



Evangelical Lutheran Church in America

God's work. Our hands.

Nov. 15, 2022

To: Bishops of synods of the Evangelical Lutheran Church in America
 Vice presidents of synods of the Evangelical Lutheran Church in America
 Secretaries of synods of the Evangelical Lutheran Church in America
 Members of the Church Council of the Evangelical Lutheran Church in America
 Administrative Team of the churchwide organization
 Chief executive officers of separately incorporated ministries
 Seminary leaders

From: Deacon Sue E. Rothmeyer, secretary

Subject: Report of Church Council Responses to Churchwide Assembly Actions, Synod Resolutions, and Previous Church Council Actions (Nov. 10–13, 2022)

I.	CHURCH COUNCIL RESPONSES TO CHURCHWIDE ASSEMBLY ACTIONS	2
A.	ADVISORY MEMBERS TO CHURCH COUNCIL	2
B.	CONTRACT FOR DIVERSITY, EQUITY, INCLUSION, AND ACCESSIBILITY ELCA GOVERNANCE AUDIT	2
C.	RECONSIDERATION OF <i>HUMAN SEXUALITY: GIFT AND TRUST</i>	2
D.	CHURCHWIDE ORGANIZATION PERSONNEL POLICIES	3
E.	FORTIFYING URBAN MINISTRIES IN UNDERSERVED URBAN AREAS MEMORIAL	3
F.	EQUITY AND CLARITY IN THE MISSION DEVELOPMENT PROCESS	4
G.	GREENHOUSE GAS REDUCTION	5
H.	VOTING RIGHTS AND D.C. STATEHOOD	6
I.	RIGHT TO BOYCOTT	7
J.	UNALTERED AUGSBURG CONFESSION	7
K.	SALARY EQUITY IN THE ELCA	9
L.	NOMINATIONS AND ELECTION PROCESS	10
M.	PROCESS AND TIMELINE TO ESTABLISH COMMISSION FOR A RENEWED LUTHERAN CHURCH	11
II.	CHURCH COUNCIL RESPONSES TO SYNOD RESOLUTIONS	11
A.	ADDRESSING ANTI-SEMITISM IN LECTIONARY READINGS	11
B.	LGBTQ+ PROGRAMMING FOR EVENTS	13
C.	ELCA SUPPORT FOR THE ENERGY INNOVATION AND CARBON DIVIDEND ACT	13
D.	ELCA NAME CHANGE	15
E.	ADOPTION OF GENDER-INCLUSIVE LANGUAGE	16
F.	GUIDANCE ON RETIRED/RETIRING MINISTERS ON THE ROSTER OF THE ELCA	17
G.	CONCURRENT CALLING OF PASTORS BY MORE THAN ONE SYNOD	18
H.	EXTENDING PASTORAL COUNSELING THROUGH PRIVATE PRACTICE	19
I.	PAID LEAVE FOR ROSTERED MINISTERS	20
J.	JUSTICE FOR THE REV. NELSON RABELL-GONZALEZ	21
K.	PREFERRED VENDORS AND PRIVACY	22
III.	CHURCH COUNCIL RESPONSES TO PREVIOUS CHURCH COUNCIL ACTIONS	23
A.	RACIAL JUSTICE OMBUDSPERSON POSITION	23
B.	DECLARATION OF THE ELCA TO PEOPLE OF AFRICAN DESCENT	23

I. CHURCH COUNCIL RESPONSES TO CHURCHWIDE ASSEMBLY ACTIONS

A. ADVISORY MEMBERS TO CHURCH COUNCIL

Advisory members of the Church Council were removed from the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* by the 2009 Churchwide Assembly. The 2022 Churchwide Assembly approved a bylaw that allows the Church Council to designate categories of advisory members who would have voice but not vote at council meetings.

- 14.33.01. Advisory Members.** Categories of advisory members may be designated by the Church Council. These categories shall be set forth in continuing resolutions. Advisory members shall have voice but not vote.

Over the past months, the Church Council Executive Committee has been discussing the possibility of restoring categories of advisory members of the council. After much discussion, the recommendation is to restore limited categories of advisory members to include the presidents (or a designated representative) of ELCA ethnic associations and a representative of Reconciling Works, an Independent Lutheran Organization (ILO) working for full inclusion of LGBTQIA+ Lutherans in this church. This continuing resolution would also allow for status of the categories of advisory membership to be reviewed each triennium.

Church Council action [two-thirds approval]:

To adopt the following amendment to the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*:

- 14.33.A22. *The Church Council shall have as advisory members each president, or the designated representative of the president, of the ELCA ethnic associations, as well as a representative of Reconciling Works. Advisory membership of the Church Council shall be reviewed each triennium.***

B. CONTRACT FOR DIVERSITY, EQUITY, INCLUSION, AND ACCESSIBILITY ELCA GOVERNANCE AUDIT

Churchwide Assembly Action [CA22.04.26]

To receive with gratitude the memorial on “Audit of Constitutions, Bylaws, and Continuing Resolutions of the ELCA” from the Northwest Washington Synod;

To authorize the Church Council to determine the parameters and the expense budget of this process and identify the revenue source(s) to provide for this audit;

To direct the Church Council to engage an external auditor to conduct a comprehensive audit for diversity, equity, inclusion, and accessibility of the Constitutions, Bylaws, and Continuing Resolutions of the ELCA and related governance documents and present a report of the findings by the Fall 2023 Church Council meeting;

To direct the Church Council to release the findings of the audit to this church; and

To direct the Legal and Constitutional Review Committee to use the findings of this audit to recommend changes to the governing documents to the 2025 Churchwide Assembly.

Church Council Action:

To approve the engagement of Fox Swibel Levin & Carroll LLP to perform a diversity, equity, inclusion, and accessibility audit of the *Constitution, Bylaws, and Continuing Resolutions of the ELCA*, the *Roster Manual*, the *ELCA Church Council Governance Policy Manual*, and the *Definitions and Guidelines for Discipline*, with the total cost not to exceed \$100,000.

C. RECONSIDERATION OF HUMAN SEXUALITY: GIFT AND TRUST

Churchwide Assembly Action [CA22.01.07]

To receive with gratitude the memorials on “Review and Revision of LGBTQIA+ References in the ELCA Social Statement *Human Sexuality: Gift and Trust*” from the Greater Milwaukee Synod, Southeastern Synod, and Florida-Bahamas Synod;

To authorize a social statement reconsideration to revise *Human Sexuality: Gift and Trust* (2009) so that its wording reflects current church understanding, church policy, civil law, and public acceptance of marriage of same-gender and gender non-conforming couples in accordance with “Policies and Procedures of the ELCA for Addressing Social Concerns” (2018). While references would be reviewed throughout the whole statement, the following sections are designated for reconsideration as described here:

- “Marriage: shelter and context for trust” p.15. This would not reconsider the idea of marriage as shelter and context for trust but would consider the import that marriage legally is now a covenant between two individuals;
- “Lifelong, monogamous, same-gender relationships” p.18f. Revision here would not change this church’s current understanding that recognizes four identified positions of bound conscience within its life. p.19, but would review wording about “publicly accountable, lifelong monogamous same-sex relationships” in light of public acceptance of marriage of same-gender and gender-non-conforming couples;
- “Loving families: ground and source for social trust” p.21f. Review here would consider references to diversity of family configurations; and

To authorize the Office of the Presiding Bishop and Church Council to approve the parameters and expense budget of this process and identify the revenue source(s) to provide for this revision to be considered as early as the 2025 Churchwide Assembly.

Churchwide Assembly Action [CA22.03.23]

To authorize a possible revision of the social statement on *Human Sexuality: Gift and Trust* which reconsiders the church’s current concept of the four positions of bound conscience. This revision would focus on pages 19-21 (“lifelong, monogamous, same-gender relationships) and any other references to the four positions of bound conscience.

Church Council action:

To direct the Office of the Presiding Bishop to manage the initiation of work on the reconsideration of *Human Sexuality: Gift and Trust* (2009), per authorization of the 2022 Churchwide Assembly, by delaying task force initiation to 2024 due to timing, budgetary, and leadership capacity demands.

D. CHURCHWIDE ORGANIZATION PERSONNEL POLICIES

Churchwide Assembly Action [CA22.03.14]

To receive with gratitude the memorials from the Delaware-Maryland Synod, Southwest California Synod, and Northwestern Ohio Synod concerning separation agreements;

To affirm the commitment of the churchwide organization of the ELCA to limit the use of non-disclosure provisions to the small minority of cases in which they are truly necessary to protect confidential and sensitive materials related to donors, personnel, legal, information technology, and similar categories;

To urge synods, congregations, agencies, institutions, and other parts of the ELCA to limit the use of non-disclosure agreements to the small minority of cases in which they are truly necessary and not to use such agreements as a matter of course or in the termination of calls of rostered ministers; and

To direct the Church Council to update the “Churchwide Organization Personnel Policies” to appropriately limit the use to non-disclosure agreements consistent with these memorials.

Executive Committee Action [EC22.09.23b7]

To refer the 2022 Churchwide Assembly action on “Separation Agreements” to the Office of the Presiding Bishop, in consultation with the Office of the Secretary, to update the “Churchwide Organization Personnel Policies” to appropriately limit the use of non-disclosure agreements consistent with the memorials; and

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

Response from the Office of the Presiding Bishop and the Office of the Secretary (November 2022)

The updated Personnel Policies are as follows:

10.7 Non-Disclosure Provisions

The ELCA limits the use of non-disclosure provisions to the small minority of cases in which they are truly necessary to protect confidential and sensitive materials related to donors, personnel, legal, information technology, and similar categories of information.

Church Council Action:

To approve the amended Churchwide Organization Personnel Policies; and

To authorize the Office of the Secretary to make any necessary editorial corrections for accuracy.

E. FORTIFYING URBAN MINISTRIES IN UNDERSERVED URBAN AREAS MEMORIAL

Churchwide Assembly Action [CA22.01.08]

To receive with gratitude the memorial on “Fortifying Ministries in Underserved Urban Areas” from the

Southeastern Pennsylvania Synod;

To affirm the strategic direction of the ELCA Fund for Leaders ministry to enhance the capacity of people of color through its disbursement of scholarships to Theological Education for Emerging Ministries candidates;

To refer this memorial to the Congregational Vitality Training and Development Team in the Christian Community and Leadership home area to create a churchwide Urban Ministry group, in partnership with the appropriate leaders in the Southeastern Pennsylvania Synod, to accompany ELCA synods in their urban strategies that lead to the enhancement of congregational vitality and ministry sustainability in the urban context. The group will 1) collaborate with other studies already underway, 2) resource synods by gathering best practices in urban ministry and emerging ideas in the care and creative use of church facilities, 3) identify supportive networks within this church and among ecumenical partners, and 4) encourage piloting innovative ways to address the realities and complexities of urban ministry, including enhancing urban internship opportunities. The group may consider additional topics as needed;

To request that the churchwide Urban Ministry group consult with and provide regular reports to the Church Council to ensure that the purposes and objectives of this memorial are being fulfilled; and

To provide a final report to the 2025 Churchwide Assembly on the results of its study, new urban initiatives, and ways for this church to fortify the witness and service among people and communities in underserved urban areas.

Executive Committee Action [EC22.09.23b3]

To refer the 2022 Churchwide Assembly action on “Fortifying Urban Ministries in Underserved Urban Areas” to the Christian Community and Leadership home area for a report or for a timeline on when this will receive further attention; and

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

Response from the Christian Community and Leadership home area (November 2022)

The responsibility for the implementation of this memorial has been assigned to the Christian Community and Leadership (CCL) home area. The Rev. Sandra Chrostowski, senior director, Congregational Vitality, and New Ministry Training and Development, and the Rev. Ruben Duran, senior advisor for New Ministry Development, have been appointed as conveners of a churchwide organization group to address this memorial on Urban Ministry, in partnership with leaders in the Southeastern Pennsylvania Synod who sent this memorial forward and who also passed a similar resolution on urban ministry for their synod.

Two initial action steps have been taken:

1. An initial consultation with the Southeastern Pennsylvania Synod staff has taken place. The synod has appointed the Rev. Regina Goodrich, pastor of Mediator Lutheran Church, Philadelphia, Penn. and dean of the synod’s Central Conference, and the Rev. Brian Penman, the synod’s director for evangelical mission, as *ad hoc* members of the Synod Task Force for Urban Ministry. They are identifying members for this task force and are planning to meet for the first time in early November.
2. Pastors Chrostowski and Duran have begun to develop criteria for the selection of participants for the churchwide group on Urban Ministry including representation from the Southeastern Pennsylvania Synod leadership. The intention is to have group membership finalized in December and to begin convening in early 2023.

Church Council Action:

To receive the response on “Fortifying Urban Ministries in the Underserved Urban Areas” from the Christian Community and Leadership home area;

To request a progress report on the work by the Spring 2024 Church Council meeting; and

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

F. EQUITY AND CLARITY IN THE MISSION DEVELOPMENT PROCESS

Churchwide Assembly Action [CA22.01.10]

To receive with gratitude the memorial on “Equity and Clarity in the Mission Development Process” from the Delaware-Maryland Synod;

To refer this memorial to the Congregational Vitality Training and Development team in the Christian Community and Leadership home area to establish a working group in partnership with the appropriate leaders in the Delaware-Maryland Synod to study and refine current ELCA guidelines and systems for appointments, calls, funds, and support mechanisms for mission developers and new ministries; and

To request that the working group consult with and provide regular reports to the Church Council beginning by Fall 2023 to ensure that the purposes and objectives of this memorial are being fulfilled.

Response from the Christian Community and Leadership home area (November 2022)

The ELCA Christian Community and Leadership home area Congregational Vitality Training and Development Team leaders have contacted Delaware-Maryland Synod staff to create a working group in partnership with Delaware-Maryland Synod leaders who composed this memorial. The Rev. Sandra Chrostowski, senior director, Congregational Vitality, and New Ministry Training and Development, and the Rev. Ruben Duran, senior advisor for New Ministry Development, have been appointed as conveners of this working group, which will identify partners across this church for consultation and collaboration with the goal of scheduling an online meeting during the first quarter of 2023.

This working group will study and refine current ELCA guidelines and systems in place for appointment, calls, funding, and support mechanisms for mission developers and new ministries. The working group will also provide regular reports, beginning at the Fall 2023 Church Council meeting, to ensure that the purposes and objectives of this memorial are being fulfilled.

Church Council Action:

To receive the progress report on “Equity and Clarity in the Mission Development Process” from the Christian Community and Leadership home area;

To request a progress report on the work by the Fall 2023 Church Council meeting; and

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

G. GREENHOUSE GAS REDUCTION

Churchwide Assembly Action [CA22.04.25]

To receive with gratitude the memorials from the Oregon Synod, Southwest California Synod, Northeastern Minnesota Synod, Minneapolis Area Synod, Saint Paul Area Synod, Southwestern Texas Synod, Northern Illinois Synod, Northeastern Iowa Synod, East-Central Synod of Wisconsin, Greater Milwaukee Synod, North/West Lower Michigan Synod, New England Synod, Northeastern Pennsylvania Synod, Northwestern Pennsylvania Synod, Central States Synod, and Delaware-Maryland Synod concerning greenhouse gas reduction;

To reaffirm the commitment of this church to engage in creation care and advocacy based on the principles of sufficiency, sustainability, participation, and solidarity;

To reaffirm the commitment of this church to advocacy and action in support of 50% reduction from 2005 levels in United States economy-wide net greenhouse gas pollution by 2030 and achieve net-zero emissions by 2050;

To direct the ELCA Churchwide organization to set the goal of reducing its net greenhouse gas pollution 50% by 2030, and achieve net-zero emissions by 2050;

To urge the churchwide organization to continue its network ministry through the Creation Care Network to inform and guide this church in its efforts to reduce greenhouse gas emissions;

To encourage congregants, rostered ministers, and bishops to commit themselves to education about the urgency of the climate emergency, the global opportunities of a just transition and to lift up loving our neighbor in response to the climate emergency through their preaching;

To affirm the Mission Investments Fund’s “Green Building” initiative and resources, and to encourage continued commitment to supporting ministries in caring for creation and addressing climate change;

To refer to the Service and Justice home area, Office of the Treasurer, Office of the Secretary, and Office of the Presiding Bishop, for implementation consistent with the memorials; and

To request the churchwide organization provide a report to the 2025 Churchwide Assembly assessing the progress in reducing greenhouse gas emissions across all three expressions and sharing lessons learned to help meet reduction goals.

Executive Committee Action [EC22.09.23b2]

To refer the 2022 Churchwide Assembly action on “Greenhouse Gas Reduction” to the Service and Justice home area, in consultation with the Office of the Treasurer, Office of the Secretary and Office of the Presiding Bishop, for a report or for a timeline on when this will receive further attention; and

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

Response from the Service and Justice home area (November 2022)

Climate change is one of the most pressing issues facing all of God’s creation. Leading scientists from around the world have confirmed that global average temperatures are growing warmer due to increasing levels of carbon dioxide and other heat-trapping gases in the Earth’s atmosphere. Human use of fossil fuels that release carbon dioxide and other “greenhouse” gases (GHGs) into the air is the main source of the increase in these gases. As levels of carbon dioxide and other GHGs increase, more and more of the sun’s heat is trapped by the atmosphere and less escapes back

into space. The increase in trapped heat changes the climate, causing altered weather patterns, including multi-year droughts, extreme storms, flooding, and rising sea levels.

The memorials direct the ELCA churchwide organization (CWO) to establish targets to reduce its greenhouse gas emissions by at least 50% by 2030, and achieve net-zero emissions by 2050. This target is consistent with the Intergovernmental Panel on Climate Change (IPCC) 2018 report that states that, in order to prevent the worst climate damages, global net human-caused emissions of carbon dioxide (CO₂) need to fall by about 45% from 2010 levels by 2030, reaching net zero around 2050. The ELCA has supported these targets in its advocacy and creation care education work.

Representatives of the Service and Justice home area, the Office of the Treasurer, the Office of the Secretary, and the Office of the Presiding Bishop met to discuss implementation of the memorial directive. This discussion noted that the CWO has already achieved reductions through reduced travel, more online collaboration, and hybrid work plans. The work to establish a 2005 baseline and to create emission and energy use reduction targets will require expertise beyond current churchwide staff capacity. Funding for a half-time position has been set aside in the Service and Justice home area, beginning in 2023. The CWO sees this initiative as a witness to ELCA commitments to care for creation, and an initiative that can model what synods and congregations can do. The CWO supports the reconstituting of the Creation Care Network that is currently underway.

A progress report will be made to the 2025 Churchwide Assembly.

Church Council Action:

- To receive the response on “Greenhouse Gas Reduction” from the Service and Justice home area;**
- To urge the churchwide organization to continue its efforts to reduce its greenhouse gas emissions and commend it for its initiatives and commitments to creation care and environmental advocacy;**
- To request a progress report be provided by the Spring 2025 Church Council meeting with a report expected for the 2025 Churchwide Assembly; and**
- To request that the secretary inform the synods of this action.**

H. VOTING RIGHTS AND D.C. STATEHOOD

Churchwide Assembly Action [CA22.01.05c]

To receive with gratitude the memorial on “Voting Rights and D.C. Statehood” from the Metropolitan Washington, D.C., Synod;

To request that the presiding bishop communicate this church’s support for statehood for the District of Columbia to the United States Congress;

To direct the ELCA Witness in Society team in the Service and Justice home area to promote opportunities for education and advocacy regarding statehood for Washington, D.C.;

To direct the ELCA Witness in Society team to listen to and support calls for self-determination for American Indian and Alaska Native Tribal Nations, Puerto Rico, the U.S. Virgin Islands, and other U.S. territories and to act on requests related to these matters from the Caribbean Synod and the ELCA director for Indigenous Ministries and Tribal Relations; and

To encourage all ELCA synods, congregations, and members to inform and educate themselves about ELCA social teaching and witness in society on voting access and voting rights.

Executive Committee Action [EC22.09.23b1]

To refer the 2022 Churchwide Assembly action on “Voting Rights and D.C. Statehood” to the Service and Justice home area for a report or for a timeline on when this will receive further attention; and

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

Response from the Service and Justice home area (November 2022)

As a church body, the ELCA uses its voice to address important policy issues that affect the well-being of people and communities, including promotion of civic engagement and the right to vote. The ELCA has consistently expressed its support for full representation of all people in political processes and decision making as a matter of fairness and civil rights. The ELCA social statement *The Church in Society: A Lutheran Perspective* (1991) states, “Along with all citizens, Christians have the responsibility to defend human rights and to work for freedom, justice, peace, environmental well-being, and good order in public life. They are to recognize the vital role of law in protecting life and liberty and in upholding the common good. Christians need to be concerned for the methods and the content of public deliberation. They should be critical when groups of people are inadequately represented in political processes and decisions that affect their lives.” (p. 5) The ELCA social statement *Freed in Christ: Race, Ethnicity and Culture* (1993) states, “This church will support legislation, ordinances, and resolutions that guarantee to all persons

equally: civil rights, including full protection of the law and redress under the law of discriminatory practices; and to all citizens, the right to vote.” (p. 7)

Through the Witness in Society team, the ELCA Service and Justice home area will respond to the memorial “Voting Rights and D.C. Statehood” with the following steps:

1. Fall 2022: Consult with the Metropolitan Washington, D.C., Synod on the issue of statehood for the District of Columbia and collaborate with the synod on an action plan.
2. Fall 2022: Consult with the ELCA director for Indigenous Ministries and Tribal Relations and with the Caribbean Synod regarding the resolve “to direct the ELCA Witness in Society team to listen to and support calls for self-determination for American Indian and Alaska Native Tribal Nations, Puerto Rico, the U.S. Virgin Islands, and other U.S. territories and to act on requests related to these matters from the Caribbean Synod and the ELCA director for Indigenous Ministries and Tribal Relations.”
3. 2023: Determine opportunities for education and advocacy on voting rights, representation and statehood in the District of Columbia, including opportunities for timely communication from the Presiding Bishop to the United States Congress.
4. 2023: Continue to promote and encourage civic engagement in the ELCA, including through the ELCAvotes initiative.
5. Fall 2023: Report on memorial response to the ELCA Church Council.

Church Council Action:

**To receive the response on “Voting Rights and D.C. Statehood” from the Service and Justice home area;
To affirm the timeline proposed and to anticipate a report by the Fall 2023 Church Council meeting; and
To request that the secretary inform the synod of this action.**

I. RIGHT TO BOYCOTT

Churchwide Assembly Action [CA22.01.05e]

To receive with gratitude the memorials from the Metropolitan Chicago Synod and the New England Synod in relation to Palestinian human rights; and

To urge Presiding Bishop Elizabeth A. Eaton and ELCA members to call on the president of the United States and the U.S. Congress to oppose legislation penalizing or criminalizing support for nonviolent boycotts, divestment, and/or sanctions on behalf of Palestinian human rights.

Executive Committee Action [EC22.09.23b5]

To refer the 2022 Churchwide Assembly action on “Right to Boycott” to the Office of the Presiding Bishop and Service and Justice home area for a report or for a timeline on when this will receive further attention; and

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

Response from the Office of the Presiding Bishop and Service and Justice home area (November 2022)

The Public Messages Working Group, an internal churchwide organization working group, reviewed the request for the presiding bishop and ELCA members to call on the U.S. President and Congress to oppose legislation penalizing or criminalizing support for nonviolent boycotts, divestment, and/or sanctions on behalf of Palestinian human rights.

Given the current election cycle, staff recommend the request be postponed until the new Congress is in session. The intention would be to link an ELCA letter with ecumenical efforts or with a calendar event like a United Nations day or discussion. In preparation, a template and initial draft will be undertaken so the letter may be quickly edited and released when the timing is appropriate. Church Council can expect a report on the outcomes by the April 2024 meeting.

Church Council Action:

**To receive the timeline on “Right to Boycott” from the Office of the Presiding Bishop and Service and Justice home area;
To request a report be provided by the April 2024 Church Council meeting; and
To request that the secretary inform the synod of this action.**

J. UNALTERED AUGSBURG CONFESSION

Churchwide Assembly Action [CA19.02.09q]

To receive with gratitude the memorials from the Allegheny and Southeastern synods concerning renewed awareness and use of the Unaltered Augsburg Confession; and

To refer the proposed actions to the Office of the Presiding Bishop, in consultation with 1517 Media, Mission Advancement unit and other units, for additional analysis and planning in the churchwide organization for a report and possible recommendations to the Church Council.

Executive Committee action [EC19.09.28.a11]

To request that the Office of the Presiding Bishop, in consultation with 1517 Media and other appropriate churchwide organization units, provide a report or a timeline on when the Unaltered Augsburg Confession will receive further attention; and

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

Church Council action [CC19.11.47u]

To receive the response on “Unaltered Augsburg Confession” from the Office of the Presiding Bishop;

To request that a report with possible recommendations be provided to the Church Council’s Spring 2021 meeting; and

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

Response from the Office of the Presiding Bishop (April 2021)

Over the past 18 months, the focus of the work of the Office of the Presiding Bishop related to the 500th anniversary of the Reformation has been the 2020 initiatives on Luther’s “The Freedom of a Christian.” 1517 Media generously made a .pdf of the treatise freely available to accompany a study guide and compendium of case studies developed and published at elca500.org A number of public events drew upon these resources and themes.

Consideration is currently being given to marking the 500th anniversary of the Diet of Worms this year.

Given these projects, an extension is requested for the work detailed in the November 2019 report. As this church journeys toward the anniversary of the Augsburg Confession in 2030, the Rev. Marcus Kunz (executive, discernment of contextual and theological issues) will serve as the facilitator for processes and consultations that will:

- clarify or define the purpose of any organized action by the churchwide organization in the years leading to the 500th anniversary of the Augsburg Confession;
- assess what resources already are or will be available and what activities will likely be planned and undertaken by other organizations (for example, resources already available or planned by the ELCA publishing house; activities that may be undertaken by theological faculties and/or ecumenical groups, the work of the Lutheran World Federation and the 13th assembly in 2023);
- consider which, if any, of the actions requested in the memorials are appropriate for the churchwide organization to undertake itself or to coordinate with or among others, and considering what other actions related to the Augsburg Confession may be beneficial;
- give full attention to the letter and spirit of the ELCA’s representational principles in any and all related processes and consultations; and
- make a progress report with possible recommendations for next steps to the Fall 2022 Church Council meeting.

Church Council action [CC21.04.06u]

To receive the response on “Unaltered Augsburg Confession” from the Office of the Presiding Bishop;

To request that a progress report with possible recommendations be provided to the Fall 2022 Church Council meeting; and

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

Response from the Office of the Presiding Bishop (November 2022)

Two synod memorials presented to the 2019 Churchwide Assembly proposed actions throughout the ELCA and its interdependent institutions as well as among its members that would:

- raise awareness of the Unaltered Augsburg Confession more widely in the church;
- renew attention in seminary education; and
- develop resources for use in classrooms and congregations.

These actions would be encouraged and supported by the churchwide organization in anticipation of the 500th anniversary of the Augsburg Confession in 2030. The proposals specifically requested wider and easier availability of the English translations of both the German and Latin texts included in *The Book of Concord*, edited by Robert Kolb and Timothy Wengert. In follow-up conversation with the primary authors of the synod memorial from the Allegheny Synod, they said they understand this proposal to be comparable to Bishop Eaton’s invitation to study the Small Catechism in 2016-2017 in connection with the 500th anniversary of the Reformation.

Although the memorials were referred to the churchwide staff for additional study and possible recommendations, some actions have already been initiated with others. For a full account of the actions and consultations, please refer to the Unaltered Augsburg Confession Report.

If the Church Council and/or Office of Presiding Bishop decide to proceed with the proposed actions of the memorial, some immediate next steps could include:

- a. Designating staff who will exercise responsibility for tasks and outcomes:
 - i. a point person and/or “realizer” who will have primary responsibility
 - ii. a working group of other staff with expertise, experience, and relationships needed for implementation
- b. Selecting an advisory group (beyond churchwide staff) to assist with assessment, networking, decision-making and planning
- c. Continuing consultations with individuals and at least 2-4 more small groups
- d. Making initial decisions regarding:
 - i. the purpose, goals, and scope of activities for this project
 - ii. the scope and posture of the churchwide staff’s role (assuming that other groups and individuals will take their own initiatives), hopefully with attention to the insights expressed in this initial round of consultation (above)
- e. Clarifying what resources (budget, personnel, etc.) will be available for this project
- f. Taking inventory of existing material resources and making an initial assessment of their usability, accessibility, and limitations
- g. Taking inventory of individuals and groups in the ELCA, LWF and beyond who can collaborate productively. A networking session (workshop) at next summer’s Rostered Ministers Gathering would be one opportunity.
- h. Beginning exploration and development of resources, including resource persons, other than traditional classroom-type materials and methods (assuming that the traditional materials and methods will also be available).

Church Council Action:

**To receive the response on “Unaltered Augsburg Confession” from the Office of the Presiding Bishop;
To support the actions identified in the memorials to raise awareness of the Unaltered Augsburg Confession more widely in the church, renew attention of the Augsburg Confession in seminary education, and develop resources for use in this church’s congregations, synods, and institutions;
To affirm the steps proposed by the Office of the Presiding Bishop to fulfill the actions; and
To request that the secretary inform the synods of this action.**

K. SALARY EQUITY IN THE ELCA

Churchwide Assembly Action [CA22.01.11]

To receive with gratitude the memorial on “Salary Equity in the ELCA” from the Delaware-Maryland Synod;

To refer the memorial to the Church Council to consider commissioning a study of pay gaps for rostered ministers in the ELCA, particularly as they relate to women, people of color, minority ethnic groups, people with disabilities, and the LGBTQIA+ community, and to consider using such a study not only for the purposes described in this memorial but also for the study of inequitable compensation of clergy of color previously called for by the Church Council (CC19.06.23.), for the Quality of Call Initiative for Women in Ministry, for the study of educational debt, and for such other purposes as might serve the needs of this church;

To encourage Portico Benefit Services and the Churchwide organization to make appropriate changes to their bylaws and data privacy policies in order to facilitate a deeper understanding of compensation patterns for rostered ministers;

To replace the “Current gross compensation” question from the Rostered Minister Profile with “Minimum Compensation for Next Call;”

To amend the “Current Health Benefits” question to read “Needed Health Benefits;” and

To remove the “Current Retirement Contribution” question from the Rostered Minister Profile.

Executive Committee Action [EC22.09.23b4]

To refer the 2022 Churchwide Assembly action on “Salary Equity in the ELCA” to the Office of the Secretary, in consultation with the Office of the Presiding Bishop and Christian Community and Leadership home area, for a report or for a timeline on when this will receive further attention; and

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

Response from Christian Community and Leadership and the Office of the Secretary (November 2022)

As the memorial from the Delaware-Maryland Synod pointed out, there is evidence that across society and in churches there exist pay gaps that affect equity for women, people of color, minority ethnic groups, people with disabilities, people who are marginalized or living in poverty, and the LGBTQIA+ community. One serious difficulty the ELCA faces in determining the extent to which inequity exists in compensation for rostered ministers, however, is that data on compensation has been extremely difficult to come by. The churchwide organization holds no data on compensation for rostered ministers. While Portico Benefit Services has salary and retirement contribution data for those rostered ministers who are sponsored in its plans, there are challenges that have hindered sharing of data, including the fact that Portico is bound by federal privacy laws as a fiduciary agent, as well as the reality that it has been bound by its own bylaws and policies that protect the privacy of plan participants. There is the additional complication that, while a large majority of rostered ministers are sponsored through Portico, it is likely that a number of those who serve smaller congregations or those with fewer financial resources are not sponsored, and thus would not be included in any information that Portico might be able to share. Furthermore, Portico does not maintain ethnicity data on its members, and the data in the churchwide database of rostered ministers is often incomplete concerning ethnicity. Neither Portico nor the churchwide organization maintain information on rostered ministers' identification as LGBTQIA+, gender is recorded primarily on the binary with the possibility of a rostered minister to report gender only as "other," and no information on disabilities is tracked by the churchwide organization for ministers on the active rosters.

Conversation has begun about the study called for by the 2022 Churchwide Assembly and how the churchwide organization can most efficiently and effectively gather information that will serve the needs of the various studies already underway or about to get underway (as listed in the assembly's action) that intersect with questions of compensation and equity. Adam DeHoek, ELCA congregation statistics analyst, will serve as a liaison to help ensure that there are efficiencies in data collection and reporting and that the various groups are sharing information across the studies. A timeline for the study will be reported at the Spring 2023 Church Council meeting.

Portico has asked for bylaw changes that the Church Council is being asked to approve at this meeting that would allow it to share compensation data for sponsored rostered ministers, which has been a challenge for such research in the past. The churchwide organization is working on data sharing policy revisions, and, working with Information Technology (IT), is completing a new quarterly report that will give Portico more of the information they need and that will allow for data matching to enable the churchwide organization to pull useful conclusions from compensation data provided by Portico.

The various changes to the Rostered Minister Profile (RMP) compensation questions that the assembly called for have been addressed and are currently in production for release in the very near future.

Church Council Action:

- To receive the progress report on "Salary Equity in the ELCA" from the Office of the Secretary;**
- To request a report on the consideration of a study identified in the memorial by the Spring 2023 Church Council meeting; and**
- To request that the secretary inform the synod of this action.**

L. NOMINATIONS AND ELECTION PROCESS

Submitted by: The Rev. Kathy Gerking [Nebraska Synod, 4A]

RESOLVED, that the Church Council appoint a Task Force to explore and analyze nomination and election processes used by synods and the churchwide organization, including but not limited to the ecclesiastical ballot, in order to determine best practices and to make practical recommendations concerning options for the selection of all synod and churchwide officers; and be it further

RESOLVED, that the Task Force report to the Conference of Bishops and Church Council in sufficient time that potential governing document amendments and/or a report on best practices can be prepared in time for the 2025 Churchwide Assembly.

Churchwide Assembly action [CA22.04.27]

To adopt Motion I as submitted.

Executive Committee action [EC22.09.23b11]

To refer the 2022 Churchwide Assembly action on "Motion I: Nominations and Elections Process" to the Office of the Secretary for a report or a timeline on when this will receive further attention.

Response from the Office of the Secretary (November 2022)

The Office of the Secretary plans to provide a report to the Church Council in November 2023, with a final report and recommendations to be brought to the Church Council at its November 2024 meeting.

Church Council Action:

To receive the timeline on “Motion I: Nominations and Elections Process” from the Office of the Secretary on when the resolution will receive further attention; and

To request a progress report by the Fall 2023 Church Council meeting, with a final report and recommendations by the Fall 2024 Church Council meeting.

M. PROCESS AND TIMELINE TO ESTABLISH COMMISSION FOR A RENEWED LUTHERAN CHURCH

Churchwide Assembly Action [CA22.01.06]

To receive with gratitude the memorials from the Northern Texas-Northern Louisiana Synod, Metropolitan Chicago Synod, Northeastern Ohio Synod, Northwestern Pennsylvania Synod, Southwestern Pennsylvania Synod, Allegheny Synod, Lower Susquehanna Synod, Delaware-Maryland Synod, Metropolitan Washington, D.C., Synod, and West Virginia-Western Maryland Synod concerning the restructure of the ELCA’s governance; and

To direct the Church Council to establish a Commission for a Renewed Lutheran Church comprised of leaders of diverse representation from all three expressions that, working in consultation with the Conference of Bishops and the Church Council, shall reconsider the statements of purpose for each of the expressions of this church, the principles of its organizational structure, and all matters pertaining thereunto, being particularly attentive to our shared commitment to dismantle racism, and will present its findings and recommendations to the 2025 Churchwide Assembly in preparation for a possible reconstituting convention to be called under the rules for a special meeting of the Churchwide Assembly.

Church Council Action:

To establish a Commission for a Renewed Lutheran Church consisting of no more than 35 voting members, directing the Executive Committee of the Church Council to initiate the process of forming the commission, fulfilling the responsibilities of the Church Council related to nominations in accordance with 14.41.01.c., and receiving nominations to fill positions allocated in the following manner:

- **3 voting members from each region for a total of 27, two of whom will be selected from nominations received by each Synod Council or Synod Council Executive Committee and one of whom will be received through an open nomination process;**
- **Each Synod Council or Synod Council Executive Committee will be invited to submit two potential nominees;**
- **Up to 8 at-large voting members will be selected from either the synod nominations or the open nomination process;**

To populate the commission according to the representational principles of this church, requiring that at least 25% of the commission be persons of color/primary language other than English; and striving for at least 20% of members to be youth/young adults;

To request the nomination process be completed prior to the April 2023 Church Council meeting, presenting a slate of nominees to the Church Council for action; and

To invite this church to join us in prayer as this church embarks on this process of renewal.

II. CHURCH COUNCIL RESPONSES TO SYNOD RESOLUTIONS

A. ADDRESSING ANTI-SEMITISM IN LECTIONARY READINGS

Northern Illinois Synod (5B) [2021]

WHEREAS, anti-Semitic words, deeds, and attitudes do real harm to our Jewish neighbors; and

WHEREAS, the ELCA has repudiated anti-Semitism and expressed its desire to live in “love and respect for the Jewish people” (“Declaration to the Jewish Community,” 1994); and

WHEREAS, passages of the New Testament which can be interpreted as anti-Jewish or supersessionist (i.e. supporting the idea that God has rejected the Jews) are included in our lectionary; and

WHEREAS, in the time in which the New Testament was written, the word Ἰουδαῖοι (ee-oo-DIE-oy), was used as a marker of geographic and ethnic identity (that is, it denoted people from Judaea as distinct from Galilee, Samaria, or other parts of the world) and “Israelite” was used to identify the people who worshiped the God of Israel wherever they lived, that is the people whom we today would identify as “Jewish;” and

WHEREAS, the word “Jews” in the New Testament is usually an inaccurate translation of the Greek Ἰουδαῖοι, and

WHEREAS, the preferred translation used by Augsburg Fortress is the NRSV, which uses the inaccurate and potentially harmful translation “Jews” in almost every instance; therefore, be it

RESOLVED, that the preachers and teachers of the Northern Illinois Synod be encouraged to address the issues of anti-Semitism and anti-Jewish theology (such as the teaching that the Jewish people are responsible for the death of Jesus and/or the idea that God has rejected the Jews); and, be it further

RESOLVED, that preachers, teachers, and lectors of the Northern Illinois Synod be encouraged, when reading in public, to substitute a more appropriate translation of Ἰουδαῖοι where the English translation uses the word “Jews.” Examples include “Judeans,” “Religious Leaders,” and “locals;” and, be it further

RESOLVED, that the Northern Illinois Synod Assembly direct the Synod Council to forward this resolution to the Church Council’s Executive Committee for referral and disposition to the appropriate unit or office of the churchwide organization in accordance with the bylaws and continuing resolutions of this church in order to address the issues of anti-Jewish language in this church’s lectionary and teaching materials.

Executive Committee Action [EC22.06.19c5]

To refer the “Addressing Anti-Semitism in Lectionary Readings” resolution from the Northern Illinois Synod to the Worship Team in the Christian Community and Leadership home area, in consultation with the Office of the Presiding Bishop, for a report or for a timeline on when this will receive further attention; and

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

Response from the Christian Community and Leadership home area (November 2022)

The concern about anti-Jewish interpretations of biblical texts is not new and remains an important challenge for this church to address. Two issues are often at play. One is interpretation of translations of biblical texts (as this resolution identifies) and the other is how the readings are grouped together for public worship, for example in the Revised Common Lectionary.

Several resources are already available to help guide worship planners and preachers in navigating these important concerns. “Preaching and Teaching with Love and Respect for the Jewish People” is recently available from the ELCA Consultative Panel on Lutheran-Jewish Relations. This resource explores challenging topics, lectionary selections, and Bible passages to inform Christian preaching and teaching so that they respect the integrity of the Jewish tradition and avoid anti-Jewish interpretations of New Testament texts. Another key resource developed by the panel is “Talking Points: Topics in Christian-Jewish Relations,” especially #5 on “Difficult Texts.”

An essay titled, “*The Jews*” in *John’s Passion*, was published in the 2020 edition of the Sundays and Seasons worship planning resource from Augsburg Fortress. This essay includes an emended translation of the passion according to John for use on Good Friday. This essay and emended text are now available both on sundaysandseasons.com and on ELCA.org.

Similar emendation principles were used in *Readings for the Assembly*, a three-year lectionary resource published in 1995–1997. An emended edition of *Readings for the Assembly* is being made available on sundaysandseasons.com for provisional use beginning this Advent. The Principles for Emendation note alignment with guidance on “Language and the Christian Assembly” in the 2002 ELCA document *Principles for Worship*, the updated edition of the NRSV (NRSVue) published in 2021, and follow the encouragement of *Faith, Sexism, and Justice: A Call to Action* (2019).

Ecumenical and full communion partners are having similar conversations regarding anti-Jewish interpretations of biblical readings. The Episcopal Church at its general convention in July 2022 adopted a resolution that calls for a task force “to address both the anti-Semitic, anti-Jewish or supercessionist impact of lectionary readings, especially for Holy Week, and to develop proposals to mitigate that impact.” The ELCA is a member of the Consultation on Common Texts (CCT), which is an ecumenical consultation of liturgical scholars and denominational representatives from the United States and Canada. The CCT was instrumental in the development of the Revised Common Lectionary. Ongoing conversation with these groups, and others, will be important as the ELCA considers future recommendations. The ELCA Consultative Panel on Lutheran-Jewish Relations is prepared to support ELCA Worship team’s participation in these efforts.

The ELCA Worship team will continue conversation with key stakeholders, such as the Worship Resource Development Working Group (the combined worship teams of the churchwide organization and 1517 Media/Augsburg Fortress), the Consultation on Common Texts; ecumenical partners such as The Episcopal Church, the Conference of Bishops; and, in consultation with the executive for Ecumenical and Inter-Religious Relations and Theological Discernment and the ELCA Consultative Panel on Lutheran-Jewish Relations. In addition, the ELCA Worship team and the Worship Development staff at 1517 Media/Augsburg Fortress will ensure these topics are addressed when considering future resources such as preaching helps and worship formation.

Church Council Action:

To receive the progress report on “Addressing Anti-Semitism in Lectionary Readings” from the Christian Community and Leadership home area;

To request an update be provided by the Spring 2024 Church Council meeting; and

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

B. LGBTQ+ PROGRAMMING FOR EVENTS

Metropolitan Washington, D.C., Synod (8G) [2022]

WHEREAS, the Evangelical Lutheran Church in America (ELCA) adopted the social statement *Human Sexuality: Gift and Trust* in 2009, providing guidance on how to live with our LGBTQ+ neighbors; and,

WHEREAS, the ELCA adopted in 1995 a social policy resolution that “gay and lesbian people, as individuals created by God, are welcome to participate fully in the life of the congregations” of the ELCA; and,

WHEREAS, the gatherings of the church (including, but not limited to, the National Youth Gathering) often include pre-gathering events or in-gathering sessions focused on specific communities; therefore, be it

RESOLVED, that the Metropolitan Washington, D.C., Synod in assembly direct the Metropolitan Washington, D.C., Synod Council to request the ELCA Church Council direct the appropriate churchwide offices develop LGBTQ-focused and LGBTQ-specific programming for use as pre-gathering events and in-gathering sessions whenever the gatherings of the church include such sessions for other communities.

Executive Committee Action [EC22.06.19c6]

To refer the “LGBTQ+ Programming for Events” resolution from the Metropolitan Washington, D.C., Synod in the Christian Community and Leadership home area for a report or for a timeline on when this will receive further attention; and

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

Response from the Christian Community and Leadership home area (November 2022)

Tammy Jones-West, interim program director for the ELCA Youth Gathering, has been apprised of this request for a pre-gathering of LGBTQIA2S youth. A response can be expected in first quarter 2023 for the 2024 ELCA Youth Gathering.

Church Council Action:

To receive the timeline on “LGBTQ+ Programming for Events” from the Christian Community and Leadership home area;

To request a response by the Spring 2023 Church Council meeting on LGBTQ-specific programming for pre-gathering events and in-gathering sessions for other communities; and

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

C. ELCA SUPPORT FOR THE ENERGY INNOVATION AND CARBON DIVIDEND ACT

Southeastern Iowa Synod (5D) [2022] (*The Office of the Secretary reclassified this memorial as a resolution.*)

WHEREAS, God created heaven and earth and everything therein and proclaimed it good (Gen 1:1ff); and God has entrusted humankind with the care of the earth (Gen 2:15); and

WHEREAS, the Evangelical Lutheran Church in America (ELCA) has adopted social statements, *Caring for Creation* (1993) and *Sufficient, Sustainable Livelihood for All* (1999) that call for economic and environmental justice, to protect the health and integrity of creation both for its own sake and for the use and enjoyment of present and future generations, and for economic justice, to consider how people’s actions affect the ability of all people to provide for their material needs and the needs of their families and communities; and

WHEREAS, in 1993 with the *Caring for Creation* social statement, ELCA Lutherans realized the urgency was already “widespread and serious, according to the preponderance of evidence from scientists worldwide [of] dangerous global warming, caused by the buildup of greenhouse gases, especially carbon dioxide” from the burning of fossil fuels, and that “action to counter degradation, especially within this decade, is essential to the future of our children and our children’s children. Time is very short;” and

WHEREAS, carbon pricing is one policy tool to reduce greenhouse gas emissions from fossil fuel combustion, which complements other tools like regulations on polluting industries and tax incentives encouraging investment in energy efficiency and renewable forms of energy production; and

WHEREAS, in January 2019, over 3,500 of the United States’ leading economists across the political spectrum, including 28 Nobel Laureates and 4 former chairs of the Federal Reserve, issued a joint “Economists’ Statement on Carbon Dividends” that argued “A carbon tax offers the most cost-effective lever to reduce carbon emissions at the scale and speed that is necessary,” but also recommended “the revenue should be returned directly to U.S. citizens through equal lump-sum rebates,” and concluded “The majority of American families, including the most vulnerable, will benefit financially by receiving more in ‘carbon dividends’ than they pay in increased energy prices;” and

WHEREAS, in 2019 the Churchwide Assembly received with gratitude a memorial from the South-Central Synod of Wisconsin regarding a Carbon Fee and Dividend, and the Church Council directed the Domestic Mission unit to develop “a plan that promotes educational resources on Carbon Fee and Dividend to assist in forming the basis for any potential advocacy strategy;” and

WHEREAS, in October 2019 ELCA Advocacy published a primer on “Carbon Pricing Basics” that provides an overview to the topic and identifies several principles rooted in ELCA social statements that “can move us toward the pressing goal of reduced GHG emissions and just application of that [carbon] pricing or policy”; and

WHEREAS, bipartisan members of congress conceived the “Energy Innovation and Carbon Dividend Act which has been successfully introduced in the last three sessions of Congress and which is broadly consistent with the following principles outlined in ELCA Advocacy’s “Carbon Pricing Basics” primer:

- Any carbon tax must be structured to respect the jeopardy of vulnerable populations and those living in poverty.
- Any carbon pricing mechanism must not be fiscally regressive but rather must respect vulnerable populations and those living in poverty.
- Emissions targets should be consistent with credible science and with the IPCC special report’s directive that global warming be kept at 1.5 degrees Celsius or less.
- An adjustment mechanism should be included in case the emissions targets are not being met.
- Federal agencies should not be prohibited from proposing new regulations on GHGs if such regulations are needed.
- An effective carbon tax must be applied to as many sectors as possible. Because of the global nature of the problem, border issues and trade policies must also be considered in designing the tax, so that problems aren’t remedied through workarounds.
- The process for identifying problems and implementing solutions in a carbon tax should be participatory and transparent for all stakeholders.
- The pricing mechanism itself should be transparent and accountable to government authority to ensure that goals are being met.
- Transparency and accountability should be built into the pricing mechanism.
- The mechanism for awarding rebates to individuals/households should reach the most vulnerable, regardless of income or citizenship.
- Existing environmental and climate change protections should not be rolled back. and,

WHEREAS, the Intergovernmental Panel on Climate Change (IPCC) recently noted in its sixth assessment report that: carbon taxes are the most powerful and efficient [mitigation strategy], because they allow firms and households to find the lowest-cost ways of reducing energy use and shifting toward cleaner alternatives . and

WHEREAS, the IPCC also emphasizes that “any further delay in concerted anticipatory global action on adaptation and mitigation will miss a brief and rapidly closing window of opportunity to secure a livable and sustainable future for all. ” and: “risks from mitigation costs could also be severe if no progressive redistribution from carbon pricing is applied...using tax revenues to issue payments back to taxpayers that are disproportionately impacted or to redistribute capital among regions may be one of the most important features of carbon tax policies.” Combined, these ideas advocate for a carbon tax with revenue distribution to citizens in legislation such as the Energy Innovation and Carbon Dividends Act. and,

WHEREAS, as Christians it is our responsibility to speak for future generations and to advocate for climate justice, and

WHEREAS, ELCA Advocacy does advocate for particular pieces of legislation after careful review and moral grounding in the ELCA’s social statements; therefore, be it

RESOLVED, that the Southeastern Iowa Synod Assembly memorializes the 2022 Churchwide Assembly of the Evangelical Lutheran Church in America to endorse the Energy Innovation and Carbon Dividends Act or similar legislation and direct its lobbying personnel to advocate for such legislation.

Executive Committee action (EC22.06.19c4a)

To refer the “ELCA Advocacy Support for the Energy Innovation and Carbon Dividend Act” resolution from the Southeastern Iowa Synod to the ELCA Witness in Society Team in the Service and Justice home area for further response related to endorsement of the legislation; and

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

Response from the Service and Justice home area (November 2022)

The urgent task of reducing greenhouse gas (GHG) emissions into the atmosphere requires multiple approaches, which include carbon pricing, setting emissions performance standards or GHG mitigation technologies. Carbon pricing is generally believed by economists as being the best tool for having the greatest impact in the near-term to spur GHG emission reduction mitigation efforts. Carbon pricing can take many forms, with the most familiar being an emissions trading system (ETS) or a carbon fee or tax.

The Witness in Society Team has developed a primer for ELCA members entitled “Carbon Pricing 101” with principles that provide a basis for ELCA evaluation of related legislation. The team has included carbon pricing as a topic in webinars, blog posts, and in creation of educational resources.

The resolution requests ELCA endorsement of a bill. Congressional offices may invite organizational endorsement of a bill to demonstrate support from civil society, with endorsers often listed at the introduction or during promotion of a bill. The ELCA rarely endorses legislation due to the probability that the provisions of a bill may change significantly over time and that there may be multiple bills on the same concern at once. Rather than

committing to a specific bill, the ELCA frames advocacy priorities by the principles or provisions that it seeks in legislation. When the ELCA does promote a bill, it prioritizes bills with bipartisan sponsorship. When the ELCA does support a specific bill, an action alert may be sent to invite the ELCA's advocacy network to contact Congress when a concerted push could help move a bill out of committee or to a vote.

The Energy Innovation and Carbon Dividend Act was introduced in the House of Representatives on April 1, 2021. It has 95 Democratic cosponsors and no Republican cosponsors. The bill has been referred to committee but has not received a hearing, indicating a lack of Congressional will to move the legislation forward. The ELCA's climate advocacy has focused instead on other climate-related legislation with greater promise to move forward. These efforts included the successful passage of the Infrastructure Act and the Inflation Reduction Act. These landmark pieces of legislation will have a transformational impact on U.S. carbon emissions and the effort to achieve net zero emissions by 2050. ELCA Witness in Society will continue to monitor legislative opportunities on carbon pricing in the next Congress.

Church Council Action:

To receive the response on “ELCA Advocacy Support for the Energy Innovation and Carbon Dividend Act” from the Service and Justice home area;

To affirm the Witness in Society Team's decision to not endorse the Energy Innovation and Carbon Dividend Act or similar legislation;

To direct the Witness in Society Team to continue its climate advocacy efforts on legislative opportunities that will have a transformational impact on U.S. carbon emissions and achieve net zero emissions by 2050; and

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

D. ELCA NAME CHANGE

Southwest California Synod (2B) [2022] *(The Southwest California Synod Assembly ran out of time to act on the “ELCA Name Change” as a memorial. Therefore, the Southwest California Synod Council has forwarded it to the Church Council for its action.)*

WHEREAS, the word “evangelical” appears in the name of our denomination (Evangelical Lutheran Church in America: ELCA) and our primary worship book (Evangelical Lutheran Worship: ELW); and

WHEREAS, the constituting members of the ELCA and the Commission for a New Lutheran Church which led into the ELCA's formation held to the historic view and value of the word “evangelical” as meaning “pertaining to the Gospel;” and

WHEREAS, the word “evangelical” was hoped to be maintained in its historic usage and sense at the time of the ELCA's formation; and

WHEREAS, the word “evangelical” has become culturally synonymous in the U.S. with a religious expression and belief that is not compatible with the ELCA; and

WHEREAS, the word “evangelical” in the U.S. now culturally refers to fundamentalist Christianity including many forms of exclusion which we find to be contrary to the “evangel” (gospel) including the ordination of women and LGBTQ persons; and

WHEREAS, the word “evangelical” is now representative of a narrow swath of conservative Christian denominations and sects rather than a broad notion of being Gospel-centric and inclusive of all persons; therefore, be it

RESOLVED that the word “evangelical” be discontinued in use and stricken from the name of our denomination and future books of worship; and be it further

RESOLVED that ELCA Church Council determine the nature of the transition in the use of the word “evangelical” in our denominational title leading up to the 2022 ELCA Churchwide Assembly; and be it further

RESOLVED that the Southwest California memorialize the ELCA 2022 ELCA Churchwide Assembly to discontinue the use the use of the word “evangelical” in our denomination name and to adopt a new name for the denomination which more faithfully reflects its identity in the U.S.

Executive Committee action [EC22.06.19c8]

To refer the “ELCA Name Change” resolution from the Southwest California Synod to the Office of the Presiding Bishop and the Office of the Secretary for a report or for a timeline on when this will receive further attention, particularly in light of certain memorials that are coming before the 2022 Churchwide Assembly; and

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

Response from the Office of the Presiding Bishop and Office of the Secretary (November 2022)

On April 6, 2018, *Living Lutheran* published an article written by the Rev. Robert C. Blezard titled, “The ‘e’ word: Why does the ELCA have the word “evangelical” in its name?” where he addressed the historical significance of using the word “evangelical” in this church's denominational name and the challenges of using a word where society and culture have shifted the word's original meaning.

In light of the pending work to be accomplished with the Commission for a Renewed Lutheran Church, the Office of the Presiding Bishop and the Office of the Secretary recommend that consideration of a denominational name change be given to the commission.

Church Council Action:

To receive the response on “ELCA Name Change” from the Office of the Presiding Bishop and Office of the Secretary;

To request the Commission for a Renewed Lutheran Church consider the question of whether the denomination name, “Evangelical Lutheran Church in America,” should be changed;

To anticipate a recommendation when the commission presents its findings for the 2025 Churchwide Assembly; and

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

E. ADOPTION OF GENDER-INCLUSIVE LANGUAGE

Southwest California Synod (2B) [2022] (*The Southwest California Synod Assembly ran out of time to act on the “Adoption of Gender-Inclusive Language” as a memorial. Therefore, the Southwest California Synod Council has forwarded it to the Church Council for its action.*)

WHEREAS, the Churchwide Assembly voted to accept the response to memorials about Gender Identity (Churchwide 2019 Assembly Action CA19.02.09 per Category 4: Gender Identity); and

WHEREAS, that we thank the Churchwide Assembly for accepting the Memorial from the Sierra Pacific Synod in 2019 and requesting “that the Church Council consider authorizing development of a social message on gender identity and gender expression” (pg. 48); and

WHEREAS, the Memorials and Resolutions Report of 2019 (adopted above) requested “the Office of the Presiding Bishop provide materials to facilitate education among ELCA members so as to build awareness of the broad varieties of gender identity, gender expression, and sexual orientation among God's people, as well as to provide pastoral care insights regarding concerns and issues of the transgender experience and gender nonconformity;” and

WHEREAS, in the ELCA Social Statement “Faith, Sexism, and Justice” (adopted in 2019) the ELCA commits to use inclusive language (all genders) for humankind and inclusive and expansive language (other than human) for God. (pg 8, paragraph 27); and

WHEREAS, some demographic requirements and data collection remains rooted in binary gender norms; and

WHEREAS, nonbinary and gender expansive lay leaders of our church deserve the use of inclusive language to determine where they are eligible to serve in synod roles; therefore, be it

RESOLVED, that the Southwest California Synod in Assembly memorialize the Churchwide Assembly to adopt gender-inclusive language across all governance documents, forms and reports by the end of 2022; specifically including options for “gender nonbinary” and “other” for all demographic data gathering regarding gender; and be it further

RESOLVED, that the Southwest California Synod in Assembly memorialize The ELCA Church Council to adopt a social message on gender identity and gender expression to be applied throughout ELCA official forms, documents, and resources by 2025.

Executive Committee action [EC22.06.19c9]

To refer the “Adoption of Gender-Inclusive Language” resolution from the Southwest California Synod to the Office of the Presiding Bishop and the Office of the Secretary for a report or for a timeline on when this will receive further attention, particularly in light of related actions already taken; and

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

Response from the Office of the Presiding Bishop and Office of the Secretary (November 2022)

Many of the amendments to the governing documents that were adopted by the 2022 Churchwide Assembly eliminated gendered references to people and provided for use of more inclusive language. The amendments were based on an extensive review of the constitutions of this church by Office of the Secretary staff.

At its Spring 2022 meeting, the Church Council directed “the churchwide organization to adhere to the ‘ELCA Style Guide’ to ensure the appropriate usage of gender-inclusive language in ELCA communications and documents.” [CC22.04.17p] In addition, the churchwide organization is updating its forms and reports to provide options for “gender nonbinary” and “other” in demographic data gathering regarding gender. The churchwide organization staff hopes to complete another review of its forms and reports by the end of 2023.

In November 2021, the Church Council considered a social message on gender identity and acted “to release the request to develop a social message on gender identity and gender expression in light of the various actions already underway to address the topic, with the understanding that the ELCA will continue its ongoing efforts to address the concerns expressed in the “Gender Identity” memorial [CA19.02.09].” [CC21.11.25m4]

Some of those efforts underway include educational resources developed through the Gender Justice and Women's Empowerment ministry, including a study guide session that explores *Faith, Sexism, and Justice: A Call to Action's* rejection of harmful sex and gender stereotypes and the statement's affirmation that all persons are equal members of the body of Christ. There is also education on two-spirit through the ELCA's ethnic-specific ministries and the launch of "The Naming Project" where one of the directors is a deacon in the ELCA. The program helps to "meet the needs of youth who are dealing with coming out, sexuality, gender identity, and faith." Educational resources continue to be lifted up through <https://www.elca.org/lgbtqia>.

Church Council Action:

To receive the response on "Adoption of Gender-Inclusive Language" from the Office of the Presiding Bishop and the Office of the Secretary;

To support the previous actions by the 2022 Churchwide Assembly and the Church Council related to gender-inclusive language as outlined in the response;

To commend the ongoing efforts in the Office of the Presiding Bishop to develop educational resources that build awareness of the broad varieties of gender identity, gender expression, and sexual orientation;

To urge the churchwide organization to conduct another review and update of its forms and reports for gender-inclusive language by the end of 2023; and

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

F. GUIDANCE ON RETIRED/RETIRING MINISTERS ON THE ROSTER OF THE ELCA

Southwestern Pennsylvania Synod (8B) [2021]

Bishop Kurt Kusserow submitted a letter to the Church Council on behalf of the Southwestern Pennsylvania Synod Council seeking guidance with retired or retiring ministers from the roster of the church whose status is in question or uncertain. Specifically, the synod council is asking about the required triennial review of the ministers on this church's retired roster and to propose that the guidance be added to the *Manual of Policies and Procedures for the Management of the Rosters of the Evangelical Lutheran Church in America* for the benefit of the whole church.

Church Council action [CC21.04.06s]

To receive the request from the Southwestern Pennsylvania Synod Council requesting guidance regarding the review of retired ministers on the roster of the Evangelical Lutheran Church in America;

To refer the matter to the Office of the Secretary for further research and to request that a response be provided at the Fall 2021 Church Council meeting; and

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

Response from Office of the Secretary (November 2021)

Following the referral to the Office of the Secretary of the resolution from the Southwestern Pennsylvania Synod Council, Secretary Sue Rothmeyer conferred with Bishop Kurt Kusserow, whose letter had prompted the request. Bishop Kusserow has offered to serve on an *ad hoc* task force to consider guidelines for synods to use in conducting the status review of retired rostered ministers called for in the roster manual. He requested that a member of the Roster Committee of the Conference of Bishops also serve on the task force, and Bishop Shelley Wickstrom of the Alaska Synod has agreed. The task force will submit a proposal to the Roster Committee and the Conference of Bishops for possible guidelines to be inserted in the roster manual. A final draft would then be submitted to the Church Council to approve for inclusion in the roster manual.

Church Council action [CC21.11.25v]

To receive the response on "Guidance on Retired or Retiring Ministers for the Roster of the ELCA" from the Office of the Secretary;

To anticipate a progress report at the Spring 2022 Church Council meeting with possible updates to the roster manual; and

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

Response from the Office of the Secretary (Spring 2022)

In response to the resolution from the Southwestern Pennsylvania Synod Council requesting guidance in performing the triennial review required by the roster manual of all rostered ministers who are retiring or who have been granted retired status, the Office of the Secretary has been in communication with Bishop Kurt Kusserow, bishop of the Southwestern Pennsylvania Synod. Bishop Kusserow has offered to be part of a working group that will develop such guidelines. In addition, Bishop Shelley Wickstrom of the Alaska Synod, a member of the Roster Committee of the Conference of Bishops, has agreed to participate in the group, along with Deacon Connie Schmucker, assistant to

the bishop of the Florida-Bahamas Synod. The Rev. Keith Fry, executive for Office of the Secretary administration, will provide staff support for the working group. An initial meeting is being set for early April with a tentative goal of having guidelines to present for consideration by the Roster Committee and the Conference of Bishops at the conference's fall 2022 meeting, in hopes of having a possible revision of the roster manual for approval at the Church Council's November 2022 meeting.

Church Council action [CC22.04.17q]

To receive the progress report on "Guidance on Retired or Retiring Ministers for the Roster of the ELCA" from the Office of the Secretary;

To anticipate a report and a possible revision of the "Manual of Policies and Procedures for Management of the Rosters of the Evangelical Lutheran Church in America"; and

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

Response from the Office of the Secretary (November 2022)

Following the last report from the Office of the Secretary in April 2022, a working group was convened to draft revised text outlining a process for the synods' review of retired and retiring rostered ministers. The draft was presented to the Roster Committee of the Conference of Bishops at the committee's September 2022 meeting and was subsequently described to the Conference of Bishops in a plenary session of the Fall 2022 Conference of Bishops meeting. After discussion, because the process being proposed overlaps with similar questions concerning granting and review of On Leave from Call (OLFC) for rostered ministers, the Roster Committee recommended that this proposed revision be postponed until after other decisions are made.

Church Council Action:

To receive the report on "Guidance on Retired or Retiring Ministers for the Roster of the ELCA" from the Office of the Secretary;

To support the recommendation of the Roster Committee of the Conference of Bishops to postpone the revision until other related decisions are made; and

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

G. CONCURRENT CALLING OF PASTORS BY MORE THAN ONE SYNOD

Upstate New York Synod (7D) [2022]

WHEREAS, ELCA Constitution 7.44A19 "Sources of Calls for Ministers of Word and Sacrament" b. "Table of Sources of Calls for Ministers of Word and Sacrament" 1.2 reads:

<i>Setting</i>	<i>Calling Body</i>
<i>1.2 Multiple-congregation parish</i>	<i>Congregation meetings, acting on a common proposal</i>
<i>1.21 Pastor</i>	<i>One of the participating congregations</i>
<i>1.22 Other pastoral arrangements</i>	<i>One of the participating congregations</i>

WHEREAS, pastors more and more are being asked to serve more than one congregation; and

WHEREAS, each congregation, as a place where the Promises of Jesus are proclaimed to gathered people, has the authority to call a person to be their proclaimer of those promises of Jesus; therefore, be it

RESOLVED that the ELCA Church Council work up a resolution to be presented at the next ELCA Churchwide Assembly that allows more than one congregation concurrently to call the same person as pastor, and to make all necessary changes to its constitution.

Executive Committee action [EC22.06.19c3]

To refer the "Concurrent Calling of Pastors by More than One Congregation" resolution from the Upstate New York Synod to the Office of the Secretary, in consultation with the appropriate churchwide organization office or home area, for a report or for a timeline on when this will receive further attention; and

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

Response from the Office of the Secretary (November 2022)

This question will need to be discerned with the Conference of Bishops, in consultation with the Leadership Committee and the Roster Committee of that body. Any change would require amendments to the governing documents and revision of the roster manual.

After discussion with the Christian Community and Leadership home area, the Office of the Secretary plans to bring a report and proposed timeline to the Church Council at its November 2023 meeting, with a final report and recommendations to be brought to the Church Council at its November 2024 meeting.

Church Council Action:

To receive the timeline on “Concurrent Calling of Pastors by More than One Congregation” from the Office of the Secretary on when the resolution will receive further attention;

To request a progress report by the Fall 2023 Church Council meeting, with a final report and recommendations by the Fall 2024 Church Council meeting; and

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

H. EXTENDING PASTORAL COUNSELING THROUGH PRIVATE PRACTICE

Northwest Intermountain Synod (1D) [2021]

WHEREAS, “Pastoral counseling, rooted in the Word and Sacrament ministry of the church, is an intrinsic part of the health and healing ministry of the church, seeking to foster spiritual wholeness and mental health as a style of ministry integrated into the total mission of the church,” as stated in the ELCA Ministries in Chaplaincy, Pastoral Counseling, and Clinical Education, (MPCPCE) Endorsement Standards and Procedures, Call Criteria, Program Guidelines, Revised and Adopted, Congregational & Synodical Mission, May 2012, hereafter referenced as “MPCPCE Ecclesiastical Endorsement Manual,” (p.15); and

WHEREAS, Jesus himself encourages care of the stranger saying, “I was hungry and you gave me food, I was thirsty and you gave me something to drink, I was a stranger and you welcomed me, I was naked and you gave me clothing,” Matthew 25:35–36; and

WHEREAS, the COVID-19 pandemic is increasing anxiety, grief, and mental health needs worldwide, increasing opportunity for pastoral counseling ministry extending care from our church in the world; and

WHEREAS, pastoral counseling in the ELCA is part of specialized ministries which are, “missional by nature and are a part of the church’s outreach ministry to the ill, the imprisoned, the elderly, the troubled, the conflicted, and the afflicted,” (MPCPCE Ecclesiastical Endorsement Manual, Introduction, B. Chaplaincy, Pastoral Counseling, and Clinical Education, B.1. Rooted in the Gospel, p.3); and

WHEREAS, pastoral counseling in private practice rather than an agency setting is not explicitly prohibited or acknowledged in the ELCA MPCPCE Ecclesiastical Endorsement Manual and has historically been extended as a valid ELCA ministry; and

WHEREAS, geographic locations may not have any Lutheran affiliated or recognized social ministry counseling organizations, but state licensure may support private practice opportunities; and

WHEREAS, the ELCA MPCPCE Ecclesiastical Endorsement Manual defines expectations of pastoral counselors to include active membership in an ELCA congregation, and, “They are also responsible for making themselves and their expertise available to synods, congregations, and rostered workers in the church. Such availability may include regular participating in meetings and committees of rostered leaders, being available as speakers and consultants, and being active interpreters of specialized pastoral care as an extended ministry of the church in the world,” (ELCA MPCPCE Ecclesiastical Endorsement Manual, p.18–19); therefore be it

RESOLVED, that the ELCA MPCPCE Ecclesiastical Endorsement Manual be amended to include a second bullet following under p.18, III. Criteria and Procedures for Call, A. Criteria, 6. Criteria F. Ministry Accountability, a. Institutional/Agency Accountability, saying:

Pastoral counselors working in a private practice setting will create an Advisory Board to meet at least annually to provide oversight, performance review, and acknowledgement of continued maintenance of ELCA requirements for rostered ministers in public ministry. Private practice pastoral counselors are required to hold general liability business insurance in addition to professional liability insurance. They must include a statement in informed consent documentation for clients seeking pastoral counseling removing liability for the ELCA or local ELCA congregations. Private practice pastoral counselors must clearly identify themselves as “Christian” therapists in public advertising and marketing. And be it further

RESOLVED, that the ELCA legal counsel provide the liability statement to be included in private practice counselor’s informed consent documents and clarify any other needed actions to support private practice pastoral counselors of the ELCA; and be it further

RESOLVED, that the ELCA MPCPCE Ecclesiastical Endorsement Manual be amended on p.20, III. Criteria and Procedures for Call, B. Procedures, 2. For Employment, paragraph 2, final sentence after “employing organization” add, “or private practice counseling opportunity.”; and be it further

RESOLVED, that the ELCA MPCPCE Ecclesiastical Endorsement Manual be amended on p.20, III. Criteria and Procedures for Call, B. Procedures, 2. For Employment, paragraph 4, first sentence after the words “employing organization” add, “or the private practice pastoral counseling business has been created in accordance with state and federal laws and requirements.”; and be it further

RESOLVED, that the ELCA MPCPCE Ecclesiastical Endorsement Manual be amended on p.24, IV. Program Guidelines for Church Related Organizations, D. Quality Assurance, below the existing text add, “5. For Private Practice Pastoral Counselors, a volunteer Advisory Board must be formed to provide an annual review and ongoing accountability to Ordination and Ecclesiastical Endorsement Standards as well as state licensure laws and professional

requirements. See suggested guidelines for the Advisory Board below:” then insert the following “Advisory Board Agreement” attached to this Resolution; and be it further

RESOLVED, that the Conference of Bishops be invited to hold continuity in annually renewing synod calls to specialized ministers despite geographic location or historic practice that might differ from annual review and renewal; and be it further

RESOLVED, that private practice pastoral counseling be fully acknowledged and supported as a valid extension of rostered ministry in the ELCA for our world.

Executive Committee action [EC21.06.13b]

To refer the “Extending Pastoral Counseling through Private Practice” resolution from the Northwest Intermountain Synod Council to the Office of the Secretary and the Christian Community and Leadership unit for a report or for a timeline on when this will receive further attention;

To ask the Conference of Bishops to consider annually renewing synod calls to specialized ministers despite geographic location and historic practice that might differ from annual review and renewal; and

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

Response from the Office of the Secretary (November 2022)

This question will need to be discerned with the Conference of Bishops, in consultation with the Leadership Committee and the Roster Committee of that body, as well as with the Christian Community and Leadership home area. Any change would require amendments to the governing documents and revision of the roster manual. Furthermore, this question would seem to fall under the review of Specialized Ministry called for by the 2022 Churchwide Assembly and would most appropriately be part of the recommendations to be made as a result of that review.

Church Council Action:

To receive the response on “Extending Pastoral Counseling through Private Practice” from the Office of the Secretary;

To direct the review team that will be initiating a review process of the roster manual and the constitutional provisions and policies and procedures as it relates to Specialized Ministry to incorporate this matter into its review; and

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

I. PAID LEAVE FOR ROSTERED MINISTERS

Southeastern Pennsylvania Synod (7F) [2022]

RESOLVED, that the Southeastern Pennsylvania Synod Council modifies the language of the resolution on Paid Leave for Rostered Ministers as follows: “It is recommended that congregations develop a program for parental leave which includes childbearing and childcare leave. The program should include both the birth and adoption of children and cover full salary, housing, and benefits with the understanding that the individual would return to work for a minimum of six months after taking the leave. It is recommended that any time a child is added to a household of a pastor [deacon], congregations provide at least 12 paid weeks of child-bearing leave for the birthing caregiver and at least 8 paid weeks of childcare leave for the non-birthing caregiver. This allows time to recover from the physical demands of childbirth, as well as for parents to spend time bonding with the child. A minimum of 6 weeks leave with full compensation is strongly encouraged. Congregations are also encouraged to consider the provisions of the federal Family Medical Leave Act (FMLA) which allow for up to 12 weeks leave (which can be a combination of paid and unpaid leave). FMLA leave can be used for personal or family member care situations;” and be it further

RESOLVED, that the Southeastern Pennsylvania Synod in Assembly direct the Synod Council to petition the ELCA Church Council to request that Portico explore providing child-bearing leave and childcare leave coverage for congregations in which a child is added to the rostered minister’s household.

Executive Committee action (EC22.06.19c7)

To refer the “Paid Leave for Rostered Ministers” resolution from Southeastern Pennsylvania Synod to Portico Benefit Services for a report or for a timeline on when this will receive further attention; and

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

Response from Portico Benefit Services (November 2022)

Portico Benefit Services (“Portico”) has reviewed the Southeastern Pennsylvania Synod resolution related to parental and medical leave. Portico is in agreement and supportive of the value of children, the importance of their care and early nurture, and the need for parents/caregivers to be given the time to provide the early care/nurture.

Portico recommends that synods evaluate their compensation guidelines and consider incorporating Parental and Medical Leave policies for their synod.

ELCA benefits provided by Portico (and all church plans) are regulated at the national level, providing economies of scale for the ELCA. In response to this resolution, Portico has evaluated the feasibility of providing a national parental and medical leave benefit offering for congregations. The evaluation found that:

- A parental and medical leave benefit is challenging for Portico to administer; Portico lacks first-hand information so it is not aware of the member's work schedule to know when an absence begins and its associated compensation stops, limiting the ability to continue compensation seamlessly. Continuing compensation locally is far more likely to avoid compensation interruption than transferring compensation continuation to another entity and then back again after the leave ends.
- The FMLA's timely notification of leave requirement and collection of necessary documentation is often an iterative process. This process presents challenges for accurate and effective administration by Portico.
- Many states have laws that provide benefits beyond the FMLA, creating a patchwork of compliance and costs by state that prevent this church from offering and administering a single plan on a nationwide basis.
- If a new benefit were to be set up for the whole church, an initial assessment would likely be required to fund the start-up trust and retain competent expertise to administer the benefit. This will result in a program that may be more expensive to congregations than the cost of continuing payroll during a leave from the congregation's general assets. As good stewards of benefit resources, a benefit that is more costly provided across the whole church is in conflict with the expectations this church gains economies of scale by coming together to source and provide benefits.
- These many administrative challenges and expenses may result in delay, frustration, and dissatisfaction with this benefit.

Given that this potential benefit is not likely to result in a satisfying benefit offering, Portico recommends that synods evaluate their compensation guidelines and consider incorporating parental and medical leave policies and resources where appropriate for their synod.

Church Council Action:

- To receive the response on “Paid Leave for Rostered Ministers” from Portico Benefit Services;**
- To encourage synods to evaluate their compensation guidelines and consider incorporating parental and medical leave policies and resources where appropriate for their synod; and**
- To request that the secretary inform the synod of this action.**

**J. JUSTICE FOR THE REV. NELSON RABELL-GONZALEZ
Southeastern Pennsylvania Synod (7F) [2022]**

RESOLVED, that the Southeastern Pennsylvania Synod commends the ELCA presiding bishop on her establishment of a Listening Panel in Sierra Pacific Synod. Based on the outcome of the listening panel, this synod requests that appropriate actions be recommended and implemented to ensure a just resolution, and we pray for a healthy and just resolution for all; and, be it further,

RESOLVED, that the Southeastern Pennsylvania Synod recommends that the ELCA presiding bishop and the Church Council reform the process used when a rostered minister is under investigation so that it allows the rostered minister opportunity for response, investigation, transparency, and appeal.

Executive Committee action [EC22.06.19c2]

To refer the “Justice for the Rev. Nelson Rabell-Gonzalez” resolution from the Southeastern Pennsylvania Synod to the Office of the Presiding Bishop and the Office of the Secretary for a report or for a timeline on when this will receive further attention, particularly in light of related memorials that are coming before the 2022 Churchwide Assembly; and

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

Response from the Office of the Presiding Bishop and Office of the Secretary (November 2022)

The Sierra Pacific Synod, led by interim Bishop Claire Burkat, is investigating the circumstances surrounding the removal of Nelson Rabell-Gonzalez from the roster, with a view towards achieving a healthy and just resolution, as called for in the first resolve. The churchwide organization, including the Office of the Presiding Bishop and the Office of the Secretary, is supporting this investigation.

Similarly, while each synod has its own process for investigating rostered ministers, the churchwide organization is addressing the second resolve in a number of ways. In Spring 2022, the Church Council authorized the creation of

the Task Force Addressing Disciplinary Concerns of Leaders of Color, which is “charged with reviewing the current process for discipline and its impact on persons of color and other historically marginalized groups, considering recommendations for staffing, community healing and restoration.” [CC22.04.04] In addition, the 2022 Churchwide Assembly tasked the churchwide organization with reviewing the “Manual of Policies and Procedures for Management of the Rosters of the Evangelical Lutheran Church in America” and the constitutional provisions and policies and procedures as they relate to interim, transition, bridge, specialized, non-parish-based, and innovative calls, as well as on-leave from call status, protocols for removal from the rosters, and communication protocols. [CA22.04.24] The expectation is that the groups working on these issues will address the concerns in this resolution, and this resolution will be forwarded to these groups.

Church Council Action:

To receive the response on “Justice for the Rev. Nelson Rabell-Gonzalez” from the Office of the Presiding Bishop and Office of the Secretary;

To request the Task Force Addressing Disciplinary Concerns of Leaders of Color and the review team for the roster manual to address the concerns identified in this resolution as they complete their work; and

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

K. PREFERRED VENDORS AND PRIVACY

Alaska Synod (1A) [2022]

WHEREAS, recently a third party ‘preferred’ financial vendor to the Evangelical Lutheran Church in America shared Alaska congregational financial and benevolence records to promote their new products; and

WHEREAS, each congregation is considered its own legal entity responsible for their financial records, keeping those records up to date, secure, and private in all regards to their member’s giving patterns and amounts; and

WHEREAS, Alaska Lutheran congregations’ control and share who receives their financial records upon request, and if they wish to share their records such as, congregations sharing that information with the Alaska Synod and their own financial institutions. Even then individual congregational members names and the amount of their benevolence is not shared; and

WHEREAS, it is wrong and unethical, that the financial culture of the United States at this time is that corporations buy and sell names, financial records, and the spending habits gleaned from multiple electronic sources. In short, it is an invasion of an American individual’s privacy for corporations to exchange and deal in financial records for profit. The Evangelical Lutheran Church in America should not sanction this abuse of privacy; therefore be it

RESOLVED, that outside ELCA church third party vendors are not allowed to exchange any financial information with individuals, other business, ELCA synod offices or other congregations and that if an ELCA “preferred vendor” does exchange benevolence and financial information without prior written permission, they automatically lose their ‘preferred vendor’ status; and be it further

RESOLVED, that the Alaska Synod Assembly direct the Alaska Synod Council to forward this resolution to the Church Council’s Executive Committee for referral and disposition to the appropriate unit or office of the churchwide organization in accordance with the bylaws and continuing resolutions of this church.

Executive Committee action [EC22.06.19c1]

To refer the “Preferred Vendors and Privacy” resolution from the Alaska Synod to the Office of the Treasurer, in consultation with the Office of the Presiding Bishop and the Office of the Secretary, for a report or for a timeline on when this will receive further attention; and

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

Response from the Office of the Treasurer (November 2022)

The ELCA churchwide organization has been in conversation with its preferred vendors and confirmed that no individual personally identifiable information (PII) was shared from the vendors to other organizations or individuals.

Each congregation signs an individual contract with a preferred vendor. As part of the contract, the congregation acknowledges the privacy policy of the vendor. In relation to this resolution, churchwide organization staff have confirmed that each of the vendors follows its privacy policy and has not shared information with synods or the churchwide organization that is in violation of its privacy policy.

Information that may be shared within the terms of the privacy policy between the vendors and synods or the churchwide organization is not for the purpose of marketing or sales of new products, but for the purpose of improving the value that its products have for the church.

Church Council Action:

To receive the response on “Preferred Vendors and Privacy” from the Office of the Treasurer;

**To affirm that outside ELCA “preferred vendors” are not allowed to exchange any financial information with individuals, other businesses, synods, or other congregations that would be in violation of the vendor’s privacy policy and that if an ELCA “preferred vendor” does exchange individual personally identifiable information without prior written permission, the vendor would lose its “preferred vendor” status; and
To request that the secretary inform the synod of this action.**

III. CHURCH COUNCIL RESPONSES TO PREVIOUS CHURCH COUNCIL ACTIONS

A. RACIAL JUSTICE OMBUDSPERSON POSITION

Background

Church Council action [CC22.06.20]

To receive the request to explore creation of the position of a Racial Justice Ombudsperson with a report from the Office of the Presiding Bishop delivered to the Church Council at its Fall 2022 meeting;

To acknowledge the previous action of the council to create “a task force charged with reviewing the current process for discipline and its impact on persons of color and other historically marginalized groups, considering recommendations for staffing, community healing and restoration, and learning best practices from full communion partners” (CC22.04.04); and

To review the role and membership of the ELCA Response Team.

Response from the Office of the Presiding Bishop (November 2022)

The Task Force Addressing Disciplinary Concerns of Leaders of Color held its first Microsoft Teams meeting on Oct. 4, 2022. Judith Roberts, senior director for Diversity, Equity, and Inclusion, facilitated the conversation with task force members. The agenda opened with a devotion, prayer, an introduction of task force members, and a review of the 2019 Strategy Towards Authentic Diversity recommendation for the creation of an ombudsperson position within the churchwide organization. The conversation was followed by examples of the impact for leaders of color and communities they served when disciplinary actions occur. The task force received a brief presentation on the current churchwide DEI (diversity, equity, inclusion) portfolios, and where an ombudsperson position might be housed within the current organization. The meeting concluded with a conversation regarding expectations of work, timeline for completion, and engagement with additional churchwide staff. The task force is scheduled to meet again virtually on Dec. 1, 2022.

Church Council Action:

To receive the report from the Office of the Presiding Bishop concerning the exploration of a Racial Justice Ombudsperson position; and

To encourage the continued conversation within the Task Force Addressing Disciplinary Concerns of Leaders of Color.

B. DECLARATION OF THE ELCA TO PEOPLE OF AFRICAN DESCENT

Background

At the 2016 Churchwide Assembly, the assembly received the African Descent Lutherans memorial from 10 synods calling for a number of actions related to the ELCA’s observance of the 500th anniversary of the Reformation and the commemoration of the United Nation’s International Decade of People of African Descent. In response, the assembly requested in part that the Domestic Mission unit staff create a “Declaration to the African Descent Community.” [CA16.05.17]

At its special meeting in June 2019, the Church Council adopted “A Declaration to the People of African Descent” and directed additional action steps to be taken. [CC19.06.23]

Church Council action [CC19.06.23]

...To direct Planning, Research and Evaluation to measure and report progress on the discriminatory treatment within the call process and to urge Portico to assist with providing information to the churchwide organization to measure and report progress on inequitable compensation of clergy of color by the November 2021 meeting of the Church Council...

Response from Christian Community and Leadership (Nov. 2021)

Due to the transition of related research staff, the progress report will be delayed, and the Christian Community and Leadership (CCL) home area will not be ready to report by the Nov. 2021 meeting. However, this work is expected

to be included as part of the Quality of Call project, which is considering barriers faced by women, people of color, and LGBTQIA+ pastors in the ELCA.

Additionally, Portico Benefit Services has reported that it does not have ethnic background in its systems and therefore would not have any data to segment rostered ministers of color. The terms of Portico's privacy policy by which Portico gathers compensation information from membership precludes using that data for purposes other than providing benefits.

An update on this work is anticipated for the Spring 2022 meeting with a full report in Fall 2022.

Response from Christian Community and Leadership (Spring 2022)

The Christian Community and Leadership Home Area is gathering data from three synods about rostered ministers of color and the size of the congregations they serve. A study done by The Episcopal Church USA suggests a strong correlation between the size of the ministry and compensation for a rostered minister (additional narrative to study). The study also would suggest one way to address the issue raised would be to include rostered ministers of color in interviewing for large member congregations. This will be reported in Fall 2022.

A report indicating wait times for candidates of color seeking first calls accompanies this response to the Church Council.

A plan to address this inequity needs to be developed by the Conference of Bishops who oversee first call placements.

Conversations between Portico Benefit Services and the ELCA churchwide organization continue regarding the sharing of data and the needs to protect privacy as well as to help the church understand the trends related to compensation.

The data and additional information being collected will be shared with the Quality of Call Initiative that will begin the work of improving the quality of call for rostered ministers of color that will most include wait time and compensation.

The Christian Community and Leadership home area will provide an update and progress report for the Fall 2022 Church Council meeting with a final report coming to the Spring 2023 Church Council meeting.

Church Council action [CC22.04.17n]

To receive the progress report from the Christian Community and Leadership unit regarding the research work related to discriminatory treatment within the call process and the inequitable compensation of rostered ministers of color; and

To request a progress report be presented at the Fall 2022 Church Council meeting and a final report be presented at the Spring 2023 Church Council meeting.

Response from Christian Community and Leadership (November 2022)

The Christian Community and Leadership (CCL) home area consulted with the Quality of Call Initiative, studying average worship attendance with leaders of color compared to their white companions in three synods. Unfortunately, with so few leaders of color, the data did not reveal useful information. The newly formed Candidacy and Leadership Development Working Group is identifying barriers that people of color have experienced and will pilot solutions based on what is learned. That information will be reported to Church Council in a separate and ongoing report. In addition, the 2022 Churchwide Assembly adopted a memorial titled "Salary Equity in the ELCA" [CA22.02.11] that is addressing similar inequitable compensation issues.

Church Council Action:

To receive the report from the Christian Community and Leadership home area regarding the research work related to discriminatory treatment within the call process and the inequitable compensation of rostered ministers of color;

To acknowledge and commend the research work that is underway to address inequities in the call process and compensation patterns; and

To direct further reports on the related topics be provided to the Christian Community and Leadership Committee through the work occurring on the "Salary Equity in the ELCA" memorial and from the Candidacy and Leadership Development Working Group.