained. The amendment to change the vote requirement to 60 percent failed.

Vice President Peña called for further discussion of the main motion to adopt Part Ten of the Rules.

The Rev. Susan Langhauser wondered what would be the response if a new voting member, having heard frequent references to “transparency,” asks why a two-thirds vote has been imposed in this particular circumstance. Presiding Bishop Hanson replied there would be two answers: the answer of the historical precedent up to the social statement on education and the answer of the social statement on education. Mr. Lloyd commented that the issue was not one of transparency. The obligation of the council is to propose clear rules. Care should be taken not to characterize why the council voted for a particular rule.

Ms. Deborah L. Chenoweth expressed opposition to the two-thirds rule. After attending three of the sexuality hearings, she felt that people are seeking clarity. The requirement of a super-majority tends to protect the *status quo*, and that sends a statement to those who are not privileged.

The Rev. Peter Rogness, bishop of the Saint Paul Area Synod, expressed his concern that synodical bishops will get most of the questions from voting members and others. The rationale for a two-thirds vote because something is part of a social statement does not hold up, he said. Implementing resolutions have been passed by a simple majority before. The requested report on rostering is an additional step removed. It is related to a social statement, but not part of it. Most of this church knows the assembly is going to talk about whether to change the rules on the ordination of gay and lesbian persons, and they know that in 2005 it took a two-thirds majority because the proposed language involved constitutional changes. In 2007 the issue came before the Churchwide Assembly in a different form, requiring a simple majority. It failed narrowly, largely because of the rationale of waiting for the social statement in 2009. The expectation is that the question will require a majority again. But if the vote is set for two-thirds this time and is defeated, then it will come back in 2011 in the 2007 form that required a majority, but without the rationale of waiting for a social statement. The cleanest option would be a simple majority to adopt the task force report with regard to rostering, he declared. Then there would be no suspicion as to why a two-thirds vote was required.

The Rev. Rachel L. Connelly also spoke against the two-thirds requirement, expressing concern about beginning the assembly by changing rules pertaining to a subject that has brought great discussion, pain, and prayer and that will be for many the real matter of this Churchwide Assembly.

The Rev. Stanley N. Olson, executive director of the Vocation and Education program unit, asked for more information about the phrase “or relating to the subject of.” He reminded the council that there will not be a general recommendation on rostering, but a response to a very specific resolution of the assembly on a particular rostering question. If the two-thirds rule is applied this year and at the next assembly something comes up on rostering, the two-thirds rule might not apply because it was a much more narrow question. However, in the case of the education statement, for example, would a resolution related to campus ministry, public education, schools, or early childhood education require a two-thirds vote? Mr. Lloyd replied that whether a prior social statement could be properly put before the body is a different parliamentary question. There are procedures for amending a social statement. Pr. Olson maintained his concern about the language “the subject of.” Mr. Lloyd pointed out that a simple solution to the problem would be to say this rule applies only to the task force on human sexuality.



Secretary Swartling added that the answer really depends on the specific proposal: Does it relate to the subject of a social statement task force? Is it not covered by the policies and procedures definition of a category of actions that automatically require a two-thirds vote? A two-thirds vote would be required to amend or rescind something that has been previously adopted. In the end, it would come down to the decision of the chair, based upon the recommendation of the Reference and Counsel Committee. It clearly is a gray area, he said.

Mr. Mark W. Myers asked what would happen at the assembly if the council voted down this motion. Secretary Swartling replied that if this provision in Part Ten is deleted, no rule would be recommended to the Churchwide Assembly; in other words, *Robert's Rules of Order* would require a majority vote.

The Rev. David E. Jensen expressed confusion about his role as a member of this board of directors: Is it to try to resolve or provide restorative justice on this issue or is it a management question of providing responsible oversight? Secretary Swartling responded that there is a fiduciary responsibility to the Evangelical Lutheran Church in America as a member of the board of directors to act in its best interests consistent with its governing documents. The proposed action is to recommend the rules by which a substantive matter will be addressed at the Churchwide Assembly. Both of the considerations raised come into play. "That's one of the tensions that comes both with being Lutheran and being a member of a board of directors," he concluded.

Pr. Loy asked if the discussion was about both "vote to adopt" sections in Part Ten. Secretary Swartling responded in the affirmative. Mr. Lloyd added if the motion to adopt the entirety of Part Ten is rejected, he would offer a recommendation that would include all of Part Ten, except paragraph four, *Vote to Adopt Certain Recommendations or Resolutions from a Social Statement Task Force*.

Pr. Sorenson expressed his "unhappy" support of two-thirds, in the absence of a smaller super-majority, as a way of helping the body deliberate in a way that serves the greater middle.

Ms. Niedringhaus suggested an amendment from the floor as an alternative to Mr. Lloyd's comment. Mr. Lloyd replied that the question could be divided or someone could move to amend by striking the fourth paragraph.

Mr. David Truland moved to strike from the proposed rules the paragraph *Vote to Adopt Certain Recommendations and Resolutions from a Social Statement Task Force*. The motion was seconded.

**Moved;**

**Seconded:** To amend Part Ten of the proposed "Rules of Organization and Procedure" for the 2009 Churchwide Assembly by deleting the paragraph, "Vote to Adopt Certain Recommendations or Resolutions from a Social Statement Task Force."

Following questions for clarification, Vice President Peña asked Ms. Norma J. Hirsch for prayer and then called for the vote.

**Moved;**

**Seconded;**

**Carried:** To amend Part Ten of the proposed "Rules of Organization and Procedure" for the 2009 Churchwide Assembly by deleting the paragraph, "Vote to Adopt Certain Recommendations or Resolutions from a Social Statement Task Force."

A division of the house was called for, with the following result: Yes-19; No-10; three abstentions (Presiding Bishop Hanson, Secretary Swartling, and Mr. Mark E. Johnson).

Vice President Peña opened the floor for discussion of Part Ten, as amended.

The Rev. Jonathan W. Linman asked if were necessary to state those recommendations that would require a simple majority. Secretary Swartling replied that *Robert's Rules of Order*, which calls for a majority for anything other than constitutional amendments, governs in the absence of anything specified by separate rules. Pr. Linman asked if voting members would understand that principle. Secretary Swartling listed opportunities for explanation: a new voting member orientation video to be distributed in early 2009, an orientation session at the Churchwide Assembly, and the initial plenary session where the rules are adopted. Presiding Bishop Hanson added that arised regarding adoption of the rules with the various amendments that will be offered. That is a very difficult, anxiety-creating process that privileges those

knowledgeable about parliamentary procedure. Rules that simply restate *Robert's Rules of Order* can be added to the assembly's rules but are not necessary. Secretary Swartling pointed out that people who favor only a majority vote will understand the proposed rules, and those who favor two-thirds will move to amend the rules.

Pr. Smith asked about the importance of keeping paragraph five, "Vote to Adopt Certain Recommendations or Resolutions from a Social Statement Task Force Requiring Amendment of Constitutional Provisions or Bylaws." Secretary Swartling responded that retaining this paragraph shows the two different categories of potential change, either constitutional or bylaw changes or policy changes. By the council's last action, he said, policy change will require a majority vote. Leaving this paragraph in place is a reminder that constitutional changes require a two-thirds vote. There is also a separate process; a constitutional amendment has to go to the Reference and Counsel Committee.

Mr. Mark S. Helmke moved to amend Part Ten by adding the third paragraph from the proposed rules for the 2005 Churchwide Assembly.

**Moved;**

**Seconded:**            *To amend Part Ten of the proposed Rules of Organization and Procedure by addition of the following:*

A two-thirds vote of the voting members of the Churchwide Assembly present and voting shall be required to adopt recommendations from a task force report that would establish for this church a new practice or policy that is contrary to an existing policy that has been adopted by the Church Council upon recommendation of a board or committee, as authorized by the constitution or bylaws of this church.

Following a ten minute break to identify the specific language, Vice President Peña asked Secretary Swartling to read the proposed amendment. He did so.

Mr. Helmke expressed a desire to have a better sense of the council's objections to the rule that had been stricken. He wondered whether the problem was that it was perceived as overly broad, or that it has potential implications with regard to prior social statements and matters related to them, or that as a substantive decision it is in the best interests of the church to depart from what was proposed in 2005, namely that a change in policy should require a two-thirds vote by the assembly. He pointed out that his proposed amendment was the only section of the rules proposed by the Church Council, other than the provision dealing with constitution or bylaw amendments, that was adopted by the 2005 Churchwide Assembly.

Ms. Karin Graddy asked where the paragraph would be added. Secretary Swartling responded that it would be in place of the deleted fourth paragraph, with the addition of a new title.

Bp. Rogness wondered about the meaning of the proposed amendment. Secretary Swartling responded that the proposed rule would mean that a rostering recommendation that was inconsistent with "Vision and Expectations," a policy adopted by the Church Council, would require a two-thirds vote. The proposed amendment is narrower than the stricken rule, he added, addressing only changes to existing policy.

Mr. Loy spoke against the motion, commenting that "Definitions and Guidelines for Discipline" was adopted by the Church Council in 1989, and "Vision and Expectations" was adopted by the Church Council in 1990. Neither has ever gone to a Churchwide Assembly. Both documents were written at a time when the church was dealing with sexual misconduct and trying to curb the tide of litigation. Neither considered where the ELCA was headed as a denomination in talking about sexuality.

Ms. Lynette M. Reitz asked if the proposed rule was in effect at any time other than 2005. Secretary Swartling responded that it had been in effect (in an amended form) in 2005, but defeated in 2007 by the Church Council.

Mr. Truland commented that the proposed amendment clearly would apply to recommendations from the task force that were not part of the social statement but were related to the request from the 2007 Churchwide Assembly. Mr. Lloyd concurred.

The Rev. H. Gerard Knoche, bishop of the Delaware-Maryland Synod, spoke in favor of the motion, saying that without the requirement of a two-thirds vote, the assembly would be voting on the rostering issues over and over every two years because the majority could shift. Policy changes in general, not just for this particular issue, should require a two-thirds vote.

Pr. Sorenson understood this rule to be present in 2005 and in preceding assemblies, but that in 2007, when it was debated in the council, there was no task force report and so it was deleted.

Ms. Niedringhaus remembered the debate at that time having to do with the difference between constitutional and non-constitutional issues. The concern was not just about this one issue but about being consistent. Constitutional matters or social statements themselves would require a two-thirds vote, but other matters should be determined by simple majority.

There being no further discussion, Vice President Peña called for a vote. A written ballot was requested. While the ballots were being prepared, Vice President Peña called on Secretary Swartling for a “Dwelling in the Word” reflection.

### **DWELLING IN THE WORD**

Mr. David D. Swartling, secretary of the Evangelical Lutheran Church in America, reflected: “In every Christian family there is a hero of faith. In my family it was my father. He wasn’t always that way. As he told the story, he was a sometime Methodist until he met my mother in Stevens Point, Wisconsin, in early 1946. In order to move the romance along, he had to adopt her Lutheran tradition. Because my Dad was hopelessly in love, it seemed a small price to pay. So the deal was made. They decided to get married on Valentine’s Day in 1946. They were married in her home congregation in Superior, Wisconsin.

“It turned out that it wasn’t as easy as saying ‘I do’. When they moved to San Francisco later that year, my mother insisted on joining Trinity Lutheran Church in the Mission District because of its Norwegian heritage. In order to become a member, in light of his background, the pastor, Harold Brown, insisted that my father attend a class. And there was homework; my father was instructed to read the book of Philippians. My Dad said that he turned to Pastor Brown—and he said this was absolutely true—and commented that he didn’t know that the Apostle Paul made it to the Philippine Islands!

“From that beginning, my father embarked on a life-long journey of faith. I would nominate him for sainthood because he taught middle-school Sunday School for more than two decades. I recall in the 1950s driving his prize Buick four miles to Salem Lutheran Church in Glendale, California, using only the parking brake because the hydraulic foot brake didn’t work. You see, the Swartling family wasn’t about to miss worship! He served the church in a variety of other positions, and his love of Scripture led him to become a Gideon when he retired. He was married to my mother for 57 years before her death. He sang a solo at her memorial service.

“In all his life, there was something magnetic to my father about Paul’s letter to the Philippians— he kept coming back to it. When I visited him at the retirement community at which he lived late in life, as soon as I said, ‘Hi, Dad’ he would respond with Philippians 4:4: ‘Rejoice in the Lord always; again I will say, Rejoice.’ Everyone on the entire corridor would hear his booming voice.

“As many of you know, my father died in October 2007, when Barbara and I were in transit from Washington to Chicago. We were quite literally homeless, but my father found the new home that he had been seeking.

“At his memorial service, it was only appropriate that we used as one of the texts Philippians 4:4. But, it was important on that day, in memory of a hero of faith, that we read the next three verses: ‘Rejoice in the Lord always; again I will say, Rejoice. Let your gentleness be known to everyone. The Lord is near. Do not worry about anything, but in everything by prayer and supplication with thanksgiving let your requests be made known to God. And the peace of God, which surpasses all understanding will guard your hearts and minds in Christ Jesus.’

“This is the word of the Lord!”

### **REPORT OF THE LEGAL AND CONSTITUTIONAL COMMITTEE (CONTINUED)** (Agenda III.E.)

#### **CHURCHWIDE ASSEMBLY RULES OF ORGANIZATION AND PROCEDURE (CONTINUED)**

Vice President Peña called on Ms. Norma J. Hirsch to lead the council in prayer prior to the vote on the amendment to Part Ten. Following the prayer, Vice President Peña called for the casting of written ballots.

**Moved;**

**Seconded;**

**Defeated:**

*To amend Part Ten of the proposed Rules of Organization and Procedure by addition of the following:*

A two-thirds vote of the voting members of the Churchwide Assembly present and voting shall be required to adopt recommendations from a task force report that would establish for this church a new practice or policy that is contrary to an existing policy that has been adopted by the Church Council upon recommendation of a board or committee, as authorized by the constitution or bylaws of this church.

The chair announced the vote: Yes-14; No-18; two abstentions (Presiding Bishop Hanson and Secretary Swartling). Vice President Peña called for any discussion on Part Ten, as amended. There being none, he called for the vote.

**VOTED:**

**CC08.11.37**

*To recommend adoption of the following resolution by the voting members of the 2009 Churchwide Assembly:*

**To adopt the “Rules of Organization and Procedure” for the 2009 Churchwide Assembly, Part Ten, as amended.**

#### **ANNOUNCEMENTS**

Secretary Swartling made a number of announcements related to lunch.

#### **RECESS**

The Church Council entered into recess at 11:59 a.m.

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**Sunday, November 16, 2008  
Plenary Session VI**

Vice President Carlos E. Peña reconvened the November 2008 meeting of the Church Council at 1:00 P.M.

**REPORT OF THE PROGRAM AND SERVICES COMMITTEE (CONTINUED)**  
(Agenda II.E.6; Exhibit I, Part 1)

The Rev. Steven P. Loy, chair, continued the report of the Program and Services Committee.

**SOCIAL STATEMENT ON JUSTICE FOR WOMEN**

*Background:*

The Plan for Mission supports the five strategic directions with the commitment to: “Confront the scandalous realities of racial, ethnic, cultural, religious, age, gender, familial, sexual, physical, personal, and class barriers that often manifest themselves in exclusion, poverty, hunger, and violence.” Since the establishment of the ELCA in 1988, this church has demonstrated its commitment to justice for women both programmatically through the Commission for Women and throughout the whole organization. In 2005, in order to strengthen the engagement of all parts of the ELCA, the Churchwide Assembly approved a change in structure by which the Church in Society program unit would include a program for Justice for Women.

As an expression of the high commitment of this church to this work, all units include work for justice for women and are held accountable to the Office of the Presiding Bishop. In addition, because of the churchwide nature of this program, the director for justice for women reports annually to the Church Council and biennially to the Churchwide Assembly. The relevant continuing resolution [16.12.D06.d.] states that the Church in Society program unit shall:

. . . work to enable this church to realize the full participation of women; to create equal opportunity for women of all cultures; to foster partnership between men and women; to assist this church to address sexism; and to advocate for women in this church and society. In so doing, this program unit shall:

- 1) present a program plan annually to the Church Council and biennially to the Churchwide Assembly on these efforts; and
- 2) convene a consulting committee related to this task.

The Justice for Women consulting committee is composed of women and men from around the country representing a wide variety of ages, ethnicities, and vocational experiences. This group currently includes:

- April Almaas, at-large member: Harvard Divinity School graduate currently finishing a pastoral internship in the Sierra Pacific Synod;
- Susan Candea, at-large member: pastor of an ELCA congregation in Colorado;
- Antonia Clemente, at-large member: co-founder and executive director of a domestic violence center in New York City;
- Kris Kvam (chair), at-large member: professor at a Methodist seminary in Kansas City;
- Agnes McClain, at-large member: assistant to the bishop of the Southwest California Synod;
- Mikka McCracken, at-large member: student at Gustavus Adolphus College;
- A. J. Mell, advisory member: high school student in Pennsylvania;
- Joyce Schoulte, advisory member: representative of the Church in Society program committee from the Northeastern Iowa Synod;
- David Truland, advisory member: liaison from the Church Council;
- [vacant], advisory member: representative of the Conference of Bishops;
- Other advisory members include Wyvetta Bullock, executive for administration; Linda Post Bushkofsky, executive director of Women of the ELCA; and Doug Haugen, director of Lutheran Men in Mission;
- Staff members from the Church in Society program unit include Rebecca Larson, executive director; Mary Streufert, director of justice for women; and Juli Bey, administrative assistant.

One of the main responsibilities of the consulting committee is to advise the director on priorities for implementing the Plan for Mission commitment to justice for women. In its work the consulting committee has identified as a priority the need for extensive engagement theologically throughout this church in order to effectively understand and address a variety of matters of critical concern to this church. These include but are not limited to the following:

- the reality of sexism as a sin in this world;
- the importance of claiming the work of justice for women (and girls) as the work of the entire church;
- the profound social and justice needs of women and girls in both church and society;
- the statistics on violence, poverty, HIV and AIDS, exclusion from and derision for ecclesial and secular leadership, and trafficking in humans overwhelming indicate the egregious harm women experience, both within church and within society;
- the unmet social and justice needs of women indicate that they are not valued as made in the image of God;
- the problems, which are systemic, relate to women and men and systems of power and privilege and must be addressed theologically; and
- this church is called to speak boldly and publically through advocacy and in other ways in support of justice for women (and girls) in church and society and requires a policy base to do this effectively and well.

The consulting committee concluded that the personal, social, and religious reality of injustice for women and girls demands a deeply convicted theological response that would engage this church in study and reflection, particularly around the theological connection between justification and justice in the realm of what it means to be female and male within God's creation. The consulting committee concluded that it is not until this important piece of work is engaged that this church can most effectively respond to issues of justice related to women and girls both within church and society.

Therefore, at its meeting in the fall of 2007 the consulting committee for justice for women recommended to the Church in Society program unit that a request be made to the Church Council to call for a social statement on justice for women. At its meeting in the spring of 2008, the program committee for Church in Society discussed this matter and supported the recommendation of the consulting committee.

#### ELCA Social Statements

The "Policies and Procedures of the Evangelical Lutheran Church in America for Addressing Social Concerns" describe social statements in this way: "Social statements are major documents addressing significant social issues. Typically, they provide an analysis and interpretation of an issue, set forth basic theological and ethical perspectives related to it, and offer guidance for the corporate Evangelical Lutheran Church in America and its individual members . . . . In all cases social statements are the product of extensive and inclusive deliberation within this church, a process that is an integral part of their educational purpose. Because of the considerable resources and care that this church invests in them, and because of the participatory process used in their development, social statements are the most authoritative form of social policy and are adopted only by the Churchwide Assembly."

Six perspectives guide this church's understanding, development, consideration, and use of social statements:

1. Social statements are theological documents.
2. Social statements are teaching documents.
3. Social statements involve this church in the ongoing task of theological ethics.
4. Social statements result from an extensive, inclusive and accepted process of deliberation throughout this church.
5. Social statements guide the institutional life of this church.
6. Social statements are intended to be used widely in the life and mission of this church, reflect awareness of the various audiences and ministries which they are to serve.

It is the recommendation of the program unit for Church in Society that the Church Council recommend to the 2009 Churchwide Assembly the topic of justice for women in church and society as a social statement to be received by the Churchwide Assembly for approval in 2015.

#### *Church Council Action:*

The Rev. Steven P. Loy, chair of the Program and Services Committee, placed the proposed action before the council and called on the Rev. Rebecca S. Larson, executive director of the Church in Society program unit, to provide background for it.

Pr. Larson reviewed the process by which proposed topics for social statements come to a Churchwide Assembly for approval and listed the social statements currently in the process: human sexuality (2009), genetics (2011), and criminal justice (2013). Pr. Larson introduced Ms. Kristin Kvam, chair of the Consulting Committee for Justice for Women and an advisor to the Church Council.

The floor was opened for discussion.

Mr. Richard L. Wahl asked for elaboration on the serious theological issues concerning this matter. Ms. Kvam responded that one of the great things Lutherans bring to the church catholic is attention to addressing things theologically. The exact focus of the social statement is yet to be determined, but certainly would include the theological connection between justification and justice as well as the discipleship call to combat sin.

The Rev. Jonathan W. Linman asked if the Church in Society program committee has discerned or prioritized other possible topics. Pr. Larson responded that this is the only topic discussed and moved forward by the program committee.

Pr. Loy expressed concern that because a recommendation for a social statement can come from a number of different sectors, no one is working strategically to determine and prioritize issues that this church might need to address.

Pr. Larson added that there is a request from the Central States Synod for a social policy on mental health. It is the judgment of Church in Society that such policy would more appropriately take the form of a message rather than a social statement because it would be a derivative topic to the social statement on health care.

The Rev. Murray D. Finck, bishop of the Sierra Pacific Synod, wondered about plans for 2017 and the 500<sup>th</sup> anniversary of the Reformation. Mr. Loy responded that this church should be more proactive generally and more strategic about its work, rather than settling on the "idea of the day."

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

**VOTED:**

**CC08.11.38**

***To recommend to the 2009 Churchwide Assembly the following action:***

**To request that the Evangelical Lutheran Church in America develop a social statement on the topic of justice for women in church and society to be received by the Churchwide Assembly for approval in 2015.**

Presiding Bishop Hanson commented that the various streams by which this church identifies and sets binding priorities runs almost contrary to the desire to be more flexible, nimble, and focused. This contradiction makes planning for the sake of mission, along with its budget implications, enormously challenging. He desired that the Church Council give broad and thoughtful attention to this problem.

**SUPPORT FOR MILITARY CHAPLAINCY**

*Background:*

The Episcopal-Lutheran Coordinating Committee at its October 2008 meeting met with the Rev. Darrell D. Morton, assistant to the presiding bishop for federal chaplaincy ministries, and his counterpart in The Episcopal Church to discuss concerns related to military chaplaincy. The following resolution was approved unanimously and will be brought to both church bodies for discussion and possible action: "The Lutheran-Episcopal Coordinating Committee was deeply concerned to learn of episodes of insensitivity by the Armed Forces by neglecting to provide liturgical and sacramental worship opportunities appropriate for Lutherans and Episcopalians. The LECC recommends that the executive bodies of our churches call upon the Department of Defense to take measures to ensure that the sacramental needs of Lutherans and Episcopalians are met by providing a minimum of a weekly celebration of the Eucharist under an officially ordained person recognized by the two churches."

*Church Council Action:*

The Rev. Steven P. Loy, chair of the Program and Services Committee, introduced the action. Mr. Loy commented on the inclusion of Lutherans and Episcopalians under the general category of "Protestant." This action would be an opportunity to clarify with the Department of Defense that this is a sacramental church.

Presiding Bishop Hanson added that, as one whose office is responsible for federal chaplaincy, this is an important action, but should not replace the more important need to raise up Lutheran and Episcopal pastors who are willing to serve as military chaplains.

In response to a question about what the Department of Defense can be expected to do, Presiding Bishop Hanson stated that it is a fair request to ask that the centrality of the sacrament of Holy Communion in worship be recognized and respected.

Ms. Karin Lynn Graddy asked how much this action will actually affect the Department of Defense. The Rev. Donald J. McCoid, executive for ecumenical and inter-religious relations, commented that the resolution is the appropriate mechanism to get the attention of the Department of Defense. This same motion is going before the Episcopal executive committee.

Mr. Richard L. Wahl wondered how to make the argument that the ELCA should not be included in a general Protestant category. Pr. McCoid responded that the importance of regularly receiving the Eucharist for Christians from sacramental traditions cannot be overemphasized to the Department of Defense. This importance applies not only to Roman Catholics and Eastern Orthodox believers, which the department recognizes, but equally to Lutherans and Episcopalians.

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

**VOTED:**

**CC08.11.39 To call upon the Department of Defense to take measures to ensure that the sacramental needs of Lutherans and Episcopalians are met by providing a minimum of one weekly celebration of the Eucharist under an officially ordained person recognized by the two churches.**

**UPDATE ON FEASIBILITY STUDY FOR CHURCHWIDE CAMPAIGN**

*Background:*

The Church Council at its November 2008 meeting will receive and respond to an update on the feasibility study for a possible churchwide campaign. The update will be brought by Ms. Cynthia J. Halverson, executive director of the development services unit and president of the ELCA Foundation, and Mr. Byron Tweeten of Growth Design, Inc.

A final proposal for possible consideration by the 2009 Churchwide Assembly will be brought to the March 2009 meeting of the Church Council in accordance with ELCA continuing resolution 11.41.06.: "No churchwide appeal to congregations or individuals of this church for the raising of funds shall be conducted by this church or churchwide units without the consent of the Churchwide Assembly, following consultation with the Conference of Bishops. . . . Proposals for such special appeals shall be presented to the Church Council through the appropriate council committee with recommendations by the Office of the Presiding Bishop."

*Church Council Information:*

Ms. Cynthia J. Halverson, executive director of the development services unit and president of the ELCA Foundation, shared an interim report on the feasibility study for the ELCA's readiness to move forward in a comprehensive campaign to coincide with the 25<sup>th</sup> anniversary of this church.

Ms. Halverson reviewed the background of the study: a recommendation from the Blue Ribbon Committee on Mission Funding, the establishment of an oversight committee, and the engaging of Growth Design, Inc. She introduced Mr. Byron Tweeten, president and chief executive officer, and Mr. Bill Lucher, senior consultant, with Growth Design.

Ms. Halverson then reviewed the process since July 2008, including formative interviews, initial feasibility interviews,



a draft of the readiness assessment, completion of the financial model, and development of a major gift donor prospect list. The interviews have suggested priorities, funding opportunities, goals, and possible case language.

Mr. Tweeten reviewed the key findings of the interviews:

- it is time for a churchwide initiative, although there is some anxiety about the economy and controversial ELCA issues
- the initiative must embody and support the three expressions of this church
- the initiative must stay connected to congregations and synods in terms of impact and benefits
- the initiative must engage all levels of leadership
- the ELCA must build the necessary fundraising capacity

Mr. Tweeten described a comprehensive, five-year (2010-2014) initiative with a goal of \$120 million of new money.

The goals of the initiative would be:

- to complement and enhance the strong tradition of giving
- to integrate the needs and interests of congregations and synods
- to leverage and complement the branding and identity work being done by Communication Services
- to include contingency strategies

Mr. Tweeten then gave an overview of the case prospectus, celebrating 25 years of ELCA mission and ministry. The prospectus asks a donor to imagine:

- a growing ELCA
- congregation renewal, innovation, and start-up
- leadership development
- leadership identity and recruitment
- leadership preparation in a global context
- congregation growth through ELCA identity and awareness building
- a world where people hunger no more, where health is restored, where God's justice and mercy prevail through support of the World Hunger Appeal, Lutheran Malaria Initiative, HIV and AIDS Strategy, and annual support for ministry.

Finally, Mr. Tweeten reviewed next steps: small group interviews and listening, connecting with bishops, processing the reports, and a review of the final readiness assessment and feasibility study with the Church Council in March 2009.

#### *Church Council Discussion:*

The Rev. Norene A. Smith expressed her hope that new sources of money that a more inclusive church would have access to might be identified. Mr. Tweeten responded that the interviews have been representative of different parts of the church.

Mr. William R. Lloyd Jr. asked if the initiative was testing giving money to the ELCA in a general sense or for specific areas. Mr. Tweeten stated that some priorities emerged, consistent with the Plan for Mission. Leadership development is an important priority. Ms. Halverson added there will be very specific matters for people to support, but at the same time people will be asked to consider allocating a portion of their commitment to the undesignated work of the churchwide organization

Ms. Rebecca Jo Brakke asked how much of the money raised will be put into an endowment. Mr. Tweeten stated that while money would be raised to be spent on specific priorities, giving to the endowment via annual gifts and deferred gifts would be encouraged.

Pr. Steven P. Loy commented that the use of the word "initiative" did not obscure the reality that this is a capital campaign. Mr. Tweeten stated that some organizations are shying away from the word "campaign," but he understood the need to be honest that the initiative is about raising money.

Ms. Judith Anne Bunker asked about avenues for using the Internet in this initiative. Mr. Tweeten stated that the Internet would be used in the campaign, particularly to reach new younger donors. Even non-Lutherans who believe in the priorities could sign on, make a gift, and become engaged.

Ms. Halverson asked for specific comment from council members about the choice between a "shopping list" of priorities or a more focused list. Mr. Mark E. Johnson asked if the HIV and AIDS initiative would be folded into the

campaign and received an affirmative answer. Ms. Ann C. Niedringhaus stated that she is not afraid of a menu approach because people give to different ministries. The question is how to give people choices in a manageable way.

Ms. Halverson asked if the approach seemed like “business as usual” or like new possibilities. The Rev. John C. Richter commented that \$125 million in new money over five years would come to \$2,394 per congregation per year. That seems feasible, he indicated.

The Rev. Gerald L. Mansholt, bishop of the Central States Synod, stated the initiative comes at a wonderful time, providing an opportunity to tell the story of a church in mission and to link the ministries of congregations, synods, and the churchwide organization in a cohesive manner.

Mr. Mark W. Myers stated the initiative is an example of leading boldly and could revitalize this church.

To a question about the rationale behind the decision of \$125 million as a goal, Mr. Tweeten said that it had been decided to set a conservative goal. Ms. Halverson added that the capacity of Development Services to undertake the campaign is a major issue.

Presiding Bishop Hanson remarked the presentation represented a huge improvement over previous ones. This version focused not on sustaining a church body but on imagining a church God has called and the Spirit has gifted the ELCA to become.

Ms. Bunker asked about engaging those members from the ethnic associations in planning discussions. She stated that the menu idea is good, particularly if the campaign used the Internet, which allows people who do not have a lot of money to participate. She would hope that this whole church would be invited to participate.

## DWELLING IN THE WORD

The Rev. M. Wyvetta Bullock, executive for administration in the Office of the Presiding Bishop, reflected: “I have been invited to share from my experience of dwelling in the Word, especially as related to my stewardship journey.

“My father was a pastor, so I grew up in the church. I recall we had nightly devotions with Scripture reading. One of the first things I remember my dad teaching me was how to pray.

“My mother was really the one who passed on a love for the Word to me. She didn’t work outside the home, so she was always there with a pot of coffee on, and people from the community would come by, and they always got into a conversation about Scripture. I would be fascinated to sit and listen to how passionate they would get. They’d make the stories come alive as they talked about what they were reading, about the prophets in the Old Testament. The debates they would have just grew in me a love for the Word. My mother taught me how to read and write before I started school just using the Bible.

“My parents also gave me an excellent example of generosity and hospitality, especially during the holidays. I recall that they would go grocery shopping for all these wonderful foods and fruits and nuts, bring them into our family area and then they’d put these baskets together for people in the neighborhood who needed help. And whatever was left was outs. I used to think, growing up, ‘There’s something wrong with the picture. Why don’t we take what we want and then whatever’s left, give that away?’

“One of the first texts I memorized was the 23<sup>rd</sup> Psalm. The first verse set a foundation for me regarding my stewardship journey. ‘The Lord is my Shepherd; I have everything I need.’

“When I graduated college, my father challenged me to tithe. You have to understand, I was in the position that he would know whether or not I did because he was the pastor of my congregation. So I started tithing because I didn’t want to have to have that conversation with him ever again. But I continue tithing because of what God did in my life through that. It really became clear to me that tithing was not about money; it was about faith and my relationship with God. I started tithing then, and I’ve never stopped.

“I will leave you with a word from Philippians, picking up where my colleague David left off. Philippians 4:12–13, 19: ‘I know what it is to have little, and I know what it is to have plenty. In any and all circumstances I have learned the secret of being well-fed and going hungry, of having plenty and of being in need. I can do all things through him who strengthens me. . . . And my God will fully satisfy every need of yours according to his riches in glory in Christ Jesus.’”

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**REPORT OF THE PROGRAM AND SERVICES COMMITTEE (CONTINUED)**

(Agenda II.E.6; Exhibit I, Part 1)

The Rev. Steven P. Loy, chair, continued the report of the Program and Services Committee.

**DRAFT HIV AND AIDS STRATEGY**

(Agenda V.G.1; Agenda/MINUTES Exhibit K, Parts 2a-2b)

*Background:*

The Evangelical Lutheran Church in America, including its predecessor church bodies, has a long history of work related to HIV and AIDS. Presiding Bishop Mark S. Hanson and several representatives from this church have participated in the International AIDS Conference and ecumenical pre-conference event in July 2006. Following the conference in 2006, Bishop Hanson encouraged consideration by the Church Council and the 2007 Churchwide Assembly of a request to develop a comprehensive churchwide strategy on HIV and AIDS.

A planning group was organized, which included representatives from the Church in Society unit, the Global Mission unit, the Communication Services unit, and the Office of the Presiding Bishop. In November 2006, a larger group was convened, involving members of an existing interunit staff working group on HIV and AIDS, missionaries, advocacy staff, and others. Prior to the meeting, staff conducted an inventory of existing work, policies, and funds that support AIDS ministries in this church. The meeting consisted of an asset-mapping process designed to lead to the development of a comprehensive strategy on AIDS ministries in this church.

The 2007 Churchwide Assembly called for a churchwide strategy for responding to HIV and AIDS to build on and deepen current denominational engagement with the pandemic in the U.S. and around the world. The assembly voted [CA07.03.12]:

1. To commit the Evangelical Lutheran Church in America to a deeper engagement in addressing the AIDS pandemic through the development of a churchwide strategy for action in the coming decade, which will:
  - a. build on the experience and commitments of the past and the strength of ELCA congregations, synods, churchwide structures, institutions, and agencies;
  - b. utilize the best thinking of ELCA experts, practitioners, congregational leaders, related institutions and agencies, and people living with HIV and AIDS, as well as ecumenical and global companions, in the development of this strategy;
  - c. express the ELCA's commitment to work in cooperation with the Lutheran World Federation and in tandem with ecumenical partners both in this country and throughout the world;
  - d. express the ELCA's commitment to engage proactively with others of good will in civil society and in government as they respond to the AIDS crisis; and
  - e. continue to move from crisis management to a more integrated, effective, and sustainable long-term response to the AIDS pandemic;
2. To express the solidarity of the ELCA with all people who are living with HIV and AIDS and with their families, both in this country and throughout the world:
  - a. recognizing and giving thanks for the gifts, skills, and experience that people living with HIV and AIDS bring to addressing the pandemic and committing this church to work closely with them in its response;
  - b. rejecting categorically the stigma and discrimination that are at times associated with HIV and AIDS;
  - c. working to ensure universal access both to compassionate care and to effective treatment and prevention;
  - d. engaging in education to prevent the further spread of HIV and AIDS; and
  - e. providing a welcome in all aspects of church and congregational life to people living with or affected by HIV and AIDS;
3. To encourage ELCA members, congregations, agencies and institutions, synods, and the churchwide organization, at the same time this strategy is being developed, to:

- a. continue and extend their ministries among and with people living with HIV and AIDS;
  - b. pray for people directly affected by HIV and AIDS and for churches, communities, and governments that they may have both the will and the wisdom to act boldly and effectively to address this crisis;
  - c. intensify their support for the second-mile “Stand with Africa” campaign as well as the broader World Hunger Appeal, which enable this church to assist companions throughout the world as they respond to the AIDS crisis; and
  - d. advocate with the U.S. government, urging it to:
    - (1) demonstrate global leadership to achieve agreed upon international goals, including universal access to treatment, care, and prevention by 2010;
    - (2) contribute its proportionate share to fund fully the Global Fund to Fight AIDS, Tuberculosis, and Malaria; and
    - (3) abolish the extraordinary requirements that make it difficult and painful for people living with HIV to receive a visa to enter the United States for any purpose, and prohibit discrimination against people living with HIV and AIDS;
4. To convey the deep appreciation of this church:
- a. to all those who provide care and support for those living with HIV and AIDS and those who seek a cure for this disease, in particular those members of this church who live out their Christian vocation as nurses, doctors, health researchers, and care providers;
  - b. to ELCA pastors and congregations actively engaged in ministry with people living with HIV and AIDS as they support, counsel, and advocate with them for just and compassionate action in this church and in the wider society;
  - c. to all those who have provided financial support to HIV and AIDS research and care, both in this country and throughout the world;
  - d. to all those ELCA members whose financial gifts have enabled the ELCA to walk with companion churches in their response to the AIDS crisis, in particular through their “second-mile” giving to the World Hunger Appeal’s “Stand with Africa” campaign and companion synod action;
  - e. to Lutheran social ministry organizations, hospitals, health facilities, and voluntary organizations, including the Lutheran AIDS Network (LANET), that provide assistance to people living with HIV and AIDS as well as leadership in church and society on this issue;
  - f. to the Lutheran World Federation, Lutheran World Relief, Lutheran Immigration and Refugee Service, ecumenical agencies (both domestic and global), and others with which the ELCA partners to provide care, address the impact of HIV and AIDS in communities, prevent the further spread of the disease, and advocate with governments to step up their action in addressing this pandemic; and
  - g. to companion churches in other countries, with which the ELCA is privileged to walk in ministry, as they respond to often overwhelming human need resulting from the spread of HIV; and
5. To request that the Church in Society and Global Mission program units take the lead in developing this strategy, which will be brought to the Church Council for adoption in 2008 and reported to the 2009 Churchwide Assembly.

A consultation in January 2008 was designed to deepen and extend this church’s ministry in HIV and AIDS in partnership with others, both domestic and global.

Subsequent to the Churchwide Assembly action, however, a unique opportunity for engagement with Lutheran partners to address “diseases of poverty,” including HIV and AIDS and malaria, came to Lutheran World Relief (LWR) in 2007, when LWR staff members were approached by the United Nations Foundation (UNF). UNF encouraged LWR to explore the possibility of embarking on a unique partnership to mobilize the “Lutheran constituency” in this country against malaria. The specific opportunity involved a possible multimillion-dollar grant from the United Nations

Foundation, which had received funds from the Bill and Melinda Gates Foundation to combat malaria. These funds could assist LWR to develop its capacity to mobilize Lutherans to combat malaria. The campaign would have both a significant educational component and a major fundraising component.

When approached by UNF, Lutheran World Relief staff understood that the goal of mobilizing U.S. Lutherans and engaging in international program work on malaria would require the full engagement of both the ELCA and The Lutheran Church–Missouri Synod. Since July 2007, LWR and ELCA churchwide staff from a number of units, including the Office of the Presiding Bishop, Church in Society, Global Mission, Communication Services, and Development Services, have engaged in intensive conversation about what such a proposal might look like and whether to go forward with it. (Other churchwide units will participate in the development and implementation of the initiative should further work be approved by the Church Council.) At various stages, but with increasing intentionality, these conversations included The Lutheran Church–Missouri Synod.

All three potential LMI partners agreed that, given their history and mission commitments, any common inter-Lutheran campaign on malaria would need to reflect the understanding that malaria is a disease of poverty. They agreed that Lutheran engagement in malaria projects would be deficient if it were based on simplistic approaches to malaria eradication (e.g., handing out nets). LMI partners also agreed that a malaria response, to be effective in the field, would need to be carried out within the context of comprehensive and sustainable community development. Education about malaria in this country similarly would need to avoid simplistic or purely medical approaches; it would need to show clearly and convincingly the connections between poverty and malaria.

Since the 1980s, the ELCA has worked with partners in Africa to address HIV and AIDS. In 2001, at the urging of companion churches, the ELCA launched the World Hunger Appeal’s “Stand with Africa” campaign, which supports education, advocacy, and fundraising that enable ELCA members to walk faithfully with companions in Africa as they address the devastating interrelated dynamics of HIV and AIDS, civil strife, poverty, and food security issues. “Stand with Africa” addresses HIV and AIDS not just as in medical terms, but as a disease of poverty.

The ELCA, therefore, considered the wisdom of engaging in a possible malaria initiative at the same time it lives out its commitment to intensify its HIV and AIDS response and develops a comprehensive churchwide HIV and AIDS strategy, as mandated by the 2007 Churchwide Assembly. ELCA staff emphasized from the beginning of the conversations with LWR, LCMS, and the United Nations Foundation that engagement in malaria work would not come at the expense of its HIV and AIDS commitment. Rather, the two would need to be held together strategically, both in interpretation and in work with companions. Developing synergy with existing health-related and HIV and AIDS efforts would need to be a high priority in the ELCA’s engagement with malaria work.

*Church Council Discussion:*

The Rev. Rebecca S. Larson, executive director of the Church in Society program unit, introduced the Rev. Rafael Malpica-Padilla, executive director of the Global Mission program unit, along with members of the writing team, Mr. Christopher Carpenter, associate director of the ELCA World Hunger program, and Mr. Warren Chain. Pr. Larson reviewed the background of the proposed strategy. On the basis of a consultation, an interunit writing team has been working on this draft strategy, she explained. This draft has been shared with a variety of people and organizations in order to get as broad a response as possible. The document will take into account the responses and come back to the Church Council in March.

Pr. Larson stated the purpose of the session was to get the council’s feedback. She asked members to form small groups and discuss four questions (below). She also asked that someone in each small group take descriptive notes of the conversation.

Following time for discussion, Pr. Malpica asked to hear comments on each of the four questions.

1. What are the strengths of the strategy? What stood out for you? Comments included the following:
  - the linkage with diseases of poverty
  - partnering with health care professionals and educators around the world
  - having conversation from a biblical perspective
  - dealing not just with the disease, but also with the stigma associated with it
  - partnering with other organizations to maximize resources around the world
  - not solving the problem alone, but making strategic choices to do what is possible without reinventing the wheel

2. What are your questions and concerns? Questions included the following:
  - How is this going to be integrated into the total picture of the “imagine” campaign, the malaria campaign, and World Hunger? Pr. Malpica indicated that staff involved in the Lutheran Malaria Initiative (LMI) and HIV and AIDS strategy are addressing this question. Ms. Cynthia Halverson added that the two diseases are tied to issues of poverty and hunger, and this church has a commitment to people living in poverty.
  - Has there been any pushback from LMI in terms of linking these two efforts? Pr. Malpica commented that the United Nations Foundation’s preference is to go with the emphasis on malaria. However, the ELCA position is that these two efforts need to be combined because these are diseases triggered by poverty. That conversation is ongoing.
  - Does the combination put anything at risk in terms of diminishing effectiveness of the whole project? Ms. Halverson commented on the intentional efforts at always talking together about this church’s commitments to hunger and the goals around that, to malaria as a unique campaign, and to the HIV and AIDS strategy. With the United Nations Foundation, the possibility of their resisting that conversation remains.
  - Presiding Bishop Hanson stated his concern that the efforts must be held in tension. The HIV and AIDS initiative has been mandated by Churchwide Assembly action; the malaria initiative has come as an opportunity provided at a critical moment by the United Nations Foundation.
  - Presiding Bishop Hanson also wondered about the impact on partners of an expanded strategy. Does it diminish what they have been receiving?
  - This strategy is, in a positive way, ambitious; capacity to carry it out will need to be developed. Presiding Bishop Hanson commented there is a sense that Lutherans around the world have a deep commitment to a sustaining response to HIV and AIDS. When it comes to assessing capacity, he said, it is important to determine where this church is building on assets or taking on something new.
  - Pr. Larson added that for both HIV–AIDS and malaria, a significant part of the capacity is the delivery system. That system is in place because of the way churches are organized around the world. The response to HIV–AIDS and the response to malaria are very different. The malaria response is not very difficult. The HIV–AIDS response is much more complicated. At the local level is the country coordinating mechanism, which is the delivery system of the Global Fund. A designated portion of the money for malaria is to build capacity to allow Lutherans access to those country coordinating mechanisms.
3. Do you see any gaps?
  - The comment was made that people in the pew would view favorably a church message on responsible behavior. Pr. Larson responded that in HIV–AIDS response, prevention is absolutely critical. One piece of that for faith-based organizations is church teachings on responsible sexual behavior. She added that the social statement on human sexuality includes such an emphasis, and the strategy will refer to a number of different social statements.
4. We’d particularly like to hear from advisors, what you are seeing in terms of strengths and gaps?
  - HIV–AIDS in our generation, particularly among college students, is becoming a problem. The continued education and strategy is beneficial.

## ANNOUNCEMENTS

In addition to general announcements, Secretary David D. Swartling reminded council members about the one-on-one stewardship conversations and encouraged council members to take part in the health and wellness break.

The Rev. Murray D. Finck, bishop of the Sierra Pacific Synod, asked council members to keep the people experiencing the fires in southern California in their prayers

## RECESS

The Church Council recessed at 3:03 P.M.

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**Monday, November 17, 2008  
Plenary Session VII**

The November 2008 meeting of the Church Council reconvened at 8:44 A.M. on Monday, November 17, 2008. Vice President Carlos E. Peña made a number of announcements. He thanked the Rev. David P. Anderson and Ms. Joanna Pretz-Anderson for leading morning worship. He called for prayer for the Rev. H. Gerard Knoche, bishop of the Delaware-Maryland Synod, and he thanked Ms. Karin L. Graddy for her willingness to serve as the liaison to the Justice for Women committee. He reviewed the agenda for the morning.

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

Vice President Carlos E. Peña called on Mr. Gary L. Wipperman, chair, to continue the report of the Board Development Committee.

**RECOMMENDATIONS FROM JULY 2008 COUNCIL RETREAT**  
(Agenda III.B.1; Agenda/MINUTES Exhibit D, Parts 4a-4b)

*Background:*

At its July 2008 retreat, the committees of the Church Council met to identify potential next steps as the Church Council moves forward to confront the “scandalous realities” of racism and sexism. The Board Development Committee recommended a process to review and prioritize the committee recommendations.

*Church Council Action:*

Mr. Gary L. Wipperman, chair of the Board Development Committee, commented on the summer retreat, reviewed the background of the proposed action, and presented the committee’s recommendations.

Mr. William R. Lloyd Jr. verified that committees would be taking responsibility for their own recommendations. Mr. Wipperman responded affirmatively. Secretary David D. Swartling added that recommendations that have budget implications must be routed through the whole Church Council and the Rev. M. Wyvetta Bullock, executive for administration, and addressed as part of the regular budget process.

**VOTED:**

**CC08.11.40 To acknowledge the commitment of the Church Council of the Evangelical Lutheran Church in America to continue to confront the scandalous realities of racism and sexism through:**

- 1. continued learning through participation in the racial justice process observation pilot at its meetings in November 2008, March 2009, and November 2009; and**
- 2. commitment by each Church Council committee to action steps as printed below; and**

**To commend the committees of the Church Council for the identification of action steps to be taken by each committee to confront the racism and sexism through its ongoing work; and**

**To request that the chair of each committee, beginning at the November 2008 meeting of the Church Council, include in each committee report an update of the committee’s work related to the action steps.**

**Action Steps:**

**Budget and Finance Committee**

**NOTE:** The committee understood its role to be oversight of the funding, accounting, and reporting of any initiatives undertaken by the council. Therefore, until there was more clarity from the council and other committees, the committee did not have particular recommendations related to committee assignment. Instead, the committee addressed the question from the perspective of possible actions that could be taken by the Church Council. These included:

- Request that staff develop a succinct, persuasive strategy to address gender and racial privilege. (While ethnic ministry strategies, rural ministry strategies, ecumenical agreements, and other helpful pieces are in place that can act as important tools in addressing the local context, this strategy should be over-arching and succinct, providing a clear path forward. The implementation plan should accompany the strategy and should include a timeline, measurable objectives, budget, funding plan, and evaluation plan.)
- Review the ELCA's structure, programs, and staffing (particularly multicultural ministries and ecumenical partners) looking for best practices.
- Explore the cost effectiveness of hiring a grant writer to generate research staff on behalf of this initiative. Information regarding possible grant sources and grant partners could be shared with synods and congregations.

**Legal and Constitutional Review Committee**

- Examine possible revisions in the governing documents to assure a 50/50 gender balance among clergy members on the Church Council.
- Examine the process for nominating or otherwise selecting members of synod and churchwide boards and committees in order to increase inclusivity.
- Propose a continuing resolution to recommit the ELCA to having 10 percent of its membership made up of people of color and to establish a way to monitor whether progress is being made toward that goal.
- Arrange for an outside audit of the governing documents to assure that there are no provisions that reflect sexism or racism.

**Planning and Evaluation Committee**

- Utilize stories—not just statistics—to illustrate the changing reality. Encourage Dwelling in the Word segments illustrating both continuing oppression and incidents of breaking the silence.
- Develop evaluative questions to look at leadership development in a proleptic manner. Engage advisory members of the Conference of Bishops and educational institutions regarding issues of privilege, including election procedures and synod assemblies (timing, etc.).
- Look at how this church is engaging the world regarding these issues, including advocacy here in the U.S. and relations abroad.



### **Program and Services Committee**

- **Review the Program and Services charter and make changes as necessary to attend to racial and gender equity.**
- **Write a mission statement for the Program and Services committee that includes attention to racial and gender equity.**
- **Ask the question at each meeting: is there anything on the agenda that should not be or things that should be which are not based on our commitment to racial and gender equity?**
- **Include on the evaluation of each meeting the committee's responsiveness to racial and gender equity.**

### **NOMINATIONS, APPOINTMENTS, AND ELECTIONS**

(Agenda III.A; 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 unexpired terms on the Church Council and boards and committees of the churchwide organization, once the secretary has declared a vacancy [constitutional provision 14.15.].

#### *Church Council Action:*

At the request of Vice President Carlos E. Peña, Secretary David D. Swartling introduced the action related to elections:

### **MULTICULTURAL MINISTRIES PROGRAM COMMITTEE**

Clergy [Term 2011] - *to fill vacancy created by the resignation of the Rev. Larry J. Jorgenson, Anchorage, Alaska (1A)*

1. The Rev. Mark A. Cerniglia, Columbia, S.C. (9C)

Since there was only one nominee, Secretary Swartling called for a voice vote. There being no objection, the Church Council so voted.

#### **VOTED:**

**CC08.11.41 To elect the Rev. Mark A. Cerniglia to the Multicultural Ministries Program Committee for a term ending in 2011.**

### **REPORT OF THE EXECUTIVE COMMITTEE**

(Agenda II.E.3.)

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

### **SALARY RANGES FOR THE CHURCHWIDE ORGANIZATION**

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

#### *Background:*

Periodically, the Church Council considers adjustment of the salary ranges for the various grades of positions in the churchwide office. ELCA bylaw 14.21.06. indicates: "The Church Council shall establish ranges for the salaries for the churchwide bishop, secretary, and treasurer." Further, bylaw 14.21.07. specifies: "The Church Council shall adopt personnel policies for this church."

Under section 7.2 of the adopted personnel policies, the matter of salary ranges is addressed: “Salary ranges and/or midpoint policy proposals will be developed by Human Resources and the Executive for Administration at least annually, for review and approval by the Church Council.”

Ms. Else B. Thompson, executive for human resources, provided the following information in a memorandum dated October 9, 2008:

Per ELCA Churchwide Office Personnel Policy 7.2: *Salary Ranges*, I am asking you to review and approve revised salary ranges for the churchwide organization. These revised ranges would replace the current ranges and would become effective February 1, 2009.

Since the ELCA-churchwide organization’s ranges were last reviewed and approved in 2006, a number of changes have occurred. As expected, labor levels have increased. I have worked with the Hunter Consulting Group, Ltd. on these revised ranges and feel that the movement proposed ensures that our pay policies are fair and equitable to our employees. In addition, I feel that these are changes that the organization can support, while keeping the churchwide organization competitive in the markets from which we recruit employees.

The ELCA churchwide organization compensation strategy is to position salary ranges so that the midpoints are at the 50<sup>th</sup> percentile of the market. In other words, this means that half of the employers would pay more than our midpoint and half would pay less. The ranges that are being proposed take that strategy into account.

Market compensation data for the analysis was drawn mainly from salary surveys of not-for-profit organizations, with some relevant data drawn from for-profit organizations. Most of these organizations pay modestly in comparison to industry, render a service to society, and are mission-driven.

Once again, special comparisons were made for selected groups that have experienced extreme market pressure for some time—Information Technology, Mission Investment Fund, and Development Services—and it was determined that alternate salary structures were required to maintain competitiveness in these areas. In addition, we continue to work with the premises set forth in the ELCA social statement on economic life to the best of our ability, while still offering a salary schedule that allows us to attract gifted, competent leaders.

I look forward to conversation with you about the ranges as we proceed. Thank you for your time and attention.

*Church Council Action:*

At the request of Vice President Carlos E. Peña, Secretary David D. Swartling introduced the proposed action. Vice President Peña asked for discussion. There being none, he called for the vote.

**VOTED:**

**CC08.11.42 To adopt adjusted salary ranges for grades 3 through 25, as shown in Exhibit E, Part 2, effective February 1, 2009, for the compensation of people in positions in the churchwide organization of the Evangelical Lutheran Church in America.**

In other personnel matters, Vice President Peña announced that he had received a performance review for Mr. Daniel J. Lehmann, editor of *The Lutheran* magazine. Members of the Church Council would receive a copy of the review.

**REMOVAL OF ITEMS FROM THE *EN BLOC* RESOLUTION  
(Agenda IV)**

At the request of Vice President Carlos E. Peña, Secretary David D. Swartling announced that council members had requested that two items be removed from the *en bloc* resolution: the proposed action on the Independent Lutheran Organization policy and the proposed response to the synodical resolution concerning the allocation of Churchwide Assembly voting members for the Alaska Synod. He explained that while there had been conversation about removing the proposed response to the Texas-Louisiana Gulf Coast Synod, the interested Church Council member decided not to request its removal. In response to a question from a council member, Presiding Bishop Mark S. Hanson explained the



**VOTED:** *EN BLOC*  
**CC08.11.57** Corporate Social Responsibility, p. 90;

**VOTED:** *EN BLOC*  
**CC08.11.58** Other Nominations, Appointments, and Elections, p. 91.

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

**VOTED:** *EN BLOC*  
**CC08.11.44** **To adopt *en bloc* the following responses to synodical resolutions submitted to the Church Council:**

### A. CONDEMNATION OF TORTURE Minneapolis Area Synod (3G)

WHEREAS, Christians are called to love all persons—our families, our neighbors, and our enemies; and  
WHEREAS, we are called to identify with and stand with those who have no power, who live at the mercy of others, or who are tortured; and

WHEREAS, torture and inhumane treatment are prohibited by the Geneva Convention under any circumstances; and

WHEREAS, in the 1995 social statement of the Evangelical Lutheran Church in America, *For Peace in God's World*, we committed to “oppose genocide and other grievous violations of human rights such as torture, religious and racial oppression, forced conscription (impressions), forced labor, and war crimes (including organized rape); provide for the most basic necessities of the poor; and defend the human rights of groups most susceptible to violations, especially all minorities, women, and children”; and

WHEREAS, we are obligated to stand with those who are tortured, to deny the merit of and exception to the Geneva Convention to allow torture for those labeled “unlawful combatant,” and to refuse to honor such language as degrades any person’s humanity; and

WHEREAS, to stand by silently makes us complicit in policies condoning inhumane treatment that degrades human dignity of both detainees and their interrogators; therefore, be it

RESOLVED, that the 2007 Minneapolis Area Synod Assembly memorialize the 2007 Churchwide Assembly of the Evangelical Lutheran Church in America to condemn the use of torture and inhumane treatment of captives; and be it further

RESOLVED, that the 2007 Minneapolis Area Synod Assembly memorialize the 2007 Churchwide Assembly to authorize the Church in Society unit to request of appropriate U.S. government bodies that an independent committee with subpoena power be established to examine the use of rendition and the erosion of human rights of captives, especially those held by U.S. government authorities and agents.

#### *Executive Committee Action:*

At its October 2007 meeting the Executive Committee of the Church Council voted [EC07.10.28a]:

To receive the resolution of the Minneapolis Area Synod related to the condemnation of torture;

To refer the resolution to the Church in Society unit with the request that a report and possible recommendations be brought to the November 2008 meeting of the Church Council;

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

#### *Response from the Church in Society unit:*

The issue of inhumane treatment of detainees, including the definition of “torture,” is a pressing moral question and one of the most important public issues resulting from the prosecution of the “global war on terror” and, specifically, the current combat in Afghanistan and Iraq.

Based on the ELCA’s social statement “For Peace in God’s World (1995),” this church understands torture and inhumane treatment of any person, particularly those held in detention, to violate the most basic biblical values and democratic principles. We understand the importance of giving the broadest possible meaning to the terms “torture” and

“inhumane treatment,” and to include those known as “unlawful combatants” in the present war on terror under protection from these activities.

This is especially relevant in the present context where the Geneva Convention, the codified and recognized international standard for conduct in wartime, outlines an exclusion of protection for those known as “unlawful combatants,” provided that a competent tribunal has determined whether a person is entitled to prisoner of war or civilian status, and also where the present U.S. administration classifies many detainees within this grouping.

To date, the ELCA has been active on the definition of torture, the inhumane treatment of detainees, and related issues through the Office of Presiding Bishop, the Church in Society program unit, and other expressions of this church. The ELCA also works through its various expressions to promote awareness on this issue and to advocate before the administration, Congress, and the United Nations for an end to U.S.-sponsored acts of inhumane treatment and torture. This church is an endorsing institutional member of the National Religious Campaign Against Torture (NRCAT) and Presiding Bishop Hanson has signed various faith-leader statements to this effect. The advocacy staff of the Church in Society unit regularly works on human rights, humane treatment, and open practices regarding the detention of prisoners. In particular, the issue of torture is now a named priority on the ELCA advocacy Web site.

**VOTED:**

*EN BLOC*

**CC08.11.44a**

**To commend the Minneapolis Area Synod for its action related to the condemnation of torture and for drawing the connection between Christian faith and this important current public issue and to observe that the synod’s commitment to biblical principles and human rights is an example to all Lutherans of the importance and relevance of this church’s public voice; and**

**To note that the ELCA already condemns the use of torture and inhumane treatment of captives and also advocates for human rights, accessibility, and accountability for government agencies; and**

**To acknowledge that the ELCA, through its participation in NRCAT, is on record in support of “an independent committee with *subpoena* power to examine the use of rendition and erosion of human rights” and will work in coalition for it; To report that Presiding Bishop Hanson has signed a recent NRCAT letter calling on the Central Intelligence Agency to notify the International Committee of the Red Cross of all U.S.- held detainees and to allow the committee access to both the detainees and detention facilities.**

**B. TEMPORARY PROTECTED STATUS FOR LIBERIANS**

**Minneapolis Area Synod (3G)**

WHEREAS, perhaps as many as 7,000 to 10,000 people displaced from the Republic of Liberia have settled in the Minneapolis area, becoming valued members of our community and our congregations; and

WHEREAS, extreme violence and danger forced many of the displaced to leave in haste, without acquiring formal refugee status; and

WHEREAS, the United States Congress has been granting temporary protected status to Liberians for more than 10 years; and

WHEREAS, the United States Department of Homeland Security has announced its intention not to renew temporary protected status for Liberians after October 2007; and

WHEREAS, such a lapse in temporary protected status will result in approximately ten percent of Minnesota’s Liberian population again being displaced from their homes in Minnesota, and an estimated 200,000 nationwide; and

WHEREAS, the United States Congress can reverse the decision of Homeland Security on temporary protected status for Liberian people; therefore, be it

**RESOLVED**, that the Minneapolis Area Synod Assembly call for an extension of temporary protected status for displaced Liberian nationals; and be it further

**RESOLVED**, that the Minneapolis Area Synod, through the office of its bishop, contact all Minnesota representatives and senators in the United States Congress to convey this call for action; and be it further

**RESOLVED**, that the Minneapolis Area Synod Assembly memorialize the 2007 Churchwide Assembly of the Evangelical Lutheran Church in America to call for extension of temporary protected status on behalf of Liberian refugees throughout the United States; and be it further

RESOLVED, that the Minneapolis Area Synod Assembly memorialize the 2007 Churchwide Assembly to direct the Office of the Presiding Bishop to convey to each member of the United States Congress this call for action.

*Executive Committee Action*

At its October 2007 meeting, the Executive Committee of the Church Council voted [EC07.10.28b]:

To receive the resolution of the Minneapolis Area Synod related to the temporary protected status for Liberians;

To refer the resolution to the Church in Society unit with the request that a report and possible recommendations be brought to the April 2008 meeting of the Church Council;

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

*Response from the Church in Society unit:*

Liberian nationals in the United States have been granted Temporary Protected Status (TPS) by the United States government since the outbreak of civil war in Liberia in 1990. With the deposition of Charles Taylor, the election of President Ellen Johnson Sirleaf, and reports of improving economic conditions, the Department of Homeland Security (DHS) announced that TPS would not be extended for Liberians when it expired October 1, 2007.

Expiration of TPS would mean forced deportation of an estimated 3,600 Liberians to their home country. In effect, it would result in separation of these Liberian families and the displacement of Liberians, many of whom have lived, worked, and contributed to communities in the United States for nearly 20 years.

Lutheran Immigration and Refugee Service (LIRS) is the lead Lutheran advocacy presence on immigration and refugee issues with members of Congress and the administration. With the October 1, 2007, deadline approaching, LIRS helped to win a new decision from President Bush to authorize Deferred Enforced Departure (DED) for the Liberians for 18 months from the October 2007 deadline. This decision has extended lawful presence for the Liberians while LIRS and coalition partners continue to work to grant them permanent status.

**VOTED:**

*EN BLOC*

**CC08.11.44b**

**To commend the Minneapolis Area Synod for bringing its experience in community-building and hospitality and this important issue to the attention of this church, and to thank them for witnessing to the importance and relevance of this church's public voice; and**

**To note in response to the third "resolved" that advocacy efforts by appropriate Lutheran bodies, in coalition with other partners, were responsible for removing the initial threat of forced deportation caused by the non-renewal of Temporary Protected Status and to note the ongoing advocacy efforts to protect Liberians in the United States under Deferred Enforced Departure status in order to establish a longer-lasting and more dependable legal basis for their presence in this country; and**

**To indicate in response to the fourth "resolved" that the Church in Society program unit will work closely with LIRS to monitor the status of the DED agreement and involve ELCA leaders in appropriate responses to members of Congress and relevant administration officials about pending decisions by DHS and related federal agencies relating to the DED agreement or other resulting status for the Liberians.**

**C. COST OF BOARD OF PENSIONS MEDICAL COVERAGE**

**Southwestern Texas Synod (4E)**

WHEREAS, the rising costs of medical coverage for clergy and lay staff members of our synod's congregations are adversely affecting salaries because salaries are tied to the amount of medical premiums paid by congregations; and

WHEREAS, many of the congregations of the Southwestern Texas Synod are considering other routes to providing medical coverage for their pastors and staff; therefore, be it

RESOLVED, that the Southwestern Texas Synod Council communicate to the Church Council of the Evangelical Lutheran Church in America that the Board of Pensions review the way it funds the cost of medical benefits; and be it further

RESOLVED, that the Southwestern Texas Synod Council request that the Church Council of the Evangelical Lutheran Church in America direct the Board of Pensions of the Evangelical Lutheran Church in America to research the viability of more options for congregations in the form of “cafeteria” plans, allowing for higher deductibles and optional coverage, and respond to the Southwestern Texas Synod Council regarding new options.

*Executive Committee Action:*

At its March 2007 meeting, the Executive Committee of the Church Council voted [EC07.03.08]:

To receive the resolution of the Southwestern Texas Synod Council related to the costs of medical benefits for rostered people and staff;

To refer the resolution to the Board of Pensions of the Evangelical Lutheran Church in America in consultation with the Conference of Bishops; and

To request that the Board of Pensions bring a progress report to the November 2007 meeting of the Program and Services Committee and a report and possible recommendations no later than the April 2008 meeting of the Church Council.

*Response from the Board of Pensions [April 2008]:*

In the November 2007 progress report, the Board of Pensions shared information that the board’s ongoing work with keeping health costs as low as possible would be informed by the Southwestern Texas Synod Council resolution. Additionally, it was stated that, as a unit of this church, the Board of Pensions would, per direction of the Executive Committee of the Church Council, engage synodical bishops in conversation about the matter raised by the Southwestern Texas Synod Council.

The Board of Pensions currently is in the process of completing annual visits with bishops and synod staffs as well as seminary and churchwide leaders. This year, in particular, because of a comprehensive benefits study being conducted with the assistance of Hewitt Associates, the consultations are looking at the ELCA philosophy of benefits and its five supporting principles: plan participation, level of benefits, bundled program, contribution policy, and sharing of health costs. The feedback from the consultations will assist the Board of Pensions understanding how it is meeting its mission to “provide retirement, health, and related benefits and services to enhance the well-being of those who serve through the Evangelical Lutheran Church in America and other faith-based organizations.” It also will be very informative in finalizing a response to the Southwestern Texas Synod Council resolution. As a result of the study and the information received, a report with recommendations will be prepared for the next meeting of the Church Council in November 2008.

*Church Council Action:*

At its April 2008 meeting, the Church Council voted [CC08.04.16b]:

To receive the interim response of the Board of Pensions to the resolution of the Southwestern Texas Synod regarding the cost of health and related benefits;

To request that a full 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.

*Response from the Board of Pensions [November 2008]:*

**Method of funding the cost of medical benefits**

The resolution states that rising medical costs are adversely affecting salaries because health coverage contributions are determined as a percentage of compensation. It calls on the ELCA Board of Pensions to review the way it funds medical benefits.

Although medical cost trends have moderated somewhat in recent years, health care costs continue to increase faster than general inflation and faster than the incomes of most congregations. ELCA plan rates increased by an average of five percent in each of the last two years. While these increases are lower than national averages, we understand that the high cost of medical coverage continues to be a challenge for ELCA congregations, particularly those of limited means.

To understand the relationship between salaries and health plan contributions it is helpful to consider an example. The table below shows a hypothetical pastor whose defined compensation in 2008 is \$50,000. The cost of family

coverage is 31.8 percent of compensation or \$1,325 per month. The rate for 2009 will be 32.4 percent, which will be applied to the pastor's defined compensation in 2009. The table illustrates the health contribution and combined compensation plus health contribution, with 2009 salary increases of up to five percent. For example, if the pastor's salary increased by three percent, the health contribution would increase by 4.9 percent and the combined amount would increase by 3.5 percent.

**Southwestern Texas Synod (Rate Class 3)**

**Family coverage**

	<u>2008</u>	<u>2009 with salary increase of:</u>					
		<u>0%</u>	<u>1%</u>	<u>2%</u>	<u>3%</u>	<u>4%</u>	<u>5%</u>
Defined Compensation							
Annual	\$50,000	\$50,000	\$50,500	\$51,000	\$51,500	\$52,000	\$52,500
Monthly	\$4,167	\$4,167	\$4,208	\$4,250	\$4,292	\$4,333	\$4,375
Health contribution							
% of compensation	31.8%	32.4%	32.4%	32.4%	32.4%	32.4%	32.4%
Monthly amount	\$1,325	\$1,350	\$1,364	\$1,377	\$1,391	\$1,404	\$1,418
Increase over 2008		1.9%	2.9%	3.9%	4.9%	6.0%	7.0%
Compensation plus health							
Monthly amount	\$5,492	\$5,517	\$5,572	\$5,627	\$5,682	\$5,737	\$5,793
Increase over 2008		0.5%	1.5%	2.5%	3.5%	4.5%	5.5%

Does tying health contributions to compensation adversely affect pastors' compensation? In the opinion of the Board of Pensions it should not. As long as health costs are rising faster than salaries, the combined amount always will increase faster than the salary alone. This is true whether health contributions are tied to salary or not. The challenge for congregations is to continue to provide adequate and fair compensation, while also covering the ever-increasing cost of health coverage.

Why does the ELCA base health plan contributions on compensation? This unique practice arises from the ELCA philosophy of benefits, which states that the cost of the benefits program should be shared on a basis that takes into account differences in congregations' and other employers' ability to pay, with employers of greater means paying more in order to help employers of lesser means within their synods. This recognizes that the ELCA is one interdependent church and helps to keep the program—particularly the health plan—affordable for congregations of lesser means.

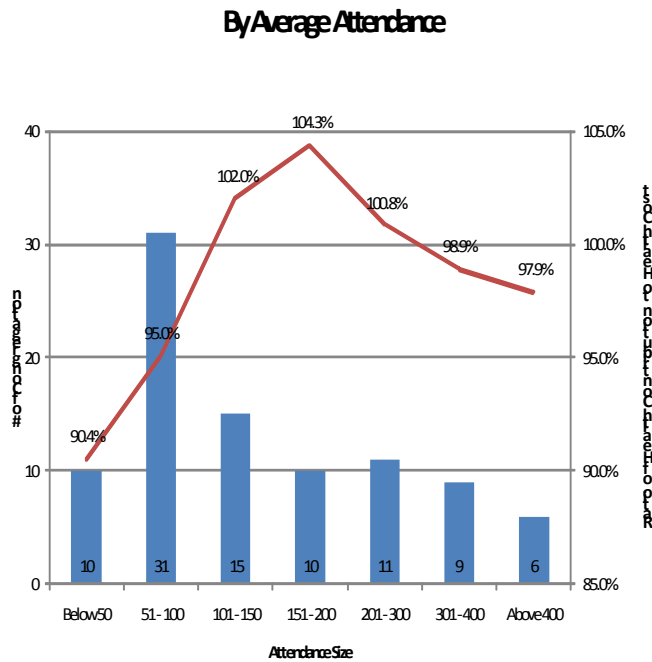
The Board of Pensions has a three-tier rate structure (e.g., member only, member and spouse (or children), and member, spouse and children) with six rate classes. Each synod is assigned the rate class that will produce contributions that are closely aligned with the expected cost of coverage in that synod. As a result, each synod covers its expected cost of coverage and salary-based sharing takes place within each synod.

This arrangement originally was intended as a way for larger congregations to support smaller congregations. In practice, that is not what is happening. Small congregations far outnumber the large ones, so it is nearly impossible for the system to work as originally intended. Furthermore, many larger congregations sponsor lower-paid lay employees as well as higher-paid clergy. As a result some larger congregations actually benefit from the sharing concept.



The Board of Pensions has analyzed the 2007 health contributions of the sponsoring congregations in the Southwestern Texas Synod and found the same pattern. Of the 170 congregations in the synod, 124 currently are sponsoring one or more members in the ELCA benefits programs. Eliminating members who are either over age 65 or waiving ELCA health coverage because they are covered by a spouse's plan, there are 92 congregations in the analysis. These congregations sponsor a total of 155 employees, including 102 pastors, 52 non-rostered lay employees, and one associate in ministry). The analysis focuses on the ratio of the "health contribution" to "health cost," which is defined as the contribution that would apply if the contributions did not vary by compensation.

**Ratio of Health Contribution to Health Cost**



The above graph shows the ratio of the “health contribution” to “health cost” by average attendance. For congregations with average worship attendance of 100 or less (41 out of 92), the ratio is less than 100 percent. For these congregations, the average compensation of sponsored members is below the synod average, so they are benefitting from the sharing pool. For congregations with average worship attendance of 101 to 200 (25 out of 92), the ratio is greater than 100 percent. For these congregations, the average compensation of sponsored members is above the synod average, so they are contributing to the sharing pool. For larger congregations with average worship attendance of more than 200 (26 out of 92), many are sponsoring lay employees as well as pastors. As a result the average compensation is somewhat lower than in the 101 to 200 group and the ratios range from 98 percent to 101 percent.

The Board of Pensions believes that ELCA health costs are being shared as intended. Contributions for 2009 break down as follows:

- For sponsored members with defined compensation up to \$46,600, the minimum rates apply; minimum rates are approximately 86 percent of the synod average.
- For sponsored members with defined compensation between \$46,600 and \$63,100, the percentage rates apply.
- For sponsored members with defined compensation above \$63,100, the maximum rates apply; maximum rates are approximately 116 percent of the synod average.

Based on this summary, the Board of Pensions believes that the level of subsidies inherent in this contribution structure should not materially disadvantage any group of congregations.

Finally, the plan is financially efficient, paying out more the 90 cents in health benefits for every dollar of health plan contributions received. Although the Board of Pensions acknowledges that the cost of the plan is high, that is due both to the high average age of the covered population and escalating health care costs nationally. While the Board of Pensions cannot control directly either of these cost drivers, it is proactive in trying to reduce the demand for health care within the population through the comprehensive wellness program. The ELCA Board of Pensions is committed to doing everything possible to improve the health status of plan members because improving plan members’ health has multiple benefits, not the least of which is better management of health care costs.

#### **Possibility of benefit level options (e.g., higher deductibles and optional coverage)**

The resolution also states that congregations are considering other sources of medical coverage, apparently out of a desire for more flexibility in the level of benefits provided.

The ELCA philosophy of benefits states that the benefits program should provide adequate financial protection in the event of illness, injury, disability, retirement, or death. The program’s cost-sharing features should recognize the relatively low salaries paid to many church workers. Benefits should compare favorably to those available to professionals in other denominations and in secular employment. The ELCA encourages equal treatment for all church workers, both to avoid gaps in coverage and, most important, to help keep benefits from becoming an issue in the call process.

The Board of Pensions understands that congregations are looking for more flexibility. Hewitt Associates, in its comprehensive review of the ELCA benefits program earlier this year, suggested that additional flexibility in contributions and/or benefits could improve the level of satisfaction of congregations and other sponsoring employers. While employers generally would appreciate greater flexibility in the level of benefits offered, there is a prevailing view among synod bishops and other church leaders that offering more choice could cause serious unintended consequences. More specifically, pastors who serve congregations of lesser means, and in many cases receive low compensation, would be most likely to receive lower benefits. Furthermore, if benefits varied from congregation to congregation, benefits would become more of an issue in the call process.

In summary, the Board of Pensions acknowledges that rising health care costs are a continuing challenge for this church. The Board of Pensions philosophy of benefits provides a sound basis for sharing these costs among sponsoring employers and between employers and health plan members. BOP encourages an ongoing dialog within this church on these issues and welcome those who have concerns to contact us.

#### **VOTED:**

**CC08.11.44c**

**To express gratitude to the Southwestern Texas Synod for its resolution related to the cost of medical coverage through the ELCA Board of Pensions;  
To acknowledge that rising health care costs continue to be a challenge for this church;**

*EN BLOC*

**To affirm that the Board of Pensions' philosophy of benefits provides a sound basis for sharing the cost of health care both among sponsoring employers and between employers and health plan members; and**

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

**D. REVISE ECONOMIC LIFE SOCIAL STATEMENT**

**Southeastern Iowa Synod (5D)**

WHEREAS, this church and its institutions continue to discern their roles in communities, especially those communities experiencing socio-economic decline; and

WHEREAS, there is an increasing allure to secure funding from resources that may challenge this church's advocacy to further human dignity, freedom, justice, and peace in the world (e.g., lotteries and gambling grants); and

WHEREAS, the Evangelical Lutheran Church in America (ELCA) uses its social statements, messages, social policy resolutions, and studies of social issues as a means to carry out its participation in society;<sup>1</sup> and

WHEREAS, the ELCA social statement on economic life provides neither policy and procedure<sup>2</sup> nor current<sup>3</sup> guidance for how its various expressions and institutions raise money for maintenance and mission; therefore, be it

RESOLVED, that the Southeastern Iowa Synod in assembly request the Church and Society unit to broaden its social statement on economic life

1. to include resources for a community of moral deliberation in order to discern stewardship practices that are biblical and faithful;
2. to adapt and contextualize the 1984 American Lutheran Church "Statement on Gambling and the Public Good"; and
3. to add a social policy resolution that clarifies fund-raising and stewardship practices for all expressions of this church and its institutions; and be it further

RESOLVED, that the Southeastern Iowa Synod Assembly direct the Southeastern Iowa Synod Council to forward this resolution to the Church Council's Executive Committee for proper referral and disposition under the bylaws and continuing resolutions of this church.

*Executive Committee Action:*

At its August 2007 meeting, the Executive Committee of the Church Council voted [EC07.08.23a]:

To receive the resolution of the Southeastern Iowa Synod related to the social statement on economic life;

To refer the resolution to the Church in Society program unit with the request that a report and possible recommendations be brought to the April 2008 meeting of the 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 Southeastern Iowa Synod has asked the Church Council to revise the Evangelical Lutheran Church in America's social statement, "Sufficient, Sustainable Livelihood for All: A Social Statement on Economic Life" to include resources that facilitate discernment of "stewardship practices that are biblical and faithful"; "adapt and contextualize" The American Lutheran Church's statement on gambling; and clarify fundraising and stewardship practices.

The ELCA adopted the economic life social statement in 1999. The purpose of this statement is to address economic injustice in the broader society and world. It speaks to state-sponsored gambling as a "regressive means of raising state

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<sup>1</sup> *Policies and Procedures of the Evangelical Lutheran Church in America for Addressing Social Concerns*, p. 1.

<sup>2</sup> The ELCA currently addresses gambling in the early phase of "studies" rather than the advanced phase of "policies and procedures" (*Ibid.*).

<sup>3</sup> The ELCA "continues to look to the social statements of the [ALC and LCA] for guidance, while it develops its own social statements and further deliberates on social concerns" (*Ibid.*, 3).

revenues” that adversely affects people in poverty (p. 12). It does not address the relationship between gambling and congregational or church-related institutional stewardship practices and fundraising.

In 1984, The American Lutheran Church adopted a statement on “Gambling and the Public Good” that articulates the “temptation” of states and a “wide variety of charitable or community organizations and causes” to utilize gambling as a revenue resource (p. 2). While this statement enumerates the questions and concerns raised by gambling, including its affect on people’s understanding of stewardship and motivation, it does not support absolute prohibitions on gambling. It raises concern that “receipts from gambling become another regressive tax when used as a source of revenue (p. 2)” and admonishes congregations and charitable organizations to strive to keep their fundraising practices free from appeals to unhealthy motivations, such as greed or materialism. This statement does not address a congregation’s or church-related institution’s use of money won by members in state-sponsored lotteries or gambling, including the effect such use might have on the church’s ability to advocate.

In 1964, The American Lutheran Church offered a statement on “Commercialism in the Church” as a guide to pastors and congregations, boards, agencies, institutions, and auxiliaries for their policies and actions. That same year, the Lutheran Church in America adopted a social statement on commercialism. Both statements explain the dangers of commercialism in the church related to: the Christian understanding of stewardship; the consciences of both members and non-members; blurring in the public mind of the church’s difference from private business; and the church’s tax status with the state. Both statements have in view the need to address commercialism in a way that helps people “replace poor [stewardship] practices with better ones” (LCA, n.p.). Commercialism is understood as “the selling of goods or services in the name of the church” to secure funds for the church or a church-related organization (LCA, n.p.), so it does not include gambling.

The Stewardship Team of the Evangelical Outreach and Congregational Mission unit regularly utilizes the Lutheran Church in America’s statement on commercialism and the team’s own “Ten Stewardship Principles” and “Twenty Practices for Growing Stewards in Your Congregation” to educate on Christian stewardship; and it uses its “What are the differences?” to help congregations discern the differences between fundraising and financial stewardship. Churchwide and synod stewardship staff welcome the opportunity to work with synods on education and moral discernment around stewardship and fundraising.

**VOTED:**

*EN BLOC*

- CC08.11.44d**      **To thank the Southeastern Iowa Synod for its concern for Christian stewardship and fundraising practices;**  
                         **To acknowledge that alternative sources of funding are alluring to congregations and church-related institutions, especially where there is socio-economic decline;**  
                         **To conclude that the concern raised by the Southeastern Iowa Synod primarily falls into the realm of congregational and church-related institutions’ fundraising and stewardship practices and to invite continued education and moral discernment about stewardship and fundraising by churchwide staff and synods;**  
                         **To acknowledging that current ELCA social policy does not speak to the use by congregations and church-related organizations, agencies, and institutions of funds won in state-sponsored gambling, including the use of funds to do advocacy ministry, but to recognize that predecessor church body statements do address gambling and commercialism and continue to provide guidance for the ELCA in the absence of policy adopted by the ELCA;**  
                         **To decline to revise the ELCA’s social statement on economic life but to recommend that the Evangelical Outreach and Congregation Mission unit, through its stewardship team, be asked to update the Lutheran Church in America’s statement on commercialism, including the use of funds by congregations and church-related institutions won in state-sponsored gambling, inviting input from the Church in Society unit where appropriate; and**  
                         **To request the Evangelical Outreach and Congregational Mission unit to post on its Website “Gambling and the Public Good” (TALC, 1984), “Commercialism in the Church” (TALC, 1964), and “Commercialism” (LCA, 1964) until such time as updated documents are developed.**

**E. RESOLUTION: MEDIA CAMPAIGN FOR HIV AND AIDS STRATEGY**

**Metropolitan New York Synod (7C)**

WHEREAS, HIV and AIDS has been at pandemic levels for over two decades; and

WHEREAS, the year 2005 marked the grim milestone of 1,000,000 people in the United States alone living with HIV (and 40,000,000 worldwide); and

WHEREAS, ignorance about the subject continues to have a negative impact on the delivery of pastoral and educational services to those infected and affected by HIV, despite a variety of educational resources; therefore, be it

RESOLVED, that the Metropolitan New York Synod memorialize the 2007 Churchwide Assembly of the Evangelical Lutheran Church in America to direct the Communication Services unit of the churchwide organization to engage in collaborative activities to raise awareness about the issues surrounding HIV disease through the use of a media campaign directed at members of this church as well as the broader population.

*Executive Committee Action:*

At its October 2007 meeting, the Executive Committee of the Church Council voted [EC07.10.28g]:

To receive the resolution of the Metropolitan New York Synod requesting a media campaign for HIV and AIDS awareness;

To refer the resolution as information to the units of this church involved in the ongoing preparation of a strategy on HIV and AIDS to be brought to the Church Council in April 2008; and

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

*Church Council Action [April 2008]:*

At its April 2008 meeting, the Church Council voted [CC08.04.16a]:

To authorize a delay in the response of the Church in Society and Global Mission units to the resolution of the Metropolitan New York Synod requesting a media campaign for HIV and AIDS awareness;

To recommend that the response be included in the churchwide strategy on AIDS and HIV, which will 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.

**VOTED:**

*EN BLOC*

**CC08.11.44e To acknowledge the draft of the strategy on HIV and AIDS as the response of the Church Council to the resolution of the Metropolitan New York Synod;**

**To anticipate approval of the final draft of the HIV and AIDS strategy at the April 2009 meeting of the Church Council; and**

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

**F. REINSTATEMENT OF ROSTERED CLERGY**

**Northern Great Lakes Synod (5G)**

WHEREAS, there is a need for qualified clergy in the Evangelical Lutheran Church in America; and

WHEREAS, the Vocation and Education program unit has a policy for reinstatement to the roster of the Evangelical Lutheran Church in America that is rather lengthy and cumbersome; and

WHEREAS, some pastors leave the roster in circumstances that do not reflect poorly on their character, ministry, and ability; therefore, be it

RESOLVED, that the Northern Great Lakes Synod ask the Evangelical Lutheran Church in America's Vocation and Education program unit to streamline the process of reinstatement to the roster; and be it further

RESOLVED, that the Northern Great Lakes Synod Assembly direct the Synod Council to forward this resolution to the Church Council's Executive Committee for proper referral and disposition under the bylaws and continuing resolutions of this church.

*Executive Committee Action:*

At its June 2008 meeting, the Executive Committee of the Church Council voted [EC08.06.11c]:

To receive the resolution of the Northern Great Lakes related to reinstatement of rostered clergy;

To refer the resolution to the Vocation and Education unit in consultation with the Office of the Secretary with the request that a report and possible recommendations be brought to the March 2009 meeting of the Church Council;

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

*Response from Vocation and Education unit:*

Vocation and Education unit staff members, in consultation with staff from the Office of the Secretary and with members of the Conference of Bishops Vocation and Education liaison committee, have reviewed this resolution and the policy on reinstatement.

Reinstatement to a roster always is a matter to be considered with great care. Even when a person resigned from one of the rosters for reasons that had no impact on his or her fitness to serve, it is appropriate that time be taken for mutual discernment to reflect on that decision and on experiences and learnings during the time on and off the roster. When a resignation or removal came because of misconduct or to avoid discipline, the necessity for taking time to discern carefully the appropriate next steps is all the greater.

The reviewers conclude that the present reinstatement process meets the needs of this church for this careful consideration, that it respects all people concerned, and that it is not unnecessarily complex. However, the reviewers also conclude that it is possible and desirable to clarify the descriptions of the process in the "Manual on the Policies and Procedures for Management of the Rosters" and particularly in the "Candidacy Manual" and to eliminate minimal potential redundancy in the steps required of applicants for reinstatement. By early 2009, Vocation and Education unit staff members expect to complete the process of editing the language in the candidacy manual. Office of the Secretary staff will do the same with the manual on management of the rosters.

Concurrent with discussions related to the Northern Great Lakes Synod resolution, the staff and liaison committee also considered unrelated questions about reinstatement that have been raised recently by others. These included the issue of whether an appeal process should be made available when a request is denied, the issue of whether the policy should continue to give the synodical bishop sole discretion to determine whether to forward a request for reinstatement to a candidacy committee, and the issue of whether and when a bishop should be allowed or expected to disqualify him or herself and transfer the responsibility to another synodical bishop.

The reviewers examined each of these and conclude that, while some arguments can be made for each of the possible changes, potentially larger problems would be created in each case if the change were made. In considering reinstatement, as in other areas related to rostering, this church relies on the integrity and knowledge of its bishops and candidacy committees. Guidance and counsel on the use of these policies is an essential part of the orientation and ongoing support offered to bishops and other synod staff members and should continue to be so.

**VOTED:**

*EN BLOC*

**CC08.11.44f To thank the Northern Great Lakes Synod Council for its resolution related to the reinstatement of rostered clergy, and to acknowledge that the policy on the reinstatement of rostered clergy has been reviewed carefully;**

**To decline to recommend any substantive changes in that policy, but to request that the Vocation and Education unit and the Office of the Secretary will be editing the policy documents to increase clarity and to avoid redundancy in the process;**

**To convey this response to the synod as the Church Council's response to the resolution of the Northern Great Lakes Synod; and**

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

**G. 2009 CHURCHWIDE ASSEMBLY RULES OF ORGANIZATION AND PROCEDURE  
Northwestern Minnesota Synod (3D)**

RESOLVED, that the Northwestern Minnesota Synod Council forward for consideration and possible action to the Executive Committee of the Church Council of the Evangelical Lutheran Church in America (ELCA) the following proposed rule for the 2009 Churchwide Assembly:

When a Churchwide Assembly adopts a social statement, all resolutions and recommendations for

implementation of said social statement shall require for adoption a two-thirds vote by the Churchwide Assembly.

*Executive Committee Action:*

At its October 2008 meeting, the Executive Committee of the Church Council voted [EC08.10.21]:

To receive the resolution of the Northwestern Minnesota Synod related to the Rules of Organization and Procedure for the 2009 Churchwide Assembly;

To anticipate action by the Church Council at its November 2008 meeting to recommend the Rules of Organization and Procedure to the 2009 Churchwide Assembly;

To acknowledge that the action of the Church Council at its November 2008 meeting will be the response of the council to the synod's resolution; and

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

*Background from the Office of the Secretary:*

In each biennium, the Church Council submits a recommendation to the Churchwide Assembly of the Evangelical Lutheran Church in America on proposed Rules of Organization and Procedure. Voting members of the assembly act on the Rules in the first plenary session. A two-thirds vote of the assembly is required for adoption of the Rules. The text of the proposed Rules is printed in Exhibit G, Part 6. These Rules have been developed and refined as a result of the experiences of the ten previous Churchwide Assemblies as well as the experience of predecessor church bodies.

Most of the proposed changes in the 2009 Rules were made to update or reorganize the document or to clarify an issue (e.g., the meaning of "germane motion" or "memorial"). The most substantive amendments are in Part Ten under the heading "Vote to Adopt Certain Recommendations and Resolutions from a Social Statement Task Force." For Part Ten the following rules were presented by the Office of the Secretary to the Legal and Constitutional Review Committee:

A two-thirds vote of the voting members of the Churchwide Assembly present and voting shall be required to adopt recommendations or resolutions originating from a social statement task force report, or amendments or substitute motions relating to them.

A two-thirds vote of the voting members of the Churchwide Assembly present and voting shall be required to adopt recommendations or resolutions from a task force report or amendments or substitute motions related to them that require amendment of a constitution or bylaw provision for implementation.

The second paragraph is the Rule that was adopted by the 2003, 2005, and 2007 Churchwide Assemblies and is consistent with the constitution of the ELCA.

The Office of the Secretary proffered these Rules in Part Ten not as advocates of a particular point of view, but primarily to frame clearly the discussion of this section and to address transparently the pending resolution of the Northwestern Minnesota Synod (Exhibit B1b). These Rules also are consistent with what has been proposed in the past and what had been practice with respect to social statements and their implementing resolutions prior to the 2007 Churchwide Assembly, as is evident from this review of the following recent history of the Rules in this section:

**2005 Churchwide Assembly**

At the November 2004 Church Council meeting, the Rules of Organization and Procedure for the 2005 Churchwide Assembly were considered. In Part Ten, "Amendments to and Votes on Major Statements," under the heading "Vote to Adopt Certain Recommendations from Task Force Reports," the following rules were commended to the Churchwide Assembly [CC04.11.65]:

A two-thirds majority vote of the voting members of the Churchwide Assembly present and voting shall be required to adopt recommendations from a task force report that require amendment of a constitution or bylaw provision for implementation.

A two-thirds majority vote of the members of the Churchwide Assembly present and voting shall be required to adopt recommendations from a task force that would establish for this church a new practice or policy that is contrary to a social statement of this church on the subject of the policy or social statements received from the immediate predecessor church bodies of this church that have not

been replaced or superseded by social statements or decisions of this church.

A two-thirds majority vote of the voting members of the Churchwide Assembly present and voting shall be required to adopt recommendations from a task force report that would establish for this church a new practice or policy that is contrary to an existing policy that has been adopted by the Church Council upon recommendation of a board or committee, as authorized by the constitution or bylaws of this church.

A two-thirds majority vote of the voting members of the Churchwide Assembly present and voting shall be required to adopt recommendations from a task force report that the Church Council recommended to the Churchwide Assembly and specified that a two-thirds affirmative vote of the assembly will be necessary for adoption.

A two-thirds majority vote of the voting members of the Churchwide Assembly present and voting shall be required to adopt recommendations from a task force report that would establish policy for the oversight by synods of the official rosters of this church.

A majority vote of the voting members of the Churchwide Assembly present and voting shall be required to adopt recommendations from a task force report that are provided as advice to congregations of this church, except recommendations in implementing resolutions for a social statement for which a two-thirds vote is required.

At the first plenary session of the 2005 Churchwide Assembly, the assembly considered the Rules. It voted initially to adopt the Rules, exclusive of quoted and highlighted constitutional provisions and bylaws that are already in force, and the material removed for separate consideration [CA05.01.01]. The Rules approved in the section "Vote to Adopt Certain Recommendation from Task Force Reports" included only the following:

A two-thirds majority vote of the voting members of the Churchwide Assembly present and voting shall be required to adopt recommendations from a task force report that require amendment of a constitution or bylaw provision for implementation.

Paragraphs two–six were removed for separate consideration.

After considerable debate on those paragraphs, the assembly voted to adopt the "Rules of Organization and Procedure," Section I, page 13, Part Ten, paragraph 3, "Vote to Adopt Certain Recommendations from Task Force Reports":

A two-thirds majority vote of the voting members of the Churchwide Assembly present and voting shall be required to adopt recommendations from a task force report or an amendment or substitute motion related to them that would establish for this church a new practice or policy that is contrary to an existing policy that has been adopted by the Church Council upon recommendation of a board or committee, as authorized by the constitution or bylaws of this church.

No other proposed Rule in Part 10 was adopted, nor were amendments to them approved.

### **2007 Churchwide Assembly**

At its April 2007 meeting, the Church Council considered the Rules of Organization and Procedure for the 2007 Churchwide Assembly. In Part Ten, "Amendments to and Votes on Major Statements," under the heading "Vote to Adopt Certain Recommendations from Task Force Reports," the following rules had been proposed:

A two-thirds vote of the voting members of the Churchwide Assembly present and voting shall be required to adopt recommendations from a task force report or amendments or substitute motions related to them that require amendment of a constitution or bylaw provision for implementation.

A two-thirds vote of the members of the Churchwide Assembly present and voting shall be required to adopt recommendations from a task force report or amendments or substitute resolutions related to them that would establish for this church a new practice or policy that is contrary to an existing policy that has been adopted by the Church Council upon recommendation of a board or committee, as



authorized by the constitution or bylaws of this church.

After extensive debate, the Church Council voted to recommend to the Churchwide Assembly to adopt the Rules of Organization and Procedure (exclusive of quoted and highlighted constitutional provisions and bylaws that are already in force) [CC07.04.24]. Under the heading in Part Ten "Vote to Adopt Certain Recommendations from Task Force Reports," only the following rule was recommended:

A two-thirds vote of the voting members of the Churchwide Assembly present and voting shall be required to adopt recommendations from a task force report or amendments or substitute motions related to them that require amendment of a constitution or bylaw provision for implementation.

At the first plenary session of the 2007 Churchwide Assembly, the assembly considered the Rules of Organization and Procedure. In Part Ten under the heading "Vote to Adopt Certain Recommendations from Task Force Reports," the following rule was adopted:

A two-thirds vote of the voting members of the Churchwide Assembly present and voting shall be required to adopt recommendations from a task force report or amendments or substitute motions related to them that require amendment of a constitution or bylaw provision for implementation.

### **Social Statements and Implementing Resolutions**

Bylaw 12.12.01. of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* states:

**12.12.01.** A social statement, which is developed by the appropriate churchwide unit and presented to the Churchwide Assembly as a proposed social statement of the Evangelical Lutheran Church in America, shall require for adoption a vote of two-thirds of those voting members present and voting in a Churchwide Assembly. The text of a proposed social statement shall be approved and recommended to the assembly by the Church Council.

Up until 2007, social statements and their implementing resolutions were combined in a single action, which required a two-thirds vote for approval. Specifically, only a single action on "Caring for Health: Our Shared Endeavor," combining approval of the social statement and implementing resolutions, was taken by the 2003 Churchwide Assembly [CA03.05.13]. Similarly, only a single action on "Sufficient, Sustainable Livelihood for All," combining approval of the social statement and implementing resolutions, was taken by the 1999 Churchwide Assembly [CA99.05.14]. Again, only a single action on "For Peace in God's World," combining approval of the social statement and implementing resolutions, was taken by the 1995 Churchwide Assembly [CA95.05.24]. The 1993 Churchwide Assembly voted a single action [CA93.04.06], combining approval of the social statement and implementing resolutions, on "Caring for Creation: Vision, Hope, and Justice." It also took a single action on "Freed in Christ: Race, Ethnicity, and Culture" [CA93.07.43]. The 1991 Churchwide Assembly voted a single action on the social statement on abortion [CA91.06.38], combining approval of the social statement and implementing resolutions. It also took a single action on "Social Practice Statement on the Death Penalty" [CA91.03.09] and a single action on "The Church in Society: A Lutheran Perspective" [CA91.02.04].

In 2007, the practice was altered. The 2007 Churchwide Assembly took separate actions on the social statement and its implementing resolution. It approved (Yes-949; No-35) the social statement in one action [CA07.05.21], which required a two-thirds vote, and approved (Yes-996; No-17) the implementing resolutions in another [CA07.07.22] on a simple majority.

### **2009 Churchwide Assembly**

Following debate, including possible amendment or substitutes for the proposed rules, the Church Council will recommend adoption of the Rules to the 2009 Churchwide Assembly. The assembly then will debate and vote on the Rules during the first plenary session. Amendments and substitute motions to the recommendation of the Church Council are, of course, in order.

**VOTED:**

*EN BLOC*

**CC08.11.44g**           **To receive the background information provided by the Office of the Secretary to the Northwestern Minnesota Synod resolution related to the 2009 Churchwide Assembly Rules of Organization and Procedure; and**  
                          **To request that the Office of the Secretary provide the background information to the synod as the response of the Church Council to the resolution.**

**H. ECOLOGICALLY AND FISCALLY SOUND PRACTICES**

**Saint Paul Area Synod (3H)**

WHEREAS, Jesus Christ through his works and words taught us to lead by example, and Mahatma Gandhi called us to “be the change you want to see in the world”; and

WHEREAS, Lutherans have led by example and been in the forefront of ethically inspired social change for centuries, including the abolitionist, civil rights, and peace movements of the United States; and

WHEREAS, the serious threats of global warming and environmental degradation caused by humans call Lutherans again to look inwardly and act outwardly in order to preserve God’s miraculous creation and leave a livable environment in which future generations will thrive; and

WHEREAS, many products commonly used in homes and churches contain toxins harmful to the environment and humans, especially children; and

WHEREAS, the Evangelical Lutheran Church in America (ELCA) adopted a social statement in 1993, “Caring for Creation: Vision, Hope, and Justice,” lifting up Christians’ concern for the environment that is “shaped by the Word of God spoken in creation, the Love of God hanging on a cross, the Breath of God daily renewing the face of the earth”; and

WHEREAS, the ELCA since adoption of the 1993 social statement has worked to make it manifest through policies and practices; and

WHEREAS, reducing the ELCA environmental footprint is both ecologically and fiscally sustainable; therefore, be it

**RESOLVED**, that the ELCA build on its environmental initiatives by ensuring that future church gatherings, from local to churchwide, are, to the degree practicable, low-waste events by reducing handouts, printing on both sides of the paper, using recycled paper, using reusable and recyclable materials, providing for recycling, informing attendees of preferred practices, and otherwise adopting best management practices; and be it further

**RESOLVED**, that local and churchwide ELCA offices and buildings undergo comprehensive energy audits and make any energy-conservation retrofits recommended by the audits that have a pay-back of five years or less; and be it further

**RESOLVED**, that the ELCA investigate opportunities to use non-toxic cleaners and other products that are effective, affordable, and safe; and be it further

**RESOLVED**, that, when possible, ELCA offices purchase a minimum of five percent of their electricity from renewable sources; and be it further

**RESOLVED**, that individual ELCA congregations be encouraged to adopt as many of the above practices as are practicable.

*Response from the Executive Committee:*

At its April 2008 meeting, the Executive Committee voted [EC08.04.07]:

To receive the resolution of the Saint Paul Area Synod Council related to “ecologically and fiscally sound practices”;

To refer the resolution to the Administrative Team 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.

*Response from the Administrative Team:*

The response from the Administrative Team follows:

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**Environmental Stewardship at the Lutheran Center  
November 2008 Report**

The churchwide organization through its various units has worked broadly and steadily in reducing the ELCA environmental footprint in a way that is ecologically and fiscally sustainable. The primary areas of emphasis in the management of our facilities focus on the efficient use of energy, water and other resources; the reduction of waste, pollution and environmental degradation; and the protection of staff, tenant, and visitors' health and productivity. This report highlights some of the recent efforts supporting these goals within the churchwide organization.

Selection of a Building Management Company

Jones Lang LaSalle (JLL) was selected a few years ago to manage the churchwide property and offices in Chicago. JLL is an industry leader in green building initiatives and was recipient of the 2007 Energy STAR Partner of the Year Award by the US Environmental Protection Agency and the Stars of Energy Efficiency Chairman's Award from the Alliance to Save Energy. JLL provides a Leadership in Energy and Environmental Design Certification and four of the O'Hare Plaza management staff are currently in the process of attaining this certification.

The credentials and experience of our building management company in environmental stewardship are important to the churchwide organization because they give us access to resources, solutions, and support programs to help us in our own efforts to be good stewards of the environment.

Lutheran Center Reconfiguration

Over the course of 2006 and 2007, the Lutheran Center offices were reconfigured to align the organization with the new unit structure and to attend to general wear and tear issues that needed to be addressed after twenty years of heavy usage. During the process of replacing carpet and office furniture and installing new wiring, priority was given to recycling, reusing, or donating items being replaced. Management services negotiated an agreement with a company to take down the old work surfaces, refurbish them and put them up for sale, keeping all these materials out of the landfills. Chairs and other miscellaneous furniture pieces were donated and other parts, including copper piping and wiring, were recycled.

During the construction process, energy efficiency was also improved by re-lamping all floors with low voltage lamps and installing window film on the first-floor lobby and eleventh-floor hospitality suite and reception areas to keep the building cool.

In order to ensure a healthy work environment for staff and tenants, non-toxic paint was used throughout.

Recycling Program

The Lutheran Center has worked with the building management company to increase the amount of garbage that can be recycled. A new recycling program was implemented in November 2007 at O'Hare Plaza that allowed us to recycle mixed items such as aluminum, glass and plastics, as well as paper. This resulted in a noticeable increase in recycling and lowered the amount of trash. The ELCA building achieved the lowest per square foot trash removal expense in the JLL Suburban Chicago portfolio at \$.02 per square foot. Beyond the recycling of paper, cardboard, and mixed items, the ELCA also recycles batteries, light bulbs, toner and laser inkjet cartridges, and e-scrap.

Capital Purchases

As items need replacement, the churchwide organization takes the opportunity to find energy-saving solutions. Items that reach the end of their useful life and are replaced over time with Energy Star appliances include the conference center dishwasher, floor refrigerators and ice machines. Recent major capital investments include the cooling tower that is being replaced and will use 40% less energy to run. Sensors have been installed in the freight elevator lobbies and will be installed in all elevator cars so that the down lights only come on when the cars are in use, saving energy. Water-saving faucets and bathroom fixtures have been in place for several years on all floors.

Meetings and Events

Water and ice dispensers have been purchased for meetings in the conference center and lunchroom and

biodegradable cups, plates, and utensils have been researched and purchased. Staff and visitors are encouraged to bring their own mugs to meetings. The Office of the Secretary has worked with one caterer, Tasty Catering, that has made significant strides in their own green efforts, and they were invited to present their story to Lutheran Center staff.

#### Environment-Friendly Products

All cleaning products used at the Lutheran Center are environmentally-preferred products, the paint used in the Lutheran Center is non-toxic, and our HVAC is filled with non-toxic polyglycol which can be reused for 8 years and is pumped in for the summer and out for winter.

#### Office Services

The Management Services section works with units to encourage good practices around the use of office supplies. All customers are expected to copy documents as two-sided. While recycled paper has tended to produce more dust that jams the copy machines, Management Services continues to test products in order to find an effective recycled paper option. There has been a notable and consistent downward trend in the volume of outgoing mail as units are turning to more electronic communications and posting of resources. Post office software solutions catch wrong addresses and avoid unnecessary production, envelope, and mailing costs.

#### Technology Initiatives

Technology equipment is a critical area that the Lutheran Center focuses on in order to meet good environmental stewardship standards. We utilize Great Lake Electronics Corp to dispose of old equipment and reuse and recycle all parts. Great Lakes has a zero landfill policy and everything is recycled in accordance with ER, HIPAA and other local, state, and federal regulations.

Information Technology has developed a plan to reduce and consolidate the amount of printers in the building through use of multi-functional units, which will result in the reduction of energy expended to run this equipment. They are also moving to server virtualization which, through reduced number of physical servers, will decrease our electrical power consumption, cooling needs, and emissions.

Information Technology and Office of the Treasurer will be shifting to a new general ledger system mid-2009. The design and approval processes are being reviewed to emphasize workflow and Web accessibility in order to save on printing costs and paper usage.

#### Planning Team

A new cross-unit team on environmental stewardship has been appointed to lead planning around continuing green initiatives and to creatively engage and communicate with churchwide staff about what they can do to help care for God's creation as part of our work here at the Lutheran Center.

#### **VOTED:**

*EN BLOC*

**CC08.11.44h To thank the Saint Paul Area Synod for its concern for the environment and particularly for the "Caring for Creation" practices of the churchwide organization;  
To thank the churchwide organization for its many environmental initiatives, including those that are detailed the report above;  
To encourage the Saint Paul Area Synod and the congregations of the Evangelical Lutheran Church in America to practice "Caring for Creation" in their own contexts; and  
To request that the secretary of this church inform the synod of this response.**

#### **I.1. CLERGY FOR DISASTER AREAS**

##### **Texas-Louisiana Gulf Coast Synod (4F)**

WHEREAS, in the wake of Hurricanes Katrina and Rita, the financial, emotional, and spiritual burdens on congregations afflicted by disaster have increased enormously; and

WHEREAS, a number of congregations in the Texas-Louisiana Gulf Coast Synod have been unable to call pastoral staff to lead them because of the uncertainty of their circumstances in the wake of the hurricanes; and

WHEREAS, the finances of some disaster-stricken congregations have been so devastated that they are unable to compensate adequately their pastors so that they can continue to live in the communities where they have been called to serve; and

WHEREAS, the pastoral staffs of other congregations have been taxed severely as a result of their responsibility not merely to lead their own congregations but to assist in the support and rebuilding of other congregations destroyed—or placed at risk—by the hurricanes and their aftermath; and

WHEREAS, there is a need for an intentional commitment on the part of this church to provide additional ordained leadership in times of crisis in order to assist those churches in need of pastoral staff and to provide relief to those pastors who have struggled without respite since these disasters; therefore, be it

RESOLVED, that:

1. the presiding bishop promptly undertake to identify and create a list of retired rostered clergy and chaplains who are willing to serve in disaster-stricken areas as intentional interim pastoral staff for those congregations that need pastors or to provide respite and relief to existing pastoral staff in disaster-stricken communities and congregations that need additional help; and
2. the Evangelical Lutheran Church in America provide resources sufficient to fund the amounts necessary to pay interim and permanent pastoral staff salaries (if local congregations lack the means to do so) in order to permit rostered clergy and chaplains to return to the service of this church in disaster-stricken areas; and be it further

RESOLVED, that the Texas–Louisiana Gulf Coast Synod Assembly direct the Texas–Louisiana Gulf Coast Synod Council to forward this resolution for proper referral and disposition under the bylaws and continuing resolutions of this church.

*Executive Committee Action:*

The Executive Committee voted [EC07.10.28c]:

To receive the resolution of the Texas-Louisiana Gulf Synod related to clergy for disaster areas;

To refer the resolution to the Office of the Presiding Bishop in consultation with the Church in Society unit and ELCA Disaster Response with the request that the report on the consultation on disaster response anticipated at the November 2007 meeting of the ELCA Church Council address the issues raised by the synod; and

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

**I.2. DISASTER RESPONSE**

**Texas–Louisiana Gulf Coast Synod (4F)**

WHEREAS, Hurricanes Katrina and Rita taught many valuable lessons to be learned about disaster response; and

WHEREAS, the faith communities of the Gulf Coast areas, the Evangelical Lutheran Church in America, and the world responded with great generosity and love; and

WHEREAS, the presence of local pastors and congregations became beacons of hope and visible signs of Christ; and

WHEREAS, the local congregations and their church facilities should be spiritual centers in the relief response and long-term recovery efforts as well as a public witness to the core values of Lutheran communities; and

WHEREAS, Lutheran Disaster Response does not allocate money for the financial support of pastors and staff, rebuilding of church buildings, or congregational ministries devastated by a disaster; and

WHEREAS, the gap of coverage for churches and their staff impacted by a disaster is one of the lessons from Hurricanes Katrina and Rita as well as after other disasters which have hit this country; therefore, be it

RESOLVED, that the Texas–Louisiana Gulf Coast Synod, meeting in assembly, requests that the Evangelical Outreach and Congregational Mission unit of the Evangelical Lutheran Church in America develop a clear, immediate, and effective response plan to assist local pastors and congregations in disaster areas; and be it further

RESOLVED, that the Texas–Louisiana Gulf Coast Synod Assembly direct the Texas–Louisiana Gulf Coast Synod Council to forward this resolution to the Church Council's Executive Committee for proper referral and disposition under the bylaws and continuing resolutions of this church.

*Executive Committee Action:*

The Executive Committee voted [EC07.10.28d]:

To receive the resolution of the Texas-Louisiana Gulf Synod related to disaster response;

To refer the resolution to the Office of the Presiding Bishop in consultation with the Church in Society unit and ELCA Disaster Response with the request that the report on the consultation on disaster response anticipated

at the November 2007 meeting of the ELCA Church Council address the issues raised by the synod; and  
To request that the secretary of this church inform the synod of this action.

### **I.3. CHANGE THE POLICY OF LUTHERAN DISASTER RESPONSE**

#### **Texas–Louisiana Gulf Coast Synod (4F)**

WHEREAS, the current policy and practice of Lutheran Disaster Response (LDR) does not allow money contributed to LDR to be used for the rebuilding of churches devastated by disaster; and

WHEREAS, that policy forces local congregations to hustle and scramble in search of alternate financial assistance for their rebuilding; and

WHEREAS, many contributors to LDR naturally assume that their donations also will be used for the rebuilding of Lutheran churches; and

WHEREAS, current policy and practice often lead pastors and congregations to be preoccupied with finding the financial resources to rebuild their structures, diverting time, effort, and money away from the other ministries of the congregations; and

WHEREAS, the current policy and practice has caused bewilderment, outrage, and resentment among members of devastated churches and has caused a public relations blunder for LDR in recently ravaged areas; and

WHEREAS, it is the local congregation that provides hope, compassion, and physical help to its community and therefore needs immediate support following a disaster; therefore, be it

RESOLVED, that the practice and policy of the Lutheran Disaster Response immediately be changed in order to free up both current and future donations to Lutheran Disaster Response for use in the rebuilding of church facilities affected by disaster; and be it further

RESOLVED, that the Texas–Louisiana Gulf Coast Synod Assembly direct the Texas–Louisiana Gulf Coast Synod Council to forward this resolution to the Church Council’s Executive Committee for proper referral and disposition under the bylaws and continuing resolutions of this church.

#### *Executive Committee Action:*

The Executive Committee of the Church Council voted [EC07.10.28e]:

To receive the resolution of the Texas-Louisiana Gulf Synod requesting a change in the policy of Lutheran Disaster Response;

To refer the resolution to the Office of the Presiding Bishop in consultation with the Church in Society unit and ELCA Disaster Response with the request that the report on the consultation on disaster response anticipated at the November 2007 meeting of the ELCA Church Council address the issues raised by the synod; and

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

#### *Church Council Action [2007]:*

At its November 2007 meeting, the Church Council voted [CC07.11.83e]:

To thank the Texas–Louisiana Gulf Coast Synod for its resolutions related to clergy for disaster areas, the policy of Lutheran Disaster Response, and disaster response;

To acknowledge the report of the ELCA Disaster Response Consultation and the action of the Church Council as the response of the Church Council to the resolutions of the Texas-Louisiana Gulf Coast Synod;

To request that the report and the action of the Church Council be transmitted as information to the synod; and

To anticipate additional response by the Church Council at its November 2008 meeting.

#### **VOTED:**

**CC08.11.44i**

**To acknowledge the verbal report of the director for Domestic Disaster Response as recorded in the minutes of the November 2008 meeting of the Church Council as the final response of the Council to the resolutions of the Texas-Louisiana Gulf Coast Synod related to Clergy for Disaster Areas, Disaster Response, and Change the Policy of Lutheran Disaster Response; and  
To request that the secretary of this church inform the synod of this action.**

*EN BLOC*

**2. CHURCHWIDE ASSEMBLY REFERRALS DIRECTED TO THE CHURCH COUNCIL**  
(Agenda IV.A.2.; Agenda/MINUTES Exhibit B, Part 2b)

**VOTED:** *EN BLOC*  
**CC08.11.45**      **To approve *en bloc* the following responses to referrals from the Churchwide Assembly of the Evangelical Lutheran Church in America:**

**A.1. IMMIGRATION AND SANCTUARY**  
**Northwest Washington Synod (1B)**  
**[Memorial B7][CA07.06.33i]**

RESOLVED, that the bishop of the Northwest Washington Synod lead and comfort our Hispanic community during this time of *kairos* (until the time of justice comes upon us) as part of our flock; and be it further

RESOLVED, that the good offices of our congregations, Synod Council, and the office of the bishop denounce and demand that the raids, deportations, and massive firings of undocumented immigrant workers cease immediately; and be it further

RESOLVED, that the bishop meet with the heads of our ecumenical partners to jointly denounce the massive raids and deportations; and be it further

RESOLVED, that the bishop encourage Lutheran agencies, congregations, and committees to designate grants that will create or support faith-based institutions that are currently serving the undocumented immigrants within the United States, who are currently being defrauded by unscrupulous and untrustworthy organizations that profit at their expense; and be it further

RESOLVED, that the bishop meet with grass-roots leaders involved in immigration issues to listen to their concerns and pray for members who are confronting deportation proceedings; and be it further

RESOLVED, that the bishop and synod office make available the "New Sanctuary Movement Statement of Support and Involvement" to congregations and that the Synod Council consider adopting this statement at the 2008 Synod Assembly; and be it further

RESOLVED, that the Northwest Washington Synod of the Evangelical Lutheran Church in America memorialize the 2007 Churchwide Assembly of the Evangelical Lutheran Church in America to request that the presiding bishop provide for an urgent national meeting with church workers, lawyers, and theologians to establish strategies for accompanying undocumented immigrants, including the establishment and support of sanctuaries in congregations; and be it further

RESOLVED, that the Northwest Washington Synod of the Evangelical Lutheran Church in America memorialize the 2007 Churchwide Assembly to request that the Office of the Presiding Bishop arrange an urgent meeting with Lutheran Immigration and Refugee Service to discuss the expansion of its mission from solely providing services to refugees to assisting directly refugee families within the United States that need legal representation as they confront deportation proceedings and other immigration proceedings; and be it further

RESOLVED, that the Northwest Washington Synod of the Evangelical Lutheran Church in America memorialize the 2007 Churchwide Assembly to request that the presiding bishop and the Conference of Bishops encourage all synods of this church to establish committees on immigration that include leaders from the Hispanic community who are involved in immigration issues and to encourage the members of this church to continue to pray that God gives us the power and will to walk with the immigrant community in this time of trial and injustice.

**A.2. IMMIGRATION AND SANCTUARY**  
**Southwest California Synod (2B)**  
**[Memorial B7][CA07.06.33i]**

WHEREAS, the membership of the Evangelical Lutheran Church in America (ELCA) has consisted historically of immigrant people from many nationalities and ethnicities; and

WHEREAS, the Latino community has been deeply affected by the current deportation policies of the U.S. government, which have caused significant pain and suffering to Lutheran families; and

WHEREAS, other ethnic communities also have suffered because of these policies; and

WHEREAS, the ELCA has an obligation under the Gospel of Jesus Christ to proclaim good news to the poor, the hurting, the marginalized, and the voiceless, and further to denounce unjust, discriminatory practices, which destroy the livelihood and dignity of our brothers and sisters; and

WHEREAS, pastors and laypersons are cognizant of the divine imperative found in Leviticus 19:33-34: "When an alien lives with you in your land, do not mistreat him. The alien living with you must be treated as one of your native born. Love him as yourself for you were aliens in Egypt"; and

WHEREAS, the church has a role to be a prophetic voice for those who are afraid to speak publicly against injustice; therefore, be it

RESOLVED, that the 2007 Assembly of the Southwest California Synod encourage the synod bishop and council to provide the rostered leaders of this synod with basic education on immigration law and procedure; and be it further

RESOLVED, that the Southwest California Synod encourage conversation among the members, congregations, and conferences on the plight of the immigrant community in this synod, including the testimonies of individuals and families in the congregations of this synod; and be it further

RESOLVED, that the Southwest California Synod Assembly memorialize the 2007 Churchwide Assembly of the Evangelical Lutheran Church in America:

- a. to encourage the Office of the Presiding Bishop of the Evangelical Lutheran Church in America to meet with the heads of this church's ecumenical partners to lift up the human cost to individuals, families, congregations, and communities when the laws of current immigration policies are implemented;
- b. to request that the Church in Society unit call a meeting with grass-roots leaders on immigration issues, and specifically to include representatives of Lutheran Immigration and Refugee Service to discuss its mission and strategies for providing services to refugees and immigrant families within the United States;
- c. to urge the synods to establish committees on immigration that include leaders from communities who are involved in and affected by immigration issues; and
- d. to urge that the Church in Society unit provide grants that will encourage the creation or support of trustworthy faith-based institutions, including those in the new Sanctuary movement, that currently serve the undocumented immigrant population in the United States.

### **A.3. IMMIGRATION AND SANCTUARY** **Southwestern Pennsylvania Synod (8B)** **[Memorial B7][CA07.06.33i]**

WHEREAS, Jesus teaches us in Matthew 25 to feed the hungry, give water to the thirsty, clothe the naked, care for the sick, visit the imprisoned, and welcome the stranger; and

WHEREAS, Leviticus 19:33-34 instructs us: "When an alien resides with you in your land, you shall not oppress the alien. The alien who resides with you shall be to you as the citizen among you; you shall love the alien as yourself, for you were aliens in the land of Egypt: I am the Lord your God . . ."; and

WHEREAS, Lutherans have served Christ for over 60 years through refugee resettlement ministry and have been invited to provide services to new immigrants by the United States government, which also has a proud history of welcoming persecuted people; and

WHEREAS, legislation passed in the Real ID and Patriot Act II programs, which are intended to prevent terrorists and those sympathetic to terrorist organizations from entering the United States, has created unintended barriers for thousands of genuine refugees, who pose no threat to our communities or national security and otherwise would be welcome to resettle in the United States; and

WHEREAS, based on the same law, immigration judges must deny asylum (refugee status) for asylum seekers with legitimate claims, resulting in genuine refugees being unjustly held in detention and ultimately returned to the country of their persecution; and

WHEREAS, Lutheran Immigration and Refugee Service already has identified current material support language that needs to be revised and actively has engaged in advocating to the United States government for appropriate changes in legislation; therefore, be it

RESOLVED, that the 2007 Southwestern Pennsylvania Synod

1. Go on record expressing gratitude for legislators, including Representative Pitts (PA-16, R), who have written and sponsored legislation to correct the unintended consequences of material support;
2. Urge the Southwestern Pennsylvania Synod office to request the United States House of Representatives, the United States Senate, and the president of the United States to support such legislation that corrects the unintentional



consequences of Real ID and Patriot Act II; and

3. Encourage the Southwestern Pennsylvania Synod congregations and individual members to contact their legislatures in support of such legislation; and be it further

RESOLVED, that the 2007 Southwestern Pennsylvania Synod Assembly memorialize the 2007 Churchwide Assembly of the Evangelical Lutheran Church in America, through the Office of the Presiding Bishop, also to request a change in United States law so that genuine refugees are not barred on grounds of material support.

*2007 Churchwide Assembly Action:*

To thank the Southwest California Synod, Northwest Washington Synod, and Southwestern Pennsylvania Synod for calling this church's attention to the urgent concern for immigrants who are being unjustly treated;

To reaffirm the revision and updating of the 1998 Message on Immigration that was requested by the ELCA Church Council in response to the synodical resolutions received in 2006 for its consideration and approval in November of 2007 and to anticipate that the revisions will address new concerns that are emerging related to immigrant rights and just policies toward immigrants in this country;

To reaffirm the work of Lutheran Immigration and Refugee Service (LIRS) in partnership with the synods of this church in the development of immigration task forces;

To continue this church's support for and close partnership with LIRS, including the delivery of technical assistance, networking, grants to dedicated and independent legal service projects, and advocacy for comprehensive immigration reform; and

To request that the Church in Society unit work with LIRS and other relevant churchwide units to convene opportunities for partners and interested leaders to meet to establish opportunities and strategies for further supporting and accompanying undocumented immigrants.

*Church Council Action [April 2008]:*

At its April 2008 meeting, the Church Council voted [CC08.04.17a]:

To authorize a delay in the response of the Church in Society unit to the action of the 2007 Churchwide Assembly in response to memorials from the Southwest California Synod, Northwest Washington Synod, and Southwestern Pennsylvania Synod;

To anticipate that the revised Message on Immigration, which will be considered by the Church Council at its November 2008 meeting, will serve as the response to these memorials; and

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

*Related Actions:*

The Church Council agenda includes information and a recommended action related to additional resolutions about immigration from the Rocky Mountain, Northeastern Ohio, New Jersey, and Metropolitan Washington, D.C., synods.

**VOTED:**

*EN BLOC*

**CC08.11.45a**

**To authorize a delay in the development of a revised message on immigration by the Church in Society program unit, in cooperation with Lutheran Immigration and Refugee Service (LIRS);**

**To request that the new message on immigration be brought to the ELCA Church Council for consideration in April 2010, with a preliminary draft brought to the Program and Services Committee of the Church Council in November 2009; and**

**To request that the secretary of this church inform the Southwest California Synod, Northwest Washington Synod, and Southwestern Pennsylvania synods of this action.**

**B. CONTINUING SUBSIDIES OF WORTHY MINISTRIES**

**[Memorial A1] [CA07.06.33a]**

WHEREAS, the Evangelical Lutheran Church in America (ELCA) traditionally has supported new, transformational, and innovative ministries for at least three years; and

WHEREAS, this synod at times has identified ministries that realize the primary purposes stated in †S6.02. but have little prospect of becoming self-supporting while at the same time they may be deserving of ongoing support from the wider church; and

WHEREAS, the ELCA has convened a Blue Ribbon Task Force to strengthen funding of ministry and sharing of mission support; therefore, be it

RESOLVED, that the Indiana-Kentucky Synod in assembly memorialize the ELCA to study this issue, including the practices of this synod, as outlined in the synod outreach binder, and of other denominations and bring to the Churchwide Assembly as soon as practical a recommended approach for setting criteria and subsidizing such ministries that need ongoing support from the wider church.

*Churchwide Assembly Action:*

The 2007 Churchwide Assembly voted [CA07.06.33a]:

To express gratitude to the Indiana-Kentucky Synod for its request for a “recommended approach for setting criteria and subsidizing such ministries that need ongoing support from the wider church”;

To acknowledge with thanks the commitment of the Evangelical Outreach and Congregational Mission (EO) unit to:

1. Continue to work with congregations, synods, and other partners to explore contextual solutions to questions related to sustainability, utilizing the principles described in the response above;
2. Consult with ecumenical partners about how they sustain ministries that are not self-supporting;
3. Discuss the realities of funding and sustainability to gain input from those who work with the ethnic strategies and with ministries among people in poverty;
4. Involve stewardship staff in the development or renewal of ministries in order to strengthen resources for supporting and equipping stewardship efforts in economically marginalized contexts;
5. Receive and review the outcomes of the Blue Ribbon Committee on Mission Funding in order to gain insights about strengthening mission support and ministry funding and incorporate them into Evangelical Outreach and Congregational Mission processes;
6. Train mission directors and stewardship staff about sustainability as part of the cultural proficiency work of the Evangelical Outreach and Congregational Mission unit; and

To request that the Evangelical Outreach and Congregational Mission unit, in consultation with the Conference of Bishops, continue to study these issues and bring a report and possible recommendations to the April 2008 meeting of the Church Council.

*Church Council Action:*

At its April 2008 meeting, the Church Council voted [CC08.04.17b]:

To authorize a delay in the response of the Evangelical Outreach and Congregational Mission unit to the memorial from the Indiana-Kentucky Synod concerning continuing subsidies for worthy ministries;

To 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.

*Response from the Evangelical Outreach and Congregational Mission unit:*

The Evangelical Outreach and Congregational Mission unit (EOCM) has a process in place called the “review table” for considering funding requests. The review table consists of one bishop from each region, members of the EOCM renewal team, development team, and other staff. Funding requests made by congregations to synod outreach committees and synod staff are reviewed at the local level and then sent to the review table for affirmation. Priority is given to items that are in alignment with the synod’s strategy and goals as well as EOCM’s strategy and goals.

EOCM continues to work to discern the definition of “worthy” as it relates to the funding of struggling congregations. Currently, congregations that apply for and/or continue to receive EOCM partnership support are required to meet the following criteria:

1. Submission of annual congregation report forms.
2. Synod investment in the ministry, either through direct financial support or in kind contributions such as the use of

- a parsonage owned by the synod.
3. Congregational mission support at 10 percent or higher or demonstration that it is increasing toward a goal of 10 percent.
  4. Demonstration of financial need. Congregations with large endowments, savings and "other assets" usually will not be eligible, unless they are involved in a building program or have exhausted legal efforts to remove strictures from trusts and endowments. Congregations may have a reasonable amount of assets available for cash flow and emergencies. Effectiveness of renewal is directly proportional to the willingness of the congregation to invest in it.
  5. Congregations with worship attendance under 50 and trending downward ordinarily will not be eligible for partnership support.
  6. An indication from the bishop or EOCM field staff of the level of strategic importance for the synod: low, medium, or high.
  7. A clear, succinct statement of the desired outcome of partnership support along with a defined, measurable plan. For congregations already receiving partnership support, an assessment in measurable terms must be included for renewal of funding.
  8. Evidence that the plan for the congregation came out of a discernment process and strategy in collaboration with others (i.e., part of synod outreach strategy, ethnic strategy, evangelism team, or conference/cluster congregational leadership).
  9. Evidence that the congregation already has taken steps to implement its mission strategy.
  10. A brief demographic analysis that indicates the viability of the mission field.
  11. Submission before the deadline.

EOCM's renewed structure for deployed staffing provides for dedicated attention designated to its core work of building of three critical tables: a mechanism for mission support, a mission table for new and renewed ministry, and a mission strategy table. Through this new effort the unit has reinforced its commitment to strengthening and enhancing resources that support mission and ministry in all synods.

**VOTED:**

*En Bloc*

**CC08.11.45b**

**To receive the background information provided by the Evangelical Outreach and Congregational Mission (EOCM) program unit in response to the 2007 Churchwide Assembly memorial related to "continuing worthy ministries"; and  
To request that the background information be provided to the Indiana-Kentucky Synod, as the response of the Church Council to its memorial.**

**3. APPOINTMENT OF THE MEMORIALS COMMITTEE**

(Agenda IV.D.1)

Churchwide bylaw 12.51.21., in regard to the Churchwide Assembly, provides for the appointment of a Memorials Committee to review memorials from synodical assemblies and make recommendations for assembly action. Historically, the 15-member committee has included four members of the Church Council, eight voting members of the assembly, and two representatives of the Conference of Bishops. The Church Council appoints the committee at its November meeting prior to the Churchwide Assembly to allow for adequate notice to people for their participation in the meeting of the Memorials Committee subsequent to the completion of the 2008 synodical assemblies.

**VOTED:**

*EN BLOC*

**CC08.11.46**

**To appoint the members of the Memorials Committee for the 2009 ELCA Churchwide Assembly:**

- 1. Bp. Wm. Chris Boerger (1B)**
- 2. Ms. Erika Canham (4F)**
- 3. Ms. Deborah Chenoweth (1E)**
- 4. Pr. Joseph G. Crippen (3I)**

5. Mr. Jason Glombicki (5A)
6. Bp. H. Julian Gordy (9D)
7. Pr. Jonathan W. Linman (8B)
8. Ms. Gail Olson (3H)
9. Mr. John Pederson (3B)
10. Mr. John Prabhakar (5B)
11. Pr. John Richter, *co-chair* (7E)
12. Pr. Kay Richter (5I)
13. Mr. Willie Scott (6A)
14. Ms. Judith Tutt-Starr, *co-chair* (2B)
15. Ms. Suzanne B. Wise (9B)

#### 4. APPOINTMENT OF COMMITTEE OF REFERENCE AND COUNSEL (Agenda IV.D.2)

Churchwide bylaw 12.51.11., in regard to the Churchwide Assembly, provides for the appointment of a Committee of Reference and Counsel to review items—proposed resolutions—that are not germane to items contained in the stated agenda of the assembly and also to review all changes or additions to the constitution and bylaws submitted by voting members at the assembly. Historically, the 15-member committee has included members of the Church Council, voting members of the assembly, and two representatives of the Conference of Bishops.

**VOTED:**

*EN BLOC*

**CC08.11.47 To appoint the members of the Committee of Reference and Counsel for the 2009**

**ELCA Churchwide Assembly:**

1. Ms. Linda Chinnia (8F)
2. Bp. Jessica R. Crist (1F)
3. Pr. Drew Flathmann (3G)
4. Mr. Mark S. Helmke, *co-chair* (4E)
5. Mr. William Horne (9E)
6. Ms. Julie Johnson (3B)
7. Bp. James A. Justman (5I)
8. Pr. Susan Langhauser, *co-chair* (4B)
9. Mr. William R. Lloyd Jr. (8C)
10. Pr. Fred Opalinski (7E)
11. Ms. Lynette Reitz (8E)
12. Ms. Lori Splinter (2B)
13. Pr. Melissa Stoller (3E)
14. Mr. Joshua Thornton (6F)
15. Ms. Susan Zahrbock (5H)

#### 5. DATES FOR 2010 CHURCH COUNCIL RETREAT (Agenda IV.D.3)

The Executive Committee at its July 2008 meeting recommended that the dates for the 2010 Church Council retreat be changed to August 6-8, 2010, rather than the late July dates established earlier. Subsequent to the meeting, a conflict with the meeting of the Board of Pensions trustees was identified for Secretary David D. Swartling and Treasurer Christina Jackson-Skelton. Further discussion by the Executive Committee at its September 2008 meeting recommended that the

dates of August 13-15, 2010, be considered.

**VOTED:**

*EN BLOC*

**CC08.11.48**

**To approve August 13-15, 2010, as the dates for the 2010 Church Council retreat;  
To request that the Board Development Committee bring a proposal to the  
November 2009 meeting of the Church Council related to the retreat theme and  
activities; and**

**To request that the Office of the Secretary determine the location for the retreat no  
later than November 2009.**

## **6. AMENDMENTS TO SEMINARY GOVERNING DOCUMENTS**

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

ELCA bylaw 8.31.01. provides both for the independent incorporation of ELCA seminaries and for a churchwide role in the approval of their governing documents: "Each seminary shall be a seminary of this church, shall be incorporated, and shall be governed by its board of directors consistent with policies established by the Church Council. Amendments to the governing documents of each seminary and each seminary cluster shall be submitted, upon recommendation of the appropriate unit of the churchwide organization, to the Church Council for approval." This process of approval is accomplished by the following steps:

1. The appropriate seminary president notifies the director for theological education that the seminary board has taken action to amend its governing documents.
2. The director for theological education consults with the president on the content and intent of the amendment(s).
3. The director for theological education consults with the executive director of the Vocation and Education unit and ELCA legal counsel.
4. The executive director of the Vocation and Education unit and the director for theological education recommend appropriate amendments to the Church Council at its next meeting.
5. The Office of the Secretary notifies the seminary president and the executive director of the Vocation and Education unit of the action taken by the Church Council on the recommendation.
6. The amendment(s) become(s) effective upon approval of the Church Council.

**VOTED:**

*EN BLOC*

**CC08.11.49**

**To approve the amended constitution and bylaws of Wartburg Theological  
Seminary, Dubuque, Iowa.**

## **7. APPROVAL OF SYNOD CONSTITUTIONS**

(Agenda IV.E.2)

Provision 10.12. of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* stipulates: "Each synod shall have a constitution, which shall become effective upon ratification by the Church Council. Amendments thereto shall be subject to like ratification . . . ."

**VOTED:**

*EN BLOC*

**CC08.11.50**

**To ratify an amendment to the constitution of the Northern Illinois Synod (5B),  
provision S11.09.: "There shall be a committee for Global Mission."**

## 8. APPROVAL OF ACKNOWLEDGMENT AS AN INDEPENDENT LUTHERAN ORGANIZATION

(Agenda IV.E.4)

Bylaw 14.21.16. in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* specifies:

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, Treasurer Christina Jackson-Skelton is recommending the establishment of a relationship with Lutheran Church Business Administration Association.

VOTED:

EN BLOC

**CC08.11.51 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," the Lutheran Church Business Administration, which will relate to the Evangelical Lutheran Church in America through the Office of the Treasurer.**

## 9. AUTHORIZATION OF SIGNATORIES

(Agenda IV.E.6)

In April 1990, the Church Council adopted a resolution [CC90.4.31] authorizing signatures by assistant vice presidents and assistant secretaries for the execution of documents on behalf of the Evangelical Lutheran Church in America:

WHEREAS, the Minnesota nonprofit corporation act authorizes the board of directors of a corporation organized thereunder to designate two or more directors to form a committee that shall have authority to act for and on behalf of the board of directors; now therefore be it

RESOLVED, that any two of the Bishop (President), Vice President, Secretary or Treasurer are hereby appointed as a committee having the authority of the Church Council in the management of the business or fiscal affairs of this corporation to authorize and approve, on behalf of this corporation, transactions to which it is a party; and be it further

RESOLVED, that any one of the Bishop (President), Vice President, Secretary or Treasurer or in the absence of all of the foregoing, any two of the assistant vice presidents may execute, and the Secretary or any assistant secretary may attest, any document required or desirable in connection with a commercial or fiscal transaction to which this corporation is a party, including but not limited to conveyances, assignments, mortgages, contracts, notes, leases, bills of sale, and financing statements.

Personnel changes necessitated action to update that resolution.

VOTED:

EN BLOC

**CC08.11.52 WHEREAS, in the opinion of legal counsel (Faegre & Benson of Minneapolis), the Minnesota Nonprofit Corporation Act authorizes the Church Council as the board of directors of this corporation to appoint additional officers; and  
WHEREAS, this corporation previously has authorized execution of various documents,**

when necessary, by two assistant vice presidents in the absence of the bishop, vice president, secretary, and treasurer [CC90.4.31]; and

WHEREAS, this corporation previously has appointed various persons to be assistant vice presidents and assistant secretaries of this corporation; therefore, be it

RESOLVED, that the previous appointments of assistant vice presidents and assistant secretaries of this corporation [CC90.4.32, CC92.11.103, CC96.11.61b, CC03.11.85, CC07.11.90] be and are hereby rescinded; and be it further

RESOLVED, for the sole purpose of executing documents, as specified in CC90.4.31, that the following be and are hereby appointed as assistant vice presidents of this corporation: M. Wyvetta Bullock, Kathie Bender Schwich, and Myrna J. Sheie; and be it further

RESOLVED, for the sole purpose of executing documents, as specified in CC90.4.31, that the following be and are hereby appointed as assistant secretaries of this corporation: Ruth E. Hamilton, Phillip H. Harris, Mary Beth Nowak, and David A. Ullrich.

## 10. LUTHERAN MEDICAL CENTER

(Agenda IV.E.7; Agenda/MINUTES G, Part 1a–d)

Lutheran Medical Center (LMC) is an affiliated social ministry organization incorporated under the New York not-for-profit corporation law, and the Evangelical Lutheran Church in America (ELCA) is the sole voting member of the corporation. As sole voting member, the ELCA is authorized to adopt and amend Lutheran Medical Center's governing documents, including its Certificate of Incorporation and Constitution. Recently, the LMC Board of Trustees reviewed LMC's governing documents for compliance with applicable New York not-for-profit corporation laws, with the National Housing Act, and with IRS requirements for 501(c)(3) organizations. As a result of that review, the Board of Trustees adopted a resolution [Exhibit G, Part 1a] proposing amendments to the Constitution [Exhibit G, Part 1b] and proposing to adopt a Restated Certificate of Incorporation [Exhibit G, Part 1c]. The proposed amendments include increasing the maximum number of trustees to thirty-four and making other changes for clarity and consistency. After adoption, the new LMC Constitution would be as it appears in Exhibit G, Part 1d.

The action below and the exhibits to which it refers have been reviewed by the General Counsel of the Evangelical Lutheran Church in America and by the Director for Social Ministry Organizations of Church in Society.

VOTED:

CC08.11.53

*EN BLOC*

To approve the following resolution on behalf of the ELCA, the sole voting member of Lutheran Medical Center, Brooklyn, New York:

WHEREAS, Lutheran Medical Center (LMC), a New York not-for-profit corporation, is an affiliated social ministry organization of the Evangelical Lutheran Church in America (ELCA); and

WHEREAS, the ELCA is the sole voting member of the LMC corporation and the ELCA has the authority to adopt and amend the LMC governing documents; and

WHEREAS, LMC, by action of its Board of Trustees [Exhibit G, Part 1a], has requested that its constitution be amended as indicated in Exhibit G, Part 1b, attached hereto; and

WHEREAS, LMC, by action of its Board of Trustees, has requested that its certificate of incorporation be amended and restated as indicated in Exhibit G, Part 1c, attached hereto; and

WHEREAS, LMC has therefore requested that the ELCA formally adopt the LMC Constitution as amended [Exhibit G, Part 1d] and the Restated Certificate of Incorporation [Exhibit G, Part 1b (section 4)] attached hereto; therefore, be it

**RESOLVED, that the Church Council, on behalf of the Evangelical Lutheran Church in America, hereby authorizes and adopts the amendments to the Constitution of Lutheran Medical Center specified in Exhibit G, Part 1b, hereto; and be it further**

**RESOLVED, that the Church Council, on behalf of the Evangelical Lutheran Church in America, hereby authorizes and adopts the amended Restated Certificate of Incorporation of Lutheran Medical Center as indicated in Exhibit G, Part 1c, hereto.**

#### **11. RESOLUTION OF THE BOARD OF PENSIONS OF THE ELCA REGARDING AMENDMENT TO BYLAW SECTION 4.1**

(Agenda IV.E.8.)

WHEREAS, in 2005, the Churchwide Assembly amended its bylaws, downsizing the Board of Trustees of the Board of Pensions from 21 members to 15, and lowering the number of plan member trustees from six to four; and

WHEREAS, currently all four plan member trustees are in the class of 2009, and their terms will end next year; and

WHEREAS, this situation developed because there were three plan member trustees in the class of 2009, and a fourth trustee became a plan member while serving his six-year term, resulting in all four of the plan member trustees retiring in 2009; and

WHEREAS, because all plan member trustees are retiring in 2009, it will be necessary for the Board of Pensions to send a slate in which eight out of the ten nominees are plan members to the ELCA Nominating Committee; and

WHEREAS, it is desirable to have the plan member trustees diversified among the class of 2011, the class of 2013, and the class of 2015; and

WHEREAS, it is therefore necessary to amend the bylaws on a temporary basis to provide that two to five of the Board of Trustees shall be plan members; and

WHEREAS, following discussions with the ELCA Secretary, the Board of Pensions would like to ask the ELCA Churchwide Assembly to adopt a similar amendment to the ELCA bylaws, as well as a continuing resolution for the purpose of implementing the diversification of plan member trustees; therefore, be it

RESOLVED, that the Board of Pensions approve the attached amendment to Section 4.1 and request staff to forward it to the ELCA Church Council for approval:

#### **SECTION 4.1 OF THE BYLAWS OF THE BOARD OF PENSIONS OF THE EVANGELICAL LUTHERAN CHURCH IN AMERICA**

**SECTION 4.1 Election and Composition of Board of Trustees.** The Board of Trustees shall be elected in the manner and for terms specified by the *Constitution, Bylaws and Continuing Resolutions of the ELCA*. Members of the Board of Trustees shall include persons with expertise in investments, insurance and pensions, and shall include ~~four~~ two to five persons who are members of the plans maintained by the Board of Pensions, at least one of whom shall be a lay plan member or lay recipient of plan benefits and at least one of whom shall be an ordained minister who is a plan member. The Board of Trustees shall be composed of fifteen persons elected by the Churchwide Assembly. One-third of the Board of Trustees shall be elected each biennium for a six-year term without consecutive re-election. The terms of trustees shall commence at the commencement of the first regular meeting of the Board of Trustees following the close of the Churchwide Assembly at which they are elected and shall expire at the commencement of the first regular meeting of the Board of Trustees in the year in which their successors are elected. The presiding bishop (or a person designated to serve as the presiding bishop's representative), the bishop elected by the Conference of Bishops, and the treasurer of this church (or a person designated to serve as the treasurer's representative) shall serve as advisory members of the Board of Trustees, with voice but not vote.

#### *Background:*

The Board of Pensions is facing a situation where four of the seven trustees completing their six-year term in 2009 are plan members. This means that in 2009 the Nominating Committee would be responsible for identifying five pairs of potential trustees, for a total of ten nominees, eight of whom must be plan members. The problem the board is now confronting came about when the class of 2009, elected by the Churchwide Assembly in 2003, contained three plan



members out of the seven elected. However, during his term in office, Emried D. Cole Jr. retired from the practice of law and became Vice President of Seminary Advancement for Lutheran Theological Seminary at Gettysburg and, as a result, became a plan member. Therefore, four of the seven members of the class of 2009 are plan members. There are no other trustees who are plan members in the class of 2011 and 2013. Accordingly, under the current bylaws, eight of the 10 nominees for the class of 2015 must be members in order to elect four plan member trustees. Additionally, because all of the plan member trustees will be in the class of 2015, every six years the board will have to nominate eight plan members to meet the bylaw requirement of four plan member trustees. This would also preclude the possibility of adding any new plan member trustees for six years.

**VOTED:**

*EN BLOC*

**CC08.11.54 To approve the amended bylaws of the board of trustees of the ELCA Board of Pensions.**

**12. REVISED MESSAGE ON IMMIGRATION**

(Agenda IV.G.1)

At its November 2006 meeting, the Church Council approved the following action in response to resolutions from four synods (CC06.11.60e):

To direct the Church in Society program unit to develop, in cooperation with Lutheran Immigration and Refugee Service (LIRS), a new message on immigration in response to resolutions from the Rocky Mountain, Northeastern Ohio, New Jersey, and Metropolitan Washington, D.C. synods; and

To request that the new message on immigration be brought to the ELCA Church Council for consideration in November 2007, with a preliminary draft brought to the Program and Services Committee of the Church Council in April 2007; and

To request the Church in Society program unit to consider the feasibility of working with LIRS to develop supporting material for the message following its adoption by the Church Council; and

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

In response to a request from the executive director of the Church in Society unit to extend the timeline for a revised message on immigration, the Church Council approved the following action [CC07.04.49]:

To authorize a delay in the development of a revised message on immigration by the Church in Society program unit, in cooperation with Lutheran Immigration and Refugee Service (LIRS); and

To request that the new message on immigration be brought to the ELCA Church Council for consideration in April 2008, with a preliminary draft brought to the Program and Services Committee of the Church Council in November 2007; and

To request that the secretary of this church inform the Rocky Mountain, Northeastern Ohio, New Jersey, and Metropolitan Washington, D.C., synods of this action.

Work on the revised message on immigration has continued, but given staffing limitations and the timeline for development of the proposed social statement on human sexuality (2009) and study materials for the social statement on genetics (2011), the executive director of the Church in Society unit has requested a final delay in the timeline for the revised message on immigration.

**VOTED:**

*EN BLOC*

**CC08.11.55 To authorize a delay in the development of a revised message on immigration by the Church in Society program unit, in cooperation with Lutheran Immigration and Refugee Service (LIRS);  
To request that the new message on immigration be brought to the ELCA Church**

**Council for consideration in April 2010, with a preliminary draft brought to the Program and Services Committee of the Church Council in November 2009; and  
To request that the secretary of this church inform the Rocky Mountain, Northeastern Ohio, New Jersey, and Metropolitan Washington, D.C., synods of this action.**

### **13. REVISIONS TO PERSONNEL POLICIES**

(Agenda IV.G.2; Agenda/MINUTES Exhibit I, Part 2)

The Human Resources section of the Office of the Presiding Bishop has recommended changes to the Personnel Policies of the Churchwide Organization. The policies being revised include the following:

- 3.0 Employee Classification
  - 3.3 Term Contract Employee (wording change for clarification)
  - 3.5 Contract with Independent Contractor (wording change for clarification)
- 4.0 Service Time
  - 4.4 Anniversaries (align with current practice)
- 5.0 Recruitment and Employment
  - 5.5 Employment, call, and contract procedures (align with current practice)
- 7.0 Compensation Program
  - 7.1 Position Evaluation Process (reflect current practice)
  - 7.4 Overtime (clarify regulations)
- 9.0 Working Hours and Holidays
  - 9.7 Summer Flexible Schedule (clarification)
- 10.0 Employee Benefits (Section reorganized to better explain Board of Pensions and churchwide organization benefits and to clarify intent and process around workers' compensation)
- 11.0 Absence from Work
  - 11.1.B Sick Leave (Clarify and expand the definition of children)
  - 11.3 Payment for Unused Vacation (clarification)
  - 11.7 Personal Leave Without Pay (clarification)
  - 11.9 Maternity/Paternity and Adoptive Leave (clarification of use of sick time)
- 12.0 Family and Medical Leave Policy (changes reflect new regulations)
  - 12.2 Leave Potentially Available
  - 12.3 Important Terms Defined
  - 12.5 How to Request Leave
  - 12.6 How Leave is Scheduled
  - 12.7 Substitution of Paid Leave
  - 12.9 Returning to Work
- 13.0 Staff Training and Development
  - 13.3 CEP Funding (reflect current practice)
  - 13.5 Transfers and Terminations of CEP Time and Funds (reflect current practice)
  - 13.6 CEP Withdrawals (reflect current practice)
  - 13.9 Degree Programs (reflect current practice)
- 14.0 Separation from Employment
  - 14.6 Resignation (clarification)
- 18.0 Ethics Policy (clarification)

The proposed revisions are being made to clarify the intent of each policy and have been reviewed by ELCA legal counsel.

VOTED:

*EN BLOC*

**CC08.11.56** To approve the revisions to the following ELCA Churchwide Personnel Policies as detailed in Exhibit I, Part 2.

**14. CORPORATE SOCIAL RESPONSIBILITY**  
(Agenda IV.G.3; Agenda/MINUTES Exhibit )

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 a bylaw in the ELCA constitution and described in a continuing resolution:

**14.21.14.** 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.

**16.12.D06.** 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: ...

- I. 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; and

To approve the following five issue papers and to anticipate additional issue papers as they are developed . . . .

**VOTED:** *EN BLOC*

**CC08.11.57a**      **To approve the amendments to the following Corporate Social Responsibility issue papers, but to request that the wording of the original issue papers be archived for historical and research purposes:**

- **Issue paper 8: Freed in Christ: Nondiscrimination in Business Activities;**
- **Issue paper 9: Sufficient Sustainable Livelihood for All: Codes of Conduct;**
- **Issue paper 10: Caring for Health: Domestic Access to Health Care.**

**VOTED:** *EN BLOC*

**CC08.11.57b**      **To approve the amendments to the following social criteria screens, but to request that the wording of the original social criteria issue papers be archived for historical and research purposes:**

- **Community Economic Development Social Criteria Screen; and**
- **Gambling Social Criteria Screen.**

## **15. OTHER NOMINATIONS, ELECTIONS, AND APPOINTMENTS**

### **A. BOARDS OF ELCA SEMINARIES**

(Agenda IV.H.1)

ELCA 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." This process of nomination and election is accomplished by these steps:

1. The appropriate seminary president notifies the director for theological education of an upcoming board vacancy and the term of that board position (as specified in the seminary's governing documents).
2. The director for theological education contacts the seminary president in order to consult on filling the vacancy and, with the concurrence of the executive director of the Vocation and Education unit, reaches an agreement on a single nomination.
3. The director for theological education submits that nomination in a letter also signed by the executive director to the secretary of the ELCA for inclusion in the agenda of the Church Council. This letter will include a brief candidate vita and a summary of the gifts this person brings to this service.
4. The Church Council is asked to ratify the nomination at its next meeting.
5. The Office of the Secretary notifies the seminary president of the action taken on the nomination, sending a copy to the director for theological education for the unit's records.

**VOTED:** *EN BLOC*

**CC08.11.58**      **To re-elect as members of the board of directors of Wartburg Theological Seminary, Dubuque, Iowa, to six-year terms expiring in 2014: the Rev. Lawrence J. Clark, Mr. Carl Rausch, and the Rev. Richard "Rick" W. Rouse;**

**To elect as an at-large member of the board of directors of Trinity Lutheran Seminary, Columbus, Ohio, to a four-year term expiring in 2012: Ms. Elizabeth Baer;**

**To elect as member of the board of directors of the Lutheran Theological Southern Seminary, Columbia, S.C., to a three-year term expiring in 2011: the Rev. Robert T. Byrne;**

**To elect as an at-large member of the board of directors of Luther Seminary, St. Paul, Minn., to a four-year term expiring in 2012: Mr. J.A. “Gus” Blanchard III; and  
To elect as members of the board of directors of Pacific Lutheran Theological Seminary, Berkeley, Calif, to six-year terms expiring in 2014: Ms. Mary Carlson and the Rev. Ruben F. Duran.**

**CONSIDERATION OF ITEMS REMOVED FROM THE *EN BLOC* RESOLUTION  
(Agenda IV)**

**1. AMENDMENT TO THE POLICY ON INDEPENDENT LUTHERAN ORGANIZATIONS  
(Agenda IV.E.3; Agenda/EXHIBIT G, Part 3a-c)**

Bylaw 14.21.16. in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* specifies:

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*.

At its April 2008 meeting, in conjunction with its consideration of the request by Lutheran CORE (Coalition for Reform), the Legal and Constitutional Review Committee reviewed the policy. Discussion in the Church Council of the request for acknowledgment of relationship by Lutheran CORE generated a request for revision of the policy to cover the circumstance of an umbrella organization requesting relationship (see *Minutes*, pages 50–52). A revised policy has been presented for consideration by the Legal and Constitutional Review Committee and the Church Council.

*Church Council Action:*

At the request of Vice President Carlos E. Peña, Secretary David D. Swartling provided background to the proposed action, reviewing the changes that had been made at the request of the Church Council at its April 2008 meeting. Secretary Swartling moved the action.

Vice President Peña opened the floor for discussion.

Mr. Richard L. Wahl stated that he had requested that this item be removed from the *en bloc* resolution so that council members could receive the clarification that Secretary Swartling had provided. He commended those who had prepared the revised policy. He inquired whether Church Council members would have access to applications and supporting documents from those organizations seeking independent Lutheran organization status. Secretary Swartling responded in the affirmative.

The Rev. Jeffrey “Jeff” B. Sorenson asked whether Word Alone would need to apply alongside its parent organization, Lutheran CORE. Secretary Swartling replied that the new policy was not retroactive; it would be introduced during the biennial review process. Pr. Sorenson wondered how Word Alone and CORE would be held accountable. Secretary Swartling responded that CORE met the applicable standards at the time of its application and would need to continue to meet them.

The Rev. David E. Jensen asked what would happen if the negative comments about this church originating from CORE and its constituent members continued. Secretary Swartling reiterated that organizations in established relationships are held to the standards by the unit involved.

Ms. Karin L. Graddy inquired whether the revised policy made establishment of a relationship easier or harder. Secretary Swartling replied that the answer depended on the organization. For those organization that have constituent

elements, establishment of a relationship may be more difficult.

Pr. Sorenson asked whether it was possible to make the revised policy retroactive. Secretary Swartling responded that in theory it was possible, but it would be administratively difficult to ask units to recertify the relationships. It would be easier to pursue the matter in the required two- and four-year reviews.

The Rev. Jonathan W. Linman asked that an update on the implementation of the review process be brought to the next council meeting.

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

**VOTED:**

**CC08.11.59**        **To approve the revised policy document—in accord with bylaw 14.21.16. in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America—in regard to this church’s acknowledgment of certain independent Lutheran organizations as printed in Exhibit G, Part 3 a, b, and c.**

**UPDATE ON LUTHERAN MALARIA INITIATIVE**

(Agenda V.D.1.)

At the request of Vice President Carlos E. Peña, Ms. Cynthia J. Halvorson, executive director of Development Services and president of the ELCA Foundation, provided an update on the Lutheran Malaria Initiative. Ms. Halvorson reminded council members that the Lutheran Malaria Initiative was part of the plans for a comprehensive fundraising campaign, which had been presented to them the previous day. She reviewed the developments in the initiative, both within the churchwide organization and with the external partners, that had occurred since the council’s action at its April 2008 meeting, and she promised further updates at the March 2009 council meeting. She explained that because so many churchwide units were involved in the initiative, it had been decided that a coordinator should be hired. Ms. Halvorson introduced the Rev. Andrea DeGroot-Nesdahl, former bishop of the South Dakota Synod and the new Lutheran Malaria Initiative coordinator.

Pr. DeGroot-Nesdahl greeted the council and told it that this church was poised to be an agent of healing in the world for malaria and HIV and AIDS. She stated that she hoped to help bring about a world where people grow up never having to fear diseases of poverty, and she asked for the council’s prayers.

Ms. Halvorson called for questions.

Mr. Richard L. Wahl asked for clarification concerning the amount of money to be raised. He said that he understood that the total amount of the appeal would be \$125 million in new dollars, which includes \$20 million for malaria and \$10 million for HIV and AIDS from the ELCA. Ms. Halvorson responded that the goal of the campaign was yet to be finalized, but the current proposed figures were as Mr. Wahl described.

The Rev. Rachel L. Connelly asked for and received confirmation that the comprehensive campaign was still under study, with the campaign itself and the final numbers to be approved later.

Mr. Mark W. Myers asked for a review of the timeline of the proposed campaign. Ms. Halvorson replied that if the campaign were approved by the 2009 Churchwide Assembly, some tests of themes and strategies in synods would occur in 2009. She added that the first gift for the Lutheran Malaria Initiative already had been received, and her unit was building a database of people and congregations that were interested in the initiative. It would be important not to wait too long to get started in order to capture the enthusiasm, she concluded.

**REPORT OF THE LUTHERAN WORLD FEDERATION NORTH AMERICAN REGIONAL OFFICER**

(Agenda V.A.1.)

The Church Council regularly receives both written and oral reports from the North American regional officer for the Lutheran World Federation. The Lutheran World Federation North American regional desk is located at the Lutheran Center.

*Church Council Information:*

At the request of Vice President Carlos E. Peña, Presiding Bishop Mark S. Hanson introduced the Rev. Teresita “Tita” Valeriano, the Lutheran World Federation Regional (LWF) Officer for North America. Pr. Valeriano shared highlights of the ministry of the LWF and the regional office. Since last April, she said, new, exciting, and challenging things have been happening.

Pr. Valeriano reported that at the October 2008 meeting of the LWF council, a new member church was received: the Evangelical Lutheran Church in Congo, which has 3,115 members. It is being mentored by the Evangelical Lutheran Church in Cameroun and the Central and West Africa coalition. The LWF council also passed resolutions on various issues, including climate change, the global food crisis and hunger, and the 60<sup>th</sup> anniversary of the declaration of human rights. A full report on the resolutions is available on the LWF Web site. Pr. Valeriano reported that the LWF was in a discernment process about its future, led by the Committee on Renewal. The Rev. Raymond L. Schultz, former national bishop of the Evangelical Lutheran Church in Canada and the Rev. Rafael Malpica-Padilla, executive director of the Global Mission unit, serve on this committee.

Among events that the LWF had sponsored recently were the Global Consultation on Diakonia, held in Addis Ababa, Ethiopia, and the Symposium on Illegitimate Debt, held in Oslo, Norway. Pr. Valeriano reported that in July a former member of the North American region, the Lithuanian Lutheran Church in Diaspora had rejoined its parent church in Lithuania. The remaining members are the Evangelical Lutheran Church in Canada (ELCIC), the Estonian Evangelical Lutheran Church Abroad (EELC), and the ELCA. She had met recently with leaders of the ELCIC and would be meeting soon with the EELC.

Pr. Valeriano expressed gratitude for the colleagues in many units with whom she worked. She informed the council that she was working on two new projects as part of the strategic direction to deepen communion relations. One was a January-term class for seminarians, “The Ecumenical Church in a Globalized World.” The class would be attended by 21 seminarians from this country plus eight from the global South and Eastern Europe. The other was a new LWF publication, *Food for Life*, which featured stories about LWF’s work on the issue of hunger as well as recipes from throughout the world. She informed the council that she was collecting resources to be used with the book, which would be featured on the Web site.

Pr. Valeriano announced that the 11<sup>th</sup> LWF assembly would be held in Stuttgart, Germany, in July 2010, under the theme “Give Us Today Our Daily Bread.” She would provide more information on the assembly at the next Church Council meeting.

Pr. Valeriano concluded her report by asking council members to join her in celebrating this church’s efforts to include more young adults in its decision-making processes. “We truly have rich treasures among young people,” she said. She thanked the council for the opportunity to serve.

**CONSIDERATION OF ITEMS REMOVED FROM THE EN BLOC RESOLUTION (CONTINUED)**  
(Agenda IV)

**2. VOTING MEMBER ALLOCATION FOR THE ALASKA SYNOD**  
(Agenda IV. A.1; Agenda/MINUTES Exhibit B, Part 1b)

**Alaska Synod (1A)**

WHEREAS, the Evangelical Lutheran Church in America (ELCA) is the body of Christ in which each person, church, synod, and region is recognized as an integral part; and

WHEREAS, the ELCA is committed to the teachings of Jesus that include justice and fairness for all affiliated bodies of the ELCA; and

WHEREAS, the goal of the Evangelical Outreach and Congregational Mission ministry of the ELCA is to “build capacity to start new and renew congregations that are healthy and missional in diverse and multicultural contexts”; and

WHEREAS, the Alaska Synod of the ELCA is in its entirety diverse and multicultural; and

WHEREAS, the ELCA has acted in an unjust and unfair manner in eliminating a voting member from the Alaska Synod for all future ELCA Churchwide Assemblies; therefore, be it

RESOLVED, that the Southeast Cluster of the Alaska Synod request in the strongest terms possible that the ELCA

Office of the Secretary and the Presiding Bishop reverse the action of denying the Alaska Synod fair and just representation at all future ELCA Churchwide Assemblies, specifically that the Alaska Synod remain entitled to the following representation to each and every Churchwide Assembly: one clergy, one lay person, one Alaska Native, the chair of the Alaska Synod Council, and the bishop of the Alaska Synod; and be it further

RESOLVED, that the Southeast Cluster of the Alaska Synod memorialize this resolution to the Alaska Synod Council and the Alaska Synod Assembly; and be it further

RESOLVED, that the Alaska Synod Assembly pass this resolution in its 2008 Synod Assembly and send it to the Office of the Secretary of the ELCA requesting action prior to the 2009 ELCA Churchwide Assembly.

*Executive Committee Action:*

At its October 16, 2008, meeting the Executive Committee voted [EC08.10.22d]:

To receive the resolution of the Alaska Synod related to the synod's voting member allocation for the Churchwide Assembly;

To refer the resolution to the Office of the Secretary with a 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.

*Response from the Office of the Secretary:*

The number of voting members of the Churchwide Assembly that each synod elects is specified by ELCA bylaw 12.41.11., which states:

Each synod shall elect one voting member of the Churchwide Assembly for every 5,800 baptized members in the synod. In addition, each synod shall elect one voting member for every 50 congregations in the synod. The synodical bishop, who is *ex officio* a member of the Churchwide Assembly, shall be included in the number of voting members so determined. There shall be at least two voting members from each synod. The secretary shall notify each synod of the number of assembly members it is to elect.

The allocations for each assembly are based on the baptized membership and number of congregations reported by the synod for the third year past. For example, the allocation for the 2009 Churchwide Assembly is based on the statistics reported for 2006 because synods need to be informed of the number of people to elect in 2007.

In order to keep the number of voting members of the Churchwide Assembly at approximately 1,000, the formula has varied slightly over the years. In 1987, the formula specified one voting member per 6,500 baptized members and one voting member for every 50 congregations. In the constitution approved by the 2005 Churchwide Assembly, the formula was changed to that cited above, reflecting the decline in baptized membership in this church. No change in the formulation is proposed for the 2009-2011 biennium.

The history of the Alaska Synod's number of congregations and baptized membership is detailed below:

<u>Year</u>	<u>Congregations</u>	<u>Baptized Membership</u>
1987	27	9,615
1988	28	9,487
1989	28	9,638
1990	28	9,690
1991	29	9,911
1992	30	10,199
1993	30	10,304
1994	30	10,588
1995	32	10,601
1996	30	10,750
1997	30	10,957
1998	30	11,074
1999	30	11,218



2000	30	11,343
2001	30	10,778
2002	31	10,804
2003	31	10,629
2004	31	10,655
2005	31	10,475
2006	31	10,396

In addition to the voting members allocated by the constitution, because of the ELCA's commitment to inclusiveness in its assemblies (5.01.f.), the Church Council allocates additional voting members to certain synods. The history of Alaska's allocation of voting members is as follows:

<u>Date</u>	<u>Additional Members</u>	<u>Stipulations</u>	<u>Total Members</u>
1989	3	2 of whom must be Native Alaskans	5
1991	4	At least three must be Native Alaskans (total voting members from synod would be six: two clergy, including bishop, two lay women, and two lay men)	6
1993	4	At least three must be Native Alaskans (total voting members from synod would be six: two clergy, including bishop, two lay women, and two lay men)	6
1995	2	At least two must be Native Alaskans (total voting members from synod would be five: two clergy, including bishop, one lay women, and two lay men)	5
1997	2	At least one must be an Alaska Native person	5
1999	2	At least one must be an Alaska Native person	5
2001	2	At least one must be an Alaska Native person	5
2003	2	At least one must be an Alaska Native person	5
2005	2	At least one must be an Alaska Native person	5
2007	1	Must be an Alaska Native person	4
2009	1	Must be an Alaska Native person	4

In terms of the formula for allocation of voting members, the baptized membership and the number of congregations of the Alaska Synod have not changed substantially since the beginning of the ELCA. Due to changes in the way statistics are rounded, in 1995 the number of voting members based on the formula increased from two to three. At the same time, the number of additional voting members decreased. Furthermore, because of the reformulation in the 2005 constitution of the base on which voting members are calculated and because more synods are meeting the representational goals through normal elections processes, the number of additional voters and the number of synods receiving additional voters were reduced for the 2007 Churchwide Assembly.

Allocating voting members involves consideration of the demographics of this whole church as well as of its individual synods. Every effort is made to treat synods fairly and consistently, considering their size and contexts. Changes cannot be made for one synod without consideration of the allocation to every synod.

Synods were informed of the number of voting members they needed to elect for the 2009 Churchwide Assembly in a letter from the Office of the Secretary dated August 15, 2007. Elections occurred at the 2008 Synod Assemblies. As is clear from the above chart, the allocation to the Alaska Synod was the same as it had been for the 2007 Churchwide Assembly, an allocation that the synod would have received in 2005. Because of the issues of timeliness and fairness to other synods, the Office of the Secretary recommends that the Church Council decline to change the voting member allocation for the Alaska Synod for the 2009 Churchwide Assembly. The Office of the Secretary will undertake a review

of the allocation of voting members for the 2011 Churchwide Assembly.

*Church Council Action:*

At the request of Vice President Carlos E. Peña, Secretary David D. Swartling provided background to and introduced the proposed action.

Vice President Peña opened the floor for discussion.

Mr. Richard L. Wahl indicated that his reason for requesting the removal of the resolution from the *en bloc* action was his concern whether allocating a single representative from the Native Alaskan community might be interpreted as being less than sensitive to and considerate of the challenge of the Alaska context. He acknowledged that the statistics supported the current process. He reported that he had asked the bishop of the Alaska Synod whether two Alaska Natives should be appointed. The bishop had replied that while having only one might have been an issue 20 years ago, because Native Alaskans today are more cosmopolitan, the Alaska Synod can live with a single representative without difficulties. Mr. Wahl pointed out that the response to the resolution highlights the fact that this church is doing better than previously in achieving the representative principles for diversity, and he wondered whether this fact ought to be disseminated more widely, especially by the Communications Services unit and the presiding bishop. He asked for response to his proposal from someone in the churchwide organization. Vice President Peña responded that his request would be taken under consideration.

Mr. Mark E. Johnson reported that he had been in communication with Bishop Michael F. Keys and Vice President Twyla Bundy of the Alaska Synod and had been invited to the Alaska Synod Council meeting in March 2009 to discuss the matter. The vice president had informed him that part of the problem with the current allocation was that a number of Lutheran communities in Alaska had risen from different roots, have grown up separately, and consist of different native groups. Mr. Johnson promised to report back to the council following his visit.

**VOTED:**

**CC08.11.60 To receive the background information provided by the Office of the Secretary to the Alaska Synod resolution on allocation of voting members;  
To request that the Office of the Secretary provide the background information to the Alaska Synod as the response of the Church Council to the resolution.**

**REPORT OF THE EXECUTIVE COMMITTEE (CONTINUED)**  
(Agenda II. E.3)

**APPROVAL OF THE EXECUTIVE COMMITTEE CHARTER**  
(Agenda III.D.2.; Agenda/MINUTES Exhibit B, Part 3)

*Background:*

At its July 2008 meeting, the Executive Committee established a process for approval of the charters of Church Council committees [EC08.07.14]: "To establish that the process for approval of the charters of the committees of the Church Council include review by the Executive Committee, committee response (if necessary), editing for consistency of style and format by the Office of the Secretary, a second review by the Executive Committee of the amended and edited charter, and transmittal to the Church Council with recommendations for action."

The process for development of the Executive Committee charter was determined at the July 2008 meeting. At its November 2008 meeting, the Executive Committee voted "to recommend the Executive Committee charter as amended for approval by the Church Council."

*Church Council Action:*

At the request of Vice President Carlos E. Peña, Secretary David D. Swartling provided background to and introduced the proposed action.

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

**VOTED:**

**CC08.11.61 To approve the Executive Committee charter as follows:**

In accordance with the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* and Church Council action CC07.04.13, this charter describes the responsibilities, composition, protocols, and meeting agendas of the Executive Committee. (Note: nothing in this charter shall be inconsistent with duties and responsibilities enumerated in the governing documents of this church. In the event of an inadvertent inconsistency, the governing documents shall prevail.)

**I. Responsibilities**

**A. Constitutional Responsibilities**

The Executive Committee is constitutionally mandated, and its composition and general responsibilities are described in bylaw 14.41.11 as follows:

The Church Council shall have an Executive Committee composed of the churchwide officers and seven members of the Church Council elected by the council. The vice president of this church shall chair the committee. The Executive Committee shall:

- a. perform those functions of the Church Council assigned to it by the Church Council;
- b. transmit resolutions from synods to the appropriate unit or units of the churchwide organization;
- c. fulfill the responsibilities of the Church Council related to nominations, with staff services for the nomination and election processes of the Church Council provided by the Office of the Secretary;
- d. provide advice and counsel for the officers;
- e. review the work of the officers and, with the absence of the salaried officers from such deliberations, set salaries of the presiding bishop, secretary, and treasurer within the ranges established by the Church Council; and
- f. demonstrate concern for the spiritual, emotional, and physical well-being of the full-time salaried officers of this church.

Other provisions of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* also prescribe responsibilities of the Executive Committee. These include the following:

- 13.22.A04. (consultation regarding appointment of ecumenical representatives)
- 13.62. (consultation in the event of death, resignation, or disability of an officer)
- 13.63. (determination if an officer is unable to serve)
- 14.21.21.(termination of a unit executive)
- 15.11.B05. (convening of the U.S.A. National Committee of the Lutheran World Federation)
- 19.41.A91. 20.21.12., 20.21.12., 20.21.17. (appointment of members of the Committee on Discipline)
- 20.52.A05. (suspension of officer in case of recall or dismissal)
- 20.81., 20.82., 20.83 (consultation and adjudication of disputes).

B. Additional Responsibilities

In addition to specifically enumerated responsibilities pursuant to the *Constitution, Bylaws, and Continuing Resolutions* of this church and consistent with the authority to perform duties as assigned by the Church Council, the Executive Committee has the following additional responsibilities in the 2007-2009 biennium:

- provide for the review and evaluation of governance issues of this church
- review and make recommendations regarding committee charters
- initiate biennial one-on-one discussions regarding Church Council members' personal stewardship
- consult with the presiding bishop concerning the appointment of members of delegations to national and international inter-church entities as well as inter-Lutheran, inter-faith, and ecumenical discussions, including bilateral dialogues and conversation
- convene as the U.S.A. National Committee of the Lutheran World Federation, as necessary
- accomplish such other work as assigned by the Church Council.

C. Responsibilities of Members

Consistent with fiduciary responsibilities, members of the Executive Committee are expected to prepare for meetings by reviewing the agenda, minutes, and meeting materials in advance of meetings, to participate actively in meetings, and to complete timely responsibilities assigned by the committee. Ordinarily, the vice president will report to the Church Council on the activities of the Executive Committee.

**II. Membership**

In 2005, the Executive Committee recommended [EC05.11.26] and the Church Council approved [CC05.11.59] a change in the composition of the Executive Committee. Presently, the Executive Committee is composed of the following members: the four officers of this church; the chairs of the Budget and Finance Committee, the Legal and Constitutional Review Committee, the Planning and Evaluation Committee, the Program and Services Committee; and three at-large Church Council members elected in defined categories to help provide the Executive Committee with balance. The rationale for including the four committee chairs on the Executive Committee included "to facilitate its work between regular meetings by ensuring input and perspective from each of its standing committees." The Executive Committee is chaired by the vice president of the ELCA.

**III. Meeting Schedule**

The Executive Committee customarily meets monthly unless the chair determines that there is insufficient business to warrant calling a meeting. Other meetings of the Executive Committee may be called by the Presiding Bishop or upon the request of three Executive Committee members. In-person meetings are held in conjunction with Church Council meetings and retreats; other meetings are held via conference call, unless otherwise provided by the Executive Committee.

#### IV. Meeting Agenda, Format, and Protocols

Preparation of the agenda of Executive Committee meetings is the responsibility of the Presiding Bishop. Any member of the Executive Committee may place a matter on the agenda upon request as new business. The agenda and meeting materials will be provided to members of the Executive Committee before its meetings.

Meetings of the Executive Committee are open meetings in accordance with the Open Meetings policy of this church, unless otherwise noted in the agenda or voted upon by the committee. Other members of the Church Council may participate in the meetings upon request to the chair.

The following meeting format and protocols will apply to meetings of the Executive Committee and its work, unless otherwise determined by majority vote of those present and voting.

*At every meeting the Executive Committee will:*

- open with Scripture and prayer
- receive updates from the officers
- review and act upon agenda items for the upcoming council meeting
- receive resolutions from synods and transmit them to churchwide units, as necessary
- consider and take action on items assigned to it by the Church Council, as necessary
- follow-up on previous actions taken by the Church Council, as necessary
- discuss issues raised by council members and consider appropriate processes for response, as necessary
- provide advice and counsel to the officers.

*Before each Church Council meeting, the Executive Committee will:*

- approve the recipient for the offering taken at the Church Council meeting.

*During each Church Council meeting, members of the Executive Committee will:*

- meet informally with the officers “to demonstrate concern for the spiritual, emotional, and physical well-being.”

*Annually, members of the Executive Committee who are not officers will:*

- meet with the full-time salaried officers to review their work
- set salaries for the officers, within the ranges established by the Church Council, for the upcoming fiscal year.

*As needed, the Executive Committee will:*

- serve as the Nominations Committee for the Church Council
- select 4–6 members and their alternates from the churchwide Committee on Discipline to serve on a discipline hearing committee
- terminate jointly with the presiding bishop the employment of an executive director
- determine whether an officer is unable to serve his or her office
- temporarily suspend an officer from service without prejudice but with continuation of compensation
- give counsel, with the presiding bishop, when disputes arise within this church

- hear appeals, with the presiding bishop, when there is disagreement on a substantive issue among churchwide units or between or among synods of this church
- hear appeals, with the presiding bishop, when there is disagreement between a component or beneficiary of a churchwide unit and the unit's board or program committee.

#### **V. Meeting and Work Evaluations**

The Executive Committee will evaluate its meetings. In addition to reviewing and evaluating its meetings, the Executive Committee will work with Research and Evaluation to develop a process for evaluating its work each biennium. Part of these processes will be evaluation of the Executive Committee's commitment to racial and gender equity.

#### **VI. Amendment of Charter**

The Executive Committee shall review this charter at the first meeting of each biennium following the Churchwide Assembly. Amendments shall be proposed for review and recommendation by the Executive Committee to the Church Council for action.

### **PROCESSES FOR PLACING MATTERS ON THE CHURCH COUNCIL AGENDA (Agenda III.D.4)**

#### *Background:*

At its November 2008 meeting, the Executive Committee discussed means by which business can be proposed and processed for consideration on the agenda of a meeting of the Church Council. In its discussion, the Executive Committee recognized the constitutional responsibility of the presiding bishop to prepare the agenda for Church Council meetings and the fiduciary responsibilities of the Church Council, consistent with the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* and not-for-profit law.

What follows are some of the various processes the Executive Committee has discussed. The Executive Committee will bring a specific recommendation to the March 2009 meeting of the Church Council.

1. Through the presiding bishop who, in collaboration with the officers of this church and staff, is responsible for the preparation of the agenda of Church Council meetings.
2. Through the action of Synod Councils and Synod Assemblies by means of resolutions and memorials. (Resolutions are processed for action by the Executive Committee, which reports to the Church Council; memorials are processed through the Memorials Committee and transmitted to the Churchwide Assembly, which can recommend that action be taken or evaluated by the Church Council.)
3. Through committees of the Church Council. If issues have been assigned to a committee or if issues are consistent with the responsibilities of a committee as reflected in its charter, matters relating to these issues may be reported to the Church Council as part of a committee report.
4. Through the Executive Committee. Because the Executive Committee is composed of the chairs of the other standing committees of the Church Council, council members may ask committee chairs to bring issues or concerns to the Executive Committee, which can recommend their placement on the council's agenda. For clarity, such requests should be made on a timely basis in writing.
5. Through "New Business" on the Church Council agenda. The agenda will contain a deadline for submission of new business. New business that is proposed by the deadline will be discussed in plenary as time permits, and assigned to the appropriate committee for future consideration and a report to the full council. Action on any matter of new business that is proposed by the deadline will be in order only upon the vote of two-thirds of the voting members voting in support of such action. Discussion of and action on any matter of new business that

was proposed after the deadline will be in order only upon the vote of two-thirds of the voting members present and voting in support of such discussion and action.

*Church Council Information:*

Vice President Carlos E. Peña reviewed the process, noting that it was an information item only. He commented that the first four methods had been used in the past but the fifth was a new one. He opened the floor for discussion.

Secretary David D. Swartling explained that in an effort to be transparent, the Executive Committee had developed a document detailing the ways to get items on the council's agenda. He reported that discussion continued in the committee on the fifth method, so the Executive Committee would finalize the document at its next meeting and disseminate it prior to the March 2009 meeting of the Church Council.

Mr. Mark S. Helmke pointed out that *Robert's Rules of Order* permits amending the agenda at the time it is adopted and asked whether the document precluded that avenue. Secretary Swartling replied that using the means in *Robert's Rules* was not precluded. The disadvantages of that method, however, is that it requires a two-thirds vote as well as knowledge at the beginning of the meeting of what new business one wished to place on the agenda.

## JOYS AND CONCERNS

Mr. Richard L. Wahl asked Secretary David D. Swartling to address the matter of restrictions on the dissemination of the Churchwide Assembly list of voting members. He inquired whether the restrictions pertained to legal issues. Secretary Swartling referred Mr. Wahl to his written report, saying that, due to Minnesota non-profit law and Church Council policies, there are technical prerequisites that need to be met prior to release of information about voting members. After the official notice of the meeting is published, voting members may request the addresses of other voting members.

Ms. Lynette M. Reitz shared two joys. The Rev. J. Pablo Obregon had become an American citizen, and the Rev. Jeffrey "Jeff" B. Sorenson had received a doctoral degree.

## BIBLE STUDY: BOOK OF FAITH

The Rev. Stanley N. Olson, executive director of the Vocation and Education unit, led the council in Bible study on Romans 7:15-25.

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

Vice President Carlos E. Peña called upon the Rev. Steven P. Loy, chair, who completed the report of the Program and Services Committee.

## FULL COMMUNION AGREEMENT WITH THE UNITED METHODIST CHURCH (Agenda III. G.2; Agenda/MINUTES Exhibit Q, Part 2a--2b)

*Background:*

The bilateral dialogue between the Evangelical Lutheran Church and The United Methodist Church (UMC) began with a first round study on baptism (1977-79). That study concluded that Lutherans and United Methodists shared "in one Spirit and one Baptism." The second round of the dialogue (1985-87) focused on episcopacy and concluded that, while there are distinctions between how the two churches utilize the office of bishop, they both insist "that no particular structure of oversight is of the essence of the Church." The final report was published by Augsburg Fortress, Publishers, in 1991 as *Episcopacy: A Lutheran-United Methodist Common Statement to the Church*, which, in addition to background papers prepared for the dialogue, also included the 1979 common statement on baptism.

The conclusion of the round two participants was that "the remaining topics can and should be addressed in a third

and final round of dialogues between our two churches.” After a hiatus of seven years, a formal invitation was received in June 1998 from the ecumenical officer of The United Methodist Church asking that the dialogue be resumed. Staff members met in November 1998 to begin planning the third round of the dialogue. In November 1999, the co-chairs, the Rev. Allan C. Bjornberg, bishop of the Rocky Mountain Synod of the Evangelical Lutheran Church in America, and the Rev. Melvin G. Talbert, ecumenical officer and bishop of The United Methodist Church, and dialogue members were appointed. The United Methodist Church was represented by the following: Ms. Judith Crain of Green Bay, Wisconsin; the Rev. Dr. Amy Laura Hall of Duke Divinity School; Dr. Jean Miller-Schmidt of Iliff School of Theology; and the Rev. Lars-Erik Nordby of Norway. The Evangelical Lutheran Church in America was represented by the following: Dr. Kathryn L. Johnson of Louisville Presbyterian Theological Seminary; Dr. Cynthia D. Moe-Lobeda, the Graduate School of Theology and Ministry at Seattle University; the Rev. Dr. H. Frederick Reisz Jr. of Lutheran Theological Southern Seminary; and the Rev. Dr. Timothy J. Wengert of The Lutheran Theological Seminary at Philadelphia. Staff members for the dialogue were the Rev. Betty Gamble, Associate General Secretary, General Commission on Christian Unity and Interreligious Concerns (UMC), and the Rev. Paul A. Schreck, associate for bilateral dialogues (ELCA).

The co-chairs subsequently met December 8-9, 2000, in Chicago to organize a schedule of topics for the dialogue and concluded this meeting by adopting the following statement:

*As we begin our conversation, we expect to further explore and discover our partnership in the Gospel, and we hope to discern a clearer vision of our common discipleship. In committing ourselves to this next round of dialogue, we express our hope for full communion between our two churches.*

The dialogue convened its first plenary meeting in Denver, Colorado, September 6-9, 2001, to discuss a series of papers on the role of Scripture as authority as well as confessional and doctrinal authority within the two churches. The dialogue members were encouraged by significant work previously accomplished by Lutheran and United Methodist churches through bilateral and multilateral relationships throughout the world. United Methodists in several European countries already have entered into agreements with Lutheran churches. The ELCA-UMC dialogue found of particular assistance *Fellowship of Grace*, which describes the 1994 full-communion relationship between the UMC and the Church of Norway, as well as *The Church: Community of Grace*, the 1984 final report of the Lutheran World Federation and World Methodist Council dialogue, which details significant convergence in our churches’ doctrines of grace and baptism.

The second plenary session convened February 14–17, 2002, in Orlando, Florida. Because of continuing illness, Dr. Jean Miller-Schmidt was replaced by the UMC Council of Bishops with the Rev. Dr. Paul Chilcote of Asbury Seminary, a John Wesley scholar. Discussion centered on a review of the 1979 common statement on baptism and the Lord’s Supper. The two church bodies have these rites in common, the only ones considered sacraments. Baptism is understood to be the entry into church life; the Lord’s Supper is the regular gathering around the holy meal for faith communities. Significant agreement was found among the churches’ history and doctrinal teaching.

The third plenary session convened September 12–15, 2002, in Oslo, Norway, immediately prior to a meeting of the Executive Committee of the World Methodist Council. The dialogue members benefitted from consultations with representatives of the Church of Norway and The United Methodist Church in Norway. The Rev. Andreas Aarflot, former bishop of the Church of Norway and an authority on Hans Nilsen Hauge, and Dr. Roar Fotland, dean of the United Methodist Seminary in Norway, addressed the dialogue team. The meeting included careful study and discussion of the landmark agreement between the Church of Norway and The United Methodist Church in Norway, *Fellowship of Grace*, with key church leaders providing helpful insights into theological issues to be addressed by the ELCA-UMC dialogue. In addition, the dialogue members discussed papers on justification and sanctification and were encouraged by the level of convergence that was experienced around these topics.

The fourth plenary session convened October 30–November 2, 2003, at the Louisville Presbyterian Theological Seminary in Louisville, Kentucky. Due to other commitments, the Rev. Dr. Amy Laura Hall was replaced by the UMC Council of Bishops with the Rev. Dr. Sarah Heaner Lancaster of the Methodist Theological School in Ohio. Dialogue members discussed papers on the mission of the Church and orders of ministry, as well as a draft version of *This Holy Mystery*, a document articulating the eucharistic theology of The United Methodist Church to be considered at its 2004 General Conference. Participants were encouraged by the understanding of Holy Communion it described but proposed an amendment to clarify reference to a common misunderstanding among United Methodists that Lutherans believe in consubstantiation. This proposed amendment subsequently was considered by the UMC General Conference and adopted for the final version of *This Holy Mystery*.



The fifth plenary session convened February 19–22, 2004, at the Melancthon Institute in Houston, Texas. Discussion began on a proposal for Interim Eucharistic Sharing and the preliminary text of a final report of round three. In addition, a presentation on Lutheran liturgy was made by the Rev. Dr. Gordon W. Lathrop of The Lutheran Theological Seminary at Philadelphia, and a presentation on United Methodist liturgy was made by the Rev. Dr. Gayle C. Felton of the United Methodist Board of Discipleship.

The sixth plenary session convened August 26–29, 2004, at the Lutheran Immigration and Refugee Service (LIRS) office in Baltimore, Maryland. Dialogue participants completed work on the proposal for Interim Eucharistic Sharing and voted unanimously to submit the proposal for consideration by each church. The process for consideration was to include approval by the Council of Bishops, indicating that such sharing was in compliance with existing policies and procedures of The United Methodist Church, and adoption by the ELCA Churchwide Assembly to authorize such sharing by ELCA congregations. The dialogue also continued to discuss issues related to the Lord's Supper and orders of ministry.

The seventh plenary session convened February 24–27, 2005, in Miami, Florida. The participants discussed principles for congregational guidance during the interim period, with a final text to be completed subsequent to adoption of the Interim Eucharistic Sharing agreement. Work also continued on a final report moving toward preparing recommendations for full communion. Topics of continued discussion were sanctification and perfection, and mission. A draft version of this report was completed at the August 2005 plenary meeting, to be distributed throughout both churches for review and comment. Comments were considered at the plenary meeting August 2006, with a finished text for study and review by each church completed in early 2007, finishing the work of the third-round participants.

The following proposal was presented to the ELCA in 2005:

A Proposal for Interim Eucharistic Sharing between  
the Evangelical Lutheran Church in America and  
The United Methodist Church

In Round Three of the Evangelical Lutheran Church in America—United Methodist Church bilateral dialogue, we have examined the basis for a relationship of full communion between our two church bodies. Our study thus far has discovered no impediment to such a relationship. We have found, however, that the extent of our existing convergence in faith has not always been recognized in our faith communities. As we continue the work of this dialogue, we believe the time has come for our churches to deepen our knowledge of one another, honor and extend our currently shared mission, and share in a new relationship of worship and ministry through an agreement of Interim Eucharistic Sharing.

Our work has built upon substantial existing relationships:

- We rejoice in our common witness through the World Council of Churches and the National Council of the Churches of Christ in the U.S.A.;
- We rejoice in the example of the close relationship that exists between The United Methodist Church in Norway (a part of The United Methodist Church) and the Church of Norway (a member of the Lutheran World Federation), described in *Fellowship of Grace* (1994 [www.kirken.no/engelskfship\\_grace.html](http://www.kirken.no/engelskfship_grace.html)), which has served as an important resource for this dialogue;
- We rejoice that European Lutheran, Reformed, and United Methodist churches have deepened their relationships (1997 <http://lkg.alb.de/lkg/start.php>);
- We rejoice in the joint statement of the World Methodist Council and the Lutheran World Federation, *The Church: Community of Grace* (1984 [www.elca.org/ea/Resources/lumersce.html](http://www.elca.org/ea/Resources/lumersce.html));
- We rejoice in the two previous rounds of dialogue in the United States between Lutherans and United Methodists on baptism (1979) and the episcopacy (1988); and
- We rejoice in discovering that our two distinctive worship traditions have enriched each other and are sustained by those hymns we share together; that the ELCA statement on sacramental practice, *The Use of the Means of Grace* (1997 [www.elca.org/dcm/worship/](http://www.elca.org/dcm/worship/))

*worship/sacraments/umg.html*), has made explicit that (as in The United Methodist Church) baptized Christians who receive Holy Communion in their own congregations are welcome to receive the sacrament in ELCA congregations; and that The United Methodist Church has articulated its understanding of the sacraments in two documents, *By Water and the Spirit: A United Methodist Understanding of Baptism* (1996 [www.gbod.org/worship/articles/water\\_spirit/](http://www.gbod.org/worship/articles/water_spirit/)) and *This Holy Mystery: A United Methodist Understanding of Holy Communion* (2004 [www.gbod.org/worship/thm-bygc.pdf](http://www.gbod.org/worship/thm-bygc.pdf)).

Drawing upon these resources and previous agreements, the work of the dialogue thus far has discovered significant areas of shared faith:

1. Both churches confess with Christians of all ages the Triune God as the one true God:
  - we confess the Bible as the Word of God and the source and norm of our proclamation, faith, and life;
  - we agree that, in accordance with the Scriptures, human beings are justified by God's grace in Christ received freely through faith alone;
  - we agree that good works are the natural and spontaneous fruit of faith;
  - we agree that in baptism God enables the Christian to rely upon this gift, promise, and assurance throughout all of life;
  - we confess that the Lord's Supper is one of the fundamental means of grace. Like Holy Baptism, the Lord's Supper is an efficacious sign of God's grace, including and giving real participation in Christ;
  - we confess that the entire Eucharistic celebration expresses the real presence of Christ;
  - we confess that Christ is really present, shared, and received in the forms of bread and wine in the Eucharist, and that the blessings of this supper are received by faith alone;
  - we confess that in the Lord's Supper believers receive the benefits of Christ's perfect sacrifice on the cross and his victorious resurrection; and
  - we confess that the Holy Spirit uses the Supper to express and realize the communion (*koinonia*) of the people of God with Christ and with each other.
2. Furthermore, both churches emphasize in their liturgies the dimension of worship and thanksgiving in communion (*eucharistia*) and regard the entire worship service, centered in the proclamation of God's Word and the celebration of the Sacraments with prayer and praise, to be the central act in our common Christian life.
3. While in the dialogue we continue to address such topics as the work of the Holy Spirit in sanctification, perfection in love, and understandings of ministry, we believe that significant convergence exists—and there is sufficient urgency in our need for closer relations of common witness and mission—that a step toward closer relationship is both possible and timely.

On the basis of these discoveries we believe that our churches now should commit to Interim Eucharistic Sharing. This agreement, though short of full communion, makes more visible the unity we already share in Christ, and makes more credible our common witness in the world. For the Evangelical Lutheran Church in America (which defines Interim Eucharistic Sharing and Full Communion in "Ecumenism: The Vision of the ELCA" [1991 [www.elca.org/ecumenical/Vision.html](http://www.elca.org/ecumenical/Vision.html)]) this requires approval by its Churchwide Assembly. At the call of its Council of Bishops, The United Methodist Church, for whom such Eucharistic sharing already is possible, will commit to a time of intentional deepening of relations with ELCA congregations.

We continue to hope and work toward a relationship of full communion between our two church bodies. With this interim commitment, congregations and judicatories of our two churches would now be encouraged to study together *This Holy Mystery* and *The Use of the Means of Grace*, to celebrate joint services of the Lord's Supper, and to explore new opportunities for shared ministry. Guidelines for planning joint liturgies and resources for study and conversation can be found online ([www.elca.org/ecumenical](http://www.elca.org/ecumenical)).

Each of our communions remains a broken and incomplete witness to God's mercy. Longing for

that glorious day when all are one, we trust that worship and work together in relationships of mutual challenge and celebration will strengthen our proclamation of the Gospel for the enabling of faith. We prayerfully commit ourselves to this continuing journey together.

In March 2005, the ELCA Conference of Bishops took the following action [CB05.03.05]:

To endorse the proposal to establish Interim Eucharistic Sharing between the Evangelical Lutheran Church in America and The United Methodist Church.

In April 2005, the Church Council voted [CC05.04.23]:

*To recommend adoption by the 2005 Churchwide Assembly of the following action:*

To welcome and rejoice in the substantial progress of the Lutheran-United Methodist Dialogue, looking toward the future possibility of a relationship of full communion between the Evangelical Lutheran Church in America and The United Methodist Church;

To now recognize The United Methodist Church as a church in which the Gospel is preached and taught;

To affirm, on the basis of studies conducted by the Lutheran-United Methodist dialogue, that the basic teaching of each respective church is consonant with the Gospel;

To acknowledge, on the same basis, that the central teaching of The United Methodist Church is sufficiently compatible with the teaching of this church;

To encourage common concern throughout the respective churches by such means as:

1. mutual prayer and mutual support by members of congregations;
2. study together of the Holy Scripture as well as the histories and theological traditions of both churches;
3. joint programs of theological discussion, evangelical outreach, and social ministry endeavors; and

To declare, on the basis of these findings, that a relationship of Interim Sharing of the Eucharist is hereby established between the Evangelical Lutheran Church in America and The United Methodist Church in the U.S.A., with such an interim sharing to be exercised according to established guidelines.

This resolution subsequently was adopted on August 11, 2005, by the Churchwide Assembly (CA05.04.11) by a strong majority (Yes-877; No-60), and a relationship of Interim Eucharistic Sharing with The United Methodist Church was established.

A draft document describing a relationship of full communion between the two churches, "Confessing Our Faith Together," was submitted for review by the Conference of Bishops at its September 29–October 3, 2005, meeting with the intention that it would be circulated in a study format for discussion throughout the two churches. The draft also was submitted to the eight ELCA seminaries for review. The deadline for individual, congregational, and seminary responses and recommendations for revisions was January 15, 2007. Since The United Methodist Church is scheduled to consider the proposal for full communion at its General Conference meeting in 2008, the members of the Conference of Bishops discussed at length whether the ELCA should consider the matter at its 2007 or 2009 Churchwide Assembly. Based on this conversation, it was agreed that the proposal should come for a vote in 2009.

The Rev. Dr. Timothy G. Wengert, professor of Reformation history and Lutheran confessions at The Lutheran Theological Seminary at Philadelphia and a member of the bilateral dialogue, was invited to address the Conference of Bishops meeting in October 2006, with the specific request that he address any potentially neuralgic points.

Responses to the study draft were reviewed by members of the bilateral dialogue at its final meeting in December 2007 and, based upon those responses, the dialogue decided to make no changes.

At its April 2008 meeting, the ELCA Church Council voted (CC08.04.10):

To give thanks to God for the deepening relationship with The United Methodist Church that has resulted from Interim Eucharistic Sharing;

To thank the members of the Lutheran-United Methodist Dialogue for the final report of the dialogue and the proposal for full communion, "Confessing Our Faith Together";

To encourage continued study of this proposal for full communion throughout this church;

To anticipate action of the United Methodist General Conference on this full-communion agreement, as it meets April 23-May 2, 2008; and

To request a formal proposal for a full-communion agreement with the United Methodist Church for consideration by the Church Council at its November 2008 meeting for action by the 2009 ELCA Churchwide Assembly.

The United Methodist Church approved the proposal for full communion on April 28, 2008. By a vote of 864-19, the General Conference of the United Methodist Church (UMC) adopted an implementing resolution that will establish full communion with the Evangelical Lutheran Church in America, if the ELCA adopts the same proposal at the next ELCA Churchwide Assembly, August 17-23, 2009, in Minneapolis. The resolution that was approved by the United Methodist General Conference is printed in Exhibit Q, Part 2a.

The following action created a coordinating committee, the Joint Commission on ELCA and UMC Full Communion:

To fulfill the vision of full communion between The United Methodist Church and the Evangelical Lutheran Church in America, there shall be a Joint Commission on ELCA/UMC Full Communion. The commission shall serve the following functions:

- Coordinate the implementation of action taken by the two churches to achieve full communion.
- Assist joint planning for mission.
- Facilitate consultation and common decision making through appropriate channels in fundamental matters that the churches may face together in the future.
- Report regularly and appropriately to each church.

The United Methodist Church membership of this commission shall be the Ecumenical Officer of the Council of Bishops, the President of the General Commission on Christian Unity and Interreligious Concerns (GCCUIC), if the President is not also the Ecumenical Officer, and one lay and one clergy member of GCCUIC elected by GCCUIC. If the President of GCCUIC is also the Ecumenical Officer, then the Vice President of GCCUIC shall be a member of the commission.

The ELCA will appoint members of the Joint Commission (Coordinating Committee) through the Office of the Presiding Bishop.

*Church Council Action:*

The Rev. Steven P. Loy, chair of the Program and Services Committee, placed the proposed action before the council and called upon the Rev. Donald J. McCoid, executive director of the Ecumenical and Inter-Religious section of the Office of the Presiding Bishop, to provide background on it.

Pr. McCoid reviewed the process that was leading to the establishment of a full-communion relationship with The United Methodist Church. Dialogue had occurred over 31 years, ultimately leading to a declaration that there were no church-dividing differences between the two bodies. The United Methodist Church had voted earlier in the year to establish full communion with the ELCA by a vote of 864-11. Pr. McCoid noted that this would be the first full communion relationship established by The United Methodist Church and the first agreement of the ELCA with a church body that is larger than it is. He called attention to two foundational documents of The United Methodist Church on the sacraments, *By Water and the Spirit* and *This Holy Mystery*. He reminded the Church Council that full communion agreements were established for the sake of mission. In the process, great theological and doctrinal advances were made, but the point is what the churches can do together.

Vice President Peña opened the floor for discussion.

The Rev. Jonathan W. Linman inquired whether "Confessing Our Faith Together" was the principal document of the agreement. He received an affirmative answer. Pr. Linman asked about the source of the "Frequently Asked Questions" document and was told that the bilateral dialogue was the origin.

Presiding Bishop Mark S. Hanson differentiated between the consensus reached by the dialogue and individual communities' diversity of practice. Pr. McCoid commented that it takes time for official positions and documents to filter down to individual congregations and leaders.

Mr. Richard L. Wahl observed that the two foundational documents read almost like Lutheran confessional statements, and he urged that they be more widely disseminated and incorporated in some way into the implementing

resolution. Pr. McCoid welcomed the suggestion that they become better known, but he informed Mr. Wahl that each church body must act on the same implementing resolution, so nothing could be added at this time. They were significant background documents, however.

Mr. Wahl wondered how to draw them to the attention of Churchwide Assembly voting members. Pr. McCoid responded that “Confessing Our Faith Together” has been in front of this church for years, and his section continued to disseminate it and the other documents.

Pr. Linman called “Confessing Our Faith Together” the best full communion document he has seen, being both clear and accessible. He termed it a fine expression of ecumenical dialogue representing differentiated consensus. It also would help Lutherans learn more about themselves. He asked Pr. McCoid to describe the mood at The United Methodist Church General Conference. Pr. McCoid replied that the General Conference resonated with the vision Presiding Bishop Hanson had offered. There was considerable excitement in the conference about the implications of the agreement. The United Methodist Church also was looking to the ELCA to help it develop a full communion agreement with the Episcopal Church. Pr. McCoid stated that request demonstrated that the ELCA is the bridge church in ecumenism. Overall, he concluded, the climate in The United Methodist Church concerning the agreement is excellent.

Mr. Wahl indicated that when Presiding Bishop Hanson went to the General Conference, it was clear that he was the leader of this church. It might not be clear to the Churchwide Assembly that Bishop Gregory V. Palmer, president of the conference of bishops, is representative of the whole church body. Presiding Bishop Hanson responded that Bishop Palmer had been invited to preach and be present on the day the assembly voted. Pr. McCoid added that the ecumenical officer of The United Methodist Church is always a retired bishop. There also is a staff person in New York. The United Methodist Church is a large church body with different structures from those of this church, he said. Mr. Wahl commented that the ELCA communications persons would have a challenge in helping members understand the role of the person who would be at the assembly.

Mr. Wahl asked Presiding Bishop Hanson to talk about his role at the General Conference. Presiding Bishop Hanson did so, reminding the Church Council that The United Methodist Church does not have a head of communion and is a large, global church. He added that members of this church need to remember that the concept of full communion emerged from this church’s statement on ecumenism; other churches do not use it with the ease the ELCA does. It is this church’s gift to the ecumenical movement. He reiterated that a full communion agreement is established for the sake of mission and indicated that there would be much work to do on the other side of the adoption of the agreement.

There being no other questions, Vice President Peña called for the vote.

**VOTED:**

**CC08.11.62**

*To recommend to the 2009 Churchwide Assembly the following action:*

**RESOLVED, that this Churchwide Assembly of the Evangelical Lutheran Church in America accepts the implementing resolution as the basis for a relationship of full communion to be established, as follows:**

**IMPLEMENTING RESOLUTION FOR FULL COMMUNION  
BETWEEN THE EVANGELICAL LUTHERAN CHURCH IN AMERICA AND  
THE UNITED METHODIST CHURCH**

The Evangelical Lutheran Church in America (ELCA) and The United Methodist Church (UMC) hereby agree that in their legislative bodies there shall be one vote to accept or reject, without separate amendment, the resolutions which follow. If adopted by both churches, each church agrees to take the following measures to establish a relationship of full communion:

WHEREAS, Jesus Christ calls us to unity so that the world may believe; and

WHEREAS, the Evangelical Lutheran Church in America and The United Methodist Church share a common heritage of faith and a commitment to mission; and

WHEREAS, "Confessing our Faith Together," the report of the ELCA-UMC bilateral dialogue, affirmed that there are no church-dividing differences precluding full communion between the Evangelical Lutheran Church in America and The United Methodist Church; therefore, be it

RESOLVED, that the Evangelical Lutheran Church in America and The United Methodist Church hereby:

- 1) Recognize in one another the one, holy, catholic, and apostolic faith as it is expressed in the Scriptures, confessed in the Church's historic creeds, and attested to in the Lutheran Confessions and the doctrinal standards of The United Methodist Church;
- 2) Recognize the authenticity of each other's Baptism and Eucharist, and extend sacramental hospitality to one another's members;
- 3) Recognize the validity of our respective ministries, including:
  - each other's ordination of persons to the Ministry of Word and Sacrament;
  - the authentic diaconal service of ordained deacons in the UMC and rostered lay ministers in the ELCA; and
  - each other's polity and ministries of oversight (including the interpretation of church doctrines, discipline of members, authorization of persons for ordained and lay ministries, and provision for administrative functions);
- 4) Recognize the full interchangeability and reciprocity of all ordained ministers of Word and Sacrament, subject to the constitutionally approved invitation for ministry in each other's churches;
- 5) Authorize the establishment of a joint commission to:
  - coordinate the implementation of these resolutions;
  - assist joint planning for mission;
  - facilitate consultation and common decision-making through appropriate channels in fundamental matters that the churches may face together in the future; and
  - report regularly and appropriately to each church;
- 6) Direct this joint commission to:
  - develop worship materials to celebrate our churches' full communion;
  - foster on-going theological discussion;
  - formulate joint educational materials; and
  - encourage continuing education opportunities for lay and clergy leaders regarding full communion;
- 7) Applaud one another's ecumenical conversations with other church bodies acknowledging that each church remains free to pursue additional full communion agreements as each deems appropriate, so that the world may believe.

**VOTED:**  
**CC08.11.63**

*To recommend to the 2009 Churchwide Assembly the following action:*

**To fulfill the vision of full communion between The United Methodist Church and the Evangelical Lutheran Church in America, there shall be a Joint Commission on ELCA-UMC Full Communion. The commission shall serve the following functions:**

- a. **coordinate the implementation of action taken by the two churches to achieve full communion;**
- b. **assist joint planning for mission;**
- c. **facilitate consultation and common decision-making through appropriate channels in fundamental matters that the churches may face together in the future; and**
- d. **report regularly and appropriately to each church.**

Following the vote, Pr. McCoid commented on the “new spirit” in the National Council of Churches of Christ in the U.S.A., due to the new leadership of General Secretary Michael Kinnamon. The recent assembly demonstrated that the member churches share an understanding of the work to be done and are very engaged in that work.

### **AMENDMENTS TO “STATEMENT OF POLICY AND PROCEDURES FOR REVIEW OF LITURGICAL MATERIALS PREPARED BY ELCA CHURCHWIDE UNITS”**

(Agenda III.G.3)

*Background:*

At its April 1991 meeting, the Church Council of the Evangelical Lutheran Church in America voted [CC91.04.81]: "To receive as information the 'Statement of Policy and Procedures for Review of Liturgical Material Prepared by Churchwide Units' with the understanding that the statement is for immediate implementation."

Since 1991, this statement has seen regular use and continues to be a primary governance protocol for the Office of the Presiding Bishop in carrying out its "responsibility for leadership of the worship life of this church" (ELCA 15.11H05). The statement was particularly helpful in shaping the review process for the Renewing Worship project that resulted in the release of *Evangelical Lutheran Worship*.

Work that is currently in progress on the occasional services related to this church's rostered ministries has revealed the need for several amendments to the statement.

1. The current statement was prepared at the time when the *Lutheran Book of Worship* was the primary worship resource for this church. Since that time, the 2005 Churchwide Assembly has commended *Evangelical Lutheran Worship* for use in this church. Thus, the references to *Lutheran Book of Worship* in the current statement need updating and will now read, as follows:
  - a. "II. E. The liturgical texts and patterns of *Evangelical Lutheran Worship* are viewed as the norm for common use in public worship."
  - b. "V. C. **Encouraged Materials**  
COMMENDED—Resources that have undergone extensive liturgical review and are now commended, normally by the Churchwide Assembly, for general use in this church, such as *Evangelical Lutheran Worship*."
2. The services related to the church's rostered ministries (such as ordination, consecration, commissioning, and installation) are currently in the process of revision as part of the second volume of *Evangelical Lutheran Worship* occasional services. Because it is necessary that these services are consistent with the governing documents of this church related to its rostered ministries, these services constitute a category that is different from others currently identified in the section of the statement titled 'Degree of Endorsement.' The following amendment to the statement will accommodate this category of endorsement.

#### **V. D. Authorized Materials**

AUTHORIZED—Resources that have been deemed to be in accordance with the governing documents of this church and that have been designated as the appropriate form, to be used in this church as presented. Examples include the service of Ordination and other services related to rostered ministries of this church. Authorized materials may also include resources that have emerged from ecumenical

consultations and this church's liturgical review process. Materials are authorized upon recommendation by the Office of the Presiding Bishop, review by the Conference of Bishops, and approval by the Church Council.

*Church Council Action:*

The Rev. Steven P. Loy, chair of the Program and Services Committee, provided background to and introduced the action. He explained that as occasional services linked to *Evangelical Lutheran Worship* were being developed, it became clear that the policy needed updating. The occasional services volume would come to the Church Council for approval at its March 2009 meeting.

Mr. Mark S. Helmke observed that the wording of the proposed action was unusual. The Church Council normally would either act on a policy or receive it as information without action.

The Rev. Martin A. Seltz of Augsburg Fortress, Publishers, responded that the language is exactly the same as that used for receiving the current policy and procedures document in 1991.

**VOTED:**

**CC08.11.64 To receive as information the “Statement of Policy and Procedures for Review of Liturgical Material Prepared by Churchwide Units,” as amended, with the understanding that the statement is for immediate implementation.**

**FIRST-CALL MISSION DEVELOPERS: SYNODICALLY AUTHORIZED MINISTRY AND CANDIDACY**  
(Agenda III.G.5; Agenda/MINUTES Exhibit I, Parts 3b–3b)

*Background:*

The ELCA Evangelism Strategy (2003) calls for expanding the development of new congregations. That strategy and the five ELCA ethnic ministry strategies speak extensively about the need to call forth missional leaders. At least since 2003, the Conference of Bishops, the churchwide units working on outreach and ministry, and the seminaries have focused considerable attention on ways to recruit, prepare, and deploy the leaders this church needs, particularly pastors who can serve as mission developers. The goal is to have an effective and seamless process.

The shaping of the present proposals began with work on the strategies and continued in 2006 when the Conference of Bishops had extensive conversations about the challenges and opportunities in new mission development and identified four areas for focused work:<sup>4</sup>

Churchwide and synodical staffing patterns in new mission development

1. Leadership for mission development, specifically to enhance the supply of mission developers;
2. Funding for mission starts (and for the preparation of developers); and
3. Principles and criteria for new starts for determining when and where to work and how to evaluate progress.

As they have responded to the strategies' calls to prepare missional leaders, ELCA seminaries have noted frustrating procedural difficulties and disconnects for students engaged simultaneously in candidacy and mission developer approval. Another area of concern noted by the bishops and churchwide staff is the unclear connection between preparation for rostered ministry and synodical authorization for Word and Sacrament ministry. Tensions about synodically authorized ministry occasionally affect mission development efforts.

Considerable research has been done. Research and Evaluation published a study in July 2007 after several years of work: “New Developments in the Evangelical Lutheran Church in America,” by Kenneth Inskip. The Evangelical Outreach and Congregational Mission (EOCM) unit has developed reliable processes for identifying potential mission developers. The seminaries and Vocation and Education (VE) unit, through the candidacy process, attend to qualities and skills that could lead to effective ministry in this arena.

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<sup>4</sup> The background paper prepared by staff for the bishops is titled “New Starts Process” and is dated September 26, 2006. It outlines present models for mission starts and present leadership development efforts.



These conversations and work were followed by a consultation among the key partners in September 2007, using a SWOT (i.e., strengths, weaknesses, opportunities, threats) analysis that identified three areas of opportunity where rapid progress likely could be made:

1. Align processes for candidacy and for screening and approval for mission development, with the intent of giving candidates a seamless experience as they prepare while still in seminary.
2. Continual focusing of theological education for this work—affirming the seminaries' work in this arena
3. Lay missional leadership/lay mission developers—developing ways to foster lay leadership and clarify how and when lay persons might be synodically authorized for Word and Sacrament ministry.

The Conference of Bishops at its March 2008 meeting gave general affirmation to several staff-proposed changes in policy and practice related to the preparation, approval, and calling of people for service in mission development. The Conference of Bishops also affirmed the use of Synodically Authorized Ministry in general and its specific use to provide Word and Sacrament ministry for a mission development. The bishops requested that specific implementing language be brought to the October 2008 meeting for consideration and possible action. On the basis of all these conversations, staff of the Vocation and Education unit, the Evangelical Outreach and Congregational Mission unit, and the Office of the Secretary, working through the New Starts Table, have been involved in formulating three proposals to implement the goal as well as a clarifying statement on the role of lay members in mission development.

At its October 2008 meeting the Conference of Bishops affirmed the three proposals. The first two proposals recommend amendment of the “Manual of Policies and Procedures for the Management of the Rosters.” Each of the changes makes an alteration in past policy that the Vocation and Education unit (VE), the Evangelical Outreach and Congregational Mission unit (EOCM), and the bishops believe will facilitate the preparation of additional and more effective mission developers.

If the council approves the recommendation that follows, the Vocation and Education unit and the Evangelical Outreach and Congregational Mission unit will proceed with their efforts to integrate these processes and continue to work with all partners to develop, publish, and implement aligned procedures for candidacy and mission developers.

#### 1. Regularization of calls to mission development

To recognize mission development as an integral aspect of congregational life and thus appropriate for a pastor's first call, mission development will be understood as being “congregational service” in the sense intended by ELCA bylaw 7.41.12.:

Initial Call to Congregational Service. Because the responsibilities of the office of the ordained ministry are most clearly focused in the congregational pastorate, experience in which is deemed by this church to be invaluable for all other ordained service, initial service of at least three years shall be in the parish ministry of this church. Exceptions may be granted under criteria and procedures recommended by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council.

Previously, a call to mission development has been understood as an exception under this bylaw. The criteria and procedures that have been developed are spelled out in the *Manual of Policies and Procedures for the Management of the Rosters*, Part one, page 41.

*History:* Current practice treats such calls as exceptions, requiring approval in each case by the COB roster committee through an expedited process. The COB through the committee almost always has approved such requests for exceptions.

*Rationale for change in policy and practice:* The call to develop a new start intrinsically anticipates and initiates gathering around Word and Sacrament, which is the essence of a congregation and of parish ministry. The necessity to grant an exception not only occasionally causes unhelpful delays, but also appears to some to treat mission development itself as an exception within the life of the ELCA. The proposed shift in understanding and policy also could lead to fuller integration of mission development into the normal synodical and churchwide processes of assignment and call.

2. Linking synodically authorized ministry and candidacy

To connect this church's practice more closely with its understanding of the ministry of Word and Sacrament, an expectation would be established that a person approved for Synodically Authorized Ministry normally would be active in candidacy for ordained ministry.

*Rationale:* The change would give more clear recognition to this church's understanding of the ministry of Word and Sacrament and the processes related to that ministry. It would reflect current practice in many places and would strengthen the encouragement to persons serving in ministry who ought also to be preparing for ordination.

3. Alignment of candidacy and mission developer selection processes

Alignment of the processes for candidacy and assignment and for mission developer selection and preparation will ensure that the processes are as seamless as possible both for the expressions of this church and for candidates. Although this integration will take time and be somewhat complex, closer cooperation will allow the streamlining of certain areas of the current EOCM mission developer process, the candidacy and assignment process, and the theological education processes without conflating them.

Candidates, and those who serve their development, will begin to experience the seamlessness for which this church strives. Congregations and others who are committed to fostering mission development and redevelopment will experience preparation that is both welcoming and deeply involved in looking for gifts for mission.

Several areas can be aligned now and others can be explored:

- a. The work of identifying, preparing, evaluating and supporting missional leaders.
  1. Mission developers sometimes are identified prior to theological education by ethnic communities, congregations, or synods, or may demonstrate these gifts and characteristics while in seminary or following years of parish service. This proposal relates to enhancement of the first two scenarios. Recruitment and discernment materials will be developed and revised to reflect these new considerations.
  2. EOCM mission directors and synods, seminary faculties, and candidacy committees will work more closely together to identify, evaluate, and support candidates. The TEEM (Theological Education for Emerging Ministries) concept of coming together alongside these developing leaders for identification, theological education, formation, mentoring, and support offers examples and models for these relationships.
  3. Along with current opportunities for orientation and candidacy interview training, candidacy committees will receive training in awareness of missional characteristics focused on identifying, welcoming, and forming missional leaders, mission developers, and re-developers. Regularizing the call to mission development and incorporating synodically authorized mission developers into the process will expand candidacy horizons in the formation and evaluation of these gifts, while the candidacy task remains much as it has been in certifying readiness for congregational Word and Sacrament ministry. Mission directors also will benefit from increased understanding of the candidacy process.
- b. One application serving both candidacy and EOCM.
  1. The current essay would be extended to allow interested candidates to provide additional relevant information both about experiences with communities and community development and impressions about tasks and methods needed for mission development.
  2. Appropriate releases will be developed to include application sharing with the EOCM mission developer process.
- c. Mission developer pre-screening and behavioral screening results will be shared with the candidacy committee.
  1. For traditional M.Div. candidates, there will be two screening process opportunities for mission developer prospects: spring of junior year, informing discernment and endorsement process; and late summer of internship year, informing approval and assignment. Screening results will be written and presented in such a way as to assist and encourage continuing development and discernment of gifts.
  2. Mission developers who might become synodically authorized ministers of Word and Sacrament and other TEEM candidates for mission development will receive mission developer screening as part of the pre-entrance discernment with the bishop's approval.

An experiment in the use of online elements for screening already is underway in EOCM for people considering becoming mission developers. This also might be adapted for and integrated with the candidacy

- process for M.Div. candidates.
- d. Sign off by the bishop of candidacy for EOCM screening.  
Following pre-screening, the bishop—or bishop’s designee (synod staff for candidacy)—will continue to sign off on all candidates participating in the EOCM behavioral screening processes to maintain links with synodical candidacy committees and congregations and exercise his or her role as a missional leader for this church. This approval form may need revision to reflect the aligned processes.
- e. Alignment with the Fund for Leaders and Mission Investment Fund mission developer scholarship process (NOTE: While this new scholarship possibility for mission development is not part of either of the candidacy process or the mission developer selection process, a description is included here to explain the intersections of the two with this third process.)
1. Candidates who have been approved through the mission developer screening process and affirmed by synodical bishop or designee may be nominated by their seminary in the spring of their junior (first) year. Selected students would receive the scholarship for the middler year and, assuming successful continuation in the program, would receive it again for the senior year.
  2. Candidates must have had a positive entrance decision by their candidacy committees to be eligible for nomination. Endorsement interviews with candidacy committee and seminary faculty will benefit from and be deepened by results of EOCM screening and participation in an approved seminary mission developer track. The candidate must receive a positive endorsement to remain eligible.
  3. TEEM candidates could be eligible for nomination for this scholarship as soon as they have been approved through mission development screening as their TEEM initial interview and received a positive entrance decision affirmed by the synodical bishop and approved by the Vocation and Education unit.
- f. Anticipated mission developer programs in ELCA seminaries
1. Seminaries are encouraged to develop and refine programs to prepare potential mission developers and to develop with candidacy committees and EOCM ways of appropriately encouraging promising students to consider these programs.
  2. Programs should be open (to the greatest practical extent) to any students interested in these opportunities to develop as missional leaders, whether or not a student is formally in the mission developer process.
  3. Exploration is encouraged into ways these courses, programs, and other learning opportunities can become available for non-degree track mission developers and lay leaders.
  4. These programs will allow for continued dialogue and assessment of the processes for effective development of missional leaders.
- g. Contextual education and contextual site development
1. Seminaries will work with synods and churchwide units to find and develop good contextual learning opportunities for missional leaders and to ensure that all students enrolled in mission developer programs will have field education/internship sites, mentors, and supervisors appropriate to the goals of the program. Planning must address the special needs of TEEM candidates and candidates in synodically authorized ministry.
  2. The Horizon internship can serve as a good model for other learning sites. It provides both a collaborative framework for this type of placement and an initial opportunity to develop appropriate sites for mission developer experience.
  3. Funding sources for these internships will need to be cultivated. It may be appropriate to approach partners who have supported mission development in other ways and also to seek out new sources of support.
  4. Internship applications and evaluations will be reviewed for any necessary changes to facilitate placement.\
- h. Assignment
1. The candidate assignment systems within this church have not viewed with favor those programs that select some candidates for particular ministry before the normal assignment time. A more positive view that could support the present proposals is to think of several channels by which people are deployed for effective ministry. The goal of assignment systems related to mission development will be the same of those for the whole assignment system—namely, that the mission needs of the whole church be respectfully and carefully considered and that the gifts and needs of the candidates be respectfully and carefully considered. Details of

- this process would be worked out in consultation with the Conference of Bishops and refined through experience.
2. The assignment document called "Form B" will be revised to include the category "Certified for Mission Development."
  3. Seminary candidacy coordinators and regional coordinators for ministry leadership will work with mission directors to assist candidates with their mobility forms for assignment.
  4. Coordinated communication across this church among partners will be essential regarding new site plans and development and presenting and developing potential leaders.
  5. New starts being filled by a first call candidate not in place would be reported and count as a vacancy.
- i. Areas of special potential because of current development
1. The five ELCA ethnic ministry strategies: the ethnic communities have missional dreams and aspirations, and each ethnic strategy has a leadership development component. Ethnic ministry directors in the Multicultural Ministries unit will assist in connecting and integrating this effort with these strategies so that our future plan truly becomes "the ELCA strategy."
  2. The EOCM missional plan: as the work of EOCM becomes ever more closely yoked both to synodical mission plans and development and to the work of ethnic leadership teams in the synods, efforts that continue to bring these tables together in synods, groups of synods, or in particular areas will strengthen mission into the future. As these plans take shape and trust increases in the collaboration of partners striving for missional leadership development, continued attention and reflection about the implications of these proposals and policies will serve us well.
  3. The VE systemic leadership development plan: the unit's efforts to help this church be more coordinated among all expressions in its leadership development work not only will be directly advanced by this particular work in alignment, but also may lead to further advances as the aligned processes are implemented.

4. Affirmation and explication of lay leadership

At several consultations and in discussions with the bishops, it often has been mentioned that this church's efforts at mission development must be careful to affirm the leadership of lay people in these new starts. For clarity, it is helpful to remember that this leadership falls into three broad categories:

- a. Leaders within the worshipping community: just like any organized congregation, a new start relies on the leadership of engaged women and men who take on roles of planning, teaching, convening, inviting, singing, playing instruments, and much more. Energetic proponents among potential members are essential to the faithful effectiveness of any new start.
- b. Lay staff doing preliminary and supplementary development: the mission development enterprise has been blessed by the participation and leadership of lay mission developers. As a church, we celebrate and affirm their valuable contribution to the formation of new congregations. By using their various gifts and skills, lay staff primarily do the exploratory and preliminary work of creating a core of local participants in preparation for the ministry of pastor developers. The service of lay staff as sole leaders in a field is temporary in nature, mostly done in the context of a team approach and supported by a synodically-appointed pastor/mentor to provide sacramental ministry.

The connection to EOCM of most lay developers comes from lay training initiatives in synods and from ethnic ministries where their gifts are discovered and nurtured. The majority present themselves as candidates for rostered leadership in the ELCA.

- c. Synodically authorized lay mission developers: in unusual situations, authorization may be sought for a lay person to provide Word and sacrament ministry in a new situation. This authorization comes through the normal process for Synodically Authorized Ministry. The continuity of faithful, wise, and courageous pastoral leadership is crucial particularly for the health and growth of newly forming congregations. As noted in proposal three above, synodically authorized ministers who are providing Word and sacrament leadership in forming congregations and mission redevelopments normally shall have received a positive entrance decision for candidacy for ordained ministry before being authorized for that ministry and shall remain active in candidacy and theological preparation while serving.

To implement this unusual situation, some changes may be needed in the candidacy process. Currently, synodically authorized lay ministers for mission development are required to complete the background check and candidacy entrance information questions. They will have been registered and affirmed by a congregation of the ELCA. The new Candidacy/EOCM application will have been completed. It would be necessary at the beginning to add the standard candidacy psychological evaluation and the candidacy entrance panel.

*Church Council Action:*

The Rev. Steven P. Loy, chair of the Program and Services Committee, introduced the action.

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

The Rev. Stanley N. Olson, executive director of the Vocation and Education unit, explained that the Conference of Bishops, seminary presidents and deans, and the Vocation and Education and Evangelical Outreach and Congregational Mission units had been considering for more than two years how to add to the cadre of skilled mission developers and pastors with missional skills. The process had been a model of collaboration, he said. Pr. Olson informed the members of the Church Council that it was being asked to approve two changes in order to facilitate this work.

Mr. Wahl asked whether it would be helpful to hear from the liaison bishops on this issue. The Rev. Peter Rogness, bishop of the Saint Paul Area Synod, replied that the changes had been discussed in and approved by the Conference of Bishops and other groups. He stated that the exemption from the three-year parish rule for mission development has been practiced for some time; the change simply made it automatic. The second change would provide consistency of practice and increased accountability to candidacy standards for synodically authorized ministers.

Mr. Wahl observed that the Synodically Authored Ministry policy continues to meet the needs of this church. He commended those who had developed the plan under consideration.

**VOTED:**

**CC08.11.65 To amend the "Manual of Policies and Procedures for Management of the Rosters," Part One, page 41 and pages 53-54 as detailed in Exhibit I, Parts 3a-3b.**

**ANNOUNCEMENTS**

Vice President Carlos E. Peña reminded council members to participate in Vision for Mission. He stated that the Report of Synod Visits form would be online in a few days and encouraged its use.

The Rev. Jonathan W. Linman inquired about the deadline for reports sent to Church Council members and asked for an e-mail reminder about filing the visit report. Ms. Myrna J. Sheie, executive for governance and institutional relations, replied that it was one month prior to any meeting. She stated that the current Report of Synod Visits document would be changed and put on the Net Community Web site.

Ms. Judith Anne Bunker requested an updated contact list for council members. Secretary David D. Swartling stated that the list would be updated for the next meeting.

Treasurer Christina Jackson-Skelton announced that the offering at Sunday morning's worship for domestic disaster relief totaled \$3,166.

**MEETING EVALUATION AND DEBRIEFING**

Ms. Lynette M. Reitz asked for a way to hyperlink from agenda to exhibits and the schedule. It also had been difficult to find some exhibits because they were grouped together. Ms. Myrna J. Sheie promised to look into the matter. She added that there had been an unusual number of revisions during the current meeting, and she would try to minimize them in the future.

Mr. Gary L. Wipperman commended the increased use of electronic dissemination of materials.

Ms. Judith Anne Bunker requested a review of using the material online prior to the beginning of the next meeting.

Presiding Bishop Mark S. Hanson expressed concern about the Church Council's having an adequate opportunity to shape the life of this church during meetings rather than just hearing reports about the churchwide organization's work. He did not want the incredibly gifted churchwide staff to overwhelm the elected leadership. Nor did he want the council to micromanage the churchwide organization. He asked for feedback, saying that he desired to invite council members into leadership and to be collegial with them.

The Rev. Susan Langhauser recommended that the schedule be altered so that the council received reports in the morning and considered actions after lunch. Presiding Bishop Hanson responded that the opposite suggestions also had been received.

Mr. William R. Lloyd Jr. recommended that no revisions be printed until committees had met.

Presiding Bishop Hanson expressed gratitude for the way the council had engaged in debate about the Churchwide Assembly Rules of Organization and Procedure. He commented that continuing to ground its life in prayer and Word shapes the Church Council's culture.

Vice President Peña asked the council to thank the officers and staff for their work in preparing for the meeting. Council members responded with applause.

Presiding Bishop Hanson thanked Vice President Peña for his leadership. The council added its applause.

Secretary David D. Swartling called attention to the reports on the actions of the council that members would receive electronically within the week. He reported receipt of a letter from former council member Mr. Bradley Dokken. He announced that the dates for the next meeting were March 27-30, 2009. The Program and Services Committee would meet on March 26.

#### **ADJOURNMENT**

At the request of Vice President Carlos E. Peña, Ms. Karin Lynn Graddy led the Church Council in a closing prayer. The sixtieth meeting of the Church Council of the Evangelical Lutheran Church in America adjourned at 11:09 A.M.