

**CONSTITUTION, BYLAWS,  
and  
CONTINUING RESOLUTIONS**

of the

Western Iowa Synod  
Evangelical Lutheran Church in America

Constitution Adopted: June 1987  
Amendments Through: August 2009

**Introduction**

Placement together of those constitutional provisions, bylaws, and continuing resolutions that pertain to the same matter is recommended.

Each is separately codified, but all are preceded by the letter, “S,” denoting that they are part of the synodical constitution.

- a. Constitutional provisions are codified by two sets of numbers, as in S9.08. or \*S10.01.
- b. A bylaw related to S9.08. would be codified as S9.08.01., and to \*S10.01. as S10.01.01. A bylaw under a required provision would not carry the asterisk “\*”, that designates a required constitutional provision.
- c. Continuing resolutions also are codified by three sets of numbers, except that the third set is preceded by a capital letter. Thus, a continuing resolution might be numbered S10. to designate the chapter; S10.07. to designate the subject matter within the chapter; and the third set might be numbered A07. in the codification S10.07.A07. to indicate by the “A” that it is the first continuing resolution regarding that subject and by the “07” that it was adopted in 2007.

**Types of constitutional provisions**

Three types of constitutional provisions are found within this constitution.

- a. Required provisions are designated by an asterisk “\*”. Such required provisions:
  - 1) may only be adopted or amended by the Churchwide Assembly;
  - 2) may not be altered or amended by the Synod Assembly; and
  - 3) are to be introduced “at once” into the synod’s constitution upon notification of the amendment or adoption of the provision (\*18.11.)
- b. Recommended provisions are provided in the ELCA Constitution for Synods, as approved by the Churchwide Assembly. Such recommended provisions may be adopted by majority vote at one meeting of the Synod Assembly (\*S18.12.).
- c. Other provisions may be initiated in and adopted by the synod (\*S18.13.), but such provisions may not conflict with required constitutional provisions or with churchwide constitutional provisions and bylaws. Synodical constitutional amendments become effective upon ratification by the Church Council or Churchwide Assembly.

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## **Chapter 1**

### **NAME AND INCORPORATION**

- \*S1.01. The name of this synod shall be the Western Iowa Synod of the Evangelical Lutheran Church in America.
- \*S1.02. For the purposes of this constitution and the accompanying bylaws, the Western Iowa Synod of the Evangelical Lutheran Church in America is hereafter designated as “this synod” or “the synod.”
- \*S1.11. This synod shall be incorporated. Amendments to the articles of incorporation of this synod shall be submitted to the Church Council for ratification before filing.
- \*S1.21. The seal of this synod is a cross with three united flames emanating from the base of the cross and three entwined circles beside the cross superimposed on an outline of the territory of the Western Iowa Synod. The name, "Western Iowa Synod- Evangelical Lutheran Church in America," forms the circular outer edge of the seal.
- S1.22. The bishop shall have custody of the seal.

## **Chapter 2**

### **STATUS**

- \*S2.01. This synod possesses the powers conferred upon it, and accepts the duties and responsibilities assigned to it, in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America (ELCA or "this church"), which are recognized as having governing force in the life of this synod.
- \*S2.02. No provision of this constitution shall be inconsistent with the constitution and bylaws of this church.

## **Chapter 3**

### **TERRITORY**

- \*S3.01. The territory of this synod, as determined by the Churchwide Assembly, shall be:  
The counties of Adair, Adams, Audubon, Buena Vista, Calhoun, Carroll, Cass, Cherokee, Clay, Crawford, Dickinson, Emmet, Fremont, Greene, Guthrie, Hamilton (west), Hancock, Harrison, Humboldt, Ida, Kossuth, Lyon, Mills, Monona, Montgomery, O'Brien, Osceola, Page, Palo Alto, Plymouth, Pocahontas, Pottawattamie, Ringgold, Sac, Shelby, Sioux, Taylor, Union, Webster, Winnebago, Woodbury, Wright (west) in the state of Iowa.
- S3.01.01. The office of this synod shall be in Storm Lake, Buena Vista County, Iowa.
- \*S3.02. "Determined by the Churchwide Assembly" as stipulated by \*3.01., is understood to include the reported changes in synod relationship made by any congregation in a border area agreed under ELCA bylaws 10.01.11. and 10.02.02.

## **Chapter 4**

### **CONFESSION OF FAITH**

- \*S4.01. This synod confesses the Triune God, Father, Son, and Holy Spirit.
- \*S4.02. This synod confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.

- a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.
  - b. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.
  - c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.
- \*S4.03. This synod accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.
  - \*S4.04. This synod accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this synod.
  - \*S4.05. This synod accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.
  - \*S4.06. This synod accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.
  - \*S4.07. This synod confesses the Gospel, recorded in the Holy Scriptures and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

## **Chapter 5**

### **NATURE OF THE CHURCH**

- \*S5.01. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this synod are to be carried out under his rule and authority.
- \*S5.02. The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. This church, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.

## **Chapter 6**

### **STATEMENT OF PURPOSE**

- \*S6.01. The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world.
- \*S6.02. To participate in God's mission, this synod as a part of the Church shall:

- a. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
- b. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
- c. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, and standing with the poor and powerless, and committing itself to their needs.
- d. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
- e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
- f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and actions to express and preserve the unity which the Spirit gives.

\*S6.03. To fulfill these purposes, this synod, in partnership with the churchwide organization, shall bear primary responsibility for the oversight of the life and mission of this church in the territory of this synod. In fulfillment of this role, this synod shall:

- a. Provide for the pastoral care of congregations, ordained ministers, associates in ministry, deaconesses, and diaconal ministers of this church in this synod, including:
  - 1) approving candidates for the ordained ministry in cooperation with the appropriate seminaries of this church, which may be done through multi-synodical committees;
  - 2) authorizing ordinations and ordaining on behalf of this church;
  - 3) approving associates in ministry, deaconesses, and diaconal ministers of this church, which may be done through multi-synodical committees;
  - 4) authorizing the commissioning of associates in ministry, the consecration of deaconesses, and the consecration of diaconal ministers of this church; and
  - 5) consulting in the calling process for ordained ministers, associates in ministry, deaconesses, and diaconal ministers.
- b. Provide for leadership recruitment, preparation, and support in accordance with churchwide standards and policies, including:
  - 1) nurturing and supporting congregations and lay leaders;
  - 2) seeking and recruiting qualified candidates for the rostered ministries of this church;
  - 3) making provision for pastoral care, call or appointment review, and guidance;
  - 4) encouraging and supporting persons on the rosters of this church in stewardship of their abilities, care of self, and pursuit of continuing education to undergird their effectiveness of service; and
  - 5) supporting recruitment of leaders for this church's colleges, universities, seminaries, and social ministry organizations.

- c. Provide for discipline of congregations, ordained ministers, and persons on the official lay rosters; as well as for termination of call, appointment, adjudication, and appeals consistent with the procedures established by this church in Chapter 20 of the ELCA constitution and bylaws.
- d. Foster organizations for youth, women, and men, and organizations for language or ethnic communities.
- e. Plan for the mission of this church in this synod, initiating and developing policy, and implementing programs, consistent with churchwide policy, including:
  - 1) ecumenical guidance and encouragement;
  - 2) development of new ministries, redevelopment of existing ministries, and support and assistance in the conclusion, if necessary, of a particular ministry;
  - 3) leadership and encouragement of congregations in their evangelism efforts;
  - 4) development of relationships to and participation in planning for mission of social ministry organizations and ministries;
  - 5) encouragement of financial support for the work of this church by individuals and congregations;
  - 6) provision for resources for congregational life;
  - 7) assistance to the members of its congregations in carrying out their ministries in the world; and
  - 8) interpretations of social statements in a manner consistent with the interpretation given by the churchwide unit which assisted in the development of the statement, and suggestion of social study issues through (a) Synod Assembly memorials to the Churchwide Assembly or (b) resolutions for referral from the Synod Assembly through the Synod Council to the Church Council and (c) Synod Council resolutions addressed to the Church Council or for referral to a unit of the churchwide organization through the Church Council's Executive Committee.
- f. Promote interdependent relationships among congregations, synods, and the churchwide organization, and enter into partnership with other synods in the region.
- g. Participate in churchwide programs and develop support for the ministry of the churchwide organization.
- h. Foster the grouping of congregations in conferences, clusters, coalitions, or other area subdivisions for mission purposes.
- i. Support relationships with and provide partnership funding on behalf of colleges, universities, and campus ministries.
- j. Foster relationships with and provide partnership funding on behalf of social ministry organizations.
- k. Maintain relationships with and provide partnership funding on behalf of seminaries and continuing education centers.
- l. Foster supporting relationships with camps and other outdoor ministries.
- m. Foster supporting relationships with preschools, elementary schools, and secondary schools operated by congregations of this synod.
- n. Interpret the work of this church to congregations and to the public.
- o. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
- p. Provide for archives in conjunction with other synods.

- q. Cooperate with other synods and the churchwide organization in creating, using, and supporting regions to carry out those functions of this synod which can best be done cooperatively with other synods and the churchwide organization.
  - r. Elect members of the Churchwide Assembly in accordance with bylaw 12.41.11. of the constitution and bylaws of the Evangelical Lutheran Church in America and according to procedures specified in the bylaws of this constitution.
- \*S6.04. Except as otherwise provided in this constitution and bylaws, the Synod Council shall establish processes that will ensure that at least 60 percent of the members of the synod assemblies, councils, committees, boards, and other organizational units shall be laypersons; and that, as nearly as possible, 50 percent of the lay members of assemblies, councils, committees, boards, or other organizational units shall be female and 50 percent shall be male; and that, where possible, the representation of ordained ministers shall be both male and female. This synod shall establish processes that will enable it to reach a minimum goal that 10 percent of its assemblies, councils, committees, boards, or other organizational units be persons of color and/or persons whose primary language is other than English.
- \*S6.04.A01. It is the goal of this synod that 10 percent of the membership of synod assemblies, councils, committees, boards and/or other organizational units be persons of color and/or persons whose primary language is other than English. By the time of this synod's second assembly, a plan shall be established to attain this goal within 10 years.
- \*S6.04.B09. It is the goal of this synod that at least 10 percent of the voting members of the Synod Assembly, Synod Council, committees, and organizational units of this synod be youth and young adults. The Synod Council shall establish a plan for implementing this goal. For purposes of the constitution, bylaws, and continuing resolutions of this synod, the term "youth" means a voting member of a congregation who has not reached the age of 18 at the time of election or appointment for service. The term "young adult" means a voting member of a congregation between the ages of 18 and 30 at the time of election or appointment for service.
- \*S6.05. Each assembly, council, committee, board, commission, task force, or other body of this synod or any synodical units shall be conclusively presumed to have been properly constituted, and neither the method of selection nor the composition of any such assembly, council, committee, board, commission, task force, or other body may be challenged in a court of law by any person or be used as the basis of a challenge in a court of law to the validity or effect of any action taken or authorized by any such assembly, council, committee, board, commission, task force, or other body.

## **Chapter 7**

### **SYNOD ASSEMBLY**

- \*S7.01. This synod shall have a Synod Assembly, which shall be its highest legislative authority. The powers of the Synod Assembly are limited only by the provisions in the Articles of Incorporation, this constitution and bylaws, the assembly's own resolutions, and the constitutions and bylaws of the Evangelical Lutheran Church in America.

- \*S7.11.A regular meeting of the Synod Assembly shall be held at least biennially.
- S7.11.01.The regular meeting of the Synod Assembly shall be called annually by the Synod Council. The time and place of the next regular Synod Assembly shall be announced at each assembly, or at least ninety days prior to the Synod Assembly.
- S7.11.02.The preaching of the Word and the administration of Holy Communion shall be included in every Synod Assembly program. The bishop shall oversee and approve the planning of the Assembly's worship services.
- S7.11.03.The Synod Council shall, after consultation with the Committee of Assembly Business and Counsel, propose an agenda and program for each assembly. The agenda shall be published in a Pre-Assembly Report at least thirty days prior to the Assembly.
- S7.11.04.Arrangements for Synod Assemblies shall be made by the Synod Council, or by an assembly coordinator working under the supervision of the Synod Council, in conjunction with a committee appointed by the Synod Council for that purpose.
- S7.12.Special meetings of the Synod Assembly may be called by the bishop with the consent of the Synod Council, and shall be called by the bishop at the request of one-fifth of the voting members of the Synod Assembly.  
The notice of each special meeting shall define the purpose for which it is to be held. The scope of actions to be taken at such a special meeting shall be limited to the subject matter(s) described in the notice.  
If the special meeting of the Synod Assembly is required for the purpose of electing a successor bishop because of death, resignation, or inability to serve, the special meeting shall be called by the presiding bishop of the ELCA in cooperation with the Synod Council.
- S7.13.Notice of the time and place of all meetings of the Synod Assembly shall be given by the secretary of this synod.
- S7.13.01.Notice for the annual meeting of the Synod Assembly shall be given to each congregation by the secretary and post-marked at least ninety days before the meeting.
- S7.13.02.Notice for a special meeting of the Synod Assembly shall be given to each congregation by the secretary and post-marked at least thirty days before the meeting.
- S7.13.03.At least ninety days prior to the regular Synod Assembly (or thirty days prior to a special meeting of the Synod Assembly) registration materials shall be prepared and mailed to each congregation to register all voting members of the Synod Assembly. Registration information shall be submitted no later than thirty days before the Synod Assembly (or fifteen days prior to a special meeting of the Synod Assembly). If a voting member to the Synod Assembly has not been registered thirty days prior to the Assembly (or fifteen days prior to a special meeting of the Synod Assembly), the member shall be seated only with the approval of the Credentials and Elections Committee of the regular Synod Assembly. The roster of registered voting members of the Synod Assembly shall appear in the Minutes.
- S7.14.One-half of the voting members of the Synod Assembly shall constitute a quorum.
- \*S7.21.The membership of the Synod Assembly, of which at least 60 percent of the voting membership shall be composed of lay persons, shall be constituted as follows:
- a. All ordained ministers under call on the roster of this synod in attendance at the Synod Assembly shall be voting members.

- b. All associates in ministry, deaconesses of the Evangelical Lutheran Church in America, and diaconal ministers, under call, on the official lay rosters of this synod shall have both voice and vote as lay voting members in the Synod Assembly, in addition to the voting membership of lay members of congregations provided in item \*S7.21.c.
  - c. A minimum of one lay member elected by each congregation with fewer than 175 baptized members and a minimum of two lay members elected by each congregation with 175 or more baptized members related to this synod, normally one of whom shall be male and one of whom shall be female, shall be voting members. The Synod Council shall establish a formula to provide additional lay representation from congregations on the basis of the number of baptized members in the congregation. The Synod Council shall seek to ensure that, as nearly as possible, 50 percent of the lay members of the assembly shall be female and 50 percent shall be male. Additional members from each congregation normally shall be equally divided between male and female.
  - d. Voting membership shall include the officers of this synod.
- S7.21.A87 Congregations having more than 1,000 baptized members shall be entitled to one additional voting member in the Assembly. Larger congregations shall be entitled to an additional voting member for each 500 members beyond 1,000. Additional members from each congregation shall be equally divided between male and female except that the odd-numbered member, if any, may be either male or female.
- S7.21.01. All ordained ministers, associates in ministry, deaconesses of the Evangelical Lutheran Church in America, and diaconal ministers, under call and the persons appointed as voting members of the Synod Assembly from congregations shall attend meetings of the Synod Assembly. In case of unavoidable absence, the absentee, an ordained minister or the president of a congregation whose appointed voting members of the Synod Assembly must be absent shall submit a proper excuse to the secretary. After two warnings, absence without excuse from further assemblies shall render the offending ordained minister or congregation under review by the Synod Council for encouragement or reprimand.
- S7.21.02. Each congregation shall elect its authorized members to the Synod Assembly at least sixty days prior to the regular Synod Assembly. The congregation may also elect alternate members to the Synod Assembly. The congregation shall promptly register its members.
- S7.22. The synod may establish processes that permit retired ordained ministers, retired associates in ministry, retired deaconesses, and retired diaconal ministers on the rosters of this synod to serve as voting members of the assembly, consistent with \*S7.21.c.above.
- S7.22.01 Retired ordained ministers, retired associates in ministry, retired deaconesses, and retired diaconal ministers on the rosters of this synod shall serve as voting members of the assembly, consistent with \*S7.21.c above.
- S7.22.02. Ordained ministers on the roster of this synod who are on leave from call and who are serving as interim pastors under contract with a congregation of this synod shall serve as voting members of the Synod Assembly, consistent with \*7.21c above.
- S7.23. All ordained ministers on leave from call, all associates in ministry on leave from call who are not serving as interim pastors under contract with a congregation of this synod, all deaconesses of the Evangelical Lutheran Church in America on leave from call, and all diaconal ministers on leave from call, all of whose names appear on the

rosters of this synod, shall have the privilege of voice but not vote at all meetings of the Synod Assembly.

The presiding bishop of the Evangelical Lutheran Church in America and such other official representatives of this church as may be designated from time to time by the Church Council shall also have voice but not vote in the meetings of the Synod Assembly. Like privileges shall be accorded to those additional persons whom the Synod Assembly or the Synod Council shall from time to time designate.

\*S7.25. Except as otherwise provided in this constitution or in the Constitution, bylaws, and Continuing Resolutions for the Evangelical Lutheran Church in America, each member of the Synod Assembly shall be a voting member of a congregation of this synod.

S7.25.01 With the exception of ordained ministers on the roster of this synod who reside outside the territory of this synod, each member of the Synod Assembly shall be a voting member of a congregation of this synod.

S7.26. This synod may establish processes through the Synod Council that permit representatives of mission settings formed with the intent of becoming chartered congregations and authorized worshipping communities of the synod, which have been authorized under ELCA bylaw 10.02.03., to serve as voting members of the Synod Assembly, consistent with \*S7.21. Authorized worshipping communities, acknowledged under criteria, policies, and procedures approved by the Church Council of the Evangelical Lutheran Church in America, shall accept and adhere to the Confession of Faith and Statement of Purpose of this church, shall be served by leadership under the criteria of this church, and shall be subject to the discipline of this church.

S7.26.A95 An annual evaluation of each Authorized Worshipping Community will be conducted by the ELCA EOCM staff person under the direction of the Outreach Committee, jointly with ELCA EOCM, using criteria in the ELCA "Policy on Criteria for Synodical Authorized Worshipping Communities". The annual evaluation shall also include a ministry plan for the coming year. Representatives of Authorized Worshipping Communities will be authorized to serve as voting members of the Synod Assembly, consistent with \*7.21., beginning with the 1995 Western Iowa Synod Assembly.

S7.28. Duly elected voting members of the Synod Council who are not otherwise voting members of the Synod Assembly under \*S7.21. shall be granted the privilege of both voice and vote as members of the Synod Assembly.

S7.29. In addition to the lay voting members of the Synod Assembly specified in \*S7.21.c, the voting membership of the Synod Assembly may include one youth member from each congregation of this synod. Insofar as possible, these voting members shall be equally divided between female and male, except that odd-numbered members may be either female or male. Such individuals shall be voting members of congregations of this synod and shall be under the age of 20 at the time of the Synod Assembly for which they are elected.

S7.30. Ordained ministers under call on the roster of this synod shall remain as members of the Synod Assembly so long as they remain under call and so long as their names appear on the roster of ordained ministers of this synod. Associates in ministry, deaconesses of the Evangelical Lutheran Church in America, and diaconal ministers of this church serving under call on the roster of this synod shall remain as members of the Synod Assembly so long as they remain under call and so long as their names

appear on the official lay roster of this synod. Lay members of the Synod Assembly shall continue as such until replaced by the election of new members or until they have been disqualified by termination of membership. Normally, congregations will hold elections prior to each regular meeting of the Synod Assembly.

\*S7.31. Proxy and absentee voting shall not be permitted in the transaction of any business of this synod.

S7.32. Robert's Rules of Order, latest edition, shall govern parliamentary procedure of the Synod Assembly, unless otherwise ordered by the assembly.

S7.32.01. Any voting member of the Synod Assembly desiring to add an item of new business to the agenda of the Synod Assembly shall present such an item to the chair no later than one-half hour following the close of the first plenary session of the Assembly. The chair shall immediately refer it to the Committee of Assembly Business and Counsel.

S7.32.02. A two-thirds vote of the Synod Assembly shall be required to add an item of new business to the agenda.

S7.32.03. Unless otherwise determined by a two-thirds vote of the Synod Assembly, all speeches in general discussion shall be limited to five minutes.

S7.32.04. All elections shall be by written ballot. In preparing the ballot, the Credentials and Elections Committee shall identify on the ballot those eligible and nominated for reelection. Additional nominations for assembly elections may be made for any position if supported by ten voting members of the Synod Assembly. The voting member presenting the nomination shall secure from the nominee assurance of her/his willingness to serve if elected. The nominee shall have all of the requirements of the position (in order to meet the criteria of \*S6.04.) Additional nominations, including biographical information, shall be made to the secretary no later than one-half hour following the close of the first plenary session of the Synod Assembly.

S7.32.05. Any proposal to appropriate funds, whether by amendment to the budget or otherwise, which is presented to a meeting of the Synod Assembly without the approval of the Synod Council shall require a two-thirds vote for adoption.

S7.33. "Ex-officio" as used herein means membership with full rights of voice and vote unless otherwise expressly limited.

S7.40.01. During the first session of the Synod Assembly, the bishop shall announce the membership of the Assembly committees. They shall include:

The Credentials and Elections Committee

The Nominating Committee

The Committee of Assembly Business and Counsel

The Committee on Minutes

Each committee chairperson or designee shall have voice at the Synod Assembly.

S7.40.02. The Credentials and Elections Committee shall

- a. be composed of seven members of the Synod Assembly appointed by the Synod Council. The Synod Council shall strongly consider principles of inclusiveness in its election, that is, representation of male and female, persons of color and persons whose primary language is other than English.
- b. review the secretary's roster of voting members to the Synod Assembly.
- c. supervise the proper registration of voting members and Synod Assembly guests.
- d. have the discretion to seat voting members who have not been registered with the secretary thirty days before the Synod Assembly.

- e. present a roster of voting members to be included in the minutes of the first session, keep the roster current throughout the Synod Assembly and make attendance reports as required by the Synod Assembly.
- f. prepare printed ballots, supervise the voting and counting of ballots and report to the Synod Assembly

S7.40.03. The Nominating Committee shall

- a. make nominations to the Synod Assembly as specified in Chapter 9 of this constitution and its other chapters and bylaws.
- b. announce the positions for which elections will take place at the annual Synod Assembly in the first business session of the annual Synod Assembly.

S7.40.04. The Committee of Assembly Business and Counsel shall

- a. be composed of eleven members; three shall be elected in even numbered years and four shall be elected in odd numbered years by the Synod Assembly to a term of two years, with consideration given to principles of inclusiveness, two shall be appointed by the Synod Council from its membership. The bishop and the secretary of the synod shall be ex officio members of this committee.
- b. advise the Synod Council on the agenda and program of the Synod Assembly.
- c. assemble a Pre-Assembly Report which shall include the agenda reports and resolutions referred to it by the secretary, Synod Council, or voting members.
- d. receive, during the Synod Assembly, any resolution of a general character which is not germane to the pending question or report.
- e. every motion or resolution submitted to the Synod Assembly and its Committee of Assembly Business and Counsel shall be presented to the Assembly in whole or part or by reference to the published reports. In presenting motions or resolutions, the Committee of Assembly Business and Counsel shall take one of the following actions:
  - 1) to report a resolution or motion and recommend its adoption
  - 2) to report a resolution or motion and recommend its adoption with amendment
  - 3) to report a resolution or motion and recommend its defeat
  - 4) to report a resolution or motion and offer a substitute resolution
  - 5) to report a resolution or motion and recommend that the matter be referred by the bishop to an appropriate council, board, or committee
  - 6) to report a resolution as information (A two-thirds vote of the Synod Assembly shall be required to consider a resolution reported as information.)
- f. consider, during the Synod Assembly, any matter referred to it by the bishop or the Synod Assembly and prepare resolutions germane to the matter so referred.
- g. study the report of the bishop, make appropriate comment thereon, transmit to the Synod Assembly the recommendations of the bishop together with any additional recommendations of its own that it may deem desirable.
- h. present resolutions of courtesy and acknowledgment.
- i. recommend special orders for the hearing of representatives.
- j. grant or deny permission to distribute printed matter not issuing from the office of the secretary.
- k. give such assistance to the bishop as s/he may desire in the course of the Synod Assembly.

S7.40.05. The Committee on Minutes shall be composed of three members from among the membership of the Synod Assembly appointed by the Synod Council. The minutes of the Synod Assembly shall be submitted meeting by meeting to the committee

which shall examine them with care and make recommendations thereon to the Synod Assembly, with the exception of the minutes of the final session of each Synod Assembly. Its recommendations upon these latter minutes shall be submitted to the Synod Council. The secretary shall, after making necessary corrections thereon, certify two copies of the printed minutes of each Synod Assembly as the official protocol of the Synod Assembly and shall submit these to the next regular Synod Assembly for approval and deposit in the archives.

S7.40.06. The bishop shall select one or more parliamentarians to assist in parliamentary interpretations.

S7.40.07. The Synod Council, or the bishop with the approval of the Synod Council or Synod Assembly, may appoint such other committees and personnel as may be necessary for the proper and orderly conduct of the Synod Assembly.

S7.50.01. All reports published in the Pre-Assembly Report shall be received by the Synod Assembly by virtue of that fact without vote.

## **Chapter 8**

### **OFFICERS**

\*S8.01. The officers of this synod shall be a bishop, a vice president, a secretary, and a treasurer.

S8.10. Bishop

\*S8.11. The bishop shall be elected by the Synod Assembly. The bishop shall be an ordained minister of the Evangelical Lutheran Church in America.

\*S8.12. As this synod's pastor, the bishop shall be an ordained minister of Word and Sacrament who shall:

- a. Preach, teach, and administer the sacraments in accord with the Confession of Faith of this church.
- b. Have primary responsibility for the ministry of Word and Sacrament in this synod and its congregations, providing pastoral care and leadership for this synod, its congregations, its ordained ministers, and its other rostered leaders.
- c. Exercise solely this church's power to ordain (or provide for the ordination by another synodical bishop of) approved candidates who have received and accepted a properly issued, duly attested letter of call for the office of ordained ministry.
- d. Commission (or provide for the commissioning of) approved candidates who have received and accepted a properly issued, duly attested letter of call for service as associates in ministry; consecrate (or provide for the consecration of) approved candidates who have received and accepted a properly issued, duly attested letter of call for service as deaconesses of the ELCA; and consecrate (or provide for the consecration of) approved candidates who have received and accepted a properly issued, duly attested letter of call for service as diaconal ministers of this church.
- e. Attest letters of call for persons called to serve congregations in the synod, letters of call for persons called by the Synod Council, and letters of call for persons on the rosters of this synod called by the Church Council
- f. Install (or provide for the installation of):
  - 1) the pastors of all congregations of this synod;
  - 2) ordained ministers called to extra parish service within this church; and
  - 3) persons serving in the other rostered ministries within this synod.

- g. Exercise leadership in the mission of this church and in so doing:
  - 1) Interpret and advocate the mission and theology of the whole church;
  - 2) Lead in fostering support for and commitment to the mission of this church within this synod;
  - 3) Coordinate the use of the resources available to this synod as it seeks to promote the health of this church's life and witness in the areas served by this synod;
  - 4) Submit a report to each regular meeting of the Synod Assembly concerning this synod's life and work; and
  - 5) Advise and counsel this synod's related institutions and organizations.
- h. Practice leadership in strengthening the unity of the Church and in so doing:
  - 1) Exercise oversight of the preaching, teaching, and administration of the sacraments within this synod in accord with the Confession of Faith of this church;
  - 2) Be responsible for administrating the constitutionally established processes for the resolution of controversies and for the discipline of ordained ministers, other rostered leaders, and congregations of this synod;
  - 3) Be the chief ecumenical officer of this synod;
  - 4) Consult regularly with other synodical bishops and the Conference of Bishops;
  - 5) Foster awareness of other churches throughout the Lutheran world communion and, where appropriate, engage in contact with leaders of those churches;
  - 6) Cultivate communion in faith and mission with appropriate Christian judicatory leaders functioning within the territory of this synod; and
  - 7) Be ex officio a member of the Churchwide Assembly.
- i. Oversee and administer the work of this synod and in so doing:
  - 1) Serve as the president of the synod corporation and be the chief executive and administrative officer of this synod, who is authorized and empowered, in the name of this synod, to sign deeds or other instruments and to affix the seal of this synod;
  - 2) Preside at all meetings of the Synod Assembly and provide for the preparation of the agenda for the Synod Assembly, Synod Council, and the council's Executive Committee;
  - 3) Ensure that the constitution and bylaws of the synod and of the churchwide organization are duly observed within this synod, and that the actions of the synod in conformity therewith are carried into effect;
  - 4) Exercise supervision over the work of the other officers;
  - 5) Coordinate the work of all synodical staff members;
  - 6) Appoint all committees for which provision is not otherwise made;
  - 7) Be a member of all committees and any other organizational units of the synod, except as otherwise provided in this constitution;
  - 8) Provide for preparation and maintenance of synodical rosters containing:
    - a) the names and addresses of all ordained ministers of this synod and a record of the calls under which they are serving or the date on which they become retired or disabled; and
    - b) the names and addresses of all other rostered persons of this synod and a record of the positions to which they have

- c) been called or the date on which they become retired or disabled.
- 9) Annually bring to the attention of the Synod Council the names of all rostered persons on leave from call or engaged in approved graduate study in conformity with the constitution and bylaws of this church and pursuant to prior action of this synod through the Synod Council;
- 10) Provide for prompt reporting to the secretary of this church of:
  - a) additions to and subtractions from the rosters of this synod and the register of congregations;
  - b) the issuance of certificates of transfer for rostered persons in good standing who have received and accepted a properly issued, duly attested, regular letter of call under the jurisdiction of another synod; and
  - c) the entrance of the names of such persons for whom proper certificates of transfer have been received;
- 11) Provide for preparation and maintenance of a register of the congregations of this synod and names of the laypersons who have been elected to represent them; and
- 12) Appoint a statistician of this synod, who shall secure the parochial reports of the congregations and make the reports available to the secretary of this church for collation, analysis, and distribution of the statistical summaries to this synod and the other synods of this church.

S8.14. The bishop may have such assistants as this synod's Synod Council shall from time to time authorize.

\*S8.15. The presiding bishop of this church, or the appointee of the presiding bishop, shall install into office, in accord with the policy and approved rite of this church, each newly elected synod bishop.

\*S8.16 Conflicts of Interest

\*S8.16.01. The following procedures shall govern matters of potential conflicts of interest for synodical bishops:

- a. Whenever a synodical bishop determines that a matter of the kind described in \*S8.16.01.b. may require his or her determination or action with respect to a related individual as defined in \*S8.16.01.c., the synodical bishop shall withdraw from personal involvement in such matter and shall so notify the presiding bishop. The presiding bishop shall then appoint another synodical bishop from the same region to handle the matter to conclusion. In dealing with such matter, the appointed bishop shall exercise all of the functions and authority to the same extent as if the appointed bishop were the elected bishop of the withdrawing bishop's synod.
- b. Matters include any proceedings under Chapter 20, proceedings under provision 7.46. of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* (\*S14.13.), candidacy, reinstatement, and similar matters where determinations or actions by the synodical bishop could change, limit, restrict, approve, authorize, or deny the related individual's ministry on one of the official rosters of this church.
- c. A related individual is one who, with respect to the synodical bishop, is a spouse, parent, son, daughter, sibling, uncle, aunt, niece, nephew, grandparent, grandchild, or in-law (parent, son, daughter, or sibling of a spouse, spouse of a sibling, or the parent or sibling of the spouse of a sibling).

S8.20. Vice President

\*S8.21. The vice president shall be elected by the Synod Assembly. The vice president shall be a layperson. The vice president shall be a voting member of a congregation of this synod. The vice president shall not receive a salary for the performance of the duties of the office.

S8.22. The vice president shall chair the Synod Council.

S8.23. In the event of the death, resignation, or disability of the bishop, the vice president shall convene the Synod Council to arrange for the conduct of the duties of the bishop until a new bishop shall be elected or, in the case of temporary disability, until the bishop resumes full performance of the duties of the office.

S8.30. Secretary

\*S8.31. The secretary shall be elected by the Synod Assembly. The secretary shall be a voting member of a congregation of this synod. The secretary may be either a layperson or an ordained minister.

\*S8.32. The secretary shall:

- a. Keep the minutes of all meetings of the Synod Assembly and Synod Council, be responsible for the printing and distribution of such minutes, and perform such other duties as this synod may from time to time direct.
- b. Be authorized and empowered, in the name of this synod, to attest all instruments which require the same, and which are signed and sealed by the bishop.
- c. In consultation with the bishop, classify and arrange all important papers and documents and deposit them in the archives of this synod.
- d. Submit to the secretary of this church at least nine months before each Churchwide Assembly a certified list of the voting members elected by the Synod Assembly.

S8.40. Treasurer

\*S8.41. The treasurer shall be elected by the Synod Assembly. The treasurer shall be a voting member of a congregation of this synod. The treasurer may be either a layperson or an ordained minister.

S8.42. The treasurer shall provide and be accountable for:

- a. Management of the monies and accounts of this synod, its deeds, mortgages, contracts, evidences of claims and revenues, and trust funds, holding the same at all times subject to the order of this synod.
- b. Investment of funds upon the authorization of the Synod Council.
- c. Receipt and acknowledgment of offerings, contributions, and bequests made to this synod, collecting interest and income from its invested funds, and paying regular appropriations and orders on the several accounts as approved and directed by the Synod Council. The treasurer shall transmit each month to the treasurer of the Evangelical Lutheran Church in America the funds received by this synod for the general work of this church.
- d. Maintenance of a regular account with each congregation of this synod and informing the congregation, at least quarterly, of the status of this account.
- e. Rendering at each regular meeting of the Synod Assembly a full, detailed, and duly audited report of receipts and disbursements in the several accounts of this synod for the preceding fiscal year, together with the tabulation, for record and publication in the minutes, of the contributions from the congregations.
- f. Giving of corporate surety in the amount determined by the Synod Council, which shall be in the custody of the secretary, and the premium therefore, shall be paid

by this synod. Fidelity coverage provided by the Evangelical Lutheran Church in America shall be deemed a fulfillment of this requirement.

#### S8.50. General Provisions

\*S8.51. The terms of office of the officers of this synod shall be:

- a. The bishop of this synod shall be elected to a term of six years and may be reelected.
- b. The vice president, secretary, and treasurer of this synod shall be elected to a term of four years and may be reelected.

S8.51.01. The bishop may be elected for a maximum of two full terms.

S8.51.02. The vice president may be elected for a maximum of two full terms.

S8.51.03. The secretary may be elected for a maximum of two full terms.

S8.51.04. There shall be no limitation to the number of terms served by the treasurer.

S8.52. The terms of the officers shall begin on the first day of the third month following election, with the exception of the treasurer, who shall begin on the first day of the fiscal year following the Synod Assembly.

\*S8.53. Each officer shall be a voting member in a congregation of this synod, except that the bishop need not be a member of a congregation of this synod at the time of election. Any person elected as a synod officer who is an officer or employee of any organization or institution which receives funds from the synod will be required to resign from such office or employment prior to taking office as a synod officer.

\*S8.54. Should the bishop die, resign, or be unable to serve, the vice president shall convene the Synod Council to arrange for the appropriate care of the responsibilities of the bishop until an election of a new bishop can be held, or, in the case of temporary disability, until the bishop is able to serve again. Such arrangements may include the appointment by the Synod Council of an interim bishop, who during the vacancy or period of disability shall possess all of the powers and authority of a regularly elected bishop. The term of the successor bishop, elected by the next Synod Assembly or a special meeting of the Synod Assembly called for the purpose of election, shall be six years, with the subsequent election to take place at the Synod Assembly closest to the expiration of such a term and with the starting date of a successor term to be governed by constitutional provision S8.52.

S8.55. Should the vice president, secretary, or treasurer die, resign, or be unable to serve, the bishop, with the approval of the Executive Committee of the Synod Council, shall arrange for the appropriate care of the responsibilities of the officer until an election of a new officer can be held or, in the case of temporary disability, until the officer is able to serve again. The term of the successor officer, elected by the next Synod Assembly, shall be four years.

\*S8.56. The Executive Committee of the Synod Council shall determine whether an officer is unable to serve; the officer may appeal the decision of the Executive Committee by requesting a hearing before the Synod Council. A meeting to determine the ability of an officer to serve shall be called upon the request of at least three members of the Executive Committee and prior written notice of the meeting shall be given to the officer in question at least ten calendar days prior to the meeting.

\*S8.57. The recall or dismissal of an officer may be effected in accordance with the procedure established by the Committee on Appeals of the Evangelical Lutheran Church in America.

\*S8.58. If the bishop is to be temporarily absent from the synod for an extended period, the bishop, with the consent of the Synod Council, may appoint as acting bishop for such

period an ordained minister of this church. Except as limited by action of the Synod Council, an acting bishop shall possess all of the powers and authority of a regularly elected bishop other than authority to ordain or to authorize the ordination of properly approved candidates for ordination.

## **Chapter 9**

### **NOMINATIONS AND ELECTIONS**

- \*S9.01. The Synod Assembly shall elect such officers of this synod and such other persons as the constitution and bylaws may require, according to the procedures set forth in the bylaws.
- S9.01.01. The Synod Council shall determine the procedure for electing members of the Churchwide Assembly from this synod.
- \*S9.02. In all elections by the Synod Assembly, other than for the bishop, a majority of the votes cast shall be necessary for election.
- S9.03. There shall be a Nominating Committee consisting of five members to serve for each regular meeting of the Synod Assembly. From the twelve conferences, the Synod Council shall designate, on a rotating basis, five conferences, each of which shall submit two or more names to be placed on the ballot for election of the Nominating Committee. The Synod Assembly shall then elect five persons to serve the next regular Synod Assembly as the Nominating Committee. A sixth member may be appointed by the Synod Council to serve on the committee at the next regular Synod Assembly to meet the criteria of \*S6.04.
- S9.03.01. The secretary of the Synod shall furnish the Nominating Committee with a list of vacancies to be filled at each Synod Assembly. The Nominating Committee shall name at least two persons for each vacancy.
- S9.03.01.a. In computing eligibility for continued membership on a board or committee of the Synod, prior service in completing a fractional term shall be disregarded if the unexpired term so served was less than one half of a full term in length.
- S9.03.02. The Nominating Committee shall not nominate an individual for more than one position.
- S9.03.03. The Nominating Committee shall secure from all nominees assurance of their willingness to serve if elected. Following this, the committee shall certify the list of nominees and forward same to the Credentials and Elections Committee.
- S9.03.04. The Nominating Committee shall include in the certified list of nominees the nominee's address, congregation, and pertinent biographical information.
- S9.03.05. The Nominating Committee shall maintain a list of persons for possible appointment to boards and committees of the synod, the churchwide organization, or institutions of the church.
- S9.04. The bishop shall be elected by the Synod Assembly by ecclesiastical ballot. Three-fourths of the legal votes cast shall be necessary for election. If no one is elected, the first ballot shall be considered the nominating ballot. Three-fourths of the legal votes cast on the second ballot shall be necessary for election. The third ballot shall be limited to the seven persons (plus ties) who receive the greatest number of legal votes on the second ballot and two-thirds of the legal votes cast shall be necessary for election. The fourth ballot shall be limited to the three persons (plus ties) who received the greatest number of legal votes on the third ballot, and 60 percent of the legal votes cast shall be necessary for election. On subsequent ballots a majority of

- the legal votes cast shall necessary for election. These ballots should be limited to the two persons (plus ties) who receive the greatest number of legal votes on the previous ballot.
- S9.04.01. At least ninety (90) days prior to the Synod Assembly the synod secretary shall notify all congregations of the Synod that the election of a bishop by ecclesiastical ballot shall take place at the Synod Assembly. Instructional information concerning the ecclesiastical ballot shall be included in this notice.
- S9.04.02. Congregations shall be asked to submit names and addresses of persons who may be considered for the office of bishop. Names and addresses submitted by the congregations shall be sent to the synod secretary, who shall compile this information and send it to all Synod Assembly voting members at least thirty (30) days prior to the Synod Assembly.
- S9.04.03. The Synod Council shall provide opportunities for education and discussion of the election process, the ecclesiastical ballot, and the role of the Synod Assembly in electing a bishop. Special attention to this education and discussion shall be given in the year prior to a planned election, and other times, as the Synod Council deems appropriate or necessary.
- S9.05. The Nominating Committee shall nominate at least two persons for vice president; additional nominations may be made from the floor.
- S9.05.a. The Nominating Committee shall nominate at least four persons at large from within the synod, at least four youth, and at least four persons of color or language other than English to the Synod Council.
- S9.06. The Nominating Committee shall nominate at least two persons for secretary; additional nominations may be made from the floor.
- S9.07. The Synod Council shall nominate two persons for treasurer; additional nominations may be made from the floor.
- S9.08. In all elections, except for the bishop, the names of the persons receiving the highest number of votes, but not elected by a majority of the votes cast on a preceding ballot, shall be entered on the next ballot to the number of two for each vacancy unfilled.
- S9.09. The results of each ballot in every election shall be announced in detail to the Synod Assembly.
- S9.10. In the event any officer other than the bishop is to be elected at a special meeting of the Synod Assembly, nominees shall be announced and biographical information distributed no later than fifteen days prior to the meeting.
- S9.11. The Synod Council shall elect or appoint representatives to the steering committee of its region.
- \*S9.12. Background checks and screening shall be required and completed for persons nominated as synodical officers prior to their election, if possible, or as soon as practical after their election. The specific procedures and timing of background checks and screening shall be determined by the Synod Council.
- S9.13. All terms of office, except as otherwise provided for in the constitution of this synod, shall begin at the conclusion of the Synod Assembly at which election thereto occurred.

## **Chapter 10**

### **SYNOD COUNCIL**

- \*S10.01 The Synod Council consisting of the four officers of the synod, 10 to 24 other members, and at least one youth and at least one young adult, shall be elected by the Synod Assembly
- a. Each person elected to the Synod Council shall be a voting member of a congregation of this synod, with the exception of ordained ministers on the roster of this synod who reside outside the territory of this synod. The process for election and the term of office when not otherwise provided shall be specified in the bylaws. A member of the Church Council of the Evangelical Lutheran Church in America, unless otherwise elected as a voting member of the Synod Council, may serve as an advisory member of the Synod Council with voice but not vote.
  - b. The term of office of members of the Synod Council, with the exception of the officers and the youth member, shall be 3 years.
- 10.01.01. Of the other members of the Synod Council, in addition to positions for synod officers and one youth representative designated in \*S10.01, there shall be one position reserved for a representative of each conference, two positions reserved for at-large representation, two positions reserved for persons of color and/or persons whose primary language is other than English, and one position reserved for an additional youth representative.
- S10.01.02. Each conference shall nominate at least two persons from that conference according to the inclusiveness category assigned by the Synod Council on a rotating basis to serve on the Synod Council.
- S10.01.03. The Synod Assembly shall elect from the nominees from each conference, and elect two persons at large, two youth, and two persons of color or primary language other than English, as members of the Synod Council. If the Synod Assembly does not elect two persons of color or primary language other than English, the Synod Council shall have authority to appoint such persons to the Synod Council.
- \*S10.02. The Synod Council shall be the board of directors of this synod and shall serve as its interim legislative authority between meetings of the Synod Assembly. It may make decisions which are not in conflict with actions taken by the Synod Assembly or which are not precluded by provisions of this constitution or the constitution and bylaws of the Evangelical Lutheran Church in America.
- S10.02.01. The Synod Council shall carry out the policies and actions established by the Synod Assembly and shall also establish policies and actions between assemblies.
- S10.02.02. Additional committees and task forces may be appointed annually by the Synod Council as channels of cooperation between the Synod and those offices, commissions and agencies of the Evangelical Lutheran Church in America, either singly or in combination, for which linkage will not be provided by the committees already enumerated.
- S10.02.03. Provisions outlined in the bylaws for the Evangelical Lutheran Church in America shall be considered by the Synod Council and the various boards and committees of the synod in setting up their programs and guiding their functioning.
- S10.03. The functions of the Synod Council shall be to:
- a. Exercise trusteeship responsibilities on behalf of this synod.
  - b. Recommend program goals and budgets to the regular meetings of the Synod Assembly.
  - c. Carry out the resolutions of the Synod Assembly.
  - d. Provide for an annual review of the roster of ordained ministers and of other official rosters, receive and act upon appropriate recommendations regarding

those persons whose status is subject to reconsideration and action under the constitution and bylaws of Evangelical Lutheran Church in America, and make a report to the Synod Assembly of the Synod Council's action in this regard.

- e. Issue letters of call to ordained ministers and letters of call to associates in ministry, deaconesses of the Evangelical Lutheran Church in America, and diaconal ministers as authorized by Chapter 7 of the constitution and bylaws of ELCA.
- f. Fill vacancies until the next regular meeting of the Synod Assembly except as may otherwise be provided in the constitution or bylaws of this synod, and determine the fact of the incapacity of an officer of this synod.
- g. Report its actions to the regular meeting of the Synod Assembly.
- h. Perform such other functions as are set forth in the bylaws of this synod, or as may be delegated to it by the Synod Assembly.

S10.05.No elected member of the Synod Council shall receive compensation for such service.

S10.06.The office filled by a member of the Synod Council shall at once become vacant when, if an ordained minister, the member ceases to be a member in good standing on a roster of this synod, or if a lay person, the member ceases to be a voting member of a congregation of this synod.

S10.07.01.The Synod Council shall have at least three stated meetings annually. Special meetings may be called by the bishop of the synod, one-third of the members of the Synod Council, or, in the case of death or removal of the bishop, by the vice president. A majority of the members of the Synod Council shall constitute a quorum.

S10.07.02.The Synod Council shall assist in the operational functioning of the synod by:

- a. Appointing staff assistants, if and when such positions are created by the synod in assembly, on nomination by the synod bishop who is responsible for the oversight of their work.
- b. Appointing the representatives of the synod who are to serve, in addition to the bishop, ex officio, on the governing bodies of the social, educational and inter-church agencies and institutions to which this synod is related.
- c. Instituting and overseeing a system of personnel practices applicable to all synodical staff.
- d. Appointing an auditing committee or employ professional auditing service for the auditing of the fiscal accounts of this synod.
- e. Making an annual examination of all investments and securities held by the synod.
- f. Periodically reviewing the work of the synod and its mission, making recommendations to the Synod Assembly, synod Committees, working groups, conferences, or congregations as it deems wise.
- g. Reviewing the bishop's oversight of:
  - 1) The functions of the secretary
  - 2) The functions of the treasurer
  - 3) Synod office management
  - 4) All forms of public communication, and
  - 5) Agencies and institutions of the synod

S10.07.03. The assistants to the bishop and chairpersons of the Boards of Ministry, Congregational Life and Mission may be accorded seat and voice at the meetings of the Synod Council except when it shall declare itself in executive session.

## **Chapter 11 COMMITTEES**

\*S11.01. There shall be an Executive Committee, a Consultation Committee, a Committee on Discipline, a Mutual Ministry Committee, an Audit Committee, and such other committees as this synod may from time to time determine. The duties and functions of such committees, or any other organizational units created by this synod, and the composition and organizational structure of such units, shall be as set forth in this constitution or in the bylaws and shall be subject to any applicable provisions or requirements of the constitution and bylaws of the Evangelical Lutheran Church in America.

S11.01.01. The Executive Committee of the synod shall consist of the bishop, vice president, secretary, treasurer, and four members elected by the Synod Council from among the membership of the Synod Council. The Executive Committee shall counsel with the synod officers and shall perform those functions of the Synod Council assigned to it by the Synod Council. It shall assist the Synod Council in the operational function of the synod, especially during the periods between Synod Council meetings.

S11.01.A96 The Executive Committee shall:

- a. prepare business for and make recommendations to the Synod Council;
- b. establish the agenda for the Synod Council;
- c. counsel and assist the bishop in planning, promoting, and coordinating the activities of the synod;
- d. perform an annual evaluation of the bishop;
- e. prepare a recommendation of staff salaries for Council approval;
- f. act on roster and personnel matters following policies established by the Synod Council;
- g. approve letters of call to non-congregational service, and non-stipendiary service, except when the call is for a synod staff position;
- h. make year-end financial decisions;
- i. perform other such functions as are set forth in the bylaws of the synod or of the Evangelical Lutheran Church in America, or as may be delegated to it by the Synod Council.

\*S11.02. The Consultation Committee of this synod shall consist of at least six persons and not more than 12 persons, of whom half shall be ordained ministers and half shall be laypersons, who shall each be elected by the Synod Assembly for a term of six years without consecutive reelection. The functions of the Consultation Committee are set forth in Chapter 20 of the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America and in Chapter 17 of this constitution. The size of the Consultation Committee, in accord with this provision, shall be defined in this synod's bylaws.

\*S11.03 The Committee on Discipline of this synod shall consist of 12 persons of whom six shall be ordained ministers and six shall be laypersons, who shall each be elected by the Synod Assembly for a term of six years without consecutive reelection.

- a. The functions of the Committee on Discipline of this synod are set forth in Chapter 20 of the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.
  - b. The terms of committee members shall be staggered so that the terms of four committee members (two clergy and two lay) expire every two years.
  - c. The Synod Council shall fill vacancies on the Committee on Discipline for any unexpired term.
- \*S11.04. The Mutual Ministry Committee shall be appointed by the Executive Committee of the Synod Council to provide support and counsel to the bishop.
- S11.04.01. The Mutual Ministry Committee shall be comprised of three lay and three ordained persons from within the synod and one from outside the region. One member of the committee shall be from the voting members of the Synod Council.
- \*S11.05. The Audit Committee of this synod shall consist of three to six persons, none of whom are members of the synod staff. Up to half of the committee members may be Synod Council members. The Audit Committee members shall be elected by the Synod Council for a term of three years and be eligible for re-election to a second consecutive three-year term. The terms of the Audit Committee members shall be staggered. The Audit Committee shall be responsible for assisting the Synod Council in fulfilling its general oversight of the synod's accounting, financial reporting, internal control systems, and external audit processes as provided in \*S15.31.
- S11.06. This synod shall in its bylaws or by continuing resolution establish a process to ensure that the members of its committees and other organizational units will be persons possessing the necessary knowledge and competence to be effective members of such units, and to meet the requirements of \*S6.04. With the exception of ordained ministers on the roster of this synod who reside outside the territory of this synod, each member of a committee of this synod, or any other organizational unit created by this synod, shall be a voting member of a congregation of this synod.
- S11.10.01. There will be three Synod Boards responsible to the Synod Council to fulfill the mission and function of the Synod.
- a. These three Boards shall be:
    - 1) The Board for Ministry.
    - 2) The Board for Congregational Life.
    - 3) The Board for Mission.
  - b. The three boards shall each have one member from each conference elected by the conference, and two members at large appointed by the Synod Council. Each board shall also include a member of the Synod Council who shall be elected by the Synod Council to the board. Each board shall also include up to two youth representatives, appointed by the Synod Council in consultation with the LYO Council. The Synod Council shall ensure that inclusiveness principles are followed in the election to the boards.
  - c. The term of office of a board member shall be four (4) years and no person may serve on any board for more than one term from one conference. The term of office of youth members shall be a maximum of two years.
- S11.10.02. The chairperson of each of the three boards shall be elected from the respective boards. The boards shall form their own organizational structure.
- S11.10.03. Ex officio members of boards shall have the privilege of voice and vote in boards, but in counting a quorum, the ex officio member shall not be considered a member.

- S11.10.04. The boards shall normally meet three times a year, but other meetings may be called by the chairperson and the bishop of the synod.
- S11.10.05. The Synod Council, upon recommendation by the Bishop of the Synod, shall assign a professional staff person to each board who will work under the direction of, and report to, the bishop of the synod.
- S11.10.07. The committees and boards of the synod shall come into being after the first meeting of the Synod Council each year. The Synod Council shall frame and adopt basic regulations governing committees of the synod.
- S11.10.08. The Members of the Boards for Ministry, Congregational Life and Mission and the conference coordinator, conference chaplain, and the conference Synod Council member shall report on activities to the congregations of their conference. They shall report to the boards the concerns of the congregations.
- S11.10.09. If a member of any board or committee of the synod whose election is dependent in part on membership in good standing of the Western Iowa Synod or one of its congregations ceases to be a member in good standing, or if any member of a board or committee of the synod is absent without proper excuse from two successive regular meetings, that office shall at once become vacant and shall be so declared by the Synod Council.
- S11.10.10. Non-member resource persons may be invited to meetings of boards and committees as consultants. The provisions of the constitution which assign to the Synod Council responsibility for coordinating the activities of the committees or boards shall not be construed as forbidding staff officials to confer informally on any matter.
- S11.11.01. The Board for Ministry shall be responsible for:
- a. The programs and organizations of the synod which affirm, develop, and support the ministries of the whole people of God, including recognition and support of the ministry of lay persons, ordained persons, and associates in ministry.
  - b. Assisting this church in reflecting on the ministry of the whole people of God and providing counsel and support to congregations in their work to support the ministry of the laity in daily life, including the development of forums for reflections and study of theology, other disciplines and society.
  - c. Advocating the ministry of all the people of God among the committees and institutions related to the synod, and shall relate to other movements which empower the ministry of the laity.
  - d. Developing programs for the recruitment, registration, preparation, and evaluation of candidates for the ordained ministry.
  - e. Developing a program for the recruitment, registration, preparation, and evaluation of candidates for associates in ministry, deaconesses of the Evangelical Lutheran Church in America, and diaconal ministers in this synod.
  - f. Making recommendations to the synod bishop and the Synod Council relating to ordained persons, associates in ministry, deaconesses of the Evangelical Lutheran Church in America, diaconal ministers and their families in such areas as pastoral care, expectations, continuing education, compensation, call review, evaluation, guidance, mobility, intervention, rehabilitation, and spiritual growth.
  - g. Planning, developing, initiating, evaluating, and reporting those activities and programs which fulfill the responsibilities assigned. It shall appoint such work groups as are essential to fulfilling those responsibilities. It shall also cooperate

with, relate to and interpret the function and mission of the Evangelical Lutheran Church in America and its agencies.

S11.11.02. The Board for Congregational Life shall be responsible for:

- a. Working with congregations to identify needs and develop or assist in the development of programs to fulfill the needs in the following areas of congregational ministry: worship, witness/evangelism, stewardship, education, and service. It may also develop programs in the areas of outdoor ministries, family life, congregational planning, community involvement, ministry among older persons, ministry among men and women, and ministry among youth and children.
- b. Planning, developing, initiating, evaluating, and reporting those activities and programs which fulfill the responsibilities assigned. It shall appoint such work groups as are essential to fulfilling those responsibilities. It shall also cooperate with, relate to and interpret the function and mission of the Evangelical Lutheran Church in American and its agencies.

S11.11.03. The Board for Mission shall be responsible for:

- a. Engaging the members and resources of this synod and its congregations in mission inside and outside the U.S.A. through involvement in evangelism, witness, justice, service, relief, and development.
- b. Establishing relationships and cooperating in mission with Lutheran and other Christian churches, agencies, institutions, and movements for mission.
- c. Assisting in the development and use of interpretation and education resources for mission.
- d. Planning, developing, initiating, evaluating and reporting those activities and programs which fulfill the responsibilities assigned. It shall appoint such work groups as are essential to fulfilling those responsibilities. It shall also cooperate with, relate to, and interpret the function and mission of the Evangelical Lutheran Church in America and its agencies.

S11.11.A98 Advisory Committees

- a. May be established by continuing resolution and are subject to annual review by the Synod Council.
- b. Are to help officers do their job. Advisory Committees ordinarily will help officers by preparing policy alternatives and implications for the officer's deliberation.
- c. May not speak or act for an officer except when formally given such authority for specific and time-limited purposes. Expectations and authority will be carefully stated in order not to conflict with authority delegated to the officer.
- d. Cannot exercise authority over staff or synodical committee or task forces. Neither the officer nor a synodical committee or task force will be required to obtain approval of an Advisory Committee before taking action.
- e. Are to avoid over-identification with organizational parts other than the whole. Therefore an Advisory Committee that helped the officer create a proposal will not be used to monitor performance on the same topic.

S11.11.B98 Communication Committee:

- a. Shall be an Advisory Committee under the supervision of the Bishop.
- b. Shall advise the bishop and provide support to units of the synod in matters of communication

- c. Shall help the synod to clarify the purpose, content and effectiveness of communication.
- d. Shall have 6-10 members appointed by the bishop. The term of the office shall be three years, renewable one time.
- e. In order to fulfill its purpose, the Communication Committee may:
  - 1) develop and recommend to the bishop an overall communication strategy and communication policies, procedures, and standards.
  - 2) provide public relations counsel and support to the officers and units of the synod.
  - 3) facilitate programs for communication training and media education.

The bishop may define limits for the activity of the Communication Committee.

S11.11.C98 Finance Committee:

- a. Shall be an Advisory Committee under the supervision of the treasurer.
- b. Shall advise and counsel the treasurer regarding the treasurer's responsibility as defined in S8.40.
- c. Shall assist the treasurer in developing policies and procedures in the area of money management such as accounting and reporting, insurance, investment, and other responsibilities including support to treasurers of local congregations.
- d. Shall be composed of the Treasurer, the Bishop, a member of the Synod Council appointed by the Executive Committee and three other persons. Members are appointed by the Executive Committee for three-year terms. Members may serve two consecutive terms.
- e. May:
  - 1) coordinate the preparation of the budget proposal for the Synod Council based on Chapter 15 of the constitution.
  - 2) make recommendations relative to the synod's finances through the treasurer to the Executive Committee and the Synod Council.
  - 3) provide programs and resource to congregations.
- f. Shall perform duties of Audit Committee as provided in \*S11.01. and \*S11.05.

The treasurer may define limits for the activity of the Finance Committee.

S11.11.D98 Leadership Committee:

- a. Shall be an Advisory Committee under the supervision of the Bishop.
- b. Shall advise the Bishop and provide support to units of the synod in matters of leadership development.
- c. Shall help the synod develop and nurture leaders for congregations and the synod.
- d. Shall have 6-10 members appointed by the bishop. The term of office shall be three years, renewable one time.
- e. In order to fulfill its purpose, the Leadership Committee may:
  - 1) develop an overall leadership development strategy for lay leaders of the synod and congregations and recommend policies and procedures to the bishop.
  - 2) provide programs, counsel, and support to congregations and units of the synod.

The bishop may define limits for the activity of the Leadership Committee.

S11.15.D98 Records and Archives Committee:

- a. Shall be an Advisory Committee under the supervision of the Secretary.
- b. Shall advise the secretary regarding the secretary's responsibilities as defined in S8.30.

- c. Shall assist in developing policies and procedures for preparing and maintaining the record of actions of this synod, for synodical archives, and for providing support to congregations in matters of record keeping and archives.
- d. Shall consist of three persons. The term of office will be three years, renewable one time.
- e. May assist the Secretary:
  - 1) in maintaining professional standards and procedures for the preservation of records.
  - 2) in developing policies for the archives of the synod.
  - 3) in encouraging archival activities in the congregations of the church.

The Secretary may define limits for the activity of the Records and Archives Committee.

S11.20.01. Provision shall be made for the publication of a synod periodical.

S11.20.02. Official notices of the synod shall be published both in THE LUTHERAN and in the synod periodical, and items of synodical interest shall be published regularly in the synod periodical

## **Chapter 12**

### **CONFERENCES, CLUSTERS, COALITIONS, OR OTHER AREA SUBDIVISIONS**

\*S12.01. This synod shall establish conferences, clusters, coalitions, or other area subdivisions within its territory as specified in the bylaws. The purpose of such groupings shall be to foster interdependent relationships among congregations, institutions, and synodical and churchwide units for mission purposes.

S12.01.01. The conference shall be the one organizational unit within the synod.

Congregations may form clusters or coalitions for mission purposes whose activities are not in opposition to this constitution and bylaws.

S12.01.A09. There shall be 12 conferences in the synod. They shall be:

CONFERENCE #1 - Northwest Conference, in Lyon County - Christ (Alvord), Immanuel (George), Bethlehem (Inwood), Our Savior's (Inwood), Immanuel (Rock Rapids), in O'Brien County - Siloam (Paullina), Grace (Primghar), St. Paul (Sheldon), in Osceola County - American (Melvin), Trinity (Sibley), in Sioux County - St. John (Boyden), American (Hawarden), St. Paul (Hull), Our Savior's (Rock Valley), Hope (Sioux Center), Peace (Sioux Center); CONFERENCE #2 - Little Sioux Conference, in Buena Vista County - Our Savior's (Albert City), St. John (Albert City), Immanuel (Alta), Trinity (Alta), Trinity (Linn Grove), Grace (Marathon), Nain (Newell), Our Saviors (Rembrandt), First (Sioux Rapids), St. Mark (Storm Lake), in Cherokee County - Bethlehem (Cherokee), in Clay County - Hope (Everly), Bethlehem (Royal), Bethany (Spencer), Trinity (Spencer), in Dickinson County - Little Sioux (Milford), in Pocahontas County - Bethany (Laurens); CONFERENCE #3 - Lakes Area Conference, in Dickinson County - First (Milford), Grace (Spirit Lake), in Emmet County - Nazareth (Armstrong), Estherville (Estherville), Immanuel (Estherville), Trinity (Estherville), United (Ringsted), Wallingford, (Wallingford); in Palo Alto County - St. John (Cylinder), Bethany (Emmetsburg), Bethel (Graettinger), Lost Island (Ruthven), Zion (Ruthven); CONFERENCE #4 - Waldorf Conference, in Hancock County - First (Britt), St. John (Corwith), Kanawha (Kanawha), St.

John's (Woden), in Kossuth County - St. Paul (Lakota), Good Hope (Titonka), Immanuel (Titonka), in Winnebago County - Bethlehem (Buffalo Center), Grant (Woden), Immanuel (Forest City), Zion (Rake), Bethany (Thompson); CONFERENCE #5 - Greater Plymouth Conference, in Cherokee County - Faith (Marcus), in Plymouth County -Immanuel (Akron), St. John (Akron), Trinity (Akron), St. Peter (Brunsville), St. John (Craig), Christ (LeMars), St. John (LeMars), St. John (Merrill), St. Paul (Merrill), St. Paul (Remsen); CONFERENCE #6 - Twin Lakes Conference, in Calhoun County - Augustana Evangelical (Manson), St. Paul Evangelical (Manson), Elfsborg (Pomeroy), St. John (Pomeroy), St. Paul's (Rockwell City), in Crawford County - Bethel (Kiron), in Pocahontas County - St. John (Palmer), St. Paul (Palmer), St. Peter (Pocahontas), in Sac County -Emanuel-St. John (Lytton), Faith (Odebolt); CONFERENCE #7 - Knutson-Goldfield Conference, in Humboldt County - St. Olaf (Bode), Our Saviour's (Humboldt), Trinity (Ottosen), St. Paul (Renwick), Trinity (Rutland), Trinity (Hardy), Ullensvang (Thor), in Kossuth County - First (Algona), in Pocahontas County - First (Gilmore City), St. Paul's (Rolfe), in Wright County - First (Clarion), Eagle Grove Evangelical (Eagle Grove), Holmes (Holmes), Samuel (Eagle Grove); CONFERENCE #8 - Twin River Valley Conference, in Boone County -Trinity (Boxholm), in Hamilton County - Stratford (Stratford), Trinity (Webster City), in Webster County - Badger (Badger), Immanuel (Burnside), Emanuel (Dayton), South Enes (Vincent), Washington (Duncombe), Christ (Fort Dodge), Grace (Fort Dodge), St. Olaf (Fort Dodge), The Church of the Damascus Road (Fort Dodge), Zion (Gowrie), Faith (Harcourt), Fulton (Moorland); CONFERENCE #9 - Sioux City Conference, in Woodbury County - Augustana (Sioux City), First (Sioux City), Immanuel (Sioux City), Our Saviors/Nuestro Salvador (Sioux City), Riverside (Sioux City), Spirit of Life (Sergeant Bluff), St. John (Sioux City), St. Luke (Sioux City), St. Mark (Sioux City), Trinity (Sioux City), Salem (Correctionville), St. John (Cushing), Trinity (Menville); in Harrison County - St. John (Dunlap), in Ida County - St. Paul Evangelical (Holstein), in Monona County - Bethesda (Moorhead), Faith (Onawa), Soldier (Soldier), Skein (Sloan) CONFERENCE #11 - Nishna Valley Conference, in Adair County - Good Shepherd (Adair), in Audubon County - Ebenezer (Audubon), Brayton (Brayton), Exira (Exira), Hamlin (Hamlin), Bethany (Kimballton), Immanuel (Kimballton), in Carroll County - St. John (Carroll), Ascension (Coon Rapids), in Cass County - St. Paul's (Atlantic), in Shelby County - Bethlehem (Jacksonville), St. Paul's (Irwin), in Greene County - Christ (Jefferson);CONFERENCE #12 - Council Bluffs Conference, in Shelby County - United (Shelby), in Harrison County - St. John's (Persia), St. Paul (Missouri Valley), in Mills County - St. John (Mineola), in Pottawattamie County - Trinity (Avoca), Emanuel (Council Bluffs), Our Savior's (Council Bluffs), Shepherd of the Valley (Council Bluffs), St. John (Council Bluffs), St. Paul's (Neola), St. Paul (Treyner), Underwood (Underwood); CONFERENCE #13 - Southern Hills Conference, in Adair County - Emmanuel (Fontanelle), in Adams County - Strand (Villisca), in Cass County - Faith (Griswold), in Fremont County - St. Paul (Northboro), in Page County - Bethesda (Clarinda), St. John's (Essex), Fremont (Red Oak), Emmanuel

(Shenandoah), in Montgomery County - Bethlehem (Red Oak), Mamrelund (Stanton), Tabor (Stanton), in Union County - Salem (Creston).

S12.01.03. The purposes of the conference shall be:

- a. developing and sharing programs with and for the congregations
- b. encouraging a spirit of mutuality in ministry among the congregations and between the congregations and the synod.

S12.01.04. The conference shall hold an Assembly at least annually to nominate and elect persons as required herein, and take up any other matters deemed appropriate by the Assembly.

S12.01.05. There shall be a lay coordinator who would serve as chairperson of the conference and liaison from the conference.

S12.01.06. There shall be an ordained conference chaplain who would have advisor functions, and who would assist the bishop as requested with pastoral care on the conference level. This may include responsibilities such as meeting with call committees, convening support groups and encouraging study groups.

S12.01.06.A96 The conference chaplain duties include:

- a. Keep the bishop aware of any happenings to rostered persons or their families or others in the conference, which might call for a response from him;
- b. Appoint a neighbor to serve as a mentor to a rostered person new to the area who would help the new person become acquainted;
- c. Be attentive to the spiritual, emotional, physical needs, joys and sorrows of rostered persons and their families, through formal and informal contact;
- d. Be available to rostered persons for confession and absolution in confidence;
- e. Be a personal support for rostered persons in times of congregational conflict.

S12.01.07. Each conference may establish additional offices, officers, task forces and/or groups, and may form its own organizational structure.

S12.01.07.A96 The conference dean's duties include:

- a. Gather rostered leaders together on a regular basis for nurture, growth, friendship, planning, and prayer;
- b. Disseminate supplemental information from Synod/ELCA to rostered and other leaders;
- c. When a rostered leader resigns, at the request of the bishop, visit her/him, assure that the Parish Register is up to date, and report back to the bishop;
- d. Serve as pastoral advisor to the conference lay coordinator;
- e. May include meetings with call committees in the conference.

## **Chapter 13**

### **CONGREGATIONS**

\*S13.01. Each congregation, except those certified as congregations of the Evangelical Lutheran Church in America by the uniting churches, prior to being listed in the register of congregations of this synod, shall adopt the Model Constitution for Congregations or one acceptable to the synod, which is not in contradiction to the constitution and bylaws of the Evangelical Lutheran Church in America.

- a. New congregations. A congregation newly formed by this church and any congregation seeking recognition and reception by this church shall:

- 1) Accept the criteria for recognition and reception as a congregation of this church, fulfill the functions of the congregation, and accept the governance provisions as provided in Chapter 9 of the ELCA constitution and bylaws.
  - 2) Adopt governing documents that include fully and without alterations the Preamble, Chapter 1, where applicable, and all provisions of Chapters 2, 3, 4, 5, 6, 7, 8, 9, 15, 16, 17, 18, and 19 in the Model Constitution for Congregations consistent with requirements of this constitution and the constitution of this church. Bylaws and continuing resolutions, appropriate for inclusion in these chapters and not in conflict with these required provisions in the Model Constitution for Congregations, the constitution of this synod, or the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America, may be adopted as described in Chapter 16 and 18 of the Model Constitution for Congregations.
  - 3) Accept the commitments expected of all congregations of the ELCA as stated in \*C6.01., \*C6.02., and \*C6.03. of the Model Constitution for Congregations.
- b. Congregations from another church body. If a congregation is a member of another church body, the leaders of the congregation first should consult with the appropriate authorities of that church body before taking action to leave its current church body. After such consultation, leaders of the congregation should make contact with the ELCA synod bishop or staff where the congregation is located.
  - c. Recognition and reception. Recognition and reception into this church of transferring or independent congregations by the Evangelical Lutheran Church in America is based on the judgment of the synod and action by the synod through the Synod Council and Synod Assembly. The synod bishop shall provide for prompt reporting of such additions to the secretary of this church for addition to the register of congregations.
- \*S13.02. It shall be the responsibility of each congregation of this synod annually to choose from among its voting members laypersons to serve as members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected by each congregation and other qualifications shall be as prescribed in guidelines established by this synod. [Reference S7.21.]
- S13.02.01. Congregations of this synod are to provide costs of lodging, meals, and transportation to the Synod Assembly for their voting members. The provisions for reimbursing expenses of ordained ministers, associates in ministry, deaconesses of the Evangelical Lutheran Church in America and diaconal ministers in attending the Synod Assembly shall be embodied in all calls issued. This synod shall provide a per diem for retired ordained ministers attending the Synod Assembly.
- \*S13.19. A congregation considering a relocation shall confer with the bishop of the synod in which it is territorially located and the appropriate program unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.
- S13.11. When a pastor or when an associate in ministry, deaconess of the Evangelical Lutheran Church in America, or diaconal minister of this church resigns, the Congregation Council shall receive the letter of resignation, report it to the congregation, and at once notify the bishop of this synod.
- S13.12. A congregation under financial obligation to its former pastor or associate in ministry, deaconess of the Evangelical Lutheran Church in America, or diaconal

minister of this church shall make satisfactory settlement of the obligation before calling a successor.

\*S13.20. A congregation considering development of an additional site to be used regularly for worship shall confer with the bishop of the synod in which it is territorially located and the appropriate program unit of the churchwide organization before any steps are taken leading to such action.

S13.21. The alignment of congregations in pastoral charges, and all alterations in any alignment, shall be subject to approval by the Synod Assembly or by the Synod Council.

\*S13.22. Each congregation of the Evangelical Lutheran Church in America within the territory of this synod, except those which are in partnership with the Slovak Zion Synod, shall establish and maintain a relationship with this synod.

\*S13.23. Provision 9.71. of the ELCA constitution shall govern the relationship of this synod and a congregation of this synod regarding the property of the congregation.

S13.24. If any congregation of this synod has disbanded, or if the members of a congregation agree that it is no longer possible for it to function as such, or if it is the opinion of the Synod Council that the membership of a congregation has become so scattered or so diminished in numbers as to make it impractical for such a congregation to fulfill the purposes for which it was organized or that it is necessary for this synod to protect the congregation's property from waste and deterioration, the Synod Council, itself or through trustees appointed by it, may take charge and control of the property of the congregation to hold, manage, and convey the same on behalf of this synod.

The congregation shall have the right to appeal the decision to the Synod Assembly.

S13.25. This synod may temporarily assume administration of a congregation upon its request or with its concurrence.

S13.30. Discipline

\*S13.31. Congregations and members of congregations are subject to discipline in accordance with the provisions of Chapter 20 of the ELCA constitution and bylaws.

## **Chapter 14**

### **ORDAINED MINISTERS AND LAY ROSTERED MINISTERS**

\*S14.01. The time and place of the ordination of those persons properly called to congregations or extraparish service of this synod shall be authorized by the bishop of this synod.

\*S14.02. Consistent with the faith and practice of the Evangelical Lutheran Church in America,

a. Every ordained minister shall:

- 1) preach the Word;
- 2) administer the sacraments;
- 3) conduct public worship;
- 4) provide pastoral care; and
- 5) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.

b. Each ordained minister with a congregational call shall, within the congregation:

- 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
- 2) supervise all schools and organizations of the congregation;

- 3) install regularly elected members of the Congregation Council; and
- 4) with the council, administer discipline.

c. Every pastor shall:

- 1) strive to extend the Kingdom of God in the community, in the nation, and abroad;
- 2) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
- 3) impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and
- 4) endeavor to increase the support given by the congregation to work of the ELCA churchwide organization and of this ELCA synod.

S14.03. The pastor (a) shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation, (b) shall submit a summary of such statistics annually to this synod, and (c) shall become a member of the congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.

S14.04. Whenever members of a congregation move to such a distance that regular attendance at its services becomes impractical, it shall be the duty of the pastor to commend them to the pastoral care of a Lutheran congregation nearer to their place of residence.

S14.05. Each ordained minister on the roster of this synod shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

\*S14.11. When a congregation of this church desires to call a pastor or a candidate for the pastoral office in the ordained ministry of this church:

- a. Each congregation of this synod shall consult the bishop of this synod before taking any steps leading to the extending of a call to a prospective pastor.
- b. For issuance of a letter of call to a pastor or pastoral candidate by a congregation of this synod in accord with the ELCA constitutional provision 7.41., a two-thirds majority ballot vote shall be required of members of the congregation present and voting at a meeting regularly called for the purpose of issuing such a call.
- c. When the congregation has voted to issue a call to a prospective pastor, the letter of call shall be submitted to the bishop of this synod for the bishop's signature.

S14.12. No ordained minister shall accept a call without first conferring with the bishop of this synod. An ordained minister shall respond with an answer of acceptance or declination to a letter of call within thirty days of receipt of such call. In exceptional circumstances, with the approval of the bishop of this synod and the chair of the Congregation Council of the congregation issuing the call, additional days may be granted to respond to a letter of call.

\*S14.13.

- a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment which, except in the case of the death of the pastor, shall be terminated only following consultation with synodical bishop and for the following reasons:
  - 1) mutual agreement to terminate the call or the completion of a call for a specific term;

- 2) resignation of the pastor, which shall become effective, unless otherwise agreed, 30 days after the date on which it was submitted;
  - 3) inability to conduct the pastoral office effectively in that congregation in view of local conditions, without reflection on the competence or the moral and spiritual character of the pastor;
  - 4) the physical or mental incapacity of the pastor;
  - 5) disqualification of the pastor through discipline on grounds of doctrine, morality, or continued neglect of duty;
  - 6) the dissolution of the congregation or the termination of a parish arrangement; or
  - 7) suspension of the congregation as a result of discipline proceedings.
- b. When allegations of physical or mental incapacity of the pastor or ineffective conduct of the pastoral office have come to the attention of the bishop of this synod, the bishop in his or her sole discretion may, or when such allegations have been brought to this synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop shall investigate such conditions personally in company with a committee of two ordained ministers and one layperson.
  - c. In case of alleged physical or mental incapacity, competent medical testimony shall be obtained. When such disability is evident, the bishop of this synod with the advice of the committee shall declare the pastorate vacant. Upon the restoration of a disabled pastor to health, the bishop of this synod shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another field of labor.
  - d. In the case of alleged local difficulties that imperil the effective functioning of the congregation, all concerned persons shall be heard, after which the bishop of this synod together with the committee described in \*S14.13.b. shall decide on the course of action to be recommended to the pastor and the congregation. If they agree to carry out such recommendations, no further action shall be taken by this synod. If either party fails to assent, the congregation may dismiss the pastor by a two-thirds majority vote of the voting members present and voting at a legally called meeting after consultation with the bishop.
  - e. If, in the course of proceedings described in \*S14.13.d., the committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action to the synodical bishop who may bring charges, in accordance with the provisions of the constitution and bylaws of the Evangelical Lutheran Church in America and the constitution of this synod.
  - f. If, following the appointment of the committee described in \*S14.13.b. or d., it should become apparent that the pastoral office cannot be conducted effectively in the congregation(s) being served by the ordained minister due to local conditions, the bishop of this synod may temporarily suspend the pastor from service in the congregation(s) without prejudice and with pay provided through a joint synodical and churchwide fund and with housing provided by the congregation(s).

\*S14.14. Ordained ministers shall respect the integrity of the ministry of congregations which they do not serve and shall not exercise ministerial functions therein unless invited to do so by the pastor, or if there is no duly called pastor, then by the interim pastor in consultation with the Congregation Council.

- \*S14.15. The parochial records of each congregation shall be kept in a separate book which shall remain its property. The secretary of the congregation shall attest to the bishop of this synod that such records have been placed in his/her hands in good order by a departing pastor before:
  - a. installation in another field of labor, or
  - b. the issuance of a certificate of dismissal or transfer.
- \*S14.16. The pastor shall make satisfactory settlement of all financial obligations to a former congregation before:
  - a. installation in another field of labor, or
  - b. the issuance of a certificate of dismissal or transfer.
- \*S14.17. During service to a congregation, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor. The interim pastor may delegate the same in part to an interim supply pastor with the consent of the bishop of this synod. The interim pastor and any ordained ministers who may assist shall refrain from exerting influence in the selection of a pastor. Upon completion of service, the interim pastor shall certify to the bishop of this synod that the parochial records, for the period for which the interim pastor was responsible, are in order.
- \*S14.18. With the approval of the synodical bishop expressed in writing, which sets forth a clear statement of the purpose to be served by such a departure from the normal rule of permanency of the call as expressed in \*S14.13., a congregation may call a pastor for a specific term of years. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop of the synod or a representative of the bishop shall meet with the pastor and representatives of the congregation for a review of the call. Such call may also be terminated before its expiration in accordance with the provisions of \*S14.13.
- S14.21. All ordained ministers under a call shall attend meetings of the Synod Assembly, and the pastors of congregations shall also attend the meetings of the conference, cluster, coalition, or other area subdivision to which the congregation belongs.
- S14.30. Official Rosters of Laypersons
- \*S14.31. The provisions in the churchwide documents and such provisions as may be developed by the appropriate churchwide unit governing associates in ministry, deaconesses, and diaconal ministers of this church shall apply in this synod.
  - a. When a congregation of this synod desires to call an associate in ministry, deaconess, or diaconal minister or a candidate for these official rosters of laypersons of this church:
    - 1) Such a congregation of this synod shall consult the synodical bishop before taking any steps leading to extending such a call.
    - 2) Issuance of such a letter of call shall be in accord with criteria, policies, and procedures developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council of the Evangelical Lutheran Church in America.
    - 3) When the congregation has voted to issue a call to an associate in ministry, deaconess, or diaconal minister, the letter of call shall be submitted to the bishop of this synod for the bishop's signature.
  - b. An associate in ministry, deaconess, or diaconal minister shall confer with the bishop of this synod before accepting a call within this synod.
  - c. The call of a congregation, when accepted by an associate in ministry, deaconess, or diaconal minister, shall constitute a continuing mutual relationship and

commitment which, except in the case of the death of the individual, shall be terminated only following consultation with the synodical bishop in accordance with policy developed by the Division for Ministry, reviewed by the Conference of Bishops, and adopted by the Church Council of the Evangelical Lutheran Church in America.

- d. Associates in ministry, deaconesses, and diaconal ministers on the roster of this synod who are serving under call shall attend meetings of the Synod Assembly.

## **Chapter 15**

### **FINANCIAL MATTERS**

\*S15.01. The fiscal year of this synod shall be February 1 through January 31.

\*S15.11. Since the congregation, synod, and churchwide organization are interdependent units that share responsibly in God's mission, all share in the responsibility to develop, implement, and strengthen the financial support program of the whole church. The gifts and offerings of the members of Evangelical Lutheran Church in America are given to support all parts of this church and thus partnership in this church should be evidenced in determining each part's share of the gifts and offerings.

Therefore:

- a. The mission of this church beyond the congregation is to be supported by such a proportionate share of each congregation's annual budget as each congregation determines. This synod shall develop guidelines for determining "proportionate share," and shall consult with congregational leaders to assist each congregation in making its determination.
- b. This synod shall receive the proportionate share of the mission support from its congregations, and shall transmit that percentage of each congregation's mission support as determined by the Churchwide Assembly to the treasurer of the Evangelical Lutheran Church in America.

\*S15.12. The annual budget of this synod shall reflect the entire range of its own activities and its commitment to partnership funding with other synods and the churchwide organization. Unless an exception is granted upon the request of this synod by the Church Council, each budget shall include the percentage of congregational mission support assigned to it by the Churchwide Assembly.

S15.12.01. The Synod Council shall present an annual budget to the Synod Assembly for its adoption.

S15.12.02. The Synod Assembly shall determine in each budget, when funds are available, an amount of money to be equally divided among the conferences. Each conference shall use the money for its own purposes.

S15.12.03. In preparing each budget of the synod, the Synod Council shall hold hearings at which the committees, boards and other organizations receiving stated support through the synod budget shall be invited to consult with the Synod Council or its appointees to present full statements of their operations, the financial needs of their current work, and the budgetary implications of advance programs which they have in view for the year under consideration. There shall also be a hearing for any member of the synod to address the preparation of the synod budget.

- S15.12.04. The income listed in this budget shall include total anticipated support from all sources, including contributions from individuals for specific purposes within the approved program.
- S15.12.05. The Synod Council shall be responsible for developing guidelines for congregations for determining the congregations' "proportionate share" of this synod's budget and shall consult with congregational leaders to assist each congregation in making its determination of offerings and gifts to this synod.
- S15.12.06. The Synod Council shall submit with each budget that it recommends to Synod Assemblies appropriate summary statements which serve to interpret the recommended budget.
- S15.12.07. If at the end of a given year funds are available for allocation to various causes, over and above budgeted amounts, the Synod Council shall hear and consider all requests for such funds and make the final decisions as to how they shall be allocated.
- S15.12.08. The action of a Synod Assembly adopting an annual budget of the synod constitutes an authorization to the committees, boards, institution, and other beneficiary agencies to incur financial obligations up to the specified amount. If it appears likely in the course of a year the budgeted income is not to be realized, the affected committee, board, institution or agency shall re-examine its current program in consultation with the Synod Council with a view to making necessary adjustments and reductions.
- S15.12.09. The Synod Council, or any committee, board or agency on synod territory, shall not incur capital indebtedness without the consent of the Synod Assembly.
- S15.12.10. No committee, board or organization receiving stated support shall make any appropriation to any other committee or organization receiving stated support except to defray expenses incurred in connection with joint activities or with the approval of the Synod Council.
- S15.12.11. All contributions by committees or boards to interchurch associations and agencies of which the synod is a member, shall be subject to approval by the Synod Council in the light of, and with a view to achieving a wise balance in the total commitments of the synod to each such organization. Such contributions shall be transmitted through the treasury of the synod.
- S15.13. On the basis of estimated income, the Synod Council shall authorize expenditures within the budget for the fiscal year. Expenditure authorizations shall be subject to revision, in light of changing conditions, by the Synod Council.
- S15.21. No appeal to congregations of this or any other synod of the Evangelical Lutheran Church in America for the raising of funds shall be conducted by congregations or organization related to or affiliated with this synod without the consent of the Synod Assembly or the Synod Council.
- \*S15.31. This synod shall arrange to have an annual audit of its financial records conducted by a certified public accountant firm recommended by the synod Audit Committee and approved by the Synod Council. The audited annual financial report shall be submitted by this synod to the churchwide Office of the Treasurer and to the congregations of this synod. The financial reports shall be the format approved from time to time by the Office of the Treasurer.
- \*S15.32 This synod shall maintain adequate, continuous insurance coverage in accordance with standards recommended by the churchwide organization. Insurance programs

offered or endorsed by the churchwide organization shall be deemed to fulfill this obligation.

## **Chapter 16**

### **INDEMNIFICATION**

- \*S16.01. Except as otherwise provided in this constitution, indemnification of any person who is or was made or threatened to be made a party to any proceeding is prohibited. For purposes of this chapter, the term, “proceeding,” means a threatened, pending, or completed civil, criminal, administrative, arbitration, or investigative proceeding, including a proceeding in the right of this synod or any other organization. Except as otherwise required by law, (a) the term, “proceeding,” does not include a proceeding by this synod and (b) indemnification of expenses incurred in a disciplinary hearing or other proceeding described in Chapter 20 of the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America shall be permitted only as provided in \*S16.05. For purposes of this chapter, the term “indemnification,” includes advances of expenses.
- \*S16.02. To the full extent permitted from time to time by law, each person who is or was made or threatened to be made a party to any proceeding by reason of the present or former capacity of that person as a Synod Council member, officer, employee, or committee member of this synod shall be indemnified against judgments, penalties, fines, settlements, excise taxes, and reasonable attorney’s fees and disbursements incurred by that person in connection with the proceeding. Indemnification of any person by reason of that person’s capacity as a director, officer, employee, or committee member of any other organization, regardless of its form or relationship to this synod, is subject to the provision of section \*S16.03.
- \*S16.03. Whenever a person who, while a Synod Council member, officer, committee member, or employee of this synod, is or was serving at the request of this synod as (or whose duties in that position involve or involved service in the capacity of) a director, officer, partner, trustee, employee, or agent of another organization, is or was made or threatened to be made a party to a proceeding by reason of such capacity, then such person shall not be entitled to indemnification unless (a) the Synod Council has established a process for determining whether a person serving in the capacity described in this section shall be entitled to indemnification in any specific case, and (b) that process has been applied in making a specific determination that such person is entitled to indemnification.
- \*S16.04. This synod may purchase and maintain insurance on behalf of itself or any person entitled to indemnification pursuant to this chapter against any liability asserted against and incurred by this synod or by such other person in or arising from a capacity described in section \*S16.02. or section \*S16.03.
- \*S16.05. When in proceedings under Chapter 20 of the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America written charges against an ordained minister or a layperson on an official roster of this church are made by the synodical bishop or written charges against a congregation are made by the Synod Council or the synodical bishop, and the discipline hearing committee determines that no discipline shall be imposed, and such determination is not reversed or set aside if an appeal is taken, then indemnification shall be made by the synod to the accused for reasonable attorney’s fees and other reasonable expenses

related to the defense of the charges. The determination of the reasonableness of such fees and expenses shall be decided by the Synod Council.

## **Chapter 17**

### **ADJUDICATION**

- \*S17.01. The synodical bishop and the Executive Committee of the Synod Council shall be available to give counsel when disputes arise within this synod.
  - \*S17.02. The synodical bishop and the Executive Committee of the Synod Council shall receive expressions of concern from ordained ministers, associates in ministry, or other persons on the official lay rosters of this church, congregations, and organizations within this synod; provide a forum in which the parties concerned can seek to work out matters causing distress or conflict; and make appropriate recommendations for their resolution. When the matter at issue cannot be resolved in this manner, the prescribed procedures for investigation, decision, appeal, and adjudication shall be followed. Allegations or charges that could lead to the discipline of an ordained minister or a person on the official lay roster of this church shall not be addressed by the Executive Committee but shall be resolved through the disciplinary process set forth in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.
  - \*S17.03. When there is disagreement among units of this synod on a substantive issue that cannot be resolved by the parties, the aggrieved party or parties may appeal to the synodical bishop and the Executive Committee of the Synod Council for a consultation. If this consultation fails to resolve the issue, a petition may be addressed by the parties to the Synod Council requesting it to arbitrate the issue. The decision of the Synod Council shall be final.
  - \*S17.04. When a component or beneficiary of a synod has a disagreement on a substantive issue that it cannot resolve, it may address an appeal to the synodical bishop and the Executive Committee of the Synod Council. In this case the decision of the Executive Committee shall prevail, except that upon the motion of a member of the Synod Council, the decision shall be referred to the Synod Council for final action.
- S17.10. Adjudication in a Congregation
- \*S17.11. When there is disagreement among factions within a congregation on a substantive issue that cannot be resolved by the parties, members of a congregation shall have access to the synodical bishop for consultation after informing the chair of the Congregation Council of their intent. If the consultation fails to resolve the issue(s), the Consultation Committee of this synod shall consider the matter. If the Consultation Committee of this synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final.

## **Chapter 18**

### **AMENDMENTS, BYLAWS, AND CONTINUING RESOLUTIONS**

- \*S18.10. Amendments to Constitution
- \*18.11. Certain sections of this constitution incorporate and record therein required provisions of the constitution and bylaws of this church. If such provisions are amended by this church, corresponding amendments shall be introduced at once into

this constitution by the secretary of this synod upon receipt of formal certification thereof from the secretary of the Evangelical Lutheran Church in America.

\*S18.12. Whenever the secretary of the Evangelical Lutheran Church in America officially informs this synod that the Churchwide Assembly has amended the Constitution for Synods, this constitution may be amended to reflect any such amendment by a simple majority vote at any subsequent meeting of the Synod Assembly without presentation at a prior Synod Assembly. An amendment that is identical to a provision of the Constitution for Synods shall be deemed to have been ratified upon its adoption by this synod. The Church Council, through the secretary of this church, shall be given prompt notification of its adoption.

S\*18.13. Other amendments to this constitution may be adopted by this synod through either of the following procedures:

- a. An amendment may be adopted by a two-thirds vote at a regular meeting of the Synod Assembly after having been presented in writing at the previous regular meeting of the Synod Assembly over the signatures of at least fifty (50) members and been approved by a two-thirds vote of the voting members present and voting at such a regular meeting of the Synod Assembly.
- b. The Synod Council may propose an amendment, with notice to be sent to the congregations of this synod at least six months prior to the next regular meeting of the Synod Assembly. Such an amendment shall require for adoption a two-thirds vote of the voting members present and voting at such a regular meeting of the Synod Assembly.

All such amendments shall become effective upon ratification by the Churchwide Assembly or by the Church Council.

\*S18.20. Amendments to Bylaws

\*S18.21. This synod may adopt bylaws not in conflict with this constitution nor with the constitution and bylaws of this church. This synod may amend its bylaws at any meeting of the Synod Assembly by a two-thirds vote of voting members of the assembly present and voting. Newly adopted bylaws and amendments to existing bylaws shall be reported to the secretary of this church.

\*S18.30. Amendments to Continuing Resolutions

\*18.31. This synod may adopt continuing resolutions not in conflict with this constitution or its bylaws. Such continuing resolutions may be adopted or amended by a majority vote of the Synod Assembly or by a two-thirds vote of the Synod Council. Newly adopted continuing resolutions and amendments to existing continuing resolutions shall be reported to the secretary of this church.

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