



# Evangelical Lutheran Church in America

God's work. Our hands.

Nov. 15, 2023

**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 and advisory members of the Church Council of the Evangelical Lutheran Church in America  
 Administrative Team and advisors 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. 9–12, 2023)

The Church Council of the Evangelical Lutheran Church in America (ELCA) met at the Lutheran Center in Chicago, Ill., Nov. 9–12, 2023. The following is a summary of Church Council responses to previous actions along with background information.

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## **I. CHURCH COUNCIL RESPONSES TO CHURCHWIDE ASSEMBLY ACTIONS**

### **A. DISABILITY STATUS TO PERSONS EXPERIENCING MENTAL ILLNESS**

*Churchwide Assembly action [CA22.01.05o]*

To receive with gratitude the memorial on “Disability Status to Persons Experiencing Mental Illness” from the Northwest Washington Synod;

To receive the background information as an explanation of Portico Benefit Services’ disability process;

To ask Portico to present a primer to the Fall 2022 Conference of Bishops on the disability process, especially as it relates to disability stemming from mental illness; and

To ask Portico to include a review of mental-health related disability claims in its next regular review of disability benefits and to report any findings and recommendations to the Conference of Bishops and the Church Council at its Fall 2023 meetings.

*Response from Portico Benefit Services (November 2023)*

The 2022 Churchwide Assembly action, “Disability Status to Persons Experiencing Mental Illness,” asked Portico to take three actions related to the disability process in the context of mental illness:

- Present a primer to the fall 2022 Conference of Bishops explaining the disability process, especially as it relates to disability stemming from mental illness.
- Conduct a review of mental health-related disability claims as part of Portico’s annual review.
- Report any findings and recommendations to the Conference of Bishops and the Church Council at their fall 2023 meetings.

Last fall, then-president Jeff Thiemann presented a new disability primer to the Conference of Bishops created specifically to explain the process of applying for and receiving ELCA disability benefits in the context of a mental health-related claim. Then, late in 2022, Portico conducted a review of mental health-related disability claims as part of its regular review of the ELCA Disability Benefits Plan. As requested, the findings were reported to the fall 2023 gathering of the Conference of Bishops last month and now report them here to the Church Council.

#### **Findings:**

- Applications for disability benefits due to mental health illness/disorders and physical illness/injury are treated similarly under the plan.
- The plan does not have a more restrictive requirement for Total Disability if, as a direct result of a mental disorder substantiated by objective medical information from a qualified health care provider, a member is unable to perform the material duties of their normal occupation for any employer.
- Unlike many other plans, the plan doesn’t limit the duration of disability benefits due to mental disorder.

**Recommendations:** Based on these findings, Portico recommends no new plan amendments.

#### **Church Council action:**

**To receive the report and findings on “Disability Status to Persons Experiencing Mental Illness” from Portico Benefit Services;**

**To affirm Portico’s recommendation to not include new plan amendments; and**

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

### **B. 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 [CC22.11.34.s]*

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.

*Response from the Service and Justice home area (November 2023)*

Witness in Society reached out in 2022 and 2023 to the Metropolitan Washington, D.C., Synod for consultation on the memorial to discuss synod intentions for work on the memorial. The synod determined that there was no capacity at this time to participate in action planning or to mount a campaign.

Prospects for movement on D.C. statehood in the current U.S. Congress are extremely low. New opportunities may open in the next session in 2025. Witness in Society in collaboration with the Public Messages Working Group will determine opportunities for the presiding bishop to communicate ELCA support for D.C. statehood to the U.S. Congress.

Witness in Society has reached out to the Caribbean Synod to express interest in opportunities to listen to and support calls for self-determination.

Witness in Society is collaborating with the ELCA director for Indigenous Ministries and Tribal Relations. Activities include support for legislation to establish a “Truth and Healing Commission on Indian Boarding School Policy Act.” Native people have called for this legislation and commission which will allow Native leadership to determine the best courses of action to care for survivors of boarding schools as well as for their descendants. It will also give Native leadership the task of determining best practices for collecting data, education for the US populace, and holding the U.S. Federal Government and churches accountable.

Attention to the memorial and the call for education and advocacy related to ELCA social teaching and witness on voting access and voting rights will be prioritized during the 2024 ELCAvotes campaign.

***Church Council action:***

**To receive the report on “Voting Rights and D.C. Statehood” resolution from the Service and Justice home area;**

**To encourage the ELCA Witness in Society team to seek opportunities to communicate this church’s support for D.C. statehood to the U.S. Congress;**

**To commend the collaboration efforts to support the “Truth and Healing Commission on Indian Boarding School Policy Act” legislation;**

**To urge the ELCA Witness in Society team to prioritize education and advocacy on voting access and voting rights utilizing ELCA social teaching during the 2024 ELCA votes initiative; and**

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

**C. 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 [CC22.11.34.q]*

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.

*Response from the Christian Community and Leadership home area (November 2023)*

In the beginning of 2023, there was a leadership transition and team realignment. Late in June the new senior director was hired. With a new senior director came new priorities, one of which was to gain understanding of the grants and grants processes. An audit of the New Starts grants began in July and is nearing completion, then a team will evaluate and redesign the granting process. This team will be made of current Directors for Evangelical Mission, including the Rev. Alejandro Mejia of the Delaware-Maryland Synod. The new grants process is scheduled to start next fiscal year. More will be reported by the next spring Church Council meeting.

***Church Council action:***

**To receive the response 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 Spring 2024 Church Council meeting; and**

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

**D. 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 [CC22.11.34.v.]*

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.

*Response from the Office of the Secretary (April 2023)*

In 2020, compensation information was collected from participants in the study on the 50<sup>th</sup> Anniversary of the Ordination of Women in the ELCA which provided some data for a pay gap analysis. This fall, the ELCA Task Force to Study Educational Debt plans to collect updated compensation information as part of a quantitative survey of ELCA rostered ministers. Collecting the most relevant and actionable information will require the collaboration of several existing and forming task forces and study committees, including Urban Ministry, Justice for Women, Quality of Call Initiative, and the Candidacy Working Group. The hope is to realize efficiencies by gathering information in a single survey that will intersect with the work of these and other groups whose perspectives will inform the research questions about gaps in compensation and what information will be most beneficial to collect. Adam DeHoek, program director for Resourceful Servants and congregation statistics analyst, will coordinate this effort.

Enhanced data sharing with Portico Benefit Services from the churchwide organization has begun, with a preliminary quarterly report having been sent to Portico in recent days that will allow them to improve the accuracy of data matching and analysis and that sets the stage for enhanced mutual sharing of data in the future, subject still to any legal limitations within which Portico must operate.

All of the other items specified in the Churchwide Assembly action have been implemented.

*Church Council Action (April 2023)*

To receive the response from the Office of the Secretary on “Salary Equity in the ELCA” to consider a study;

To affirm the timeline and commissioning of a single survey about inequitable gaps in compensation for rostered ministers in the ELCA; and

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

*Response from Office of the Secretary (November 2023)*

At its Spring 2023 meeting, the ELCA Church Council requested that an analysis of salary equity in the ELCA be conducted (CC23.04.08I). Through a quantitative survey of ELCA rostered ministers during Q1 of calendar 2024, updated compensation information will be collected. This survey will be conducted under the umbrella of the Educational Debt Task Force.

To this point, the Educational Debt Task Force has received presentations and input from a variety of stakeholders across the ELCA ecology with interest in the analysis of salary equity. As the task force drafts the survey of rostered ministers, it will work with these stakeholders to incorporate their suggestions and gather their feedback and support.

Dialogue with Portico Benefit Services will be renewed in the coming months regarding how Portico can begin sharing compensation data with the churchwide organization. Currently, the churchwide organization has begun providing quarterly data reports with enhanced information that should allow for greater data matching while still maintaining safeguards on identifiable personal data. Representatives from the churchwide organization will be in conversation with Portico to ascertain what data they will be able to share so that a plan can be made for matching compensation numbers to demographic data for the purpose of analysis.

***Church Council action:***

**To receive the progress report on the pay gap analysis study from the Office of the Secretary and to request further reports on this topic be received through the reports of the ELCA Task Force to Study Educational Debt.**

**E. MOTION I: NOMINATIONS AND ELECTIONS 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 [CC22.11.34.w]*

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.

*Response from the Office of the Secretary (November 2023)*

The Office of the Secretary currently is performing a review of all synod constitutions to outline and analyze the processes used to nominate and elect synod officers. A task force will be assembled in the next few months that will be presented to the Executive Committee for appointment. The analysis prepared by the Office of the Secretary will be provided to the task force to facilitate its work. The staff anticipates the task force will use this analysis and feedback from bishops, synod vice presidents, synod secretaries, and synod election committee chairs to compile a report to be submitted to the Church Council at its November 2024 meeting that will recommend best practices and suggest ways in which synods can learn from one another as they conduct their elections.

**Church Council action:**

**To receive the response on “Motion I: Nominations and Elections Process” from the Office of the Secretary; and**

**To authorize the Executive Committee to appoint members to the task force on synod nominations and elections processes.**

## **F. IMPROVEMENTS TO ONLINE CWO DIRECTORY**

*Churchwide Assembly Action [CA22.01.05m]*

To receive with gratitude the memorial on “ELCA Churchwide Organization Directory” from the Delaware-Maryland Synod;

To direct the Customer Service Information Technology team in the Office of the Treasurer to work with representatives from synods and congregations to determine improvements that can help users find public information about churchwide organization personnel and discern what information is public to everyone versus requiring a login public to this church;

To direct the Customer Service Information Technology team to collaborate more closely with the Directors for Evangelical Mission (DEM) within each synod to aid in facilitating information given their level of access to this data through the ELCA Constituent Information System database and other churchwide organization tools;

To direct the Customer Service Information Technology team to create opportunities for continuous improvement to the ELCA Directory for user experience while not compromising security; and

To provide a report to the Church Council at its Fall 2023 meeting.

*Response from Office of the Treasurer, Information Technology (November 2023)*

With gratitude, Information Technology (IT) welcomes the feedback provided on improvement to digital solutions.

IT will work with synods and Directors for Evangelical Mission (DEM) to collect constructive feedback on the use of the ELCA Directory in 2024. Some IT staff are working with synod Assistants to the Bishop (A2B) at this moment and can extend the collaboration to the DEMs.

Synods have the option to receive training and guidance on the use of the ELCA Constituent Information System (ECIS) which feeds information to the ELCA Directory. Currently there are 12 synods and 25 users utilizing ECIS and have held training sessions with some synods in 2023.

In the current state of the world, it is inadvisable to remove the Directory security protocol. IT can work with the DEMs and A2Bs to determine future accessibility features without compromising safety. IT is also currently working with Strategic Communication on continuous improvements to digital solutions which include the Find-A-Congregation and Find-A-Person solutions that contain public information.

**Church Council action:**

**To receive the report on “ELCA Churchwide Organization Directory” from the Information Technology (IT) team in the Office of the Treasurer;**

**To commend the IT team for its collaboration with synod staff to determine improvements on the ELCA Directory and to offer training and guidance on the use of the ELCA Constituent Information System (ECIS);**

**To affirm the security protocol in place for the ELCA Directory and to request that the IT team continue to collaborate with synod staff and churchwide staff to improve user accessibility features for digital solutions containing public information; and**

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

### **G. STRUCTURED PROCESS FOR THE PRE-ASSEMBLY IDENTIFICATION OF NOMINEES FOR THE ELECTION OF A PRESIDING BISHOP**

*Churchwide Assembly Action [CA22.01.051]*

To receive with gratitude the memorials from the St. Paul Area Synod and the Allegheny Synod concerning a structured process for the pre-assembly identification of nominees for the election of a presiding bishop;

To refer the question to the Church Council to consider a process for the pre-assembly identification of nominees for the office of presiding bishop in a way that allows identified nominees to become publicly known prior to the Churchwide Assembly and to complete the necessary background checks;

To direct the Church Council to charge its Legal and Constitutional Review Committee with exploring such a process that would include conversation with The Episcopal Church USA about its process, and with the Church Council liaison bishops concerning processes used in the synods in their regions; and

To report recommendations to the Conference of Bishops and Church Council at their Fall 2023 meetings.

*Response from the Office of the Secretary (November 2023)*

The Executive Committee and the Legal and Constitutional Review Committee will be discussing this more thoroughly at their November committee meetings and will share an update during the course of the Church Council meeting.

***Church Council action:***

**To receive the response on “Structured Process for the Pre-Assembly Identification of Nominees for the Election of a Presiding Bishop” from the Office of the Secretary;**

**To anticipate a verbal update during the November 2023 Church Council meeting; and**

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

[In a separate action, the Church Council approved adding “presiding bishop” to the existing continuing resolution regarding a pre-assembly identification process for vice president and secretary. See the Actions Memo, action no. 8 (p. 3).]

### **H. DIVERSITY, EQUITY, INCLUSION, AND ACCESSIBILITY 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.

The Church Council received the report of the DEIA audit of the ELCA Constitution and related governing documents from Fox, Swibel, Levin & Carroll LLP. The report is being made available to this church on ELCA.org at this [link](#).



## II. CHURCH COUNCIL RESPONSES TO SYNOD RESOLUTIONS

### A. ROTH TAX OPTION FOR ELCA LEADERS

*North Carolina Synod (9B) [2023]*

WHEREAS, the ELCA desires to provide exceptional pension opportunities for its leaders through Portico Benefit Services; and

WHEREAS, the tax code of the United States permits the use and implementation of both traditional and Roth tax considerations for individual retirement contributions through 403b (Pension) programs, such as the 403b/Pension offered to ELCA leaders by Portico Benefit Services; and

WHEREAS, ELCA leaders are currently only permitted traditional tax consideration for their individual 403b/Pension retirement contributions; and

WHEREAS, the Roth designated individual retirement contribution option may provide preferred and favorable tax considerations to ELCA leaders who may desire, by their own election, to utilize this option for some or all of their individual 403b/Pension retirement contributions within Portico Benefit Services; and

WHEREAS, implementing a Roth option for ELCA leaders for their personal elected retirement contributions could be provided at virtually no cost to Portico Benefit Services, as this would involve Portico Benefit Services simply adding this new Roth designation option as is already permitted and available under the current US tax code; and

WHEREAS, implementing the option for ELCA leaders will avail church leaders of the opportunity to determine their preferred designation and most beneficial tax treatment for their individual 403b/Pension contributions, whether traditional or Roth; therefore, be it

RESOLVED that The North Carolina Synod, at its 2023 assembly request that the addition of a Roth tax option for ELCA Leaders to consider for their individually-elected retirement contributions within the 403/Pension be offered by Portico Benefit Services; and be it further

RESOLVED that the assembly direct the Synod Council to forward this resolution to the Church Council of the ELCA requesting that it recommend that Portico Benefit Services implement the availability of this option for ELCA Leaders.

*Executive Committee Action [EC23.09.41a]*

To refer the “Roth Tax Option for ELCA Leaders” resolution from the North Carolina Synod to the 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 2023)*

The Executive Committee of the Church Council voted in late September to refer the June 2023 “Roth Tax Option for ELCA Leaders” resolution from the North Carolina Synod to Portico. This resolution requests: 1) that ELCA Retirement Plan members be given the option to choose a Roth tax option for their individually elected retirement contributions, and 2) that the Church Council recommend that Portico implement this option.

Portico has long prioritized offering choices, when feasible. They invite members to engage and make selections that best support their own well-being financially, emotionally, and physically. In that spirit, Portico has evaluated a Roth option over several years. Member feedback supporting Roth, coupled with the SECURE 2.0 Act and its new Roth requirement related to catch-up contributions for members that meet specific criteria, reinforced Portico’s interest.

**Decision, timeline, and cost:** Portico is now implementing a Roth option that will be available to ELCA Retirement Plan members for elective deferrals, following approval of related plan amendments by Portico’s board of trustees and ELCA Church Council in 2024. Portico expects Roth to be an Annual Enrollment option in the fall of 2024, to take effect Jan. 1, 2025. This addition, however, can’t be made at “virtually no cost,” as the resolution states. Implementation and ongoing costs include:

- Changes to billing systems, benefit systems, and the proprietary retirement planning tool.
- Plan member education to ready members to make the choice that best supports their needs — including direct communications, online resources, and increased access to Portico’s financial planners.
- Separate recordkeeping for the life of Roth assets to reflect their unique tax treatment.

**Church Council action:**

**To receive the response on “Roth Tax Option for ELCA Leaders” from Portico Benefit Services;**

**To affirm the implementation of a Roth option to ELCA Retirement Plan members and to request the related plan amendments be presented at the April 2024 Church Council meeting for consideration; and**

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

## **B. PROPOSING PEACE**

*New England Synod (7B) [2023]*

RESOLVED, that this church affirm the call, articulated in its 1995 Social Statement, “to be advocates for a Christian peacemaking that strives for human rights, political alternatives to war, social justice, control of the arms trade, and creative means of working for peace in God's world;” and be it further

RESOLVED, that this church affirm the moral principle that disputes over boundaries, internal or international, be resolved not by military force but through nonviolent means and with full respect for the human rights of all populations affected; and be it further

RESOLVED, that this church condemn the use of military force to lay claim to or occupy the land of another people or nation, and we say “No more!”; and be it further

RESOLVED, that this church call on all nations to honor and enforce the principle of Article 2 (4) of the United Nations Charter, namely that nations “refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state . . .”; and be it further

RESOLVED, that this church in all of its expressions engage with, look for direction from, and advocate for those who have been abused or subjugated by another people because of the seizing or occupation of land; and be it further

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

*Executive Committee action [EC23.07.35.a]*

To refer the “Proposing Peace” resolution from the New England Synod to the Service and Justice 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 Service and Justice home area (November 2023)*

The ELCA social statement *For Peace in God's World* (1995) affirms that the biblical narrative reveals God's resolve for peace and that Christians be advocates for peacemaking. The statement affirms this church's social teaching “that governments should vigorously pursue less coercive measures over more coercive ones: consent over compulsion, nonviolence over violence, diplomacy over military engagement, and deterrence over war.” (p.10) The ELCA “strongly support efforts to develop the potential of nonviolence to bring about just and peaceful change” (p.20) and continues “to teach about human rights, protest their violation, advocate their international codification, and support effective ways to monitor and ensure compliance with them.” (p.14)

These affirmations are the foundation for the ELCA's advocacy and public witness that promotes respect for human rights, reconciliation and just peace. They are reflected in five core accompaniment values that inform our relationships with global partners and communities in the United States: mutuality, inclusivity, vulnerability, empowerment and sustainability. This is expressed in the ELCA's public witness alongside people whose land has been seized or occupied, such as in our accompaniment of the Evangelical Lutheran Church in Jordan and the Holy Land. The renewed ELCA strategy “SUMUD: For Justice in Palestine and Israel” is one example of how the ELCA “engages with, looks for direction from and advocates” as an expression of accompaniment values in pursuit of peace with justice.

***Church Council action:***

**To receive the response on “Proposing Peace” from the Service and Justice home area;**

**To affirm the call, articulated in *For Peace in God's World* (1995), “to be advocates for a Christian peacemaking that strives for human rights, political alternatives to war, social justice, control of the arms trade, and creative means of working for peace in God's world;”**

**To affirm the five core accompaniment values that inform this church's relationships with global partners and communities in the United States: mutuality, inclusivity, vulnerability, empowerment and sustainability;**

**To strongly encourage and support nonviolent action and efforts to develop the potential of nonviolence to bring about just and peaceful change;**

**To call on all nations to honor and enforce the principle of Article 2 (4) of the United Nations Charter, namely that nations “refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state...;”**

**To call on this church in all of its expressions to be a public witness alongside people whose land has been seized or occupied as an expression of this church's accompaniment values in pursuit of peace with justice; and**

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

**C. EXPANDED RESPONSE: CLIMATE DISPLACED PERSONS**

*Rocky Mountain Synod (2E) [2023]*

*[Originally submitted as a memorial to the Office of the Secretary, but the resolution did not memorialize the Churchwide Assembly. The secretary has determined that the action should be reclassified as a resolution.]*

WHEREAS, the Church Council of the ELCA adopted the 1998 Social Message “Immigration” “as a resource for deliberation on attitudes regarding immigrants and a resource to interpret ELCA policy related to immigration”: and has adopted various, succeeding Social Policy Resolutions (particularly in 2009 and 2016), advocating for a “generous US response” policy of welcome for refugees and immigrants; and

WHEREAS, the United Nations High Commissioner for Refugees noted that “none of the existing international and regional refugee law instruments specifically addresses the plight of people” commonly called “climate refugees” or “environmental migrants,” here referred to as climate-displaced persons; and

WHEREAS, “the UN International Organization for Migration estimates that there could be as many as 1.5 billion climate-displaced persons in the next 30 years alone (US included) and that disasters already displace up to ten times more people than conflict and war worldwide;” and

WHEREAS, research now shows that “for thousands of years, humans have concentrated in a surprisingly narrow subset of Earth’s available climates, characterized by mean annual temperatures around +/- 55.4° F and that over the coming 50 years, 1 to 3 billion people are projected to be left outside the climate conditions that have served humanity over the past 6000 years;” and

WHEREAS, rising air and water temperatures and changes in precipitation are intensifying droughts, increasing heavy downpours, reducing snowpack, and causing declines in surface water quality, with varying impacts across regions; and

WHEREAS, as people of faith and citizens of the world, we are called to commit ourselves, our congregations, and our leaders to renew our commitment and our resources to the work of welcoming refugees, immigrants and migrants within our country and around the world; therefore, be it

RESOLVED, to encourage ELCA Witness in Society in the Service and Justice home area (WIS) and other expressions of the ELCA team to better understand the impact of climate change on migration and to promote respect for the human rights of people impacted by climate change in different settings including in situations of human mobility; and be it further

RESOLVED, to encourage ELCA WIS to better understand and address the interplay of the factors that compel people to migrate, especially recognizing the adverse impact of climate change, as a part of how nations care for the uprooted.

*Executive Committee action [EC23.07.35.b]*

To refer the “Climate-Displaced Persons” resolution from the Rocky Mountain Synod to the Witness in Society team in 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 2023)*

**Thematic Priorities**

Priority 1: To better understand the impact of climate change on displacement, migration, and planned relocation on people and communities; and promote respect for the human rights of people on the move impacted by climate change.

Priority 2: To better understand the interaction of the factors that contribute to individual’s vulnerability to displacement, migration, and planned relocation; and understand and employ the primary mechanisms and instruments to advocate for the protection of people.

**Timeline for further attention**

Date	Event	Description of Goal(s)	Desired Outcomes
Nov-23	UN Climate Change Conference (COP 28) in the United Arab Emirates from 30 <sup>th</sup> of November to 12 <sup>th</sup> of December 2023.	WiS will collaborate with LWF to lead a delegation and incorporate aspects of climate migration in our witness.	<ul style="list-style-type: none"> <li>To reflect on climate induced migration in the context of Loss &amp; Damage at COP28.</li> <li>To educate the public about the progress of the 2030 Agenda for Sustainable Development.</li> </ul>
Dec-23	UN International Migrant Day on the 18 <sup>th</sup> of December 2023.	WiS will collaborate with AMMPARO and other partners to promote a toolkit on the rights and dignity of migrants which can include awareness about migration in light of climate change.	<ul style="list-style-type: none"> <li>To promote respect for the dignity and rights of migrants, with diaspora communities, non-governmental organizations, states, and other relevant stakeholders.</li> </ul>

			<ul style="list-style-type: none"> <li>Educate the public about the implementation of the Global Compact on Migration and share progress on the 2030 Agenda for Sustainable Development.</li> </ul>
<b>Jan-24</b>	14 <sup>th</sup> Summit of the Global Forum on Migration and Development (GFMD) in Geneva, Switzerland, from the 22 <sup>nd</sup> to the 26 <sup>th</sup> of January 2024.	WiS will collaborate with LWF to lead a delegation at the GFMD with a thematic focus on “ <a href="#">Responding to the climatic and cultural challenges of migration</a> ”	<ul style="list-style-type: none"> <li>To participate robustly in the summit, and emphatically raise up the role of “Culture, Narratives, and Migration” on migration discourse in our society.</li> <li>To address the way climate change factors into perception about migration, highlighting the lived experience of frontline communities.</li> </ul>
<b>Feb-24</b>			
<b>March-24</b>			
<b>April-24</b>	Earth Day is on the 22 <sup>nd</sup> of April 2024.	WiS will use various platforms to raise awareness of the situation of climate displaced persons.	<ul style="list-style-type: none"> <li>To make the general public aware of the challenges and opportunities that migration presents within the context of climate change.</li> </ul>
<b>May-24</b>			
<b>June-24</b>			
<b>July-24</b>	ELCA Youth Gathering in New Orleans from the 13 <sup>th</sup> to the 16 <sup>th</sup> of July 2024.	AMMPARO will coordinate with LDR, WH, and WiS to lead an educational experience at the Youth Gathering with a primary focus on climate resilience, displacement, and migration.	<ul style="list-style-type: none"> <li>To explore different ways that communities experience displacement and migration, disasters, and resilience, as climate change worsens.</li> <li>To educate on migration stories from a first-person perspective.</li> </ul>

**Church Council action:**

To affirm the proposed timeline on “Climate-Displaced Persons” from the Witness in Society team in the Service and Justice home area;

To commend the Witness in Society team in identifying its thematic priorities to better understand the impact of climate change on displacement, migration, and planned relocation on people and communities and to employ the primary mechanisms and instruments to advocate for the protection of people; and

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

**D. LGBTQIA+ PRESENCE AMONG ELCA GOVERNING BODIES**

*Upstate New York Synod (7D) [2022]*

RESOLVED, that the Upstate New York Synod Council respectfully requests that the Church Council of the ELCA adopt a continuing resolution setting a goal of having an intentional and dedicated LGBTQIA+ presence among the voting members of the Churchwide Assembly, the Church Council, and churchwide boards and committees.

*Executive Committee action [EC22.12.34b]*

To refer the “LGBTQIA+ Presence among ELCA Governing Bodies” resolution from the Upstate New York Synod to 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 Secretary (April 2023)*

The Office of the Secretary is in ongoing conversation with colleagues in Theological Discernment concerning this request and will present an update to the Church Council at the November 2023 meeting.

*Church Council action [CC23.04.08.o]*

To receive the timeline on “LGBTQIA+ Presence among ELCA Governing Bodies” resolution from the Office of the Secretary and to anticipate a response at the November 2023 Church Council meeting; and

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

*Response from the Office of the Secretary and Theological Discernment team (November 2023)*

This resolution poses a number of interesting questions and challenges within the context of this church’s social teachings. Neither current social statements nor ministry policies specifically address a goal of 10% LGBTQIA+ inclusion in churchwide leadership circles. Existing teaching in social statements and ministry policies simply creates space for four different conviction sets regarding how LGBTQIA+ individuals in life-long monogamous relationships may serve and be considered within the life of this church. While reconsideration of the positions on bound conscience was called for by the 2022 Churchwide Assembly, that work remains to be done and there is no predetermined outcome.

Given these elements, the spirit of the 2009 decisions and the *Faith, Sexism, and Justice: A Call to Action* (2019) continue to provide the teaching of this church. The Rev. Roger Willer, director for theological ethics, points out that adoption of the goal described in this resolution would create favored status for leadership, thus putting the ELCA on record and sending an unmistakable signal. It would indicate to ELCA members and to Lutheran World Federation communions that the ELCA has set policy in favor of one side of this spectrum and that it is not abiding by the spirit of its own teaching. Therefore, it is recommended that consideration of this resolution be placed on hold until the reconsideration of this church’s teaching on bound conscience is completed, allowing time for this church to consider all factors involved.

***Church Council action:***

**To receive the response on “LGBTQIA+ Presence among ELCA Governing Bodies” resolution from the Office of the Secretary and the Theological Discernment team in the Office of the Presiding Bishop;**

**To postpone a recommendation on the adoption of a continuing resolution setting a goal of having an intentional and dedicated LGBTQIA+ presence among the voting members of the Churchwide Assembly, the Church Council, and churchwide boards and committees until after the completion of the reconsideration of this church's teaching on bound conscience; and**

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

## **E. CONCURRENT CALLING OF PASTORS BY MORE THAN ONE CONGREGATION**

*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:

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

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 [CC22.11.34.ff.]*

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.

*Response from the Office of the Secretary (November 2023)*

The energy and focus of the Conference of Bishops (COB) and its Leadership Committee over the past year has been on the restructuring of the candidacy process. As that work is coming to fruition, it will be possible for the Leadership and Roster Committees of the COB to begin to address this question. Conversation with the bishops will be scheduled for the spring 2024 COB. As any change to these policies would require amendments to the ELCA Constitution, a report and recommendations will come to the Church Council at its November 2024 meeting.

***Church Council action:***

**To receive the progress report on “Concurrent Calling of Pastors by More than One Congregation” from the Office of the Secretary and to anticipate a report and recommendations at the November 2024 Church Council meeting; and**

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

## **F. INCLUDING CREATION CARE**

*Greater Milwaukee Synod Council (5J) [July 2023]*

WHEREAS, the Greater Milwaukee Synod Assembly (Resolution 1) called for amendments to the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*; therefore, be it

RESOLVED, to request the Church Council and the Office of the Secretary to develop amendments to the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* to be presented at the 2025 Churchwide Assembly that add “care for creation” to the purposes of this church; and be it further

RESOLVED, that these amendments should include adding the purpose “care for creation” to 4.02., 4.03., 7.31.02., 7.61.02., 9.41., 11.21., 16.12.D21., †S6.02., †S14.12., †S14.32., \*C4.02., \*C4.03., \*C9.03., and \*C9.23., as well as any other applicable places within the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*; and be it further

RESOLVED, to request the Church Council and the Office of the Secretary add a new provision on “the purpose of membership” to “Chapter C8. Members” and/or amend \*C8.04., the privileges and duties of members, to include the visions laid out in 4.03.b. of the Constitution, stating that members of this church will be equipped “to be stewards of the earth, their lives, and the Gospel”, and in the liturgies of baptism and affirmation of baptism as printed in Evangelical Lutheran Worship, especially the hope that the baptized will “care for others and the world God has made”.

*Executive Committee action [EC23.09.41b]*

To refer the “Including Creation Care” resolution from the Greater Milwaukee Synod to the Legal and Constitutional Review Committee 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 Secretary (November 2023)*

The question of amending constitutional provisions and bylaws to include “care for creation” among the purposes of this church will need to be discerned along with other constitutional amendment changes. The Office of the Secretary plans to include consideration of this request when it presents the slate of proposed ELCA Constitution amendments to the Legal

and Constitutional Review Committee in the summer of 2024. The Church Council will forward proposed amendments to the 2025 Churchwide Assembly at its November 2024 meeting.

***Church Council action:***

**To receive the response on the “Including Creation Care” resolution from the Office of the Secretary;**

**To anticipate possible amendments related to this resolution when the Legal and Constitutional Review Committee reviews proposed amendments to the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* at the November 2024 Church Council meeting; and**

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

**G. SUPPORTING VULNERABLE YOUTH**

*Greater Milwaukee Synod Council (5J) [July 2023]*

WHEREAS, the Greater Milwaukee 2023 Synod Assembly (Resolution 5) called for amendments to the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*; therefore, be it

RESOLVED, to request the Church Council and the Office of the Secretary to develop amendments to 4.02.c., †S6.02.c., and \*C4.02.d. of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, as well as any other applicable places, to be presented at the 2025 Churchwide Assembly that adds “supporting children and vulnerable youth” to the purposes of this church.

*Executive Committee action [EC23.09.41c]*

To refer the “Supporting Vulnerable Youth” resolution from the Greater Milwaukee Synod to the Legal and Constitutional Review Committee 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 Secretary (November 2023)*

The question of adding “supporting children and vulnerable youth” to the purposes of all three expressions of this church will need to be discerned along with other constitutional amendment changes. The Office of the Secretary plans to include consideration of this request when it presents the slate of proposed ELCA Constitution amendments to the Legal and Constitutional Review Committee in the summer of 2024. The Church Council will forward proposed amendments to the 2025 Churchwide Assembly at its November 2024 meeting.

***Church Council action:***

**To receive the response on the “Supporting Vulnerable Youth” resolution from the Office of the Secretary;**

**To anticipate possible amendments related to this resolution when the Legal and Constitutional Review Committee reviews proposed amendments to the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* at the November 2024 Church Council meeting; and**

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

**H. PROVIDING FOR ORDINATION OF CANDIDATES SERVING AS INTERIM PASTORS**

*Southwest California Synod (2B) [2023]*

*[Originally submitted as a memorial to the Office of the Secretary. The Secretary has determined that the memorial should be reclassified as a resolution.]*

RESOLVED, that the Southwest California Synod of the ELCA calls for Bishop and the Synod Council to fully honor the important work of interim ministry; and be it further

RESOLVED, that the Southwest California Synod Bishop and the Synod Council to determine that serving as an interim pastor constitutes a call; and be it further

RESOLVED, that the Southwest California Synod provides a means of ordination for first call candidates serving as interim pastors; and be it further

RESOLVED, that the Southwest California Synod memorialize the church wide national office to change the current policy and allow first call candidates assigned or called to interim ministries be allowed to be ordained.

*Executive Committee action [EC23.07.35.c]*

To refer the “Providing for Ordination of Candidates Serving as Interim Pastors” resolution from the Southwest California Synod to the Office of the Secretary and the task force on specialized ministries and On-Leave-from-Call 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 2023)*

Current policy prevents ordination to interim ministry, and further precludes interim ministry for those ministers of Word and Sacrament who have not completed three years of initial service in regular congregation calls unless they are granted an exception from the Conference of Bishops. There are a number of reasons that these policies have been in place, including a concern that because interim situations are usually short-term and frequently involve congregations under significant stress during a pastoral transition that they are not ideal settings for first-call pastors or for those congregations.

However, due to a shortage of available pastors, increasingly synods have been seeking to place candidates in interim ministry, or to offer interim calls to pastors who have not yet completed their three years of congregational service. Consideration of a change in this policy will require significant discussion with the Conference of Bishops, the candidacy staff within the Christian Community and Leadership unit, and with the Task Force on On-Leave-from-Call and Specialized Ministry, since these questions intersect with that task force's potential recommendations regarding specialized ministry. A report and recommendations will be given to the Church Council at its November 2024 meeting.

***Church Council action:***

**To receive the response on “Providing for Ordination of Candidates Serving as Interim Pastors” resolution from the Office of the Secretary and to anticipate further reports on this topic to be received through the Task Force on On-Leave-from-Call and Specialized Ministry; and**

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

**I. RESTORATION OF LANGUAGE TO THE CONSTITUTION FOR SYNODS**

*Southeastern Pennsylvania Synod (7F) [2023]*

WHEREAS, the Southeastern Pennsylvania Synod Assembly has directed the Southeastern Pennsylvania Synod Council to “take the necessary steps to encourage the reinstatement of the words “proclaiming God’s love to the world” to S14.12. and S14.32. of the Constitution for Synods of the Evangelical Lutheran Church in America;” therefore, be it

RESOLVED, the Southeastern Pennsylvania Synod Council requests that the ELCA Church Council recommends to the 2025 Churchwide Assembly the restoration of the words “proclaiming God’s love to the world” in S14.12., S14.32., and all parallel instances in the Constitution for Synods of the Evangelical Lutheran Church in America.

*Executive Committee action [EC23.07.35.e]*

To refer the “Restoration of Language to the Constitution for Synods” resolution from the Southeastern Pennsylvania Synod to the Legal and Constitutional Review Committee 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 Secretary (November 2023)*

The question of adding “proclaiming God’s love to the world” to the *Constitution for Synods* will need to be discerned along with other constitutional amendment changes. Parallel changes will be considered for the *Constitution, Bylaws and Continuing Resolutions of the ELCA* and *Model Constitution for Congregations*. The Office of the Secretary plans to include consideration of this request when it presents the slate of proposed ELCA Constitution amendments to the Legal and Constitutional Review Committee in the summer of 2024. The Church Council will forward proposed amendments to the 2025 Churchwide Assembly at its November 2024 meeting.

***Church Council action:***

**To receive the response on “Restoration of Language to the Constitution for Synods” resolution from the Office of the Secretary;**

**To anticipate possible amendments related to this resolution when the Legal and Constitutional Review Committee reviews proposed amendments to the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* at the November 2024 Church Council meeting; and**

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

**J. FULL FUNDING FOR CHURCHWIDE MINISTRIES**

*Arkansas-Oklahoma Synod (4C) [2023]*

*[Originally submitted as a memorial to the Office of the Secretary, but the resolution did not memorialize the Churchwide Assembly. The Secretary has determined that the action should be reclassified as a resolution.]*

WHEREAS, at the 2022 Churchwide Assembly a memorial with regards to explore the sources and needs in funding for the various Indigenous ministries of the ELCA, to identify potential sources of sustainable funding for these ministries, and present



findings of possible funding of these ministries to the Church Council with a commitment to implement proposed and sustainable actions for funding of these ministries during the 2026–2028 triennium budget cycle; and

WHEREAS, there are numerous other ministry areas of the ELCA that are suffering from the lack of sustainable funding for their ministries; and

WHEREAS, these ministry areas are vitally important to the life of the mission and ministry of the ELCA; therefore, be it

RESOLVED, that similar explorations of the sources and needs in funding for the ministries of the ELCA listed below and identification of potential sources of funding for these ministries with presentation of findings of possible funding of these ministries to the Church Council no later than its Spring 2028 meeting with a commitment to implement proposed and sustainable actions for the funding of these ministries during the 2029–2031 triennium budget cycle: Youth and Young Adult ministries, College ministries, Latinx ministries, African descent ministries, Arab and Middle Eastern ministries, Asian and Pacific Islander ministries, Disabled and differently abled person ministries, Urban ministries, Education ministries, LGBTQIA+ ministries, Congregational Renewal ministries.

*Executive Committee action [EC23.07.35.d]*

To refer the “Full Funding for Churchwide Ministries” resolution from the Arkansas-Oklahoma Synod to the Office of the Treasurer, in consultation with other appropriate churchwide units, 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 2023)*

The Office of the Treasurer will complete this exploration work in conjunction with the review of funding for indigenous ministries [CA22.03.13] with a full report for the 2025 Churchwide Assembly.

**Church Council action:**

**To receive the timeline on “Full Funding for Churchwide Ministries” resolution from the Office of the Treasurer;**

**To request a report to present findings of possible funding of the Youth and Young Adult ministries, College ministries, Latinx ministries, African descent ministries, Arab and Middle Eastern ministries, Asian and Pacific Islander ministries, Disabled and differently abled person ministries, Urban ministries, Education ministries, LGBTQIA+ ministries, and Congregational Renewal ministries to the Church Council no later than its Spring 2025 meeting, with a commitment to implement proposed and sustainable actions for funding of these ministries during the 2026-2028 triennium budget cycle; and**

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

### **III. CHURCH COUNCIL RESPONSES TO PREVIOUS CHURCH COUNCIL ACTIONS**

#### **A. CREATION OF A RACIAL JUSTICE OMBUDSPERSON POSITION**

*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 [CC22.11.34.x]*

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.

*Recommendations regarding the creation of an ombudsperson position/office:*

The Task Force on the ELCA Discipline Process for Rostered Ministers of Color supports the creation of an ombudsperson/office to help this church more faithfully demonstrate equity and justice in its dealings with rostered ministers, especially those within communities of color and LGBTQIA+ communities.

As this position/office is being considered, the following questions and issues should be addressed:

1. Where will this position/office be located in the churchwide organization structure?
2. What will be the areas of focus for this position/office?
  - a. Training and education (prevention)
  - b. Advice and accompaniment (guiding rostered ministers, bishops, and others as they navigate challenging situations)
  - c. Oversight and appeal (receiving and investigating complaints and working for resolution and adjudication)
  - d. Information and reporting (gathering data on allegations of discrimination experienced by rostered ministers and making recommendations for systemic changes)
3. How will rostered ministers have access to this position/office?

This task force also recognizes that situations in which conflict exists between a rostered minister and their congregation and/or the bishop's office or others are often complex, sensitive, and multi-faceted. Care and attention will need to be given to balance the demands of transparency, confidentiality, and integrity. Above all, this position/office should be dedicated to promoting reconciliation, healing, justice, and growth.

*Church Council action [CC23.04.05]*

To receive the report and recommendations from the Task Force on the ELCA Discipline Process for Rostered Ministers of Color and thank the members of the task force for their care and due diligence to the work;

....

To refer the recommendations regarding the creation of an ombudsperson position/office to the Administrative Team, in consultation with the Conference of Bishops, with a report to be made to the Church Council at its November 2023 meeting; and

....

*Response from the Administrative Team (November 2023)*

The Administrative Team consulted with the Conference of Bishops at the Fall 2023 meeting. More time is needed for conversation and research before the Administrative Team can decide on the creation of an ombudsperson position.

***Church Council action:***

**To receive the report from the Administrative Team regarding the creation of an ombudsperson position and to anticipate a report in 2024.**

**B. RECOMMENDATIONS FOR THE CURRENT DISCIPLINE PROCESS**

*Recommendations of the Task Force on the ELCA Discipline Process for Rostered Ministers of Color*

Recommendations for the Current Discipline Process:

1. Micro and macroaggressions are part of the daily lived reality of historically marginalized people. Predominantly white congregations and members are not always aware of the impact of racism and other forms of oppression have on rostered ministers. Antiracism and antibias training should be expected for every congregation and especially for congregations that call leaders from historically marginalized groups.
2. Discipline functions informally and formally. Synods should utilize consultation as the first step in the process. Formal discipline actions would be the last resort.
3. Rostered ministers could request someone of their same background to be present during consultations. Could potentially be an ombudsperson or a member of a group of trained leaders/advocates.
4. Cultural competency, antibias, and antiracism training should be required for pools of leaders who serve on discipline panels, Committee on Appeals, and for synod leaders etc. Training could be provided after

committees are formed. Potentially offered by churchwide staff to ensure consistency of content. Also incorporate trainings into budgets.

5. Each synod has its own process for investigating misconduct or disciplinary concerns. Some synods indicate this information on their synod website. Need to have some understanding of uniformity of the process across all synods. Synods should share reports of matters relating to discipline with churchwide.

The typical duties of an ombudsman are to investigate complaints and attempt to resolve them, usually through recommendations (binding or not) or mediation. An ombudsperson sometimes also aims to identify systemic issues leading to poor service or breaches of people's rights.

*Church Council action [CC23.04.05]*

To receive the report and recommendations from the Task Force on the ELCA Discipline Process for Rostered Ministers of Color and thank the members of the task force for their care and due diligence to the work;

To refer the recommendations regarding the current discipline process to the Office of the Secretary, in consultation with the Conference of Bishops, with a report to be made to the Church Council at its November 2023 meeting;

...

*Response from Office of the Secretary (November 2023)*

The Office of the Secretary will share the recommendations with the Task Force on On Leave from Call (OLFC) and Specialized Ministry. That task force will consider its own recommendations for a protocol related to how decisions are made concerning non-recommendation of a rostered minister for OLFC or for retired roster status. Those particular recommendations will be included in the report of the Task Force on OLFC and Specialized Ministry to be given to the Church Council at its November 2024 meeting, along with proposed revisions to the roster manual and any amendments that would be required for the *Constitutions, Bylaws, and Continuing Resolutions of the ELCA*.

***Church Council action:***

**To receive the report from the Office of the Secretary regarding the recommendations to the current discipline process; and**

**To direct further reports on the topic be received from the Task Force on On Leave from Call and Specialized Ministry.**