

Report of the Constitutions & Bylaws Committee

Additions are underlined. Deletions are ~~struck through in the text~~.

Under †S18.11., required provisions are to be introduced at once into the synod's constitution upon this formal certification by the secretary of the Evangelical Lutheran Church in America.

Required provisions become effective immediately upon their adoption by the Churchwide Assembly and this subsequent formal notification of their adoption. Therefore, no vote of the Synod Assembly is needed for such required provisions; neither is such a vote to be taken.

Required provisions are those that are marked by a dagger (†) in this summary of amendments adopted by the 2009 Churchwide Assembly. Such required provisions may be amended only by the Churchwide Assembly.

Required provisions adopted by the 2009 Churchwide Assembly are now in force; the text of the amendments of required provisions should be incorporated immediately into your synod's constitution.

The following amendments are not required and may be adopted by the Synod Assembly on a majority vote at one assembly under †S18.12.

Synod Council Recommendation 4

The synod council moves the adoption of the following changes in the Constitution of the Northwestern Pennsylvania Synod.

- To amend S7.26 and add S13.40 and S13.41 to separate information about Synod assembly from more general information about synodical authorized worshiping communities:*

S7.26. This synod may establish processes through the Synod Council that permit representatives of mission settings formed with the intent of becoming ~~chartered~~ recognized congregations 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. ~~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.~~

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.

2. *To amend S8.42. to provide additional clarity:*

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

~~f. Giving of corporate surety in the amount determined by the Synod Council, which shall be in the custody of the secretary, and the premium therefore shall be paid by this synod. Fidelity coverage provided by the Evangelical Lutheran Church in America shall be deemed a fulfillment of this requirement.~~

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 the 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.

3. *To amend S7.22. and S.73. to make them consistent and to add voting rights for those on disability:*

S7.22. ~~The synod may establish processes that permit retired ordained ministers, retired associates in ministry, retired deaconesses, and retired diaconal ministers on the roster of this synod to serve as voting members of the Synod Assembly, consistent with †S7.21.c. above. The synod may establish processes that permit ordained ministers, associates in ministry, deaconesses, and diaconal ministers who are on leave from call, or those designated as disabled, on the roster of the synod to serve as voting members of the Synod Assembly, consistent with †S7.21.c. above. If the synod does not establish processes to permit the rostered leaders specified above to serve as voting members, they shall have voice but not vote in the meetings of the Synod Assembly.~~

S7.23. ~~All retired ordained ministers, all ordained ministers on leave from call, all associates in ministry on leave from call or retired, all deaconesses of the Evangelical Lutheran Church in America on leave from call or retired, and all diaconal ministers of this church on leave from call or retired, all of whose names appear on the rosters of this synod, shall have the privilege of voice but not vote at all meetings of the Synod Assembly. The presiding bishop of the Evangelical Lutheran Church in America and such other official representatives of this church as may be designated from time to time by the Church Council shall also have voice but not vote in the meetings of the Synod Assembly. Like privileges shall be accorded to those additional persons whom the Synod Assembly or the Synod Council shall from time to time designate.~~

The following changes are required are incorporated into the Constitution of the Northwestern Pennsylvania Synod. These items are presented here for the information of the Voting Members of this Assembly.

To add †S8.16. and †S8.16.01. to incorporate procedures concerning matters of potential conflicts of interest for synodical bishops, as required by 10.32. and 10.32.01. of the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America:

†S8.16 Conflicts of Interest

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

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

To add †S9.12. to require background checks for nominees for officers of synods:

†S9.12. Background checks and screening shall be required and completed for persons nominated as synodical officers prior to their election, if possible, or as soon as practical after their election. The specific procedures and timing of background checks and screening shall be determined by the Synod Council.

To amend †S11.01. to require each synod to have an Audit Committee, to add †S11.05. to specify its composition, and to amend †S15.31. to give to the Audit Committee responsibility for recommending a certified public accountant firm to conduct the annual audit:

†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.

†S11.05. The Audit Committee of this synod shall consist of three to six persons, none of whom are members of the synod staff. Up to half of the committee members may be Synod Council members. The Audit Committee members shall be elected by the Synod Council for a term of three years and be eligible for re-election to a second consecutive three-year term. The terms of the Audit Committee members shall be staggered. The Audit Committee shall be responsible for assisting the Synod Council in fulfilling its general oversight of the synod's accounting, financial reporting, internal control systems, and external audit processes as provided in †S15.31.

†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 ~~selected~~ 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 churchwide Office of the Treasurer.

To amend and add the following to allow for expanded roles for youth and young adults in the governance in all expressions of this church:

To add:

†S6.04.B09. It is the goal of this synod that at least 10 percent of the voting members of the Synod Assembly, Synod Council, committees, and organizational units of this synod be youth and young adults. The Synod Council shall establish a plan for implementing this goal. For purposes of the constitution, bylaws, and continuing resolutions of this synod, the term "youth" means a voting member of a congregation who has not reached the age of 18 at the time of election or appointment for service. The term "young adult" means a voting member of a congregation between the ages of 18 and 30 at the time of election or appointment for service.

To amend:

†S10.01. The Synod Council, consisting of the four officers of the synod, 10–24 other members, and at least one youth and at least one young adult, shall be elected by the Synod Assembly.

To amend and add the following to make the process for relocation parallel to the process for establishment of additional sites for worship:

To add:

†S13.19. A congregation considering a relocation shall confer with the bishop of the synod in which it is territorially located and the appropriate program unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.

To add the following to provide an interdependent process for the establishment of additional sites for worship:

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

To amend the following to provide for the termination of a call when a parish arrangement terminates:

†S14.13. a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment which, except in the case of the death of the pastor, shall be terminated only following consultation with the synodical bishop and for the following reasons: . . .

- 6) the dissolution of the congregation or the termination of a parish arrangement; or [*with the rest unchanged*]