

**CONSTITUTION, BYLAWS, AND
CONTINUING RESOLUTIONS**
of the
LOWER SUSQUEHANNA SYNOD
of the
Evangelical Lutheran Church in America



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† Required provisions.

Bylaw material is printed in italics.

Continuing Resolutions are in italics and codified with three sets of numbers, the third set preceded by a capital letter and date of action.

Numerical codification indicates general subject, constitutional provisions, bylaw provisions, and continuing resolutions. Major sections are designated as chapters.

**CONSTITUTION, BYLAWS, AND CONTINUING RESOLUTIONS
OF THE LOWER SUSQUEHANNA SYNOD
OF THE EVANGELICAL LUTHERAN CHURCH IN AMERICA**

**Chapter 1.
NAME AND INCORPORATION**

- †S1.01. The name of this synod, as determined by the Churchwide Assembly, shall be Lower Susquehanna Synod of the Evangelical Lutheran Church in America.
- †S1.02. For the purposes of this constitution and the accompanying bylaws, the Lower Susquehanna 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 "The Open Bible resting upon the Passion Cross, symbols of the faith and messages of the Church, and encircled by the official name of the synod," an impression of which is inscribed hereto:



**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*, which are recognized as having governing force in the life of this synod.
- †S2.02. The name Evangelical Lutheran Church in America (ELCA or "this church") as used herein refers in general references to this whole church, including its three expressions: congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.
- †2.03. 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 Adams, Cumberland, Dauphin, Franklin, Fulton, Lancaster, Lebanon, Perry, and York in the Commonwealth of Pennsylvania; the congregations St. Michael and Zion in Schuylkill County in the Commonwealth of Pennsylvania.
- †S3.02. "Determined by the Churchwide Assembly", as stipulated by †S3.01., is understood to include the reported changes in synod relationship made by any congregation in a border area agreed under ELCA bylaws 10.01.01. and 10.02.03.

**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 Scripture 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. This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian unity throughout the world.

†S5.03. 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.

†S5.04. This church, inspired and led by the Holy Spirit, participates in The Lutheran World Federation as a global communion of churches, engaging in faithful witness to the gospel of Jesus Christ and in service for the sake of God's mission in the world.

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 action to express and preserve the unity which the Spirit gives.

†S6.03. This synod, in cooperation with the churchwide organization, shall bear primary responsibility for the oversight of the life and mission of this church in its territory. In fulfillment of this role and consistent with the policies and procedures of this church, this synod shall:

- a. Provide for pastoral care of congregations and rostered ministers in this synod;
- b. Plan for, facilitate, and nurture the mission of this church through congregations;
- c. Strengthen interdependent relationships among congregations, synods, and the churchwide organization, and foster relationships with agencies and institutions affiliated with or related to this church as well as ecumenical partners;
- d. Interpret the work of this church to congregations and to the public on the territory of this synod.

†S6.03.01. *The responsibilities of the synod include the following:*

- a. *providing for pastoral care of congregations, ministers of Word and Sacrament, and ministers of Word and Service in the synod, including:*
 - 1) *approving candidates for the ministry of Word and Sacrament in cooperation with the appropriate seminaries of this church, which may be done through multi-synod committees;*
 - 2) *authorizing ordinations and ordaining ministers of Word and Sacrament on behalf of this church;*
 - 3) *approving ministers of Word and Service which may be done through multi-synod committees;*
 - 4) *authorizing ordinations and ordaining ministers of Word and Service on behalf of this church; and*
 - 5) *consulting in the call process for rostered ministers.*
- b. *providing 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 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. *providing for discipline of congregations, ministers of Word and Sacrament, and ministers of Word and Service; as well as for termination of call, appointment, adjudication, and appeals consistent with Chapter 20 of this church's constitution.*
- d. *providing for archives in conjunction with other synods.*

†S6.03.02. *In planning for, facilitating, and nurturing the mission of this church through congregations, the responsibilities of the synod include the following:*

- a. *developing new ministries, redevelopment of existing ministries, and support and assistance in the conclusion, if necessary, of a particular ministry;*
- b. *leading and encouraging of congregations in their evangelism efforts;*
- c. *assisting members of its congregations in carrying out their ministries in the world;*
- d. *encouraging congregations to respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society;*
- e. *providing resources for congregational life;*
- f. *grouping congregations in conferences, clusters, coalitions, or other area subdivisions for mission purposes.*

†S6.03.03. *In strengthening interdependent relationships among congregations, synods, and the churchwide organization, and in fostering relationships with agencies and institutions affiliated with or related to this church as well as with ecumenical partners, the responsibilities of the synod include the following:*

- a. *promoting interdependent relationships among congregations, synods, and the churchwide organization, and entering into relationships with other synods in the region;*
- b. *fostering organizations for youth, women, and men, and organizations for language or ethnic communities;*
- c. *developing relationships with social ministry organizations and ministries, participating in their mission planning, and providing supportive funding;*
- d. *supporting relationships with and providing supportive funding on behalf of colleges, universities, and campus ministries;*
- e. *maintaining relationships with and providing supportive funding on behalf of the seminaries and continuing education centers;*
- f. *fostering supporting relationships with camps and other outdoor ministries;*
- g. *fostering supporting relationships with preschools, elementary schools, and secondary schools operated by congregations of the synod;*
- h. *fostering relationships with ecumenical and global companions;*

- i. *cooperating with other synods and the churchwide organization in creating, using, and supporting regions to carry out those functions of the synod which best can be done cooperatively with other synods and the churchwide organization.*

†S6.03.04. *In interpreting the work of this church on the territory of the synod, the responsibilities of the synod include the following:*

- a. *encouraging financial support for the work of this church by individuals and congregations;*
- b. *participating in churchwide programs;*
- c. *interpreting social statements in a manner consistent with the interpretation given by the churchwide unit or office which assisted in the development of the statement, and suggestion of social study issues;*
- d. *providing ecumenical guidance and encouragement.*

S6.03.05. *To promote relations of mutual benefit, this synod shall accord to the synodical organization of the Women of the Evangelical Lutheran Church in America the privilege of establishing liaison with the appropriate organizations of this synod and of presenting reports to regular assemblies of this synod and shall, upon invitation, appoint consultants to the clusters and executive board of the organization.*

S6.03.06. *To promote relations of mutual benefit, this synod shall accord to the Lower Susquehanna Synod Lutheran Youth Organization the privilege of establishing liaison with appropriate organizations of this synod and of presenting reports to regular assemblies of this synod and shall, upon invitation, appoint consultants to the clusters and executive board of the organization.*

S6.03.07. *To promote relations of mutual benefit, this synod shall accord to the synodical organization of Lutheran Men in Mission the privilege of establishing liaison with the appropriate organizations of this synod and of presenting reports to regular assemblies of this synod and shall, upon invitation, appoint consultants to the clusters and executive board of the organization.*

S6.03.08. *The Synod Council shall elect representatives to the Region 8 Steering Committee in a number to be determined by the Region 8 Steering Committee. In addition to the bishop who serves ex officio, at least one synodical representative to the Region 8 Steering Committee shall be a member of the Synod Council.*

S6.03.09. *Voting members and alternate voting members of the Churchwide Assembly shall be elected according to the procedures set forth in the Constitution and Bylaws of the Evangelical Lutheran Church in America. The synodical bishop and synodical vice president shall be ex-officio voting members of the Churchwide Assembly.*

S6.03.10. *In addition to the requirements of Bylaw 12.41.11. of the Constitution and Bylaws of the ELCA and synodical bylaw S6.03.09., voting members of the Churchwide Assembly shall be elected from five panels of nominees: a panel of one voting member or one alternate voting member nominated by each conference at its spring Conference Assembly; a panel of at-large youth voting members nominated by the Nominating Committee; a panel of at-large young adult voting members nominated by the Nominating Committee; a panel of at-large voting members who are persons of color or whose primary language is other than English nominated by the Nominating Committee; and a panel of at-large voting members nominated by the Nominating Committee. The composition of each panel shall be in accordance with the formula established in the Continuing Resolution S6.03.r.A15.*

S6.03.r.A15. *Consonant with the provisions of S6.03.10.:*

- 1) *Panel #1 shall be composed of one voting member or one alternate voting member from each conference, selected in accordance with the following plan:*

ELCA ASSEMBLIES

<u>CONFERENCE</u>	<u>2019</u>	<u>2022</u>	<u>2025</u>
Chambersburg Gettysburg	Lay Male Alternate Lay Male	Alternate Lay Female Lay Female	Clergy Alternate Clergy
Hanover York	Clergy Alternate Clergy	Alternate Lay Male Lay Male	Lay Female Alternate Lay Female
Lebanon Upper Dauphin	Lay Female Alternate Lay Female	Alternate Clergy Clergy	Lay Male Alternate Lay Male
Perry West Cumberland	Lay Male Alternate Lay Male	Alternate Lay Female Lay Female	Clergy Alternate Clergy
Harrisburg West Shore	Clergy Alternate Clergy	Alternate Lay Male Lay Male	Lay Female Alternate Lay Female
Lancaster North Lancaster	Lay Female Alternate Lay Female	Alternate Clergy Clergy	Lay Male Alternate Lay Male
North York South York	Lay Male Alternate Lay Male	Alternate Lay Female Lay Female	Clergy Alternate Clergy
	<u>2028</u>	<u>2031</u>	<u>2034</u>
Chambersburg Gettysburg	Alternate Lay Male Lay Male	Lay Female Alternate Lay Female	Alternate Clergy Clergy
Hanover York	Alternate Clergy Clergy	Lay Male Alternate Lay Male	Alternate Lay Female Lay Female
Lebanon Upper Dauphin	Alternate Lay Female Lay Female	Clergy Alternate Clergy	Alternate Lay Male Lay Male
Perry West Cumberland	Alternate Lay Male Lay Male	Lay Female Alternate Lay Female	Alternate Clergy Clergy
Harrisburg West Shore	Alternate Clergy Clergy	Lay Male Alternate Lay Male	Alternate Lay Female Lay Female
Lancaster North Lancaster	Alternate Lay Female Lay Female	Clergy Alternate Clergy	Alternate Lay Male Lay Female
North York South York	Alternate Lay Male Lay Male	Lay Female Alternate Lay Female	Alternate Clergy Clergy

- 2) Panel #2 shall be composed of youth nominees-at-large. These nominees shall be voting members of their congregations not yet age 18 at the time of their election. The number and composition of this panel shall be determined by the Nominating Committee.
- 3) Panel #3 shall be composed of young adult nominees-at-large. They shall be voting members of their congregations between the ages of 18 and 30 years at the time of election. The number and composition of this panel shall be determined by the Nominating Committee.
- 4) Panel #4 shall be composed of nominees-at-large who are persons of color or whose primary language is other than English. The number and composition of this panel shall be determined by the Nominating Committee.
- 5) Panel #5 shall be composed of nominees-at-large in sufficient number to meet the current assigned number of voting members determined by the ELCA.
- 6) Nominations from the floor of the Assembly may be made to panels #2, #3, #4 and #5.

S6.03.11. *The bishop of the synod is empowered to fill vacancies that may occur in the synod delegation.*

†**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 at least 45 percent of the lay members of assemblies, councils, committees, boards, or other organizational units shall be women and at least 45 percent shall be men; and that, where possible, the representation of ministers of Word and Sacrament shall include both men and women. 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.

†**S6.04.01.** *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.*

†**S6.04.02.** *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 synod 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.

†**S6.06.** References herein to the nature of the relationship between the three expressions of this church – congregations, synods, and the churchwide organization – as being interdependent or as being in a partnership relationship describe the mutual responsibility of these expressions in God’s mission and the fulfillment of the purposes of this church as described in this chapter, and do not imply or describe the creation of partnerships, co-ventures, agencies, or other legal relationships recognized in civil law.

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 constitution and bylaws of the Evangelical Lutheran Church in America.

S7.01.01. *The major priorities of the assembly are worship, edification, and the legislative business of this synod conducted with the greatest possible involvement of those entitled to participate.*

†**S7.11.** A regular meeting of the Synod Assembly shall be held at least triennially.

S7.11.01. *The regular assembly of this synod shall be held annually between May 15 and June 30 at such place as the Synod Council shall designate.*

S7.11.01.r.A20. *The regular assembly of this synod shall be held annually between May 1 and June 30 at such place as the Synod Council shall designate.[pending ratification]*

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 previous Synod Assembly.

- a. 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.
- b. 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 Synod Council after consultation with the presiding bishop of the Evangelical Lutheran Church in America.

S7.13. Written notice of the time and place of all meetings of the Synod Assembly shall be given by the secretary of this synod in accordance with the bylaws of this constitution.

S7.13.01. *All ministers of Word and Sacrament, ministers of Word and Service, and congregations shall be notified at least 30 calendar days prior to the date of a regular or special assembly.*

S7.13.02. *The secretary shall send out a bulletin of reports to all ministers of Word and Sacrament, all ministers of Word and Service, and other voting members of the assembly at least 30 calendar days before each regular assembly.*

S7.14. One-half of the 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 laypersons, shall be constituted as follows:

- a. All ministers of Word and Sacrament under call on the roster of this synod in attendance at the Synod Assembly shall be voting members.
- b. All ministers of Word and Service, under call, on the roster of this synod shall be voting members in the Synod Assembly.
- 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, typically one of whom shall be a man and one of whom shall be a woman, 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 at least 45 percent of the lay members of the assembly shall be women and at least 45 percent shall be men.
- d. Voting membership shall include the officers of this synod.

S7.21.r.A14. *Congregations with more than 500 baptized members shall be permitted to elect one additional voting member. Such congregations shall consider electing a youth, young adult, or person of color or of primary language other than English.*

†S7.21.01. *Voting members shall begin serving with the opening of a regular Synod Assembly and shall continue serving until voting members are seated at the next regular Synod Assembly.*

†S7.21.02. *If a special Synod Assembly is called and voting members at the previous assembly are unable to serve as voting members, where permitted by state law, the congregation through the Congregation Council may elect new members who shall continue to serve until the next Synod Assembly.*

S7.22. This synod may establish processes that permit retired rostered ministers, or those designated as disabled or

on leave from call, on the roster of this synod to serve as voting members of the Synod Assembly, consistent with †S7.21.c. above.

- S7.22.01.** *Retired rostered ministers and rostered ministers on leave from call in attendance at the Synod Assembly shall be voting members.*
- †S7.23. The presiding bishop of the Evangelical Lutheran Church in America and such other official representatives of the churchwide organization as may be designated by the presiding bishop shall 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.
- S7.24.** Congregations shall elect voting members to the regular Synod Assembly prior to the conference assemblies preparing for the regular Synod Assembly.
- †S7.25. Except as otherwise provided in this constitution or in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, each voting 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 persons from congregations under development and authorized worshiping 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.
- S7.27.** This synod may establish processes through the Synod Council to grant a minister of Word and Sacrament from a church body with which a relationship of full communion has been declared and established by the Churchwide Assembly of the Evangelical Lutheran Church in America the privilege of both voice and vote in the Synod Assembly during the period of that ordained minister's service in a congregation of this church.
- 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.
- †S7.31. Proxy and absentee voting shall not be permitted in the transaction of any business of the Synod Assembly.
- S7.32.** *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of the Synod Assembly, unless otherwise ordered by the assembly.
- S7.33.** "Ex officio" as used herein means membership with full rights of voice and vote unless otherwise expressly limited.
- S7.34.** 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.
- S7.35.** Immediately after the Order for the Opening of the Assembly, the Executive Committee of Synod Council shall certify to the chairperson of the Synod Assembly the total number of persons who are eligible to vote at that assembly in accordance with the Constitution, Bylaws, and Continuing Resolutions of this synod.
- S7.36.** Specific details relating to synod assemblies may be designated in bylaws.
- S7.36.01.** *An allowance, to be determined by the Synod Council, shall be provided for retired rostered ministers; rostered ministers on leave from call; ordinands; seminarians under the care of this synod's Candidacy Committee; and lay members of Synod Council, the Assembly Planning Committee, and the assembly committees who are not voting members from their congregations, for the purpose of attending the assemblies of this synod. Those rostered ministers under call to*

special service shall be included under the provisions, if their expenses are not reimbursed by their employing agencies or institutions.

- S7.36.02.** *Voting members shall not absent themselves from any meeting of the assembly without valid reason.*
- S7.36.03.** *The Synod Council shall be responsible for the preparation and presentation of the agenda and program for each assembly.*
- S7.36.04.** *The bishop shall appoint the following committees to serve in relation to the assembly:*
- a. Worship at Assembly - This committee shall be responsible for planning the worship services of the assembly.*
 - b. Elections - This committee shall be responsible for the conduct of all assembly elections.*
 - c. Reference and Counsel - This committee shall receive all resolutions not germane to pending questions and report thereon to the assembly with its recommendations; recommend special orders for the hearing of unscheduled presentations; and give such assistance to the bishop as he or she may desire in the course of the assembly.*
 - d. Memorials - This committee shall receive all memorials addressed to this synod and the Evangelical Lutheran Church in America on any subject affecting the welfare of this church, reporting thereon to the assembly with its recommendations.*
- S7.36.05.** *The Assembly Committee and/or bishop of this synod shall grant or deny permission for displays and the distribution of printed matter at an assembly.*
- S7.36.06.** *The minutes of each assembly may be submitted, meeting by meeting, by the secretary to the assembly. Approval of the minutes of the assembly shall be the responsibility of the bishop, the secretary, and the Synod Council. After making any necessary corrections therein, the bishop and the secretary shall certify two copies of the printed minutes of each assembly as the official protocol of said assembly and shall submit the same to the next regular assembly and deposit in the archives.*

Chapter 8. OFFICERS

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

S8.01.01. *No elected official or other duly appointed representative of the synod shall accept personal special remuneration for services rendered on behalf of this synod to any congregation or organization of this synod. Any contributions made in connection with such services shall be placed in the synodical treasury.*

S8.10. Bishop

†**S8.11.** The bishop shall be elected by the Synod Assembly. The bishop shall be a minister of Word and Sacrament of the Evangelical Lutheran Church in America.

†**S8.12.** As this synod's pastor, the bishop 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 ministers of Word and Sacrament, and its ministers of Word and Service.

- c. Exercise solely this church's power to ordain (or provide for the ordination by another synod bishop of) approved candidates who have received and accepted a properly issued, duly attested letter of call for the office of ministry of Word and Sacrament (and as provided in the bylaws of the Evangelical Lutheran Church in America).
- d. Ordain (or provide for the ordination of) approved candidates who have received and accepted a properly issued, duly attested letter of call for service as ministers of Word and Service for 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) rostered ministers whose calls the bishop has attested.
- 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 the 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 administering the constitutionally established processes for the resolution of controversies and for the discipline of rostered ministers and congregations of this synod;
 - 3) Be the chief ecumenical officer of this synod;
 - 4) Be a member of the Conference of Bishops and consult regularly with other synod 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 synod 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 synod rosters containing the names and addresses of all rostered ministers of this synod and a record of the calls under which they are

serving or the date on which their retired or disability status took effect;

- 9) Annually bring to the attention of the Synod Council the names of all rostered ministers on leave from call or engaged in approved graduate study in conformity with the constitution, bylaws, and continuing resolutions 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;
 - b) the issuance of certificates of transfer for rostered ministers 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 roster of the congregations of this synod and the names of the laypersons who have been elected to represent them; and
- 12) Appoint a statistician of the 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.

S8.12.01. *The bishop shall, as from time to time requested by the board of trustees of Gettysburg College, submit a nominee(s) to be considered for election to the board of trustees of Gettysburg College.*

S8.12.02. *The bishop shall appoint two members of the policy council of the Lutheran Advocacy Ministry in Pennsylvania after consultation with that agency's staff.*

S8.12.03. *The bishop shall appoint representatives to boards as requested whenever provision is not otherwise made.*

†**S8.13.** The synod bishop may appoint an attorney, admitted to the bar within the territory of the synod or the state where the synod is located, to be Synod Attorney. The appointment must be approved by the Synod Council and reported to the Synod Assembly and to the secretary of this church. The appointment continues until resignation or until a successor is appointed. The Synod Attorney provides legal advice and counsel to the synod officers and the Synod Council. The Synod Attorney is expected to be familiar with the governing documents and policies of the synod and, as necessary, to attend meetings of Synod Council. The Synod Attorney serves without salary but may be retained and compensated for specific legal services requested by the synod.

S8.14. The synodical bishop may have such assistants as this synod shall from time to time authorize.

S8.14.01. *Staff assistants to the officers, if and when such positions are created by the synod in assembly, shall be appointed by the bishop with the approval or call of the Synod Council. The term of office of a staff assistant to any officer shall continue six months beyond the expiration of the term of the officer. During the aforementioned term, such staff assistants may be recalled or dismissed by the bishop with or without cause pursuant to the written personnel policies of this synod.*

†**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 synod bishops:*

- a. *Whenever a synod 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 synod bishop shall withdraw from personal involvement in such matter and shall so notify the presiding bishop. The presiding bishop shall then appoint another synod 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 (†S14.18.), candidacy, reinstatement, and similar matters where determinations or actions by the synod 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 synod bishop, is a spouse, parent, son, daughter, sibling, uncle, aunt, niece, nephew, grandparent, grandchild, including members of blended families and in-laws (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.

S8.22.01. *The vice president shall be a member of all committees and any other organizational units of the synod, except as otherwise provided in this constitution.*

†**S8.23.** In the event of the death, resignation, or disability of the bishop, the vice president, after consultation with the presiding bishop of the Evangelical Lutheran Church in America, 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 a rostered 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 regular Churchwide Assembly a certified list of the voting members elected by the Synod Assembly.

S8.40. Treasurer

†**S8.41.** The treasurer may be elected by the Synod Assembly or may be appointed by the Synod Council. The treasurer shall be a voting member of a congregation of this synod. The treasurer may be either a layperson or a rostered minister.

S8.41.01. *The treasurer shall be elected by the Synod Assembly.*

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. Obtaining a fidelity bond in the amount determined by the Synod Council for persons handling synod funds, which bond shall be in the custody of the secretary. The premium for this bond 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 as follows:

- a. The bishop of this synod shall be elected to a term of six years and may be re-elected.
- b. The vice president and secretary of this synod shall be elected to a term of four years and may be re-elected. The officer shall serve until his or her successor takes office.
- c. The treasurer of this synod shall be elected to a four-year term and may be re-elected. The treasurer shall serve until his or her successor takes office.

S8.51.01. *The vice president, secretary, and treasurer of this synod may be elected to no more than three consecutive terms. (Enabling Resolution: This bylaw applies to all officers elected to a first term after the 2008 Synod Assembly.)*

S8.52. The terms of the officers shall begin on the first day of the third month following election or, in special circumstances, at a time designated by Synod Council.

†**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.

†**S8.54.** Should the bishop die, resign, or be unable to serve, the vice president, after consultation with the presiding bishop of the Evangelical Lutheran Church in America, shall convene the Synod Council to arrange for the appropriate care of the responsibilities of the bishop until a 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 10 calendar days prior to the meeting.

- †S8.57. The recall or dismissal of an officer and the vacating of office may be effected for willful disregard or violation of the constitutions, bylaws, and continuing resolutions of this church; for such physical or mental disability as renders the officer incapable of performing the duties of office; or for such conduct as would subject the officer to disciplinary action as a rostered minister or as a member of a congregation of this church.
- a. Proceedings for the recall or dismissal of a synod bishop shall be instituted by written petition by:
 - 1) the Synod Council on an affirmative vote of at least two-thirds of its elected members present and voting;
 - 2) the Synod Assembly on an affirmative vote of at least two-thirds of its members present and voting;
 - 3) at least 10 synod bishops; or
 - 4) the presiding bishop of this church.
 - b. Proceedings for the recall or dismissal of an officer of a synod, other than the synod bishop, shall be instituted by written petition by:
 - 1) the Synod Council on an affirmative vote of at least two-thirds of its elected members present and voting;
 - 2) the Synod Assembly on an affirmative vote of at least two-thirds of its members present and voting; or
 - 3) the synod bishop.
 - c. The petition shall be filed with the chair of the Committee on Appeals (in care of the secretary of the Evangelical Lutheran Church in America, 8765 West Higgins Road, Chicago, Illinois 60631) and shall set forth the specific charge or charges.
 - d. Upon the filing of a written petition, the Executive Committee of the Synod Council may temporarily suspend the officer from service in the synod without prejudice, but with continuation of compensation, including benefits, if the officer is a salaried employee of the synod.
 - e. In the case of alleged physical or mental incapacity of an officer of the synod, the procedures outlined in †S8.56. shall be followed, and such officer shall comply with the decision of the Synod Council. If such officer fails or refuses to comply, the Synod Council may proceed to petition for recall or dismissal as follows:
 - 1) the Synod Council will submit a written report of their findings and the basis of their decision to the Committee on Appeals.
 - 2) the Committee on Appeals, other than those who are disqualified, shall review the findings and decision of the Synod Council and by an affirmative vote of at least two-thirds of those present and voting may adopt the findings and grant the petition.
 - f. If the synod officer is a minister of Word and Sacrament, grounds for recall or dismissal include those set forth in ELCA bylaw 20.22.01. and as defined under the process described in ELCA constitutional provisions 20.21. and 20.22. as grounds for discipline. If the officer is a minister of Word and Service, grounds for recall or dismissal include those set forth in ELCA bylaw 20.23.01. and as defined under the process described in ELCA constitutional provisions 20.21. and 20.22. as grounds for discipline.
 - g. If the officer is a layperson, grounds for recall or dismissal include those set forth in ELCA bylaw 20.41.01. as grounds for discipline.
 - h. If the case of alleged willful disregard or violation of the constitutions, bylaws, and continuing resolutions or of alleged conduct as would subject the officer to disciplinary action, the following procedures shall apply:
 - 1) the petition shall be referred to the Committee on Appeals, which shall function as the discipline hearing committee that shall conduct a hearing in accordance with the rules provided for in

ELCA bylaw 20.22.14. except to the extent that those rules are in conflict with the provisions of this bylaw; and

2) the members of the Committee on Appeals, other than those who are disqualified, may grant the petition by an affirmative vote of at least two-thirds of those present and voting.

i. Written notice of a decision by the Committee on Appeals that the charges have been sustained shall be given to the affected officer and to the Synod Council, and the office shall be vacated.

†**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 a minister of Word and Sacrament 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 procedures set forth in the bylaws. The Synod Assembly shall 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.

S9.01.01. *It shall be the responsibility of the Synod Assembly to elect the following: (a) voting members of the Churchwide Assembly; (b) a member of the board of Susquehanna University; (c) officers of synod; (d) members of Synod Council; (e) members of the Consultation Committee; and (f) members of the Committee on Discipline.*

†**S9.02.** In all elections by the Synod Assembly, other than for the bishop, a majority of the legal votes cast shall be necessary for election.

S9.03. A Nominating Committee composed of one member from each conference selected by each conference and the Synod Council members of the Synod Council Gifts Discernment Committee shall serve for each regular meeting of the Synod Assembly. Each conference shall determine its own method of selecting its representative to the Nominating Committee. Additional nominations may be made from the floor for all elections for which nominations are made by the Nominating Committee.

S9.03.01. *With the exception of nominations for the officers of synod and Panel #1 for the Churchwide Assembly, the Nominating Committee shall present at least two persons for each position available. Nominees for each position may be received also from the floor of the Assembly. All elections shall be by a simple majority unless otherwise designated by these bylaws or the constitution of the Lower Susquehanna Synod.*

S9.03.02. *The Synod Assembly shall elect members of the boards of the following educational institution:
1) Susquehanna University - one (1) member.*

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 on the first ballot. 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 received 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 receive 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 be necessary for election. These ballots shall be limited to the two persons (plus ties) who receive the greatest number of legal votes on the previous ballot.

S9.04.r.A18. PRELIMINARY IDENTIFICATION PROCESS LEADING TO THE ELECTION OF A BISHOP

- 1. The incumbent bishop shall announce whether he or she will stand for election by the time of the Synod Council meeting in November prior to the Synod Assembly during which a bishop is to be elected.*
- 2. The Lower Susquehanna Synod shall follow the recommended preliminary identification process and the same election process regardless of whether there is an incumbent bishop standing for election.*
- 3. The Synod Council shall call the synod to prayerful deliberation.*
- 4. The Synod Council shall prepare and distribute information about the Lower Susquehanna Synod including the current mission statement, mission documents and any strategic planning adopted by the Synod Council.*
- 5. At a special meeting of each conference held early in the calendar year of the electing assembly, the voting members of the upcoming Synod Assembly shall be asked to consider a set of questions developed by the Synod Council designed to recognize the conference's understanding of this synod's mission, the issues deemed important for this synod, and the gifts desirable and necessary in a bishop. The secretary of each conference shall provide a record of this discussion to the synod secretary for use by the Synod Council.*
- 6. At the regular spring conference meeting, the voting members of the upcoming Synod Assembly shall be asked to raise up names of ELCA pastors who the voting members believe possess gifts for the office of bishop. Each voting member raising up names of such pastors should receive the permission of those pastors to raise their names and shall be prepared to share with the other voting members why he or she is raising such names. The names of pastors on the clergy roster of the Evangelical Lutheran Church in America may be raised up, even if those pastors are not members of that conference or this synod. Each ELCA pastor is encouraged to give permission to have his or her name raised up as part of this synod's discernment process.*
- 7. After all voting members have had opportunity to raise up names of persons possessing gifts for the office of bishop, the voting members will engage in a process leading to the selection of up to three names of persons that this conference intends to share with the entire synod as persons possessing gifts for the office of bishop.*
- 8. The dean of each conference shall contact the individuals selected by the conference to secure their permission to include their names as persons possessing gifts for the office of bishop. If these persons are willing to be so identified, the dean shall facilitate their completion of a biographical information form developed by the Synod Council. The dean shall submit these forms to the synod secretary within ten days of the conference assembly.*
- 9. The synod secretary shall post the names of the individuals selected by the conferences on the synod website 45 days before the Synod Assembly begins.*
- 10. While these individuals are identified as possessing gifts for the office of bishop, the Lower Susquehanna Synod shall continue to use the ecclesiastical ballot, in which any rostered pastor of the ELCA may be placed in nomination on the first ballot at the Synod Assembly. Any person identified as possessing gifts for the office of bishop must still be nominated on the first ballot by a voting member of the assembly.*
- 11. The Synod Assembly shall elect a bishop by the ecclesiastical ballot as set forth in **S9.04** of the synod constitution. The Synod Assembly shall adopt rules of procedure for the election of a bishop based upon this constitutional provision. If there is no election on the first ballot for bishop, the first ballot shall be considered the nominating ballot. For an ELCA pastor to be on the slate of nominees for bishop, his or her name must be included in the tally of votes received on the first ballot for bishop.*

S9.05. The Synod Council shall nominate at least two persons for vice president; additional nominations may be

made from the floor.

- S9.06.** The Synod Council shall nominate at least two persons for secretary; additional nominations may be made from the floor.
- S9.07.** The Synod Council shall nominate at least 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 legal votes cast on a preceding ballot, but not elected by a majority of the legal votes cast on a preceding ballot, shall be entered on the next ballot to the number of two for each vacancy unfilled. On any ballot when only two names appear, a majority of the legal votes cast shall be necessary for election.
- S9.09.** The result of each ballot in every election shall be announced in detail to the assembly.
- †**S9.10.** When notified by the secretary of this church, on behalf of the Nominating Committee of the Churchwide Assembly, the Synod Assembly shall nominate two persons in the specified categories for possible election by the Churchwide Assembly to the Church Council.
- 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 synod 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.
- S9.12.r.A08.** *The Synod Council Executive Committee shall provide for background checks for persons nominated for synodical office prior to the Synod Assembly at which the election will take place or as soon as possible after the Synod Assembly for newly elected officers nominated from the floor who were not identified as nominees prior to the assembly. The process shall be as follows:*
- a. *Prior to the Synod Assembly appropriate notice of the background check requirement and protocol will be provided to voting members, potential nominees, and others as directed by the Synod Council.*
 - b. *Nominees and newly elected officers are required to provide written consent to a background check and all information necessary to complete a background check, which should be completed prior to the Synod Assembly with respect to nominees and prior to installation for newly elected officers, if possible.*
 - c. *The Synod Council's Executive Committee shall designate one Executive Committee or Synod Council member to obtain the background checks.*
 - d. *All background checks for nominees and newly elected officers will entail a criminal background check. A financial background check will be completed for nominees for treasurer. The Executive Committee shall decide whether additional types of background checks are appropriate for each officer position.*
 - e. *The background check results shall be provided to that nominee or elected officer and to the Synod Council's Executive Committee. Further disclosure of the results may be determined by the Executive Committee.*

The Executive Committee may adopt other procedures or protocols as are necessary to provide for background checks for nominees and newly elected synodical officers and shall report such actions to the Synod Council.

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 ministers on a 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 three years.

S10.01.r.B20. *The term of office of Synod Council members shall begin at the close of the Synod Assembly at which they are elected and conclude at the close of the Synod Assembly held three years later or two years later in the case of a youth member. When a person is elected to fill an unexpired term on the Synod Council, the term shall begin upon election and conclude at the close of the Synod Assembly when the term would have ended had there been no vacancy.*

S10.01.01. *The Synod Council, in addition to the four officers, shall consist of fifteen (15) adult members and one (1) youth member and one (1) young adult. Said membership shall conform to the standards of representation of the ELCA. Therefore, there shall be six (6) clergy members, nine (9) lay members, one (1) youth member, and one (1) young adult member. All members shall be elected as members-at-large.*

S10.01.01.r.A19. *For the purposes of the 2020 election, the Synod Council understands “clergy” to include ministers of Word and Sacrament and ministers of Word and Service.*

S10.01.02. *Adult members: Each person elected to the Synod Council shall be elected for a term of three (3) years. Each member shall serve no more than two (2) consecutive terms. Terms of the council membership shall be staggered so that five (5) members of the council are elected by the Synod Assembly each year.*

S10.01.03. *Youth member: Each youth elected to the Synod Council shall serve one two-year term. Each youth member shall be a confirmed member of a congregation of this synod and shall be under eighteen (18) years of age at the time of election.*

S10.01.04. *Young adult member, 18 – 30 years old: Each young adult member elected to the Synod Council shall serve a three-year term. Each young adult shall serve no more than two (2) consecutive terms.*

†**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 that are not in conflict with actions taken by the Synod Assembly or that are not precluded by provisions of this constitution or the constitution and bylaws of the Evangelical Lutheran Church in America.*

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 ministers of Word and Sacrament and the roster of ministers of Word and Service, receive and act upon appropriate recommendations regarding those persons whose status is subject to reconsideration and action under the constitution and bylaws of the Evangelical Lutheran Church in America, and make a report to the Synod Assembly of the Synod Council's actions in this regard.
- e. Issue letters of call to rostered ministers as authorized by Chapter 7 of the constitution and bylaws of the Evangelical Lutheran Church in America.

- 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 in the case of an appeal from a decision of the Executive Committee, 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.

S10.03.01. *Vacancies occurring in the membership of the Synod Council between assemblies shall be filled by election by the Synod Council.*

S10.03.02. *Persons named to fill vacancies on the council, boards, committees, and commissions shall serve for the unexpired term which shall be counted as a full term in determining eligibility for succession except when the period of vacancy is less than a year.*

S10.04. No elected member of the Synod Council shall receive compensation for such service.

S10.05. If a member of the Synod Council ceases to meet the requirements of the position to which she or he was elected, the office filled by such member shall at once become vacant.

S10.05.01. *If a minister of Word and Sacrament on the Synod Council ceases to be a member of the synod in good standing, or if any lay member of the council ceases to be on the role of voting members of a congregation of this synod, or if any person of the Synod Council is absent without excuse from two (2) successive meetings, that person's office shall at once become vacant. This same provision shall apply to persons serving on the various task forces, committees, and commissions of this synod.*

S10.06. The composition of the Synod Council, the number of its members, and the manner of their selection, as well as the organization of the Synod Council, its additional duties and responsibilities, and number of meetings to be held each year shall be set forth in the bylaws.

S10.06.01. *To the extent permitted by state law, meetings of the Synod Council and its committees may be held electronically or by telephone conference, and notice of all meetings may be provided electronically.*

S10.06.02. *The vice president of the synod shall be the chair of the Synod Council as required in S8.22. of this constitution.*

S10.06.03. *The secretary of the synod shall be the secretary of the Synod Council.*

S10.06.04. *The Synod Council shall elect annually from its members a vice chair who shall chair the meetings of the Synod Council in the absence of the vice president of this synod, and any other officers deemed necessary.*

S10.06.05. *Duties and responsibilities of the Synod Council in addition to those specified in this synod constitution shall include:*

- a. *Determination of the salaries of the officers and assistants to the bishop of this synod and maintenance of a system of personnel practices applicable to all persons employed by this synod;*
- b. *Determination of the time and place of each assembly and preparation of its agenda and program;*
- c. *Confirmation of appointments by the bishop of synod, including appointment of synodical representatives to serve on the governing bodies of inter-church agencies to which this synod is related;*
- d. *Working toward the goal of full partnership and participation of all people in the life of this synod;*
- e. *Creation of and appointment to any committees, commissions, and other organizations*

- needed to fulfill the function of the Synod Council; and*
- f. *Approval and triennial review of all policies consistent with this Constitution, Bylaws, and Continuing Resolutions.*

S10.06.06. *Meetings: The Synod Council shall have at least four (4) stated meetings annually. Special meetings may be called by the chair or by the bishop of synod in the event of the death, removal, or incapacity of the chair. A majority of the members of the Synod Council shall constitute a quorum.*

S10.06.07. *General Provisions: The Synod Council shall be responsible for:*

a. *The election of members of the boards of SpiriTrust Lutheran and Luthercare - to be elected from nominees submitted by the respective agency, in numbers required by the constitution of the respective agency;*

b. *The election of members of the board of the Lutheran Camping Corporation of Central Pennsylvania - to be elected from nominees submitted by the corporation in accordance with the constitution of the corporation;*

c. *The election of a member of the board of directors of the United Lutheran Seminary;*

d. *The election of representatives to other institutions and agencies as may be determined.*

S10.06.08. *Synod Council shall have the following standing committees to fulfill its responsibilities, with the members appointed annually:*

a. *Assembly Planning – This committee is composed of the vice president, secretary, assembly manager, at least 2 Synod Council members, and at least 5 additional committee members. It shall plan the annual assembly’s agenda and program to fulfill the constitutional mandate for “worship, edification, and the legislative business of this synod conducted with the greatest possible involvement of those entitled to participate.”*

b. *Constitution – This committee is composed of the secretary, at least 2 Synod Council members, and 3 to 5 additional committee members. It shall study the governing documents of this synod and recommend amendments to the Synod Council and the Synod Assembly for adoption. It shall aid congregations in the development and adoption of their governing documents.*

c. *Finance and Budget– This committee is composed of 9 members, 1 of whom shall be the treasurer and at least 3 of whom shall be Synod Council members. It shall oversee the financial affairs of this synod; confirm that all obligations are being met and that mission support is forwarded to the churchwide office; exercise oversight responsibility for this synod’s investments, insurance, and banking procedures; receive the annual audit and the accompanying financial statements; and make recommendations to Synod Council on financial matters. It shall project anticipated income for the coming fiscal year and, based on anticipated income, program requests, and adopted goals, develop a proposed budget for recommendation to Synod Council and Synod Assembly.*

d. *Gifts Discernment – This committee is composed of the bishop, the secretary, at least 2 Synod Council members, and 3 additional committee members. It shall aid in identifying members of this synod for nomination, appointment, or election to the committees and task forces of this synod and to the boards of agencies and institutions. It shall aid Synod Council in securing nominees for the offices of vice president, secretary, and treasurer of this synod.*

e. *Mission – This committee is composed of the bishop, at least 3 Synod Council members, and 3 additional committee members. It shall uphold the vision and goals of this synod by proposing, developing, maintaining, and promoting priority ministries and by advocating that these priority ministries receive adequate financial and human resources.*

f. *Personnel –This committee is composed of the vice president, at least 3 Synod Council members, and 5 additional committee members. It shall review the personnel policies of this synod and recommend amendments to Synod Council. Under the guidance of the personnel officer, it shall administer and interpret these personnel policies. It shall recommend to Synod Council the salaries of the bishop, treasurer, and assistants to the bishop and a salary scale for other members of this synod’s staff.*

S10.06.09. *There may be other committees or task forces appointed from time to time to aid the Synod Council in the discharge of its duties.*

Chapter 11.

COMMITTEES AND OTHER ORGANIZATIONAL UNITS

†**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 or continuing resolutions, 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. *General Provisions*

- a. *The work of the committees and other organizational units shall be in areas beyond the scope and/or competence of congregations.*
- b. *Operational committees and other organizational units shall define their offices and determine procedures for filling such offices.*
- c. *Each committee or other organizational unit shall be responsible to this synod for the specific functions assigned to it and for performing these functions in accordance with the policies, plans, and budgets approved by this synod. Each committee or other organizational unit shall report at each annual assembly of this synod on the actions it has taken, the results achieved, and its proposed plans for the future, and shall submit to the assembly recommendations pertaining to its assigned functions. Between assemblies each committee and other organizational unit shall operate under the general supervision of the bishop and shall report regularly to the Synod Council as the council may direct.*
- d. *With the exception of the Consultation Committee and the Committee on Discipline, members of committees or other organizational units shall be appointed by the Synod Council upon the recommendation of the bishop of this synod.*
- e. *All appointments to committees and other organizational units shall be for three-year terms arranged so that one-third of the terms expire each year unless otherwise herein specified. Appointments shall be made by May 1, to become effective following the assembly of this synod. No member shall serve more than two consecutive terms unless otherwise herein specified.*
- f. *Each committee or other organizational unit shall relate to the appropriate churchwide agency(ies).*
- g. *Each committee or other organizational unit shall, as it deems appropriate for its work and the work of this synod,*
 - 1) *Initiate action through recommendation to the Synod Council or to the Synod Assembly;*
 - 2) *Structure itself;*
 - 3) *Establish rules of procedure not in conflict with this constitution and bylaws.*

S11.01.02. *The Lower Susquehanna Synod Mission Fund Committee shall be composed of 7 persons: the bishop and the treasurer of this synod and 5 members (one of whom shall be an attorney) appointed by the Synod Council. Three of the appointed members shall be lay voting members of congregations of this synod and 2 shall be ministers of Word and Sacrament on the roster of this synod. The committee shall administer the Lower Susquehanna Synod Mission Fund. The fund, established by the Synod Council, shall be supported by bequests, trusts, endowments, planned and deferred gifts, assets from closing congregations, gifts from merging and consolidating congregations, and gifts from other congregations, individuals, and entities. The committee, Synod Council, and bishop shall promote and encourage such gifts. The assets of the fund shall be invested in a manner consistent with the purpose of the fund.*

The purpose of the Lower Susquehanna Synod Mission Fund shall be to provide initial funding support for the growth of Word and Sacrament ministries within the territory of this synod, such

as funds to acquire sites and provide grants to congregations who have committed to specific plans to expand their ministries, and funds to provide grants to congregations who have elected to relocate or consolidate with other congregations. In addition to expenditures for the purposes described in this bylaw, the fund may make loans to congregations if, in the judgment of a majority of the committee, the purpose of the loan is consistent with the purpose described above and the loans are adequately secured. The Lower Susquehanna Synod Mission Fund Committee may from time to time adopt rules and regulations governing administration of the fund, which rules and regulations shall at all times be consistent with the Constitution, Bylaws, and Continuing Resolutions of the Lower Susquehanna Synod.

- S11.01.03.** *The Executive Committee of this synod shall be composed of the bishop, vice president, secretary, and treasurer of this synod, the vice chair of the Synod Council, and 2 members elected at-large by the Synod Council. Assistants to the bishop and others as may be invited by the bishop shall be consultants to the Executive Committee. This committee shall determine the agenda and format of Synod Council meetings. It shall receive requests and proposals from this synod's officers and committees and present recommendations to Synod Council. It shall be empowered to act upon recommendations regarding reinstatement to ordained ministry in cases where required by the Candidacy Manual of the ELCA. It shall receive reports about the distribution of funds from the Bishop's Discretionary Fund.*
- S11.01.04.** *The Committee on Candidacy shall be composed of 12 to 20 persons, including the bishop of this synod and a seminary faculty representative appointed by the Evangelical Lutheran Church in America. Terms shall be set in accord with the ELCA Guidelines for Committees on Candidacy. The purpose of this committee shall be to approve, guide, and assist persons, both ordained and lay, in their preparation for rostered ministry in this church, and to approve candidates for ordination and consecration.*
- S11.01.05.** *The Committee for Global Mission shall be composed of a minimum of 8 persons. This committee shall be responsible for furthering the global mission of the Lower Susquehanna Synod. To fulfill its responsibilities, this committee shall engage the members of this synod in global mission by raising awareness of the global mission of the Church and their responsibility for the same; cooperate with the Global Mission Unit to provide global mission education for members of this synod; recruit missionary personnel from within this synod and encourage support for them; work with congregations to provide human and material resources in support of global mission; and be a channel with the Global Mission Unit through which churches in other countries engage in mission to this synod.*
- S11.01.06.** *The Konde Diocese Committee shall be composed of no more than 12 persons. This committee shall facilitate, interpret, oversee, and deepen this synod's companion relationship with the Konde Diocese of the Evangelical Lutheran Church in Tanzania. Subcommittees may be appointed to focus on specific areas of the relationship, such as medical needs, companion congregations, special projects, and visits and visitors. These subcommittees may include other persons not appointed to this committee.*
- S11.01.07.** *The World Hunger Committee shall be composed of no more than 21 persons. This committee shall advocate for those who are hungry and live in poverty, educate members of this synod about local and global hunger needs and efforts, and encourage financial support for the ELCA World Hunger Appeal.*
- S11.01.08.** *The Committee for Synodical Worship shall be composed of 8 to 12 persons, both ordained and lay. This committee shall serve the bishop and this synod in planning and coordinating worship for Synod Assembly, ordination and consecration, and vocational reaffirmation. At the request of the bishop, this committee shall provide, by appointment of the chairperson, a liaison for worship at other synodical events. This committee also shall serve as a resource for the purpose of education and of consultation with pastors, congregations, and worship planners, and shall respond to the requests of the bishop.*

- S11.01.09.** *The Committee for Stewardship Education and Mission Support shall be composed of no more than 7 persons. This committee shall implement the adopted stewardship strategy in the life of this synod. This committee shall help the members of this synod to develop faith-filled lives; articulate the compelling story of the church's mission; affirm, equip, and nurture leaders so that they will guide their congregations to be stewards of the Gospel; affirm, coordinate, and develop methods of financial support for this church's mission; and coordinate partnerships among manifestations and expressions of this church.*
- S11.01.10.** *The Compensation and Benefits Committee shall be composed of 5 to 7 persons, at least 2 of whom are rostered ministers in this synod. This committee shall provide informed guidance and recommendations to this synod on matters of compensation and benefits for rostered persons, in support of synodical policies and guidelines. This committee shall be a resource for the interpretation of these policies and guidelines. Among the committee's duties each year shall be recommending to the Synod Council, for adoption by the Synod Assembly, the minimum compensation and benefits amounts for rostered persons.*
- S11.01.11.** *The Committee for Ecumenical and Inter-religious Affairs shall be composed of at least 8 persons, both ministers of Word and Sacrament and lay. This committee shall relate to the bishop of this synod. The bishop also may invite to serve as consultants representatives from churches with which this synod has entered into agreement. The bishop shall appoint the chair of this committee. The bishop shall appoint a person to serve as the ecumenical representative of this synod who shall become a member of the Lutheran Ecumenical Representative Network. This committee shall coordinate the inter-Lutheran, ecumenical, and inter-religious activities of this synod and shall recommend policies, through this synod's bishop, to the Synod Assembly and Synod Council. To fulfill these responsibilities, this committee shall assist this synod's bishop in carrying out the bishop's role as the chief ecumenical officer of this synod; oversee and facilitate the inter-Lutheran, ecumenical, and inter-religious discussions (including bilateral dialogues) in which this synod is involved; guide the process of reception of theological agreements; encourage the study of theological topics of shared concern; and assist the staff, institutions, agencies, and congregations of this synod in carrying out their inter-Lutheran, ecumenical, and inter-religious responsibilities.*
- S11.01.12.** *The Gift and Bequest Acceptance Committee shall be composed of the bishop, the synod treasurer, one member of the Synod Council appointed by the vice president, and two members of the Finance and Budget Committee appointed by the chair of the Finance and Budget Committee. Development personnel employed or contracted by this synod shall be members of this committee. This committee shall, in accordance with the Gift and Bequest Policy of this synod, be responsible for reviewing all gifts and bequests made to this synod, screening gifts and bequests, seeking legal counsel as needed, accepting gifts and bequests, and making recommendations to the Synod Council on gift and bequest acceptance issues when appropriate.*
- S11.01.13.** *This synod shall from time to time establish additional committees and other organizational units to carry out ministries relating to congregational life. Appointments shall be made by the bishop pursuant to bylaw S11.01.01 and other provisions of the constitution, bylaws, and continuing resolutions of this synod.*
- S11.01.r.C16.** *Consonant with the provisions of S11.01.13. these ministries may include:*
- 1) ABX (Alpha Beta Christos), which shall be a ministry of the bishop's office of this synod in collaboration with the Region 8 Office of the ELCA to gather newly rostered leaders during the initial three years of their first call for the purpose of support, collegiality, and disciplined reflection on ministry in accord with ELCA First Call Theological Education requirements. The bishop shall designate an assistant to the bishop to provide this ministry.*
 - 2) The Office of Children, Youth, and Family Ministry (CYFM) shall have a director who shall work cooperatively with this synod's team of youth leaders to help train and equip young leaders for service in Christ's name. In addition, the Office of CYFM will assist in providing*

programming and event management for synod-wide events that foster faith formation for children, youth, young adults, their families, and the youth workers of this synod. The work of this office shall be considered a ministry of service to the congregational leaders of this synod who provide faith formation to the young people and families they serve. This ministry shall include but not be limited to consultations, electronic resourcing and social networking, and event planning and management. The Office for CYFM shall also partner and network with other ELCA ministries that support congregational leaders as they strive to raise faithful young people for a life of service and discipleship in Jesus' name.

- 3) *The Leadership Support Team (LST), which shall be composed of 8 to 12 persons, both ministers of Word and Sacrament and lay. A chairperson/convenor shall be appointed by the bishop. This team shall work with congregations and leaders of the Lower Susquehanna Synod to achieve positive responses to change, anxiety, and conflict. Members of this team shall possess skills and willingness to assist congregations in healthy communication and leadership patterns, as well as addressing conflict management, mediation, and resolution.*

†**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 ministers of Word and Sacrament and half shall be laypersons, who shall each be elected by the Synod Assembly for a term of six years without consecutive re-election. 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.

S11.02.01. *The Consultation Committee of this synod shall consist of 10 persons.*

†**S11.03.** The Committee on Discipline of this synod shall consist of 12 persons of whom six shall be ministers of Word and Sacrament and six shall be laypersons, who shall each be elected by the Synod Assembly for a term of six years without consecutive re-election.

- 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 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 composed of 9 persons; 4 ministers of Word and Sacrament and 5 laypersons, with at least 1 of the 9 to be a representative of the Synod Council. No officer of the synod nor any synod staff member shall serve on this committee unless appointed by the Executive Committee. The term of office shall be 2 years. Persons may serve consecutive terms.*

†**S11.05.** The Audit Committee of this synod shall consist of three to six persons, none of whom is a member 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.

S11.05.01. *The Audit Committee shall consist of 5 persons, at least 2 of whom should be certified public accountants if possible and all of whom shall have accounting or related financial management experience. In order to maintain its independence, no officer of this synod or synod staff member shall serve on this committee. The synod treasurer shall be a consultant to this committee, and the committee may invite others as necessary to provide information necessary for the conduct of its work. The primary purpose of this committee is to assist the Synod Council in fulfilling its general oversight of this synod's accounting and financial reporting, internal control,*

and audit functions. The committee's authority, responsibilities, and duties are further described in its charter as adopted by Synod Council.

S11.10. General Provisions

S11.11. 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 ministers on the rosters 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.

Chapter 12.

CONFERENCES, CLUSTERS, COALITIONS, AREA SUBDIVISIONS, AND NETWORKS

†**S12.01.** This synod may establish conferences, clusters, coalitions, area subdivisions, and networks as appropriate within its territory and in collaboration with other synods and entities, as specified in the bylaws and continuing resolutions. The purpose of such groupings shall be to foster interdependent relationships for missional purposes among congregations, synods, the churchwide organization, and other affiliates.

S12.01.01. *There shall be fourteen conferences:*
Chambersburg Conference
Gettysburg Conference
Hanover Conference
Harrisburg Conference
Lancaster Conference
Lebanon Conference
North Lancaster Conference
North York Conference
Perry Conference
South York Conference
Upper Dauphin Conference
West Cumberland Conference
West Shore Conference
York Conference

S12.02. Boundaries of conferences shall be determined by the Synod Council.

S12.02.01. *The boundaries and number of conferences shall be determined by the Synod Council by 1990 and thereafter at six-year intervals.*

S12.02.02. *A congregation or a multi-congregation parish shall petition the conferences involved to move from one conference to another, and with the approval of both conferences and the Synod Council, the change shall be made. The effective date of such change shall be January 1 of the year following Synod Council approval.*

S12.03. Each conference shall meet at least annually.

S12.03.01. *Each conference shall hold an annual assembly of its rostered ministers and lay voting members of the Synod Assembly. This conference assembly shall be held within the ninety days prior to the regular meeting of the synod assembly. Notice of the meeting must be given in writing 14 days in advance. Those rostered ministers and lay voting members present shall constitute a quorum and be eligible to vote.*

S12.03.02. *Special conference assemblies may be called by the bishop of this synod or by the dean of the*

conference following consultation with the bishop and shall be called by the dean of the conference upon the request of the conference cabinet or of one-fifth of the conference's voting members from the previous assembly.

S12.03.03. *The bishop of this synod or the bishop's appointee and such staff officials as the bishop may designate shall have voice at the conference assemblies. In addition, the social service agencies on the territories of the conference, the Synod Council, and each official auxiliary of this synod may send a representative who shall have voice in conference assemblies.*

S12.03.04. *Conference assemblies may from time to time adopt memorials and resolutions to be sent to the Synod Assembly.*

S12.03.A96. *All memorials and resolutions which are to be presented at a spring conference assembly for consideration must be delivered in writing to the secretary of the conference no less than 40 days prior to the date of the spring conference assembly, so that the memorial or resolution may be reviewed by the voting members of the spring conference assembly, prior to the spring conference assembly.*

All memorials and resolutions received less than 40 days prior to the spring conference assembly shall be referred automatically to the Conference Cabinet, or where no Conference Cabinet exists, to the conference dean and secretary, according to the order of receipt, for review, and the Conference Cabinet, or where no Conference Cabinet exists, the conference dean and secretary shall decide whether said memorial or resolution shall be forwarded to the spring conference assembly for consideration.

The procedure set forth here shall apply only to memorials and resolutions which are not germane to the spring conference assembly agenda as set by the dean.

S12.04. Each conference shall elect its officers.

S12.04.01. *All members of Word and Sacrament on the roster of the Lower Susquehanna Synod of the ELCA, who are members of a congregation of the conference shall be eligible to hold office in that conference.*

S12.04.02. *The conference shall elect a dean in odd-numbered years. The dean shall be elected at the annual assembly of the conference. On their annual confidential report to the bishop, rostered ministers of the conference will submit nominations to the bishop who will recommend to the conference a slate of at least two names. Additional nominations may be made from the floor at the conference assembly. The final selection will be made at the annual conference assembly by written ballot by the voting members of the conference assembly. The term of office for a conference dean shall be two years. A dean shall serve no more than three successive terms. The dean shall be a minister of Word and Sacrament.*

S12.04.03. *The conference shall elect a secretary in even-numbered years. The secretary shall be elected at the annual assembly of the conference. On their annual confidential report to the bishop, rostered ministers of the conference will submit nominations to the bishop who will recommend to the conference a slate of at least two names. Additional nominations may be made from the floor of the conference assembly. The final selection will be made at the annual conference assembly by written ballot by voting members of the conference assembly. The term of office for a conference secretary shall be two years. A secretary shall serve no more than three successive terms. The secretary shall be a minister of Word and Sacrament.*

S12.04.04. *Conference deans and secretaries shall be installed and begin their term of office at the Synod Assembly following their election.*

S12.04.05. *In the event of the resignation of the dean, the bishop will appoint a new dean who will serve until*

the conference meets to elect one, either at the next regularly scheduled assembly of the conference or at a special meeting. In the event of the resignation of the secretary, the dean, in consultation with the bishop, shall appoint a secretary to serve until the following assembly of the conference.

S12.05. Each conference may order itself in other ways to fulfill its purposes as designated in the bylaws of this synod.

S12.05.01. *The conference may have a conference cabinet composed of the dean and the secretary, and a specified number of cabinet members as determined by the conference assembly. In addition, the social service agencies on the territories of the conference, the bishop's office, the Synod Council, and each official auxiliary of this synod may send a representative who shall have voice in cabinet meetings. If a conference elects to have a conference cabinet, said conference cabinet shall, in addition to any responsibilities and authority assigned to it by these bylaws, have such responsibilities and authority as the conference shall assign to it.*

S12.05.02. *The conference assembly or the conference cabinet may appoint task forces or ad hoc committees for particular purposes.*

S12.05.03. *In each conference the rostered ministers shall meet regularly for the purpose of professional and personal support.*

S12.06. The Committee of Deans shall be composed of the deans of all the conferences of this synod, who are elected to offer the rostered leaders and congregations of their respective conferences prayerful and practical support on behalf of the bishop by caring for the development of this church within the conference, by providing leadership to congregations in the call process, and by serving as liaison between the bishop and the congregations. Annually at the first meeting after Synod Assembly, the deans shall elect a chair, vice chair, secretary, and one member-at-large, who shall comprise the Executive Committee. The committee shall make an annual report to the Synod Assembly. This committee shall meet regularly to receive reports and guidance from the bishop, to receive reports and pertinent information from the bishop's staff, and to support one another in carrying out the functions of the office.

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 roster of congregations of this synod, shall adopt the *Model Constitution for Congregations* or one acceptable to this synod, that 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 constitution and bylaws of this church.
 - 2) Adopt governing documents that include fully and without alterations the Preamble, Chapter 1, where applicable, and all required 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 the constitutions, bylaws, and continuing resolutions 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 Chapters 16 and 18 of the *Model Constitution for Congregations*.
 - 3) Accept the commitments expected of all congregations of this church 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 leadership 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 contact the ELCA synod bishop or staff where the congregation is located. The synod bishop or staff where the transferring or independent congregation is located shall confer with the congregation to assure its understanding and acceptance of commitment to and affiliation with this church.

- 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 roster of congregations.

†S13.02. It shall be the responsibility of each congregation of this synod 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.

S13.02.01. *Congregations are responsible for the payment of all Synod Assembly fees and costs, including travel expenses, for their rostered ministers and elected voting members.*

S13.11. When a rostered minister resigns, the Congregation Council shall receive the letter of resignation, report it to the congregation, and at once notify the bishop of this synod.

S13.11.01. *In the event of a pastoral vacancy in a congregation or multi-congregation parish, the bishop shall appoint an interim pastor, in consultation with the dean and the Congregation Council.*

S13.12. A congregation under financial obligation to its former rostered minister shall make satisfactory settlement of the obligation before calling a successor.

†S13.20. A congregation considering a relocation shall confer with the bishop of the synod in which it is territorially located and the appropriate 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.

†S13.21. 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 unit of the churchwide organization before any steps are taken leading to such action.

†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 constitution of this church shall govern the relationship of this synod and a congregation of this synod regarding the property of the congregation. This synod may transfer or convey property to a congregation of the synod, subject to restrictions accepted by the congregation, including provision that if the Synod Council, in its sole and exclusive discretion, determines (1) that the property is not being used to serve the mission and ministry needs of this church, or (2) that the congregation has transferred, encumbered, mortgaged, or in any way burdened or impaired any right, title, or interest in the property without the prior approval of the Synod Council, then title to the property shall revert to the synod, and the congregation, upon written demand, shall reconvey the property to the synod.

†S13.24. The Synod Council, itself or through trustees appointed by it, may take charge and control of the property of a congregation of this synod to hold, manage, and convey the same on behalf of this synod, if any of the following apply:

- a. The congregation has disbanded, ceased to worship, or otherwise ceased to exist as a congregation.
 - b. The congregation has abandoned its property.
 - c. The remaining members of the congregation decide that it is no longer possible to function as a congregation or that they are unable to provide required governance.
 - d. The Synod Council determines that the membership of a congregation has become so scattered or so diminished in numbers that it cannot provide required governance or that it has become impractical for the congregation to fulfill the purposes for which it was organized.
 - e. The Synod Council determines that it is necessary for this synod to protect and preserve the congregation's property from waste and deterioration.
- The congregation shall have the right to appeal any such decision to the next 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 *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. The synod's involvement in and responsibility for such disciplinary processes shall be as set forth in that chapter.

S13.40. Synodically Authorized Worshiping Communities

S13.41 Authorized worshiping 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.

Chapter 14.

ROSTERED MINISTERS

†**S14.10. Ministers of Word and Sacrament**

†**S14.11.** The time and place of the ordination of those persons properly called to ministry in this synod shall be authorized by the bishop of this synod.

†**S14.12.** Consistent with the faith and practice of the Evangelical Lutheran Church in America,

- a. Every minister of Word and Sacrament shall:
 - 1) preach the Word;
 - 2) administer the sacraments;
 - 3) conduct public worship;
 - 4) provide pastoral care;
 - 5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
 - 6) impart knowledge of this church and its wider ministry through available channels of effective communication;
 - 7) witness to the Kingdom of God in the community, in the nation, and abroad; and
 - 8) 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 pastor with a congregational call shall, within the congregation:
 - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2) relate to all schools and organizations of the congregation;
 - 3) install regularly elected members of the Congregation Council;
 - 4) with the council, administer discipline;
 - 5) endeavor to increase the support given by the congregation to the work of the churchwide organization and of this synod; and

- 6) encourage adherence to covenantal relationship with this church as expressed in the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.

S14.13. 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.

S14.14. 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, upon their consent, to the pastoral care of a Lutheran congregation nearer to their place of residence.

S14.15. Each minister of Word and Sacrament 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.

†**S14.16.** When a congregation of this church desires to call a pastor or a candidate for the ministry of Word and Sacrament 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 candidate by a congregation of this synod in accord with ELCA constitutional provision 7.41., a two-thirds vote shall be required of voting 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.

S14.17. No minister of Word and Sacrament shall accept a call without first conferring with the bishop of this synod. A minister of Word and Sacrament shall respond with an answer of acceptance or declination to a letter of call within 30 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, an additional 15 days may be granted to respond to a letter of call.

†**S14.18.** The provisions for termination of the mutual relationship between a minister of Word and Sacrament and a congregation shall be as follows:

- a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment which shall be terminated only by the pastor's death or, following consultation with the synod bishop, 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, no later than 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;
 - 4) physical disability or mental incapacity of the pastor;
 - 5) suspension of the pastor through discipline for more than three months;
 - 6) resignation or removal of the pastor from the roster of Ministers of Word and Sacrament of this church;
 - 7) termination of the relationship between this church and the congregation;
 - 8) dissolution of the congregation or the termination of a parish arrangement; or
 - 9) suspension of the congregation through discipline for more than six months.
- b. When allegations of physical disability or mental incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,
 - 1) the bishop in his or her sole discretion may investigate such conditions personally together

- with a committee of two rostered ministers and one layperson, or
- 2) 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 personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Word and Sacrament with disability status. Upon removal of the disability and the restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.
 - d. In the case of alleged local difficulties that imperil the effective functioning of the congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the pastor and then to the congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by the congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the synod.
 - e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, the congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds majority vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a simple majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
 - f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

†S14.19. Ministers of Word and Sacrament 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.

†S14.21. The parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members transferred or dismissed, members who have become inactive, or members excluded from the congregation shall be kept accurately and permanently. They shall remain the property of each congregation. At the time of the closure of a congregation, such records shall be sent to the regional archives. The secretary of the congregation shall attest to the bishop of this synod that such records have been placed in his or her hands in good order by a departing pastor before:

- a. installation in another call, or
- b. approval of a request for change in roster status.

†S14.22. The pastor shall make satisfactory settlement of all financial obligations to a former congregation before:

- a. installation in call, or
- b. approval of a request for change in roster status.

†S14.23. 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 rostered minister 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.

†S14.24. With the approval of the synod 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 †S14.18., a congregation may call a pastor for a specific term. 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 this 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 †S14.18.

S14.25. All ministers of Word and Sacrament 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 division to which the congregation belongs.

†S14.30. Ministers of Word and Service

†S14.31. The time and place of the ordination of those persons properly called to ministry in this synod shall be authorized by the bishop of this synod.

†S14.32. Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:

- a. Be rooted in the Word of God, for proclamation and service;
- b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
- c. Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad;
- d. Equip the baptized for ministry in God's world that affirms the gifts of all people;
- e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
- f. Practice stewardship that respects God's gift of time, talents, and resources;
- g. Be grounded in a gathered community for ongoing diaconal formation;
- h. Share knowledge of this church and its wider ministry of the gospel, and advocate for the work of all expressions of this church; and
- i. Identify and encourage qualified persons to prepare for ministry of the gospel.

S14.33. The minister of Word and Service shall become a member of the congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the minister of Word and Service shall hold membership in one of the congregations.

S14.34. Each minister of Word and Service 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.

†S14.41. When a congregation of this church desires to call a minister of Word and Service or a candidate for the ministry of Word and Service 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 minister of Word and Service.

- b. For issuance of a letter of call to a minister of Word and Service or candidate by a congregation of this synod in accord with ELCA constitutional provision 7.71., a two-thirds 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 minister of Word and Service, the letter of call shall be submitted to the bishop of this synod for the bishop's signature.

S14.42. No minister of Word and Service shall accept a call without first conferring with the bishop of this synod. A minister of Word and Service shall respond with an answer of acceptance or declination to a letter of call within 30 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, an additional 15 days may be granted to respond to a letter of call.

†**S14.43.** The provisions for termination of the mutual relationship between a minister of Word and Service and a congregation shall be as follows:

- a. The call of a congregation, when accepted by a minister of Word and Service, shall constitute a continuing mutual relationship and commitment which shall be terminated only by the deacon's death or, following consultation with the synod bishop, 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 minister of Word and Service, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the office effectively in that congregation in view of local conditions;
 - 4) physical disability or mental incapacity of the minister of Word and Service;
 - 5) suspension of the minister of Word and Service through discipline for more than three months;
 - 6) resignation or removal of the minister of Word and Service from the roster of Ministers of Word and Service of this church;
 - 7) termination of the relationship between this church and the congregation;
 - 8) dissolution of the congregation or the termination of a parish arrangement; or
 - 9) suspension of the congregation through discipline for more than six months.
- b. When allegations of physical disability or mental incapacity of the minister of Word and Service under paragraph a.4) above, or ineffective conduct of the ministry of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,
 - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) when such allegations have been brought to the 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 personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the minister of Word and Service's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service with disability status. Upon

removal of the disability and restoration of the minister of Word and Service to health, the bishop shall take steps to enable the minister of Word and Service to resume the ministry, either in the congregation last served or in another appropriate call.

- d. In the case of alleged local difficulties that imperil the effective functioning of the congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the minister of Word and Service and then to the congregation. The recommendations of the bishop's committee address whether the minister of Word and Service's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by the congregation and by the minister of Word and Service, if appropriate. If the minister of Word and Service and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the minister of Word and Service's call, the congregation may dismiss the minister of Word and Service only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

†S14.44. Ministers of Word and Service 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 Congregation Council.

†S14.45. The minister of Word and Service shall make satisfactory settlement of all financial obligations to a former congregation before:

- a. installation in another call, or
- b. approval of a request for change in roster status.

†S14.46. With the approval of the synod 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 †S14.43., a congregation may call a minister of Word and Service for a specific term. 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 this synod or a representative of the bishop shall meet with the minister of Word and Service 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 †S14.43.

S14.47. All ministers of Word and Service under a call shall attend meetings of the Synod Assembly, and the ministers of Word and Service of congregations shall also attend the meetings of the conference, cluster, coalition, or other area subdivision to which the congregation belongs.

Chapter 15.

FINANCIAL MATTERS

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

†S15.11. Since the congregations, synods, and churchwide organization are interdependent expressions that share in God's mission, all share in the responsibility to develop, implement, and strengthen the financial support of the whole church. The gifts and offerings of the members of the Evangelical Lutheran Church in America are given to support all parts of this church; the unity of

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 or amount of each congregation's mission support as determined in consultation with the churchwide organization and approved by the Synod Assembly as part of its budget consideration.
- c. Should the Synod Assembly not approve the proportionate share of mission support determined in consultation with the churchwide organization, a new consultation with the churchwide shall take place. The Synod Council is authorized to amend the budget adopted by the Synod Assembly to reflect the results of this consultation.

S15.11.01. *Congregational commitments to the synod budget shall be determined by a consultation process between this synod and the congregation. This process shall be established by the Synod Council.*

†**S15.12.** The annual budget of this synod shall reflect the entire range of its own activities and its commitment to supportive funding with other synods and the churchwide organization.

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.

S15.14. Except when such procedure would jeopardize current operations, a reserve amounting to no more than 16 percent of the sum of the amounts scheduled in the next year's budget for regular distribution to synodical causes shall be carried forward annually for disbursement in the following year in the interest of making possible a more even flow of income to such causes. The exact number of dollars to be held in reserve shall be determined by the Synod Council.

S15.21. No appeal to congregations of this or any synod of the Evangelical Lutheran Church in America for the raising of funds shall be conducted by congregations or organizations related to or affiliated with this synod without the consent of the Synod Assembly or the Synod Council.

S15.21.01. *Congregations shall give priority to mission support commitments before they give consideration to special appeals.*

†**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 in 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.** Subject to the limitations and duties imposed 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 all costs and expenses 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 provisions of section †S16.02.

- a. The term “proceeding” means a threatened, pending, or completed lawsuit, whether civil or criminal, an administrative or investigative matter, arbitration, mediation, alternative dispute resolution, or any other similar legal or governmental action. Except as otherwise required by law, the term “proceeding” does not include (a) any action by this synod against the individual seeking indemnification, or (b) subject to †S16.04., a disciplinary hearing or related process described in Chapter 20 of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- b. The term “indemnification” includes reimbursement and advances of costs and expenses for judgments, penalties, fines, settlements, excise taxes, reasonable attorneys’ fees, disbursements, and similar required expenditures.

†S16.02. 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 be entitled to indemnification only if (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.

S16.02.01. *The following process for determining persons entitled to indemnification under this synod's constitution †S16.02. shall be used:*

1. *Any person who desires the benefit of indemnification under †S16.02. shall make written application setting forth the name of the other organization, whether or not this other organization is incorporated, the position in the other organization that the applicant holds or will hold, a brief statement as to why the applicant's holding of this position in the other organization is in the interests of this synod, and a statement that no claim has been asserted against the applicant that would or might entitle the applicant to indemnification under the indemnification right being requested.*
2. *The application must be signed by the applicant and must be endorsed by either the unit executive or the unit board or committee chair.*
3. *The applicant may be requested to supply additional information such as the other organization's policy on indemnification, information on the other organization's insurance coverage and financial responsibility, and a description of the responsibilities that the applicant has with relation to the other organization.*
4. *The application and any requested additional information should be submitted to and will first be reviewed by an administrative committee consisting of the bishop, the secretary, the treasurer, and the synod's legal counsel.*
5. *The administrative committee shall recommend to the Executive Committee of the Synod Council whether the application should be approved. The Executive Committee will decide on behalf of the Synod Council. The action of the Executive Committee will be recorded in its minutes. The applicant will be notified of the Executive Committee's decision.*
6. *No member of the administrative committee or the Executive Committee shall participate in*

decisions as to which such member is an applicant.

7. *Approval may be granted on a limited basis, examples of which include but are not limited to: the approval may cover the applicant's service as a director but not as an officer of the other organization; the approval may be limited in period of time; the approval may cover civil but not criminal liabilities; the approval may be conditional upon the applicant first seeking indemnification or reimbursement from the other organization or its insurance carrier. Unless otherwise specifically provided by the Executive Committee of the Synod Council, approval will not entitle any person to indemnification with respect to a claim asserted against her/him prior to such approval.*
8. *If the other organization is not a corporation, indemnification under †S16.02. shall be provided only in exceptional cases.*

†S16.03. 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 †S16.01. or section †S16.02.

S16.03.01. *The directors of the corporation (members of the Synod Council) shall not be personally liable for monetary damages as such for any action taken, or any failure to take any action, unless:*

- a. *The director has breached or failed to perform the duties of his or her office as defined in "The Pennsylvania Directors Liability Act," Act of November 28, 1986, P. L. 1458, No. 145.; and,*
- b. *The breach or failure to perform constitutes self-dealing, willful misconduct, or recklessness.*

The protection afforded to directors under this bylaw shall not apply to:

- a. *The responsibility or liability of a director pursuant to any criminal statute; or*
- b. *The liability of a director for the payment of taxes pursuant to federal, state, or local law.*

†S16.04. When written charges against a rostered minister of this church are made in disciplinary proceedings under Chapter 20 of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* by the synod bishop or when written charges against a congregation are made in disciplinary proceedings by the Synod Council or the synod bishop, and the discipline hearing committee determines that no discipline shall be imposed, then if such determination is not reversed or set aside on appeal, 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.

CONSULTATION AND ADJUDICATION

†S17.01. The synod bishop and the Executive Committee of the Synod Council shall be available to give counsel when disputes arise within this synod.

†S17.02. The synod bishop and the Executive Committee of the Synod Council shall receive expressions of concern from rostered ministers 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 a concern relates directly to the synod bishop, the synod vice president will lead the Executive Committee's efforts at resolving the matter. When the matter at issue cannot be resolved in this manner, applicable procedures for investigation, decision, appeal, and adjudication shall be followed. Allegations or charges that could lead to the discipline of a rostered minister 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 between or among congregations of this synod on a substantive issue that cannot be resolved by the parties, the council of an affected congregation may petition the synod bishop for a consultation after informing the other affected congregation(s) of its intent to do so. If this consultation fails to resolve the issue, the bishop shall refer the matter to the Consultation Committee of the synod, which shall undertake efforts to find an appropriate solution. If the Consultation Committee's efforts fail to resolve the issue(s), the entire matter shall be referred to the Synod Council for adjudication by whatever process the council deems necessary. The decision of the Synod Council shall be final.

†S17.04. When conferences, clusters, coalitions, or area subdivisions of this synod have a disagreement on a substantive issue that they cannot resolve, the aggrieved party or parties may petition the synod bishop and the Executive Committee of the Synod Council requesting a consultation after informing the other affected parties of their intent to do so. 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 between or among factions within a congregation on a substantive issue which cannot be resolved by the parties, members of the congregation may petition the synod bishop for consultation after informing the president of the Congregation Council of their intent to do so. The synod bishop shall seek a timely resolution of the dispute. If the issue relates directly to the pastor, the bishop may begin the process in †S14.18.d. In all other matters, if the bishop's consultation fails to resolve the issue, the bishop shall refer the matter to the Consultation Committee of the synod, which shall undertake efforts to find an appropriate solution. If the Consultation Committee's efforts fail to resolve the dispute, the entire matter shall be referred to the Synod Council for adjudication by whatever process the council deems necessary. The Synod Council's decision shall be final.

Chapter 18.

AMENDMENTS, BYLAWS, AND CONTINUING RESOLUTIONS

†S18.10. Amendments to Constitution

†S18.11. Certain sections of this constitution incorporate and record therein provisions of the constitution and bylaws of this church. If such provisions are amended by the Churchwide Assembly, 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 the 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.

†S18.13. Other amendments to this constitution may be adopted by this synod through either of the following procedures:

- a. Introduced with the support of at least six voting members and having been approved by a two-thirds vote of the voting members present and voting at a regular meeting of the Synod Assembly, an amendment may be adopted unchanged by a two-thirds vote at the next 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 or with the constitution and bylaws of the churchwide organization. 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.

S18.21.01. *Whenever the bylaws of this synod are amended at any meeting of the Synod Assembly, the remaining bylaws shall be renumbered appropriately without any further action required.*

†S18.30. Amendments to Continuing Resolutions

†S18.31. This synod may adopt continuing resolutions not in conflict with this constitution or its bylaws or the constitution, bylaws, and continuing resolutions of the churchwide organization. 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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