

A stylized, high-contrast illustration of Christ on the cross. The figure is rendered in white and grey with bold black outlines, set against a background of colorful, abstract stained glass shapes in shades of blue, yellow, red, and green. The top of the image features a dark, textured background with several circular light fixtures.

# TODAY'S BUSINESS

**PROPOSED RESOLUTIONS 2023**

**WE PREACH!**  
**CHRIST CRUCIFIED**

**68TH REGULAR CONVENTION**  
The Lutheran Church—Missouri Synod  
July 29–Aug. 3, 2023 | Milwaukee, Wis.

## A PRAYER FOR OUR SYNOD IN CONVENTION

Heavenly Father,  
pour out the blessing of Your Holy Spirit  
on all delegates and church leaders  
who will assemble this summer in Your name.

Give wisdom to those who propose, deliberate, and decide  
for the work and welfare of our Synod.

Guard all who speak and all who listen.

Give us courage to do with integrity what we promise.

Bless our plans and actions and grant success.

Only let our manner of life be worthy of the gospel of Christ.

Lead us to stand firm in one spirit, with one mind

striving side by side for the faith of the gospel,

not frightened in anything by our opponents.

Grant that, for the sake of Christ, we may be counted worthy

not only to believe in Him and His cross,

but also bear our crosses and suffer for His sake.

For He Himself bore our sins in His body on the tree,

that we might die to sin and live to righteousness;

through the same Jesus Christ, our Lord,

Amen.



## ABOUT *TODAY'S BUSINESS*

This is the first of six issues of the publication *Today's Business* that will facilitate the business of the 2023 convention. It is mailed in advance to registered attendees and contains essential information including the convention schedule, late overtures, late reports, Part 2 of the President's Report, proposed special standing rules, and official announcements, some providing updates to information already published.

This first issue also contains the proposed resolutions to be considered by the 2023 convention as prepared by the convention floor committees during their June 9–12 meeting in St. Louis. These resolutions are the committees' proposed convention actions in response to the reports and overtures printed in the *2023 Convention Workbook* and to the late overtures published in this issue of *Today's Business*. You will note that this edition contains the financial outlay estimates (Bylaw 3.1.7 [g]) for proposed resolutions requiring them (as were included in this edition of *Today's Business* for the first time in the previous convention cycle), as well as a cross-reference of overtures and related resolutions.

This first issue of *Today's Business* is mailed well in advance of the convention to allow ample opportunity for study and discussion. It is also available on the Synod's Web site at [www.lcms.org/convention](http://www.lcms.org/convention). Additional copies may be purchased from Concordia Publishing House for \$10 per copy.

After receiving this mailing, delegates and representatives are encouraged to participate in meetings of the circuits or groups that they will be representing to receive reactions and suggestions regarding the business contained in this book. Such suggestions or concerns may also be submitted in writing to the chairmen of the appropriate floor committees (names and addresses are included in this issue of *Today's Business* on page 13) at least one week prior to the convention. Copying such material by e-mail to [lcmssecretary@lcms.org](mailto:lcmssecretary@lcms.org) will help us organize the material for the floor committee members.

The five remaining issues of *Today's Business* will be published and distributed to all delegates and representatives each morning of the convention, the first to be distributed prior to the Sunday morning session. Each day's issue will contain the schedule for the day, substitute or revised resolutions, wording for proposed amendments, and other official announcements and information. A limited number of additional copies of daily editions will be available for visitors attending the convention.

Because this pre-convention issue of *Today's Business* contains the resolutions to be considered by the convention, it will be essential to have it available for ready reference during all convention sessions. This will be true also for the following other convention publications (all of which are also available digitally at [lcms.org/convention](http://lcms.org/convention)):

- the 2023 *Convention Workbook* received in May (necessary when reference will be made to an overture or report; additional copies are available from Concordia Publishing House for \$25 per copy);
- the 2023 *Biographical Synopses & Statements of Nominees* booklet received with the *Convention Workbook* (necessary to refer to when voting);
- the 2019 *Handbook* of The Lutheran Church—Missouri Synod (copies will be available during the registration process at the convention); and
- all daily issues of *Today's Business* (it will often be necessary to refer to previous days' issues).

Conventions are the principal legislative assemblies of the Synod for electing officers and members of board and commissions, taking actions, providing direction, and addressing issues and concerns. They are also unique occasions for witness to one another, worship with one another, and spending time together while conducting the business of the Synod. May God bless this convention and further the faithful preaching of "...Christ crucified, a stumbling block to Jews and folly to Gentiles, but to those who are called, both Jews and Greeks, Christ the power of God and the wisdom of God" (1 Cor. 1:23–24).

John W. Sias, *Editor*  
Amy Schaeffer, *Managing Editor*  
Rachel Asbury, *Managing Editor*

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## TENTATIVE SCHEDULE

### The 68<sup>th</sup> Regular Convention of The Lutheran Church—Missouri Synod July 29–August 3, 2023 • Baird Center • Milwaukee, Wisconsin

Floor committee meetings were held June 9–12, 2023. The schedule is considered tentative as Bylaw 3.1.9 (i)(2) states that the President “shall, at the first session and during the course of succeeding sessions of the convention, announce the order of business for the day and following days.” Unless otherwise indicated, all activities take place in the Baird Center, formerly known as the Wisconsin Center.

#### Friday—July 28, 2023

*Registration Desk open 1:00 p.m.–4:00 p.m. (2<sup>nd</sup> floor)*

1:30–5:30 Floor Committees—closed meetings

#### Saturday—July 29, 2023

*Exhibits open 10:00 a.m.–7:00 p.m. (Halls CD, 3<sup>rd</sup> floor)*

*Registration Desk open 8:00 a.m.–7:30 p.m. (2<sup>nd</sup> floor)*

8:30–10:00 Floor Committees #1, 2, 8, 11  
open hearings (1<sup>st</sup> floor)

8:30–noon Floor Committees #5, 6, 7, 9  
open hearings (1<sup>st</sup> floor)

10:00 Break

10:30–noon Floor Committees #3, 4, 10, 12  
open hearings (1<sup>st</sup> floor)

12:00 Lunch on your own

1:00–5:00 Floor Committee closed meetings, if necessary

1:30–3:00 All Delegate and Representative Orientation  
(Halls AB, 3<sup>rd</sup> floor)

5:00 Delegate Dinner (Grand Ballroom, 1<sup>st</sup> floor)

7:00 Pre-service music (Halls AB, 3<sup>rd</sup> floor)

7:30 Opening Divine Service with Holy Communion  
(Halls AB, 3<sup>rd</sup> floor)

#### Sunday—July 30, 2023

*Registration Desk open 7:00 a.m.–6:00 p.m.*

*Exhibits open 10:00 a.m.–2:00 p.m. and 5:00 p.m.–7:00 p.m.  
(Halls CD, 3<sup>rd</sup> floor)*

8:00 Matins—Rev. Peter K. Lange

8:25 Preparations for Opening Business Session

8:35 Convention Opening and Presentation of Gavel

8:40 Electronic Voting System

9:00 Registration, Credentials, and Elections (#13)

9:05 Special Standing Rules

9:20 Convention Schedule

9:30 President’s Report (Part 3)

10:00 Welcome and greetings  
from South Wisconsin District

10:05 Presentation of Omnibus Resolutions A, B, and C

10:30 Convention Essay—Rev. Dr. Thomas J. Egger  
“We Preach Christ Crucified” Overview

11:00 Life Together (#4)

12:00 Recess

1:30 Midday Prayer—Rev. Dr. Scott R. Murray

1:50 Registration, Credentials, and Elections (#13)  
(Announce presidential election result)

1:55 Response from newly elected president

2:00 Registration, Credentials, and Elections (#13)  
(Voting delegate registration report)

2:05 Presentation of slate and balloting  
for First Vice-President

2:15 Presentation of slate and balloting  
for Central Region Vice-President

2:25 Presentation of slate and balloting  
for East-Southeast Region Vice-President

2:35 Presentation of slate and balloting  
for Great Lakes Region Vice-President

2:45 Presentation of slate and balloting  
for Great Plains Region Vice-President

2:55 Presentation of slate and balloting  
for West-Southwest Region Vice-President

3:05 Balloting to determine ranking of vice-presidents

3:15 Catechism

3:35 Greetings—Lutheran Church Extension Fund,  
Rev. Bart Day

3:40 Committee for Convention Nominations  
(Nominations from the floor for Secretary of Synod  
and Synod Board of Directors)

3:55 Presentation—International Missions:  
From Generation to Generation

4:15 Theology and Church Relations (#5)

5:10 Mercy (#3)

5:35 Evening Prayer

6:00 Recess

*Evening—LCEF Ice Cream Social*

#### Monday—July 31, 2023

*Registration Desk open 8:00 a.m.–6:00 p.m.*

*Exhibits open 10:00 a.m.–5:00 p.m. (Halls CD, 3<sup>rd</sup> floor)*

8:00 Matins—Rev. Dr. John C. Wohlrabe, Jr.

8:20 Registration, Credentials, and Elections (#13)

8:25 Greetings—Concordia Publishing House,  
Jonathan Schultz

8:30 Structure and Administration (#9)

9:30 Registration, Credentials, and Elections (#13)  
(Balloting for Secretary of Synod and Synod Board  
of Directors)

10:10 Convention Essay—Rev. Dr. Abjar Bahkou  
The Power of God

10:40 National Witness (#1)  
 11:40 Presentation—International Missions: Spread the Gospel  
 12:00 Recess  
 1:30 Midday Prayer—*Rev. Benjamin T. Ball*  
 1:45 Registration, Credentials, and Elections (#13)  
 1:50 Minutes  
 1:55 Greetings—Lutheran Women’s Missionary League  
 2:00 Greetings—Lutheran Hour Ministries,  
*Kurt Buchholz*  
 2:05 Theology and Church Relations (#5)  
 2:40 Greetings—The LCMS Foundation, *David Fiedler*  
 2:45 Catechism  
 3:05 Finance (#8)  
 3:20 Committee for Convention Nominations  
*(Nominations for other boards, CTCR, boards of regents, and synodwide entities)*  
 4:00 University Education (#7)  
 4:40 Ecclesiastical Supervision and Dispute Resolution (#10)  
 5:15 Structure and Administration (#9)  
 5:50 Vespers  
 6:00 Recess

### Tuesday—August 1, 2023

*Exhibits open 10:00 a.m.–2:00 p.m. (Halls CD, 3rd floor)*

*Registration Desk open 8:00 a.m.–6:00 p.m.*

8:00 Matins—*Rev. Christopher S. Esget*  
 8:20 Registration, Credentials, and Elections (#13)  
 8:25 Greetings—Concordia Plan Services  
 8:30 University Education (#7)  
 9:30 Presentation—Serving the Synod’s Mission:  
 The history and blessings of our two seminaries—  
*Rev. Dr. Lawrence R. Rast, Jr.*  
 and *Rev. Dr. Thomas J. Egger*  
 10:00 Convention Essay—*Dr. Russell P. Dawn*  
*The Wisdom of God*  
 10:30 Registration, Credentials, and Elections (#13)  
*(Balloting for other boards, CTCR, boards of regents, and synodwide entities)*  
 11:00 Schools, Family, Young Adults, and Youth (#12)  
 11:55 Special Recognition—newly elected  
 and outgoing Praesidium  
 12:00 Recess  
 1:30 Midday Prayer—*Rev. Nabil S. Nour*  
 1:45 Minutes  
 1:50 Registration, Credentials, and Elections (#13)  
*(Balloting for other boards, CTCR, boards of regents, and synodwide entities)*  
 2:40 Catechism  
 3:00 Presentation—Persecuted for your faith—  
*Päivi M. Räsänen and Rev. Dr. Juhana Pohjola*  
 3:30 International Witness (#2)  
 4:20 Presentation—International Missions:  
 Plant Lutheran Churches  
 4:40 Pastoral Ministry and Seminaries (#6)

5:05 Presentation—Military Chaplains,  
*Rev. Craig G. Muehler*  
 5:20 Mercy (#3)  
 5:50 Responsive Prayer  
 6:00 Recess  
*Evening—Alumni Receptions*

### Wednesday—August 2, 2023

*Registration Desk open 8:00 a.m.–6:00 p.m.*

8:00 Matins—*Rev. Dr. Ely Prieto*  
 8:30 Convention Essay—*Rev. Dr. Juhana Pohjola*  
*The Redemption of the World*  
 9:00 University Education (#7)  
 10:30 Greetings—Concordia Historical Institute,  
*Rev. Dr. Daniel N. Harmelink*  
 10:35 Church and Culture (#11)  
 11:25 Special Recognition—LCMS Presidents Emeriti  
 11:30 Registration, Credentials, and Elections (#13)  
*(Balloting for other boards, CTCR, boards of regents, and synodwide entities)*  
 12:00 Recess  
 1:30 Commemoration of the Faithful Departed—  
*Rev. Dr. John C. Wille*  
 2:10 Minutes  
 2:15 Special Recognition—Former Officers  
 2:20 Theology and Church Relations (#5)  
 3:10 Catechism  
 3:30 Registration, Credentials, and Elections (#13)  
*(Balloting for other boards, CTCR, boards of regents, and synodwide entities)*  
 3:50 Ecclesiastical Supervision and Dispute Resolution (#10)  
 4:15 Presentation—International Missions: Show Mercy  
 4:35 Special Presentation  
 5:05 Pastoral Ministry and Seminaries (#6)  
 5:50 Responsive Prayer  
 6:00 Recess  
*President Elect’s Reception—7:30 p.m.*

### Thursday—August 3, 2023

*Registration Desk open 8:00 a.m.–noon*

8:00 Matins—*Rev. Josemon T. Hoem*  
 8:25 Registration, Credentials, and Elections (#13)  
 8:30 Minutes  
 8:35 Church and Culture (#11)  
 9:05 Structure and Administration (#9)  
 9:35 Unfinished Business  
 11:50 Itinerarium  
 12:00 Adjournment

## OFFICIAL NOTICES

**GENERAL INFORMATION:** Voting and advisory delegates and representatives are reminded The 68<sup>th</sup> Regular Convention of The Lutheran Church—Missouri Synod (LCMS) will be held at the Baird Center, formerly known as the Wisconsin Center, in downtown Milwaukee, July 29—August 3, 2023. The Opening Divine Service with Holy Communion will begin at 7:30 p.m. (with pre-service music at 7:00 p.m.) on Saturday, July 29, in Halls A and B, located on the 3<sup>rd</sup> floor of the Baird Center. Following Matins on Sunday morning at 8:00 a.m., the first official business session of the convention will begin at 8:25 a.m. in Halls A and B.

**HOUSING:** All registered delegates and representatives should have received housing and travel information by this time. *If this is not the case, the district office or the entity represented should be notified.* If a delegate is unable to serve, the district secretary should be informed immediately so that he can register the alternate delegate with the Synod Secretary.

**ON-SITE REGISTRATION:** Delegates and representatives should register on-site for the convention as soon as possible after checking into their hotels. Registration will take place in the 4<sup>th</sup> Street Foyer, located on the 2<sup>nd</sup> floor of the Baird Center, formerly known as the Wisconsin Center, and will be open at the following times:

Friday, July 28	1:00 p.m.–4:00 p.m.
Saturday, July 29	8:00 a.m.–7:30 p.m.
Sunday, July 30	7:00 a.m.–6:00 p.m.
Monday—Wednesday, July 31–Aug. 2	8:00 a.m.–6:00 p.m.
Thursday, Aug. 3	8:00 a.m.–noon

Visitors to the convention are welcome and not required to register. Members of the working press are asked to register with the Communications Office, Room 201C.

**DELEGATE ORIENTATION:** An orientation session is scheduled for 1:30–3:00 p.m., Saturday, July 29, in Halls A and B, located on the 3<sup>rd</sup> floor of the Baird Center. All voting delegates, advisory delegates, and advisory representatives should attend this orientation to review instructions and information about participating in convention business and activities.

**TODAY'S BUSINESS OFFICE AND ON-SITE SUBMISSIONS FOR PUBLICATION:** Any materials for publication in a daily edition of *Today's Business* (Room 202C) should be submitted by 3:30 p.m. on the day before the item could appear in print. All submitters must return by 6:30 p.m. to approve what they have submitted before it can be printed for the next edition. Personal notices are not published in *Today's Business*. The *Today's Business* office will be open the following times:

Saturday, July 29, 9:00 a.m.–6:45 p.m.
Sunday, July 30 through Wednesday, Aug. 2, 7:30 a.m.–6:45 p.m.
Thursday, Aug. 3, 7:30 a.m.–11:30 a.m.

**PRAYER AT THE CONVENTION:** A prayer chapel, located in Room 103D on the 1<sup>st</sup> floor of the Baird Center, will be open beginning the afternoon of Saturday, July 29. A box will be located in the chapel to receive prayer requests. Additionally, prayer requests can be sent to Chaplain Daenzer via email at [chaplain@lcms.org](mailto:chaplain@lcms.org). Please indicate on your prayer request whether it is a private or public concern. We will lift the private concerns to the throne of grace privately in the prayer chapel. Due to the volume of prayer requests received we cannot promise each public prayer will be offered during public worship, but the chaplain will lift each concern in private prayer. Chaplain Sean Daenzer will be present throughout the convention and will personally offer prayer with anyone who desires it. Note the prayer chapel is closed during the lunch break each day when it will be used for private confession and absolution.

**PRIVATE CONFESSION AND ABSOLUTION:** Anyone desiring to receive private absolution may do so during the convention. The prayer chapel, located in Room 103D on the 1<sup>st</sup> floor of the Baird Center, will be closed to public use during the lunch break each day (from Sunday through Wednesday) and used for private confession and absolution. When the door is open, you may simply enter and the pastor will guide you through the service; when the door is closed, please wait outside the chapel until it is opened again. A closed door during the lunch hour indicates the room is occupied and being used for private confession and absolution.

**CONVENTION NATIONAL OFFERING:** The National Offering will be received during the opening service, Saturday, July 29. Delegates who are carrying congregational or individual National Offering gifts with them to the convention are encouraged to submit them during this service. National Offering gifts can also be delivered to the Synod’s display in the exhibit hall; however, the opening service is the preferred option.

**INTERNET ACCESS:** The Baird Center has complimentary Wi-Fi everywhere throughout the building. The complimentary service is best suited for light use with a speed of about 256 Kbps (upload & download). This service is upgradable at prevailing rates and can be configured throughout the Baird Center campus.

For more information, visit the convention website at [www.lcms.org/convention](http://www.lcms.org/convention).

## ***CONVENTION WORKBOOK AND BIOGRAPHICAL SYNOPSES UPDATES***

The following notices update or correct information in the *Convention Workbook (CW)* and *Biographical Synopses & Statements of Nominees (BSSN)*. Please note that changes to delegates and representatives will be published in the *Proceedings*.

### **FLOOR COMMITTEES (WB, p. xiii)**

**Committee 1: National Witness, Advisory Commissioned Minister:** Add Cheryl Honoree (MO).

**Committee 5: Theology and Church Relations, Advisory Ordained Minister:** Remove Jacob A. Corzine (NI).

**Committee 11: Church and Culture, Voting Ordained Minister:** Remove Paul W. Dare (MNN);  
**Voting Lay:** Remove David Brown (NI).

**Committee 12: Schools, Family, Young Adults, and Youth, Voting Lay:** Remove Darik C. Day (NE).

### **NOMINATIONS AND ELECTIONS**

**Board for National Mission, Central Region Laypersons (BSSN, p. 48):** Stephen Weller’s biographical information is incomplete. His complete biographical information may be found on page 57 of the *BSSN*.

**Concordia Theological Seminary, Fort Wayne, Laypersons (BSSN, p. 64):** Michael David Lange’s profession should read “Semiconductor Engineer,” not “Pastor.”

**Concordia Seminary, St. Louis, Laypersons (BSSN, p. 66):** Jeffrey J. Reuer has been appointed to the Concordia Theological Seminary, Fort Wayne, Board of Regents, and therefore asked his name to be withdrawn from candidacy. He has been replaced with alternate **Bill A. Frerking**. His biographical information and personal statement follow:



**Bill A. Frerking**, Houston, TX; Memorial, Houston (TX); LCMS 47; Chief Administrative Officer and Attorney. **C:** US Development (Vice-) President 6, (Head) Elder 8, Head Bd. of Stewp. 3, Bible Study Leader 7, Choir, Usher, Mbr. in four states. **O:** Chief Exec. Officer 5, Georgia-Pacific Chief Sustainability Officer 9, Koch General Counsel / Chief Legal Counsel 11, Law Partner / Associate 10, Thrivent MNB Southwest Region Br. 4, Neighborhood POAs, Coached youth sports, Led human resources group, Served UMC athletic board.

My interest in serving on the board of regents is to bring a layman’s perspective to ensure that the seminary is primarily focused on recruiting, supporting, and producing parish pastors prepared to stand firm on the changeless Word of God, who rely solely on Word and Sacraments to equip parishioners to believe, teach, and confess Biblical truth (per the Book of Concord), who understand and follow the historic liturgy, and who faithfully administer the Sacraments. My experiences as a lifelong LCMS layman, husband, father, attorney, executive, and member of various boards provide strong skills to aid the board of regents and seminary.

### **REPORTS AND OVERTURES**

**Overture 9-02, “To Amend Various Bylaws to Provide Clarity or to Address Practical Considerations” (WB, pp. 366–71):** The content of parts A (“Election of Synod Convention Advisory Delegates”) and B (“Election of Educational Institution Advisory Representatives”) is reversed; the printed content of A should be under B and vice-versa.

**Overture 10-06, “To Amend Bylaw 2.11.2.2 re Candidate Status” (WB, pp. 404–5):** In the block of proposed bylaw changes, subparagraph (b) under Bylaw 2.11.2.2 is a proposed insertion and should be underlined in its entirety.



1 Cor. 1:18-25



**68TH REGULAR CONVENTION** | The Lutheran Church—Missouri Synod  
 July 29–Aug. 3, 2023 | Milwaukee, Wis.

## FLOOR NOMINATIONS FORM

Bylaw 3.12.3.7 (*2019 Handbook*) provides opportunity for nominations from the floor prior to certain elections of the Synod. Such nominations will take place early in the convention after the chairman of the Committee for Convention Nominations has provided his report to the convention. Unless the convention decides to do otherwise by majority vote, only names submitted prior to the published deadline for submission of names (October 29, 2022) will be eligible for nomination from the floor. If there is question whether a particular name is in this “pool,” you may contact the Office of the Secretary of the Synod for that information.

This form is provided to facilitate the floor nominations process

and is available on the LCMS Web site at [www.lcms.org/convention/downloads](http://www.lcms.org/convention/downloads). To submit a nomination, this form must include the required nominee information as detailed in Bylaw 3.12.3.6 (c) of the *2019 Handbook* and be accompanied by the **Consent Form for Floor Nominations**, which must include the signature of the person being nominated and indicate willingness to serve if elected. Persons making nominations from the floor must be prepared to submit this information at the time that the nominations are made. The Committee on Convention Nominations will check all floor nominations for validity and will report names and accompanying information in *Today’s Business* prior to elections.

*Please provide all requested information regarding the person nominated.*

**1. Name of Position** (Office, Board, or Commission): \_\_\_\_\_

**2. Name of Person Nominated:** \_\_\_\_\_

Residence Address: \_\_\_\_\_ Telephone: \_\_\_\_\_

Name and Location of Congregation: \_\_\_\_\_

Name of District: \_\_\_\_\_ Residing in Region: \_\_\_\_\_

Years as a member of LCMS congregation: \_\_\_\_\_

Occupation or Profession: Present Position: \_\_\_\_\_

Organization: \_\_\_\_\_ Other: \_\_\_\_\_

Educational/Training: High School \_\_\_\_\_ College/University \_\_\_\_\_ Advanced Academic Degree \_\_\_\_\_ Seminary \_\_\_\_\_

**3. Synod Positions Held** (past and present, listing most recent first) Years


**4. District Positions Held** (past and present, listing most recent first) Years


**5. Congregation Positions Held** (past and present, listing most recent first) Years


**6. Other Positions Held** (past and present, listing most recent first) Years




**TO BE CONSIDERED FOR CUS BOD/BOR POSITIONS:**

**7. Which two (2) or more** of the following qualifications do you believe this individual possesses that would qualify him/her to serve on the CUS Board of Directors or a college or university board of regents (Bylaw 3.6.6.3)?

*Check as many as you believe he/she possesses:*

Theological acumen

An advanced academic degree

*Experience in:*

Higher education administration

Administration of complex organizations

Finance

Law

Investments

Technology

Human resources

Facilities management

Fund development

**8. How and to what extent** has this individual demonstrated familiarity and support of the colleges and universities of the Concordia University System? With which institution(s) and region(s) is he/she most familiar?

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**9. How has he/she demonstrated** familiarity with and support for the doctrinal positions of the Synod?

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**10. List separately two (2) or three (3)** of the above qualifications marked (see #7 above), with supporting information for each:

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**Delegate Making Nomination:** \_\_\_\_\_

**Signature of Delegate Making Nomination:** \_\_\_\_\_



1 Cor. 1:18-25



**68TH REGULAR CONVENTION** | The Lutheran Church—Missouri Synod  
July 29–Aug. 3, 2023 | Milwaukee, Wis.

## CONSENT FORM FOR FLOOR NOMINATIONS

### STATEMENT OF WILLINGNESS TO SERVE

In addition to the commitment of the necessary time and energy required for service, officers and members of boards and commissions agree to serve in accordance with the Constitution, Bylaws, doctrinal statements and resolutions of the Synod.

When pastors, teachers and laypersons are requested to serve as board members or in similar part-time capacities, the Synod will assume the expense of travel, lodging, meals and other incidentals connected with such service. The Synod will not pay for the casual service rendered in a non-salaried position, nor pay for any substitutes engaged while away on duty. If financial outlay is required to perform the duties of the position involved, it is expected that congregations will assume this responsibility as needed.

Position to which you have been nominated:

I AM WILLING to serve for this position: \_\_\_\_ Yes \_\_\_\_ No

\_\_\_\_\_

Status:  ordained  commissioned  lay

### BRIEF PERSONAL STATEMENT

The report on final nominees for Synod offices is to contain pertinent information concerning each candidate, such as occupation or profession; district affiliation; residence; specific experience; number of years as a member of an LCMS congregation; present position; offices previously held in a congregation, district or the Synod; qualifications for the office in question; and, “if the candidate so desires, also a brief personal statement” (Bylaw 3.12.3.6 [c]).

As a nominee you may make such a statement in the space provided below. You may wish to say something about your vision for the future of the Synod or about your interest in service in the position to which you have been nominated. **Your statement should not exceed 100 words.**

With your consent, this statement will be published in a convention issue of *Today's Business* and made available to the voting delegates of the convention.

Release Approval: I agree to the release of this information for publication. \_\_\_\_ Yes \_\_\_\_ No

Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

This form is provided to facilitate the floor nominations process and is available on the LCMS Web site at [lcms.org/convention/downloads](https://lcms.org/convention/downloads)



## FLOOR COMMITTEE OPEN HEARINGS AND OTHER KEY LOCATIONS

### Open Hearings—Saturday, July 29

Baird Center, formerly known as the Wisconsin Center—1<sup>st</sup> floor

1. National Witness .....8:30–10:00 a.m.; 101 D
2. International Witness .....8:30–10:00 a.m.; 102 A
3. Mercy ..... 10:30 a.m.–noon; 101 D
4. Life Together ..... 10:30 a.m.–noon; 102 A
5. Theology and Church Relations ..... 8:30 a.m.–noon; 102 B
6. Pastoral Ministry and Seminaries ..... 8:30 a.m.–noon; 101 C
7. University Education ..... 8:30 a.m.–noon; 102 C
8. Finance ..... 8:30–10:00 a.m.; 102 E
9. Structure and Administration ..... 8:30 a.m.–noon; 102 D
10. Ecclesiastical Supervision and Dispute Resolution ..... 10:30 a.m.–noon; 102 E
11. Church and Culture ..... 8:30–10:00 a.m.; 103 C
12. Schools, Family, Young Adults, and Youth ..... 10:30 a.m.–noon; 103 C

### Other Key Locations

Baird Center

- Chapel.....Room 103D, 1<sup>st</sup> floor
- Communications..... Room 201C, 2<sup>nd</sup> floor
- Convention Office ..... Room 203B, 2<sup>nd</sup> floor
- Delegate Dinner.....Grand Ballrooms, 1<sup>st</sup> floor
- Delegate Orientation.....Halls AB, 3<sup>rd</sup> floor
- Exhibit Hall .....Halls CD, 3<sup>rd</sup> floor
- General Session and Worship.....Halls AB, 3<sup>rd</sup> floor
- Registration.....4<sup>th</sup> Street Foyer, 2<sup>nd</sup> floor
- Today’s Business.....Room 202C, 2<sup>nd</sup> floor

## FLOOR COMMITTEE CHAIRMEN

<u>Number and Name</u>	<u>Chairman</u>
1. National Witness	Rev. Eric C. Johnson, President Southern District 100 Mission Drive Slidell, LA 70460-5216
2. International Witness	Dr. R. Lee Hagan, President Missouri District 660 Mason Ridge Center Drive, Suite 100 St. Louis, MO 63141-8512
3. Mercy	Rev. Brady L. Finner, President Minnesota North District PO Box 604 Brainerd, MN 56401-0604
4. Life Together	Rev. Christopher S. Esget, Fifth Vice-President East-Southeast Region 1801 Russell Road Alexandria, VA 22301-1934
5. Theology and Church Relations	Dr. Brian S. Saunders, President Iowa East District 1100 Blairs Ferry Road Marion, IA 52302-3093
6. Pastoral Ministry and Seminaries	Rev. John E. Hill, President Wyoming District 2400 Hickory Street Casper, WY 82604-3471
7. University Education	Dr. Scott R. Murray, Third Vice-President West-Southwest Region 5800 Westheimer Road Houston, TX 77057-5617
8. Finance	Dr. Roger C. Paavola, President Mid-South District 1675 Wynne Road Cordova, TN 38016-4905
9. Structure and Administration	Rev. Timothy J. Scharr, President Southern Illinois District 2408 Lebanon Avenue Belleville, IL 62221-2529
10. Ecclesiastical Supervision and Dispute Resolution	Dr. John C. Wille, President South Wisconsin District 8100 W. Capitol Drive Milwaukee, WI 53222-1920

11. Church and Culture

Rev. Terry R. Forke, President  
Montana District  
759 Newman Lane, Suite 2  
Billings, MT 59101

12. Schools, Family, Young Adults, and Youth

Rev. Benjamin T. Ball, Sixth Vice-President  
Central Region  
6969 W. Frontage Road  
Worden, IL 62097-2431

13. Registration, Credentials, and Elections

Rev. Scott C. Sailer, President  
South Dakota District  
3501 S. Gateway Boulevard  
Sioux Falls, SD 57106-1557

Committee for Convention Nominations

Christian A. Preus  
Grand Marais, MN

Comment may also be directed electronically to the Office of the Secretary at [lcmssecretary@lcms.org](mailto:lcmssecretary@lcms.org), to be forwarded to the respective floor committee. Please label such communications clearly as communication to a floor committee, and indicate to which floor committee the comment should be forwarded and which resolution(s), overture(s), or topic(s) are being addressed.

## SPECIAL STANDING RULES

### *Minutes*

1. Minutes shall be distributed every next morning for consideration and adoption. The first item of business of the afternoon session shall be the formal approval of these minutes, with the exception of the final day's minutes, which shall be approved by the Board of Directors at its first meeting following the convention. Only *substantive corrections* to the minutes (impacting the meaning or effect of convention actions) shall be offered from the floor for consideration. Editorial corrections or *non-substantive* changes to the minutes (misspellings, numbering errors, faulty references, incorrect titles, punctuation, grammar, etc.) should be provided in writing to the Secretary for incorporation into the final version of the minutes published in the *2023 Convention Proceedings*.

### *Resolutions*

2. Resolutions shall be prioritized by floor committees and normally shall be presented to the convention in numerical sequence. However, resolutions that impact nominations or elections may be given earlier consideration at the discretion of the chair, in consultation with the floor committee chairman and the chairmen of the floor committees on nominations and elections.
3. The preface, preamble, rationale, and whereas sections shall be regarded as integral parts of resolutions and therefore subject to the same consideration and adoption.
4. It shall be the discretion of the chairman or presenting member of the floor committee to read the preface, preamble, rationale, and whereas sections of resolutions from floor committees that are printed in *Today's Business*. In addition, the chair of the convention is not required to read each resolution as he states the questions and then as he calls for the vote.
5. The convention chairman, in consultation with floor committee chairmen, may identify resolutions to which up to 1 ½ hours of continuous consideration should be allotted, as follows:
 

15 minutes (if needed)	Floor committee presentation
30 minutes (if needed)	Debate on the main motion, excluding amendments and other subsidiary motions
45 minutes (if needed)	Presentation of and debate on amendments, substitute motions, main motion, or main motion as amended.
6. Whenever possible, substitute resolutions and amendments to proposed resolutions shall be submitted to *Today's Business* for publication prior to convention consideration of the resolutions to which they pertain. When this is not possible, as in the course of discussion, one written copy of the proposed amendment shall be provided to the Secretary immediately after it is offered from the floor.
7. Only *substantive* amendments to a resolution shall be offered from the floor (those impacting its purpose or effect). Any editorial corrections or *non-substantive* changes to introduced resolutions should instead be shared in writing with the Secretary. Until a resolution is presented to the delegates, any such changes should be suggested directly to the floor committee chair.
8. The delegates will consider omnibus resolutions as part of regular scheduled business. Omnibus A includes overtures referred to a board, commission, or other group of Synod to consider and take action deemed appropriate. Omnibus B includes overtures with respect to which the action taken by a previous convention is to be affirmed. Omnibus C acknowledges overtures of thanks or recognition. Each floor committee's Omnibus D (if any) dispenses formally with overtures declined by that floor committee. During consideration of a given omnibus, a majority vote is required to remove an overture from the omnibus resolution and have it referred to the appropriate floor committee for action.
9. If any resolution is not acted upon by the convention before adjournment, it dies and the subject matter may be reintroduced for possible consideration by an overture to the next convention.

### *Process*

10. Unless covered by these Special Standing Rules, parliamentary procedure shall be governed by the most recent edition of *Robert's Rules of Order Newly Revised*.
11. The chair shall see that the agenda is followed as closely as possible. The chair may deviate from the printed program when necessary or expedient.

12. All non-voting advisory delegates and representatives may participate in debate, but may not nominate candidates, make motions, or vote.
13. Registered delegates and advisory representatives wishing to address the convention, once recognized by the chair, shall state their name, the name of the district (or other entity of the Synod that they represent), and whether they are a voting delegate, advisory delegate, or advisory representative. Delegates and representatives shall normally address the convention from their assigned microphones.
14. A microphone queue list will be enacted for every debatable motion considered by the assembly. Each time a debatable motion is considered by the assembly, a new microphone queue list will be created and the queue list from any previous motion will be cleared.
15. The pro-con method of debate may be used at the discretion of the chair or by adoption of the assembly. When a member of the floor committee speaks in favor of a resolution, it shall be recognized as a “pro” speech and will be followed by a “con” speech.
16. Delegates and representatives wishing to enter the microphone queue for any reason (debate, make an amendment, call the question, request information or any other action) must always identify themselves, as pro or con speakers, by pressing either 1 (pro) or 2 (con) on their queue keypad even if the assembly is not in a pro-con mode. This queue identification is necessary so delegates and representatives are appropriately reflected in the queue should the chair choose to move to a pro-con method of debate. All queue entrants will be addressed as they appear in the queue order. When called upon by the chair delegates and representatives must identify themselves and state the desired action. The microphone queue shall be displayed so that delegates can see their position in the queue.
17. Ordinarily, questions of privilege (or point of personal privilege) shall be addressed in writing to the chair or his appointee.
18. No delegate or representative may speak in debate any longer than two (2) minutes per speech. No delegate or representative may speak more than twice on the same motion on the same day and may not speak a second time until all delegates and representatives desiring to speak the first time have had the opportunity. The chair shall have discretion to make exceptions to this rule. When a floor committee is called on to answer a question or to give information, this rule shall not apply.
19. A delegate who speaks on an issue may not move to call the question at the close of his or her speech.
20. If a substitute motion is offered and seconded, the presenter shall be offered two (2) minutes to provide the rationale for offering it and a member of the floor committee shall be offered two (2) minutes to present rationale for why the committee believes the original motion is to be preferred. The convention shall decide by majority vote without further debate whether or not to consider the substitute motion. If the decision is in the affirmative and if the substitute motion is subsequently adopted, the original motion dies. If the substitute motion does not receive favorable action either to consider or adopt, the original motion is again considered.
21. A motion to close debate (“call the question”) shall apply only to the immediately pending question.
22. While any voting delegate may move to close debate (call the question) at any time that it is his or her turn to speak, a vote on closing debate (two-thirds vote required) on the main motion shall be put by the chair after every twenty (20) minutes of debate (except those to which Standing Rule 5 pertains). The chair may also call for a vote on closing debate (two-thirds vote required) when in his judgment the assembly has heard sufficient speaking from both sides of the issue.
23. Amendments of non-contiguous words may be made to a pending question so long as the consequence of such non-contiguous words does not constitute in effect a substitute motion.
24. During the last two days of the convention, the President shall have the privilege of calling up for action those resolutions that in his judgment must be acted upon before adjournment.
25. No motion to reconsider or rescind shall be made or called up during the last day of the convention.

#### *Floor Nominations*

26. No floor nominations will be accepted for the First Vice-President or regional vice-presidents (Bylaws 3.12.2.1; 3.12.2.7 [d]). In the case of election of the Secretary and board and commission members, floor nominations are allowed, to take place at the time of the report of the chairman of the Committee for Convention Nominations (Bylaw 3.12.3.7 [a–b]). “Such floor nominations may only be made from the list of names which have previously been offered to the Committee for Convention Nominations prior to the final deadline for the submission of nominations, unless the convention shall otherwise order by a simple majority



vote” (Bylaw 3.12.3.7 [c]). Floor nominations are not debatable and shall be brought individually before the convention for approval, being voted on immediately, before being added to the ballot (Bylaw 3.12.3.7 [a–b]).

Allowable floor nominations for all positions of boards and commissions shall be opened for a period of forty (40) minutes, unless ceased earlier by a two-thirds vote of the assembly. At the end of forty (40) minutes, a vote to cease nominations shall be called by the convention chairman. If a two-thirds vote to cease nominations is not received, the period for floor nominations shall be extended an additional twenty (20) minutes. This cycle shall continue in twenty (20) minute intervals until a two-thirds vote for nominations to cease is received from the assembly.

#### *Voting*

27. An electronic response system shall ordinarily be used to register votes. If the system is not available, or at the discretion of the chair, the chair may take votes by voice, by show of hands, or by a rising vote. The chair may order a count if any voice, show of hands, or rising vote seems inconclusive. When possible, vote tallies shall be recorded in the minutes.
28. An invalid vote is defined as a vote entered on the keypad with a number not offered as a selection or entered before voting is opened or after voting is closed. Invalid votes are not counted in the total number of votes cast.
29. The privilege of granting delegates the right to record their votes in the minutes with respect to a particular resolution shall be granted by the assembly by a majority vote without debate. If such privilege is granted, the votes of record shall be submitted in writing to the Secretary of the Synod within 15 minutes after the close of the day’s business on which such privilege was granted.

#### *Use of Voice, Print, and Electronic Devices*

30. In order to promote an orderly and non-distracting convention atmosphere, the following shall apply to the use, and area of use, of all printers and electronic equipment, including wired and wireless communication devices, laptops, tablets, mobile phones, smart watches, pagers, laser pointers, PDAs, PEDs, or other similar electronic devices. In all cases where use is permitted, the sound-producing capabilities of such devices shall not be used. Except as approved by convention staff, personal extension cords shall not be allowed in Hall AB.

	<b>Type of Usage Permitted in Designated Area</b>			
	Voice	Printers	Electronic Communications including email, text, and social media messaging, e.g., laptops, tablets, pagers, laser pointers, PEDs, smart phones, wearable technology including smart watches, activity trackers, and like devices.	Laptop computers, tablets WITH communications disabled (e.g., Wi-Fi, Bluetooth, Cellular, and Infrared communications turned off or in airplane mode.)
Voting and Advisory Delegates & Representatives Areas	No	No	No	Yes
COP, BOD, CCM, COH, CTCR, Press, Special Guests Areas	No	No	Yes	n/a
Visitors, Back Seating Area	No	No	Yes	n/a
Convention Staff, All Areas	Yes	Yes	Yes	n/a

## HISTORY OF LCMS CONVENTIONS

### Structure of the Synod

When the Synod was organized in 1847, the number of congregations was small, and its geographical area limited. There was no need for districts. Seven years later, in 1854, the Synod inaugurated its current basic structure by dividing itself into four districts which initially convened at the same time as the national convention and then, later on, during years when the national delegate convention did not meet.

Since 1854 until the present time, the Synod has made clear that it is not a federation of districts. It adds, divides, or combines its districts according to need. Delegates attending national conventions take into consideration not only the interests of their own districts (which are the Synod in that place), but also the welfare of the entire Synod.

### Delegate Representation

The 2023 convention of The Lutheran Church—Missouri Synod will be its 68<sup>th</sup> Regular Convention and its 52<sup>nd</sup> delegate convention.

From 1847 to 1872 (the first 15 conventions) each congregation was represented by a lay member and its pastor.

Beginning with the 1874 convention, assembly size necessitated delegate representation, as provided in the 1923 Synod Constitution, which required that “a number of congregations shall form a group, which shall be represented by two voting delegates, one a pastor and one a lay delegate.” The 1947 Constitution became a little more specific: “Large congregations shall form small circuits and small congregations shall form large circuits.”

Since 1967, electoral circuits have generally been identified with visitation circuits comprised of 7 to 20 congregations with a combined membership of 1,500 to 10,000 confirmed members. Exceptions to these numbers may be granted by the President of the Synod upon request of district boards of directors.

### Frequency of Conventions

The Synod met annually during its first eight years (1847–1854). Since that time, it has usually convened every three years.

Exceptions occurred at the time of the Civil War, when the 11<sup>th</sup> Regular Convention was held in 1863; the 12<sup>th</sup> in 1864; and the 13<sup>th</sup> in 1866. In addition, a special convention was also held in 1864 to consider reorganization proposals for the President’s Office and delegate arrangements.

An additional exception to the three-year rule occurred in 1874. The 1872 convention had resolved to hold the next (16<sup>th</sup>) convention in 1875. Via a vote of the districts, it was resolved to hold the next convention in 1874 due to pressing business. The next following convention was not held until 1878.

A constitutional change by the 1965 convention brought about yet another exception to the three-year cycle. From 1967 to 1981, conventions met every two years. The three-year rule has been in effect since that time. The recent 2010, 2013, 2016, and 2019 conventions declined resolutions that would have changed the convention cycle to every four years. The 2023 convention was delayed a year, making this a “four-year triennium” or *quadrennium*. This was due to concern for districts having their conventions during COVID-19 pandemic restrictions, by a 90.67% affirmative vote of the congregations that concluded on February 16, 2021. As a result, districts could meet in either 2021 or 2022 and convention-related terms were extended accordingly.

### Convention Locations

Host cities and the frequency of their hosting national conventions of the Synod have been as follows (2023 convention included):

St. Louis (21)	Indianapolis (1)
Fort Wayne (13)	New Orleans (1)
Milwaukee (9)	New York (1)
Chicago (4)	Pittsburgh (1)
Cleveland (3)	Saginaw (1)
Detroit (3)	St. Paul (1)
Houston (3)	San Francisco (1)
Anaheim (1)	Tampa (1)
Dallas (1)	Wichita (1)
Denver (1)	



1 But you are a chosen race, a royal priesthood, a holy nation, a people for his own possession [Exod. 19:6], that  
 2 you may proclaim [*exangelaitē*; Luther: *verkündigen*; see Matt. 3:1, John the Baptizer; Matt. 4:17, Jesus; Mark  
 3 5:20, the demoniac (*keryssein*); Mark 16:15; Luke 4:19; Luke 9:6, the twelve; Acts 26:23; 1 Cor. 9:14; Eph. 6:19,  
 4 Paul; 1 John 1:3, John the apostle; Rom. 16:15; 1 Tim. 5:17, pastors/preachers; Rev. 14:6, Luther] the excellencies  
 5 of him who called you out of darkness into his marvelous light (1 Peter 2:9).

6 Preaching and proclaiming Christ and His Gospel was for St. Paul an apostolic compulsion. “For if I preach the gospel,  
 7 that gives me no ground for boasting. For necessity is laid upon me. *Woe to me if I do not preach the gospel!*” (1 Cor. 9:16,  
 8 emphasis added; 2 Cor. 5:14). All the apostles shared this compulsion. “We cannot but speak of what we have seen and  
 9 heard” (Acts 4:20). It is Christ’s mandate to the church until He returns. “Go” (Matt. 28:19). “Go into all the world and  
 10 proclaim the gospel to the whole creation. Whoever believes and is baptized will be saved, but whoever does not believe  
 11 will be condemned” (Mark 16:15–16). We are the church of the apostles, the church of the true apostolic succession, that  
 12 is, of the handing down of the apostles’ divine doctrine. This preaching and proclamation of the Gospel must be our  
 13 compulsion if we are indeed the “apostolic church.”

14 **“We preach CHRIST.”** The entire prophetic and apostolic Scriptures bear witness to Christ, the eternal Word made flesh  
 15 (John 1:14). “I and the Father are one” (John 10:30). Christ is God. Both the Old Testament and the New Testament  
 16 proclaim Christ crucified. “You search the Scriptures because you think that in them you have eternal life; and it is they  
 17 that bear witness about me” (John 5:39). “Then he said to them, ‘These are my words that I spoke to you while I was still  
 18 with you, that everything written about me in the Law of Moses and the Prophets and the Psalms must be fulfilled’” (Luke  
 19 24:44). “If you abide in my word, you are truly my disciples, and you will know the truth, and the truth will set you free”  
 20 (John 8:31–32).

21 Christ is known in His Word, the forever authoritative, apostolic, inerrant Word of Scripture, and in preaching and teaching  
 22 that conforms to this Word—and nowhere else. Seek Christ outside of His Word and no matter how illustrious or marvelous  
 23 the appearance, it’s of the devil. Christ in His very Word elicits a confession, one provided by God Himself: “‘Who do  
 24 you say that I am?’ ... ‘You are the Christ, the Son of the living God’” (Matt. 16:15–16).

25 In a word, enthusiasm dwells in Adam and his children from the beginning to the end of the world. Its venom has  
 26 been implanted and infused into them by the old serpent. It is the origin, power, and strength of all heresy,  
 27 especially of that of the papacy and Muhammad. Therefore we must constantly maintain this point: God does not  
 28 want to deal with us in any other way than through the spoken Word and the Sacraments. Whatever is praised as  
 29 from the Spirit—without the Word and Sacraments—is the devil himself. (Smalcald Articles III VIII 9)

30 **“We preach Christ CRUCIFIED.”** Peter confessed that Jesus is the “Son of the living God.” But contrary to the many  
 31 prophetic passages of the Old Testament (Isaiah 53; Psalm 22), and contrary to Jesus’ own words, he wanted a Christ who  
 32 did not suffer and die. Jesus rebuked Peter’s cross-less view: “Get behind me, Satan! For you are not setting your mind on  
 33 the things of God, but on the things of man” (Mark 8:33). Like Peter, we want the glory, not the cross; we want our words,  
 34 not the Word; and in so doing, we lose Christ, His Word, His cross and glory.

35 In 1 Corinthians 1:23, Paul uses the perfect tense to describe Jesus’ crucifixion, essentially saying “the One who was  
 36 crucified in the past remains forever the crucified One.” Christ’s glory while on earth was hidden, even snuffed out. “Surely  
 37 he has borne our griefs and carried our sorrows; yet we esteemed him stricken, smitten by God, and afflicted” (Isaiah  
 38 53:4). “And about the ninth hour Jesus cried out with a loud voice, ... ‘My God, my God, why have you forsaken me?’”  
 39 (Matt. 27:46). Christ’s glory was purposefully hidden, even taken in His death. He was “delivered up for our trespasses  
 40 and raised for our justification” (Rom. 4:25). The Son of God’s divine blood—shed in gruesome and torturous capital  
 41 punishment for sins He did not commit—“cleanses us from all sin” (1 John 1:7; Acts 20:28). Christ Himself called His  
 42 crucifixion—according to the upside down theology of the cross—His lifting up, His glorification and the glorification of  
 43 the Father (John 12:32; 13:31).

44 We know our crucified Christ was raised. “And if Christ has not been raised, then our preaching [*kerygma*] is in vain and  
 45 your faith is in vain” (1 Cor. 15:14). In His days on earth, the Lord’s glory flashed forth now and again: at His birth, in  
 46 His miracles and finally in His resurrection. But it was mostly hidden under His chosen humiliation. At the hands of those  
 47 whom He came to save, He suffered hatred, ignorance, misunderstanding, contempt, doubt, suffering, betrayal and death.  
 48 “The Son of Man must suffer many things and be rejected” (Luke 9:22). So also His apostles. “For I will show him [Paul]  
 49 how much he must suffer for the sake of my name” (Acts 9:16). So it goes with the church, including you and me. We are  
 50 “heirs of God and fellow heirs with Christ, provided we suffer with him in order that we may also be glorified with him”  
 51 (Rom. 8:17).

52 So, let’s be bold in the truth, Christ’s Word. Let’s confess forthrightly. Let’s live this upside-down glory of the cross. Let’s  
 53 be wise and winsome, but let’s be courageously Christian in our congregations, schools, universities, and families, even if  
 54 we must suffer for our proclamation of the Gospel. The LCMS does not exist to straighten out America; we are not here

1 to eliminate the social and economic ills of the world. We are not here to prop up traditional values. We are not on a social  
 2 crusade or here to fight a culture war. A Christian citizen may be involved in left-hand kingdom matters and causes, but  
 3 he or she should be very careful not to confuse such things with the church's mission. We as the LCMS are here to preach  
 4 repentance and forgiveness. "... We preach Christ crucified, a stumbling block to Jews and folly to Gentiles, but to those  
 5 who are called, both Jews and Greeks, Christ the power of God and the wisdom of God" (1 Cor. 1:23–24). As we live in  
 6 the confession of His name, let us join the apostles, "... rejoicing that they were counted worthy to suffer dishonor for the  
 7 name" (Acts 5:41). We are not here to advance or oppose wokeism, Marxism, socialism, capitalism, modernism, post-  
 8 modernism, fascism, moralism, or any other -ism. We are here to bear witness to the truth of Christ as it cuts against every  
 9 human philosophy. "... Lord, to whom shall we go? You have the words of eternal life" (John 6:68). Whatever "ism" is  
 10 opposed by Christ and His Word must find no quarter among us. We live this truth as families, as individuals, as  
 11 congregations, as neighbors, as friends, even as a Synod.

12 My dear friends, despite our plethora of weaknesses, the LCMS stands as a bulwark for Christ against the tide of sin, death,  
 13 devil, confusion, and defection from Christ and His Word. People often express to me, "Thank God for the Missouri  
 14 Synod!" I've heard it from Roman Catholics, from conservative Anglicans, from men in other American Lutheran synods,  
 15 from pro-life leaders, from leaders of international church bodies (both large and small), from lonely men inside the once  
 16 grand state Lutheran churches of Europe, from our many partners in Central and South America, from men in Australia  
 17 fighting the dissolution of biblical and confessional fidelity in their church, from Ukraine, from Finland, from India, from  
 18 churches throughout Africa and Asia, and from many believing Christians in denominations in the United States. It is our  
 19 sacred ecumenical duty and task to stand firm on Scripture, the Ten Commandments, the Creed, Baptism, Absolution, and  
 20 the Lord's Supper. We stand against every heresy, including the false teaching of our age, the denial of the creation of man  
 21 and woman, which is—and make no mistake about it—a denial of Yahweh, a denial of Father, Son and Holy Spirit, Creator  
 22 God. We hold fast to the Words our Lord has spoken clearly, "Have you not read that he who created them from the  
 23 beginning made them male and female" (Matt. 19:4). The world is dying; people are lost, confused, and being hurt by the  
 24 empty philosophy of racial animus and sexual confusion. Some naively thought the United States Supreme Court's  
 25 *Obergefell* decision would settle the homosexual issues. Instead, it was followed by the trans sexual avalanche, which has  
 26 inundated Western discourse and life. The long and unrelenting consequences of Darwinism have worked to dethrone  
 27 Christ the Savior and God the Creator. Neither has the god of natural law in our nation's founding documents emerged  
 28 unscathed. In so doing, natural law and the Ten Commandments have been denied by the very institutions born to preserve  
 29 them for the well-being of mankind: the family, the state, the courts, the military, academia and even many churches.

30 The loud and often delirious screaming at mob events, the social shaming and our society's continual lust for more fleshly  
 31 pleasure evince people's efforts to drown out their consciences, the law written on their hearts (Rom. 2:15), which know  
 32 something is terribly wrong. We live in an era of mass delusion with millions upon millions—mostly young people—  
 33 whose consciences have been sacrificed on the altar of self-idolatry, with torn, tattered, depressed, and forlorn lives behind  
 34 and ahead of them.

35 Let's join St. Paul and proclaim, "... I will show you a still more excellent way" (1 Cor. 12:31). Let us join the whole  
 36 church and pray, "Lord, have mercy. Christ, have mercy. Lord, have mercy, upon us sinners!" The Gospel of Jesus Christ  
 37 is the remedy for the bad conscience. "Let us draw near with a true heart in full assurance of faith, with our hearts sprinkled  
 38 clean from an evil conscience and our bodies washed with pure water" (Heb. 10:22). The church is Christ's own Body,  
 39 those He redeemed. We are sinners, but also the people of bad consciences set free. We are the people of forgiveness—  
 40 received from God and freely given to all (Eph. 2:1–9; 1 John 2:1–2). We are sinners all, justified by grace, through faith  
 41 in Christ. And so we proclaim Christ crucified to this world and invite all to repent and "come join us sinners!"

#### 42 **Remarks on Floor Committee Work**

43 Welcome. Thank you for taking time out of your busy schedules. Please convey our sincere thanks to your congregations,  
 44 and other agencies and entities of the Synod, for recognizing your gifts and selecting you to represent them at the  
 45 Milwaukee convention. We have chosen you for floor committee work based upon your expertise, experience, location,  
 46 personal traits, and gifts. Those of you representing electoral circuits and congregations have been appointed upon the  
 47 recommendation of your district president.

48 What do we expect of you? That you take up the overtures and reports in the *Convention Workbook*, as well as this report,  
 49 and craft resolutions for the Synod to consider for adoption to place before the church and the world. "... Let your light  
 50 shine before others, so that they may see your good works and give glory to your Father who is in heaven" (Matt. 5:16).  
 51 We have met with committee chairs and vice-chairs to discuss various matters, including prioritization. We have made  
 52 staff available for preparatory work leading up to this weekend and for work throughout the weekend.

53 We will not take much time, if any, for personal matters or idiosyncratic concerns at convention. We are here to confess  
 54 Christ crucified to each other and the world, even as it devolves into greater chaos. We are here to do the church's business,  
 55 which is above all proclaiming Christ's Gospel of free forgiveness according to the inerrant Scriptures and our blessed

1 Lutheran Confessions. This work includes all that supports this proclamation, from Concordia Plans to Lutheran Church  
 2 Extension Fund to national and international mission, and more. We will occasionally have to say “no,” which is often  
 3 difficult but sometimes necessary. As St. Paul demonstrated in his letter to the errant Galatians, one cannot say “yes” to  
 4 Christ without at the same time saying “no” to that which is not in accord with His Word.

5 Your carefully crafted work will confess, encourage and even occasionally reprove as necessary. As pressure mounts to  
 6 have smaller conventions in the future, please remember that these events allow thousands to learn about the myriad  
 7 marvelous things this great church body—especially our congregations large and small—together causes, promotes, and  
 8 supports at home and around the globe. We live in an era of historical ignorance, anti-institutionalism and anti-tradition.  
 9 But the church is Christ’s institution. The local congregation is Christ’s institution. The spiritual priesthood is Christ’s  
 10 institution. The church as the body of believers and congregations in church fellowship is Christ’s institution. Baptism and  
 11 the Lord’s Supper are Christ’s institutions. The Office of the Ministry is Christ’s institution. The priesthood of the baptized  
 12 is Christ’s institution. Marriage is Christ’s institution.

13 The LCMS was formed by our forefathers and mothers for the proclamation of the Gospel and the discipleship of Christians  
 14 new and old, in joyful (1 John 1:4) obedience to our Lord’s mandate:

15       And Jesus came and said to them, “All authority in heaven and on earth has been given to me. Go therefore and  
 16       make disciples of all nations, baptizing them in the name of the Father and of the Son and of the Holy Spirit,  
 17       teaching them to observe all that I have commanded you. And behold, I am with you always, to the end of the  
 18       age.” (Matt. 28:18–20)

19 The going and the teaching (including planting and discipling) belong together with the baptizing. In so far as we have  
 20 freedom in carrying out the work of the church, we must not come in with a wrecking ball, but carefully reform institutions  
 21 according to their and our first love: Christ and His mandate.

22 Traditions can be bad or good. Bad traditions are those man-made things and arrangements that subvert and seek to replace  
 23 the Gospel, and even become a charade for works righteousness. Jesus opposed these traditions with scorching law. “You  
 24 leave the commandment of God and hold to the tradition of men” (Mark 7:8). But the New Testament is full of good  
 25 tradition. Tradition means something handed down or handed over. “Mandate” has a similar meaning. Jesus gave us the  
 26 mandate, the tradition of the church, to “go therefore and make disciples of all nations ...” (Matt. 28:19). Doctrine is  
 27 regarded as tradition in the New Testament, since true doctrine (teaching) is handed down from Christ to the apostles and,  
 28 through their writings, to us. When speaking of the biblical relationship of man and woman, Paul writes, “Now I commend  
 29 you because you remember me in everything and maintain the traditions even as I delivered them to you” (1 Cor. 11:2;  
 30 see 2 Thess. 2:15). Paul says he hands over the Lord’s Supper, just as the Lord handed it over to him: “... I received from  
 31 the Lord what I also delivered to you ...” (1 Cor. 11:23).

32 The Lutheran Confessions are our great, pure, biblical “confession” and “tradition.” “Being instructed from the prophetic  
 33 and apostolic Scriptures, we are sure about our doctrine and Confession” (Preface to the Book of Concord 22). We have  
 34 all sworn—in Baptism, confirmation, the installation to lay offices in the congregation, consecrations or ordinations—to  
 35 die rather than to give up one iota of this confession as a living, active and glorious presentation of all the articles of faith.  
 36 We’re committed together to the article upon which “everything that we teach and practice depends,”<sup>4</sup> the doctrine of the  
 37 justification of the sinner before God, by grace through faith, on account of Christ. Give me Christ or give me death. Give  
 38 me the glorious truth of Luther’s Small Catechism and our Book of Concord, or give me death. There is no other option.  
 39 You and I shall stand before the judgement seat of Christ with “intrepid [fearless] hearts,” (as our Formula of Concord  
 40 states) with this confession. In fact, the Formula quotes Luther.

41       I am not drunk or irresponsible. I know what I am saying, and I well realize what this will mean for me before  
 42       the Last Judgment at the coming of the Lord Jesus Christ. Let no one make this out to be a joke or idle talk; I am  
 43       in dead earnest, since by the grace of God I have learned to know a great deal about Satan. (Formula of Concord,  
 44       Solid Declaration VII 30–31)

45 Great eras in the church always begin with repentance. “To the teaching and to the testimony! ...” Isaiah preached. (Isaiah  
 46 8:20) “Repent, for the kingdom of heaven is at hand,” preached John the Baptizer (Matt. 3:2). “... Repent, for the kingdom  
 47 of heaven is at hand,” preached Christ (Matt. 4:17). Jesus, in His sermon in the synagogue, read from the Isaiah scroll:

48       The Spirit of the Lord GOD is upon me,  
 49       because the LORD has anointed me

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4 “Nothing of this article can be yielded or surrendered, even though heaven and earth and everything else falls [Mark 13:31]. For there is no other name under heaven given among men by which we must be saved. (Acts 4:12) And with His stripes we are healed. (Isaiah 53:5) Upon this article everything that we teach and practice depends, in opposition to the pope, the devil, and the whole world. Therefore, we must be certain and not doubt this doctrine. Otherwise, all is lost.” (Smalcald Articles II I 5f.)

1 to bring good news to the poor;  
 2 he has sent me to bind up the brokenhearted,  
 3 to proclaim liberty to the captives,  
 4 and the opening of the prison to those who are bound;  
 5 to proclaim the year of the LORD's favor,  
 6 and the day of the vengeance of our God;  
 7 to comfort all who mourn. (Isaiah 61:1–2)

8 Luther began his 95 Theses with, “When our Lord and master said, ‘Repent for the kingdom of God is at hand,’ he willed  
 9 that the entire life of the Christian be one of repentance.”

10 Back to the Bible! Back to the Scriptures and Lutheran Confessions, preached C.F.W. Walther.<sup>5</sup> The Synod enshrines this  
 11 principle in Article II of its Constitution:

12 The Synod, and every member of the Synod, accepts without reservation:

- 13 1. The Scriptures of the Old and the New Testament as the written Word of God and the only rule and norm of  
 14 faith and of practice;
- 15 2. All the Symbolical Books of the Evangelical Lutheran Church as a true and unadulterated statement and  
 16 exposition of the Word of God, ...

17 Article III of the Constitution also confesses this truth and its purpose:

18 The Synod, under Scripture and the Lutheran Confessions, shall—

- 19 1. Conserve and promote the unity of the true faith (Eph. 4:3–6; 1 Cor. 1:10), work through its official structure  
 20 toward fellowship with other Christian church bodies, and provide a united defense against schism,  
 21 sectarianism (Rom. 16:17), and heresy;
- 22 2. Strengthen congregations and their members in giving bold witness by word and deed to the love and work  
 23 of God, the Father, Son, and Holy Spirit, and extend that Gospel witness into all the world;
- 24 ...

25 God grant us repentance and such witness, beginning with you and me, to people in our families, our homes, our  
 26 neighborhoods, our schools, and our work. We share with them the Gospel as we interact in the context of our vocations:  
 27 “What troubles you? Want a clear conscience? Have you been sinned against? Have you sinned against others? Let me  
 28 tell you about Jesus! Your sins are paid for! Come to church with me and hear and see this Jesus!” That alone can change  
 29 the trajectory of our decline!

30 Bylaws 3.1.1 is specific about the fulsome responsibilities of the convention:

31 The national convention of the Synod shall afford an opportunity for worship, nurture, inspiration, fellowship,  
 32 and the communication of vital information. It is the principal legislative assembly, which amends the  
 33 Constitution and Bylaws, considers and takes action on reports and overtures, and handles appropriate  
 34 appeals. It establishes general positions and policies of the Synod, provides overall program direction and  
 35 priorities, and evaluates all such positions, programs, policies, directions, and priorities in order to provide  
 36 responsible service for and on behalf of its members. Only a national convention of the Synod shall authorize  
 37 affiliation or association and the discontinuance of such affiliation or association of the Synod with other  
 38 church bodies, synods, or federations.

39 As you realize, the Bylaws call upon floor committees to produce resolutions based upon both overtures and reports in the  
 40 *Workbook* and upon the Synod President's three-fold convention report, of which this is Part 2. What follows are some  
 41 suggestions, several *in addition* to (certainly not necessarily more important than) the over 300 overtures sent by the  
 42 congregations, districts, entities, and agencies of the Synod. Our work is weighty and worthy of much consideration and

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<sup>5</sup> Sasse asserted that because of the doggedness of Walther and the Missouri Synod's insistence upon the Scriptures and the Lutheran Confessions, by the 400<sup>th</sup> anniversary of the Reformation (1917) every Lutheran church in America had subscribed to the Lutheran Confessions. Walther preached: “In the Old World, my brothers, it is evident that the sun, which once rose in Augsburg and upon the Bergen Cloister [where the Formula of Concord was finalized]; the sun of the pure Gospel is setting. With longing hope, many true Lutherans from the Old World look toward our young American Lutheran Church as indeed upon a little house, but one that is free. And because she is free, she is, before others, called to salvage and rescue the pure Gospel here in the New World in these last times, that holy relic entrusted to our Church. Oh, arise! Arise, American Lutheran Zion, and let there be light!” (C.F.W. Walther, “Sermon on the 300<sup>th</sup> Anniversary of the Form of Concord, May 29, 1877,” in *At Home in the House of My Fathers*, 213).

1 prayer. Please accept these suggestions as we consider how our Synod can best confess Christ crucified for the salvation  
2 of souls today and for those generations ahead, as our Lord wills.

### 3 **1. National Witness**

4 **Suggestion:** Please construct a significant church-planting resolution, noting significant discoveries reported in the LCMS  
5 Office of National Mission’s church-planting study. Large grants from the district or the Synod don’t tend to result in  
6 sustainable congregations. The most effective model is mother/daughter congregations. The data suggests working toward  
7 church plants that make use of small matching grants and involve a group of committed laity as the sustaining core,  
8 sustained with the help of a neighboring pastor. The model of calling a mission pastor and giving him a grant to start a  
9 church hasn’t been generally successful. Our country needs the LCMS to plant churches—more specifically, it needs  
10 LCMS **congregations** to plant congregations! Half of the counties in the United States have no LCMS presence.

### 11 **2. International Witness**

12 **Suggestion:** Create an international circuit, so that LCMS-related/affiliated congregations may be planted, better  
13 supported and be able to participate more fully in the life of the Synod.

14 **Suggestion:** Draft a resolution commending our seminaries for their continued and excellent global work in coordination  
15 with the LCMS Office of International Mission (OIM), Concordia Publishing House, the Commission on Theology and  
16 Church Relations (CTCR), and LCMS Church Relations to expand and deepen the breadth and depth of global confessional  
17 Lutheranism for the well-being and salvation of millions.

18 **Suggestion:** Provide a resolution commending the use of FOROs (forums of the church where missionaries and members  
19 of our partner churches come together to further the spread of the Gospel) as the model for districts, recognized service  
20 organizations, and others to participate in global mission with the OIM. Encourage new FOROs for Africa, Eurasia, and  
21 Asia.

### 22 **3. Mercy**

23 **Suggestion:** Draft a resolution on the many positives of the LCMS response to COVID-19 (including a proper response  
24 to online communion). Another resolution is slated to address the challenges we faced.

25 **Suggestion:** A resolution thanking God for all the disaster work done nationally and internationally in the past four years  
26 (since the Tampa convention), rejoicing in the tremendous volume of mercy work God has provided for through the  
27 generosity of the people of the LCMS.

28 **Suggestion:** A life resolution addressing the Department of Defense abortion policies, which provide travel and time off  
29 for women seeking abortions.

### 30 **4. Life Together**

31 **Suggestion:** Streamline and improve the process for identifying priorities in national and international work.

### 32 **5. Theology and Church Relations**

33 **Suggestion:** A resolution requesting CTCR documents addressing the following: strengthening Law/Gospel preaching;  
34 atonement/justification; the basic theology and philosophy of Lutheran education, preschool to post grad; and Diversity,  
35 Equity and Inclusion (DEI) and the rejection of anti-biblical ideology inherent in the philosophy, while presenting the  
36 winsome biblical vision of the value of all, created and redeemed.

37 **Suggestion:** A resolution urging the avoidance of pre-packaged elements in the administration of the Lord’s Supper, as  
38 well as a resolution on preferred use of low-alcohol content wine, rather than no-alcohol content liquid, including grape  
39 juice. This resolution should also address ways to properly administer the Sacrament to those with special needs. Finally,  
40 provide a winsome and thorough review of the biblical/confessional doctrine of closed communion, which the Synod has  
41 reiterated time and again. Why? Two conventions ago, a closed communion resolution passed at 83 percent. Last  
42 convention (2019) passed a similar resolution at 78 percent. This decline reflects the state of this important matter among  
43 us.

### 44 **6. Pastoral Ministry and Seminaries**

45 **Suggestions:** A resolution should clarify for the Synod and districts that according to our Constitution and Bylaws, the  
46 training of men for the Office of the Ministry is retained by the Synod through her seminaries, and not left to the prerogative  
47 of individual districts. The Synod relies on congregations and districts to identify potential seminarians, then it coordinates  
48 training, vicarage, and placement (including alternate routes). Make reference to the CTCR opinion on the use of “lay  
49 readers” (included in this edition of *Today’s Business* as Report LR68). Report via resolution on the vast improvement in



1 the Council of Presidents’ handling of men on candidate status since 2016. Report via resolution on the many “alternate  
 2 routes” to ordination, which the Synod has expanded in the past 30 years, providing pastors for all sorts of unique mission  
 3 contexts. Inform via resolution drafted to support *Set Apart to Serve*, the synodwide effort to raise up pastors, teachers,  
 4 and other church workers, especially via residential education at our Concordia universities and Synod seminaries.

## 5 7. University Education

6 **Suggestion:** Depending on resolutions from the CTCR, or perhaps with the two floor committees working in concert,  
 7 provide one or more resolutions precluding the advocacy of radical racial, sexual, and socioeconomic paradigms for human  
 8 relationships and institutions.

9 Present the proposed governance plan (Overture L7-27) adopted by the LCMS Board of Directors (BOD) in May, with  
 10 appropriate and helpful recent suggestions from the various university regents, presidents, etc. When the presidents (who  
 11 had been thoroughly involved in the drafting of the original governance plan) informed me of concerns in the fall of 2022,  
 12 I urged them to contact BOD member Christian Preus, chair of the 7-03 committee, and present their concerns. As a result,  
 13 the document was re-written with the university presidents at the table. That version was passed in May and has continued  
 14 to be adjusted per suggestions from the field. It retains the universities as “agents” (instead of the looser affiliation model)  
 15 of the Synod and replaces a process of ecclesiastical accreditation (which included the possibility of removal of a school  
 16 for theological violations) with an ecclesiastical/doctrinal visitation process. The resolution should require university  
 17 bylaws to clearly prohibit a board of regents’ unilateral withdrawal from agency status or the ability to change the  
 18 institution’s articles of incorporation to withdraw from Synod oversight. The university bylaws must provide for the  
 19 removal of regents who act contrary to the doctrine, confession, Constitution, and Bylaws of the Synod. There must also  
 20 be provisions to strengthen the boards of regents.

21 **Suggestion:** The tragic Concordia University Texas (CTX) situation requires a firm response by the Synod in convention.  
 22 I urge all concerned to carefully read my visitation reports regarding both Concordia University Wisconsin/Ann Arbor and  
 23 CTX in the *Workbook* (Reports R63 and 64, pp. 168–73 and 173–79, respectively).

24 My visitation evaluation of CTX was carefully written and avoided the most egregious concerns, hoping the regents would  
 25 vote to return. I have watched over the course of several years as the CTX leadership worked to turn most contacts, events,  
 26 and issues against the Concordia University System, its leadership, me as the President of the Synod, the LCMS BOD and  
 27 more to convince the regents to leave the Synod, and now to convince the Synod that there are no theological issues  
 28 involved. This has been one of the most egregious violations of the Eighth Commandment I’ve experienced in 13 years as  
 29 Synod President. I’ll share just a few matters of concern, the likes of which were not in the visitation report (Report R64,  
 30 *Workbook*, 173–79).

31 In the fall of 2022, long after I began raising theological concerns about the university, two staff counselors were added to  
 32 the university’s staff and webpage. Both were described as “LGBTQ+ affirming” counselors. This could not happen  
 33 without an administration, indeed a university culture, favorable to that agenda. And what will happen if your son or  
 34 daughter attends CTX, becomes sexually confused and seeks out these counselors? Will he or she get a loving, Law/Gospel  
 35 approach faithful to Holy Scripture?

36 My visitation team was told that the man charged with monitoring “Lutheran identity” for the university left the clergy  
 37 roster of the Synod some years ago over the issue of women’s ordination. I am informed that he now worships at a  
 38 congregation of the Evangelical Lutheran Church in America (ELCA) in Austin.

39 The administration had ELCA clergyman Rev. Darrell Jodock address the faculty extensively on the topic of Lutheran  
 40 identity. Jodock has published several books and articles rejecting the specific doctrines of the LCMS on the divine  
 41 authorship, authority, and inerrancy of the Holy Scriptures (See, for instance, *The Church’s Bible: Its Contemporary*  
 42 *Authority*, Minneapolis: Fortress Press, 1989.) He counseled the faculty in concert with his written views on Lutheran  
 43 identity—that a university should not have a close and administrative or doctrinal affiliation with its parent church body.  
 44 He taught that Concordia should not concentrate on “Lutheran identity,” but rather on “Lutheran values.” Lutheran identity  
 45 is specific about the doctrine of the Scriptures and the Lutheran Confessions, as so marvelously summarized in our Small  
 46 Catechism (Ten Commandments, Creed, Lord’s Prayer, Baptism, Absolution, Supper). “Values,” such as “vocation” or  
 47 “grace,” ambiguously defined, are not concerned with confessional identity or even conversion to Christ and the Lutheran  
 48 faith. This is the ELCA approach, which has de-Lutheranized that body and its institutions (that is, removed the sole saving  
 49 message of Christ and Him crucified, salvation alone by grace through faith, and scriptural norms for the Christian life).

## 50 8. Finance

51 Well-crafted resolutions that inform delegates about how the Synod’s complex finances work are most helpful.

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**9. Structure and Administration**

**Suggestion:** Circuit numbers, electoral circuits, etc., should be studied by the appropriate experts and a suggested resolution brought to the next convention.

**Suggestion:** Delegates et al. should be urged to read the *Convention Workbook* report of the task force on teacher voting. Four-year convention cycle? No comment.

**10. Ecclesiastical Supervision and Dispute Resolution**

Commission on Handbook resolutions are *pro forma* improvements.

**11. Church and Culture**

Overtures provide plenty of fodder for one or more resolutions on racism et al.

**Suggestion:** Provide a resolution rejecting racism, Nazism, etc., and secular paradigms for defining, classifying, segregating, and marginalizing human beings on the basis of race. There is one race according to the Bible. Note the 50 or so resolutions rejecting racism by the Synod over the last 60 years. Reject radical critical race theories (e.g., Ibram X. Kendi’s *How to Be an Antiracist*). Urge the concrete welcome of all through the preaching of the Gospel of Christ and love for all in His blessed name.

**Suggestion:** Encouragement for all LCMS believers to kindly but resolutely stand tall in the face of all cultural assaults.

**12. Schools, Family, Young Adults, and Youth**

**Suggestion:** Note and make use of the extensive LCMS study of millennials, which dispels numerous myths about the LCMS and youth, retention, pastoral needs, worship style, etc. ([reporter.lcms.org/2019/youth-ministry-wraps-up-multi-year-research-project-on-young-adult-retention/](http://reporter.lcms.org/2019/youth-ministry-wraps-up-multi-year-research-project-on-young-adult-retention/))

**Suggestion:** Strong resolution on the fundamental divine institution of the family and its crucial importance for right- and left-hand kingdoms.

**Suggestion:** Strong and thorough resolution about the increase in student populations in many of our grade schools and high schools; the need for more schools; and the planting of traditional schools, classical schools, “pod” schools, micro-schools, homeschooling, etc.

**Suggestion:** Resolution encouraging family devotions and instruction based on the Bible/catechism in the home.

**Suggestion:** Resolution encouraging Christian Lutheran fathers.

Matthew C. Harrison, *President*

## LATE REPORTS

The following opinions of the Commission on Constitutional Matters (**Report LR67**) were rendered after the deadline for receipt of reports and overtures but are published here as relating to convention business. An opinion of the Commission on Theology and Church Relations (**Report LR68**), not previously published, is also included as referred to in **Resolution 1-02**. Finally, the Concordia University System Board of Directors has submitted draft Lutheran Identity and Mission Outcomes Standards (**Report LR69**), as relate to the proposal of **Resolution 7-04**.

LR67

### Additional Opinions of the Commission on Constitutional Matters

The following selected opinions of the Commission on Constitutional Matters (CCM) were issued since the report included in the *Convention Workbook* as **R65** and are included here as they relate to potential convention business. Full commission minutes are reported at [lcms.org/cem](http://lcms.org/cem).

#### Scope of Board of Directors Authority to Approve Usage of Lutheran Church Extension Fund Assets under Bylaw 3.6.4.4.1 (23-3003)

*Minutes of March 30, 2023*

By an email of January 30, 2023, the president and chief executive officer of the Lutheran Church Extension Fund—Missouri Synod (LCEF) requested, on behalf of the LCEF Board of Directors, an opinion on the following question:

##### Background:

Over the past year, LCEF has engaged in conversation with another confessional Lutheran church body (not in altar and pulpit fellowship with the Synod) regarding the ability of LCEF to provide loans to its congregations, schools, and affiliated ministries (organizations akin to the recognized service organizations of the Synod).

Bylaw 3.6.4.4.1, addressing the use of LCEF assets, reads, “The assets of the Lutheran Church Extension Fund—Missouri Synod shall be used exclusively to provide financing and services for the acquisition of sites, for the construction of facilities, for the purchase of buildings and equipment, for operating expenses, for professional church worker education, for the residential housing needs of professional church workers, for promoting strategic ministry planning and assisting in capital campaigns; *and for other purposes approved by its governing board consistent with the ministry and mission of the Synod under policies approved by the Board of Directors of the Synod.*” [emphasis added]

Because lending to ministries of the other church body would require the use of LCEF assets beyond the LCMS, clarity on the intended scope of Bylaw 3.6.4.4.1 and the authority of the Synod Board of Directors in that regard is being requested.

Question: May the Synod Board of Directors, in exercising its authority under Bylaw 3.6.4.4.1, determine that a certain use of assets by LCEF is consistent with the ministry and mission of the Synod? (The instant “certain use” refers to the lending of LCEF assets “beyond the LCMS,” within another confessional Lutheran church body that is not in altar and pulpit fellowship with the Synod.)

Opinion: The commission finds that the question, although apparently simple in form, requires a three-part analysis.

The first question that must be answered is, Who interprets the Constitution and Bylaws of Synod? The answer is simple and found at Bylaw 3.9.2: “The Commission on Constitutional Matters exists to interpret the Constitution, Bylaws, and resolutions of the Synod...”

The second question is, What is “the ministry and mission of the Synod” as it relates to the scope of “other activities” to which assets of LCEF may permissibly be applied (Bylaw 3.6.4.4.1)? Most broadly speaking, this is asking, What is the purpose of the Synod? The purpose of Synod is found in the first Bylaw, under Section 1.1, “Purpose of the Synod.” Bylaw 1.1.1: “Committed to a common confession and mission, congregations of The Lutheran Church—Missouri Synod join with one another in the Synod to support one another and to work together carrying out their commonly adopted objectives. The Synod is organized to work in support of and on behalf of [such] congregations to assist them in carrying out their ministries...” Bylaw 1.1.1(a): “The Synod functions in support of its member congregations...” Bylaw 1.1.1(b): “The Synod on behalf of its member congregations administers those ministries that can be accomplished more effectively in association with other member congregations through the Synod. In this way member congregations utilize the Synod to assist them in carrying out their functions of worship, witness, teaching and nurture, service, and support.” Bylaw 1.1.1 makes clear that Synod exists for and on behalf of *member congregations*.

That concept is naturally and properly reiterated in Bylaw 3.6.4, “The Lutheran Church Extension Fund—Missouri Synod...was established to further the objectives and duties of the church extension fund *within the Synod*...It is formed to provide financial resources and related services for ministry, witness, and outreach of *The Lutheran Church—Missouri Synod*. [emphasis added]” It is *within that framework* (i.e., “church extension *within the Synod*,” providing “financial and related services for ministry, witness, and outreach of *[the Synod]*” [emphasis added]) that the LCEF assets “shall be used exclusively to provide financing and services for the acquisition of sites, for the construction of facilities, for the purchase of buildings and equipment, for operating expenses, for professional church worker education, for the residential housing needs of professional church workers, for promoting strategic ministry planning and assisting in capital campaigns; and for other purposes approved by its governing board consistent with the ministry and mission of the Synod under policies approved by the Board of Directors of the Synod.” Finally, Bylaw 3.6.4.4.2 makes clear that the assets of LCEF (as to distribution of operating results) are for the exclusive use of LCMS “...member districts, congregations, and corporate Synod, as determined by its governing board.” Thus, the third necessary part of this analysis—the relation, under the Bylaws, between the mission and ministry of the Synod and the scope of possible legitimately authorized operations of LCEF, especially as it regards the instant question—is concluded.

Because the church body in question is not “*within the Synod*” (Bylaw 3.6.4; CCM Op. 00-2189) or serving the “ministry, witness, and outreach of *[the Synod]*” (Bylaw 3.6.4.4.2; CCM Op. 13-2696), the commission, consistent with the cited opinions, finds that

Synod's Bylaws prohibit LCEF funds being loaned to the church body or its congregations or other ministries. Only within said bounds, namely, *within the Synod* and serving the ministry, witness, and outreach *of the Synod*, is the Board of Directors able by policy to permit the "other uses" of LCEF assets described in Bylaw 3.6.4.4.1.

## Lutheran Church Extension Fund Canada Corporation (23-3005)

*Minutes of March 30, 2023*

By email dated February 14, counsel for the Lutheran Church Extension Fund—Missouri Synod (LCEF) submitted for the commission's review proposed Articles of Incorporation and Bylaws for The Lutheran Church Extension Fund—Missouri Synod Canada Corporation ("CanCorp"), which would be a Canadian not-for-profit corporation. The commission thanks the LCEF and its counsel for this submission, along with the detailed and thoughtful accompanying memorandum that was provided to the commission.

Prior to addressing the proposed articles and bylaws, there are several threshold matters that need to be addressed. These matters were not raised specifically by LCEF in the request; however, the commission has itself raised them as necessary matters to be determined before it is appropriate to review the proposed articles and bylaws.

**Background:** LCEF has been approached by both the English District and the Lutheran Church—Canada (LCC) to inquire if it would consider offering loans to congregations, other affiliated entities, and church workers of the English District in Canada and of LCC. (While the SELC District was not part of the request to LCEF, LCEF has indicated that if it were to make the requested loans, it would also make similar loans to congregations, affiliates, and church workers of the SELC District in Canada.) After consultation with U.S. and Canadian counsel, LCEF has determined that, if it were to provide such lending services, it would be simplest to utilize CanCorp rather than having LCEF itself register and qualify as a lender in various Canadian provinces and satisfy the requirements of Canadian tax law and nonprofit corporate law. (The commission notes that LCEF itself would not be prohibited by any LCMS Bylaw from lending to members of the LCMS in Canada, cross-border regulatory and business issues notwithstanding.)

CanCorp is an existing nonprofit corporation (under the name "English District of The Lutheran Church—Missouri Synod") that is registered as a charitable organization with the Canada Revenue Agency (the Canadian equivalent of the IRS). Currently, all Canadian congregations of the English District are eligible to be members of CanCorp. If this process is followed, the name will change and LCEF will become the only member of CanCorp.

**Question 1:** Is the creation/conversion of CanCorp the creation of a new synodwide corporate entity under Bylaw 3.6.1.1?

**Opinion:** The commission is of the opinion that CanCorp would not be a new synodwide corporate entity. While a new/newly converted entity, CanCorp would not be, in essence, different than LCEF, the sole member of CanCorp. The functions CanCorp would be doing are the same as those given to LCEF under the Bylaws. LCEF would just be using CanCorp as an instrumentality that it determined is necessary or convenient for carrying out its charge under the Bylaws. However, this does not mean that CanCorp is not subject to the Bylaws (or that LCEF or any other agency can circumvent the requirements of the Bylaws by creating subsidiary entities). As an instrumentality of an agency of the Synod, it would be required to comply with the Synod's Constitution and Bylaws to the same

extent as its parent, LCEF, is. (Cf. "The Articles of Incorporation and Bylaws of the new corporation shall provide that the Board, officers, and all employees and agents of the corporation, as well as the activities of the corporation, are subject to the Bylaws and resolutions adopted by the Synod in convention, and that all of their provisions as to the supervision or coordination of personnel or activities will be applicable to the new corporation to the same extent as if they were directly those of the new corporation." Synod Board of Directors Policy 6.12.1.3, "Approval of New Corporations as Agencies of the Synod," [d]; policy pursuant to 1981 Res. 5-07)

**Question 2:** Would CanCorp be able to make loans to Lutheran Church—Canada (inclusive of its congregations, other affiliated entities, and church workers)?

**Opinion:** This question is essentially the same as the question asked in Op. 23-3003. The only distinction is that LCC is in altar and pulpit fellowship with Synod—and indeed, LCC, along with partner churches in Brazil and Argentina were once part of Synod—whereas the church body of Op. 23-3003 is not. LCC is now, however, an established, independent partner church. The noted distinction is therefore without a difference. Being no longer "within the Synod," LCC and its congregations, other affiliated entities, and church workers as such are no longer within the scope of lending activity permitted to LCEF under Bylaw 3.6.4.

**Question 3:** Would CanCorp be able to provide "district support functions" to the English District?

**Opinion:** The memorandum accompanying the request states that the English District would like to continue to work with CanCorp "to facilitate the support of its Canadian congregations." It is not specified within the memorandum what such support functions entail. If such support functions are limited to providing financial resources and related services, then that would not be problematic as that is LCEF's purpose under Bylaw 3.6.4. If such support functions encompass activities beyond providing financial resources and related services, then that would be beyond LCEF's scope and would not be permissible. Further information is needed from LCEF on this point before a decision can be rendered.

### Review of Proposed Articles

With respect to the proposed articles, the commission notes the following:

- **CanCorp Special Provision (a)** provides that LCEF, as the sole member, would have no right with respect to the assets of CanCorp. This is potentially problematic because, as discussed above, CanCorp is really an instrumentality of LCEF. However, this Special Provision would have the effect of converting any LCEF assets given to CanCorp to assets that LCEF would no longer have a right to or access to (particularly in connection with the dissolution provisions discussed below). Such irrevocable changing of the character of assets is more akin to creation of a new synodwide corporate entity rather than an instrumentality of LCEF. It is the commission's understanding from the memorandum accompanying the request that LCEF would principally, aside from minimal inputs to facilitate basic operations of CanCorp, make loans to CanCorp, rather than contributing assets irrevocably to CanCorp as its sole member. Such loan structure would allow LCEF to retain rights to such assets (since they would contractually need to be repaid). If this structure is used, the commission does not think it would cause issues with allowing this arrangement to move forward. However, the commission would like to see such a restriction either in CanCorp's bylaws or in LCEF's bylaws.

- CanCorp Special Provision (g) is in conflict with Bylaw 1.5.3.6 (b)(2). As a corporation formed by an agency, either (1) CanCorp's governing documents need to include that upon dissolution its assets go to LCEF (as the parent agency) or to the Synod if LCEF is not then in existence or (2) LCEF must obtain Synod Board of Directors permission to exclude or modify such dissolution provisions. Unless and until LCEF obtains such permission from the Board of Directors, CanCorp Special Provision (g) would need to be revised to comport with option (1) in the preceding sentence.
- Similarly, Bylaw 1.5.3.6 (a) provides that CanCorp's governing documents must either (1) include provisions that its governing documents are subject to the provisions of the Constitution, the Bylaws and resolutions of Synod in convention, or (2) LCEF must obtain Synod Board of Directors permission to exclude or modify such provisions. Unless and until LCEF obtains such permission from the Board of Directors, CanCorp's articles would need to be revised to comport with option (1) in the preceding sentence.

#### Review of Proposed Bylaws

With respect to the proposed bylaws, the commission noted the following:

- For CanCorp Bylaw 2.01, similar to the discussion above regarding the articles, either (1) Can Corp Bylaw 2.01 must be revised to delete the introductory clause thereof (starting with "To the extent permissible..."), or (2) LCEF must obtain Synod Board of Directors permission to exclude or modify such provisions. In the memorandum accompanying its request, LCEF argues that a clause such as the introductory clause is inherent in all statements of subordination, whether expressly included or not. This argument proves too much and if followed, would render the final paragraph of Bylaw 1.5.3.6 a nullity, which is an approach the commission simply cannot accept. The intent of Bylaw 1.5.3.6 is that an agency's governing documents contain these provisions in unqualified language. Either this must be done, or the Board of Directors must be petitioned for an exception.
- CanCorp Bylaw 3.01 provides for the appointment of additional members by the membership. LCEF has assured the commission that LCEF, which is intended to be the sole member shortly after revision of the documents, intends to appoint no further members. The purpose for this allowance of further appointments is therefore unclear and contrary to Synod BOD Policy 6.12.1.3 (b), which allows for no further membership beyond the forming entity as the "sole member."
- For CanCorp Bylaw Articles 4, 5, and 6, as discussed in the opinion relating to Question 1 above, an agency cannot use a subsidiary to circumvent the requirements of the Bylaws. Were CanCorp to be *managed* by its sole member, LCEF, then requirements under the Bylaws related to an agency's board would not be applicable (since there would not be one, and any action taken by the subsidiary would need to be directed by the agency, which would act through its governing documents in accordance with the Bylaws). However, having chosen to include a board here, then the requirements of Bylaws related to an agency's (and specifically, LCEF's) board cannot be avoided. With that understanding, there are a number of provisions in the Bylaws that would need to be addressed in CanCorp's Bylaws:
  - Bylaw 3.6.4.3 provides that three directors of the LCEF board shall be elected by Synod in convention and include one ordained or commissioned minister and two laypersons, the remaining voting directors shall be chosen by the members of LCEF, and the Chief Financial Officer of the Synod shall serve as a nonvoting member of the board. Here, to avoid circumventing Bylaw requirements as discussed above, CanCorp's board should have three members elected by the Synod in convention (and include one ordained or commissioned minister and two laypersons), the remaining voting directors chosen by the members of LCEF, and the Chief Financial Officer of the Synod serving as a nonvoting member of the board. (See CanCorp bylaw 5.01 and would also impact the ability to have a staggered board under CanCorp bylaws 5.02 and 5.05.) As the "cloning" of the LCEF board for CanCorp does not seem to be a realistic solution, the fundamental governance relationship of LCEF and CanCorp needs to be revisited to ensure the control appropriate to an agency of an agency.
  - Bylaw 3.6.1.8(a) requires that every member of the governing board shall be a member of a congregation of the Synod. This requirement is not explicitly in the "Qualifications" of board members provision in CanCorp bylaw 4.03. Instead, CanCorp bylaw 5.06 (on nominations of directors) requires that each candidate for the board be a member of a congregation of the Synod. It appears to the commission that the intent was that any vacancy in the CanCorp board (whether initial, following expiration of a term, following removal or following resignation) be filled through election where the nomination provision would be applicable (hence resulting in all directors being members of congregations of the Synod). LCEF may wish to make those connections clearer in the CanCorp bylaws, perhaps by using cross-references to CanCorp bylaw 5.06.
  - Also for requirements of board members, Bylaw 3.6.4.3.2 requires that all board members have an understanding of the church extension program and/or have expertise in related fields. No such similar requirement is included in the CanCorp bylaws.
  - Bylaw 3.6.4.3.1 provides that board members elected by the members of LCEF may be removed by a 2/3 vote of the board for cause. CanCorp bylaw 4.05(a) permits removal for any reason (not just for cause) by a simple majority of the members.
  - Bylaw 3.6.4.3 imposes a maximum term limit for directors of four 3-year terms, whereas CanCorp Bylaw 5.04 allows for unlimited terms.
  - Bylaw 1.5.3 requires meetings at least quarterly, whereas CanCorp Bylaw 6.03 only requires one meeting per year.
- It is unclear to the commission why the President of the English District and the LCEF Vice President for the English District are afforded special rights (e.g., CanCorp bylaws 6.04 and 7.05). Perhaps this is because CanCorp would be the same entity (with a new name) as the existing English District entity in Canada. While not violative of the Bylaws, LCEF may want to review those provisions and determine if such special rights should be retained (and if so, whether they should be extended to similar positions related to the SELC District, which also has congregations in Canada).
- Under CanCorp Bylaw 8.01, the CanCorp board has broad discretion in making policies, being limited only by applicable law and the CanCorp Bylaws. However, as an agency of the Synod, it should be subject to the Synod's

Constitution and Bylaws and resolutions enacted by the Synod in convention (see, e.g., Bylaw 3.6.1.8 [b]).

- Additionally, CanCorp Bylaw 8.01 gives the CanCorp board authority to institute policies with respect to conflicts of interest “in consultation with” the Synod. However, Bylaw 1.5.2 requires every agency of the Synod to implement the synodwide conflict of interest policy, so the CanCorp board would not have discretion there, whether or not the Synod was “consulted” with (see also CanCorp Bylaw 11.01).
- With respect to CanCorp Bylaw 9.01(a)(i), to the extent (as discussed below with respect to CanCorp Bylaw 9.02) the Chair of the Board is really the chief executive of the agency, then Bylaw 1.5.1.1 would prohibit that person from serving on the CanCorp board as well.
- Under CanCorp Bylaw 9.02, the “Chair of the Board” appears to the commission to be the chief executive officer of CanCorp (rather than just being the presiding director at meetings of the board). Under Bylaw 3.6.1.5, the President of the Synod has a role in making those appointments, which would need to be included in the CanCorp bylaws.
- CanCorp Bylaws 10.01 and 10.02 appear to be amalgamations of Bylaws 1.5.3.3 and 1.5.3.4. CanCorp Bylaw 10.03 makes clear that these Standing Committees and Ad Hoc Committees may have non-board members. In order for a committee to have non-board members, under Bylaw 1.5.3.4, those individuals must be specialists providing professional or technical assistance to the board. And while Bylaw 1.5.3.4 does allow for delegation to such committees, the board must retain supervision of that committee. Such committees shall also be reported to the President and Board of Directors of the Synod.
- Under CanCorp Bylaws 18.01 and 18.03, the CanCorp Bylaws and any future amendments are effective upon passage by the CanCorp board. However, Bylaw 3.6.1.7 requires that prior to becoming effective, all governing documents must be approved by the Board of Directors of the Synod and by the commission (see also Bylaw 3.6.1.8 [c], which imposes additional requirements on amendments affecting certain subject matters). CanCorp Bylaw 18.02 provides that amendments to the CanCorp articles may only be amended “in consultation with” the Synod. The commission is of the opinion that mere consultation is not sufficient for Synod’s role in amendments. Consultation is the act of conferring or discussing with. It does not imply or bestow any authority on the person being consulted with (see, e.g., Bylaw 3.6.1.5 where it clearly draws a distinction between “consultation with” and “with the mutual concurrence of”). The Bylaws, however, provide for a greater role for the Synod. The Synod is given the power to accept or reject. An agency is not free to unilaterally disregard the decisions of the Synod. Similar changes regarding amendments would need to be made to Section 5 of the CanCorp Articles.
- CanCorp Bylaws do not contain the language required by Board of Directors Policy 6.2.1.3 [f] (which is pursuant to 1981 Res. 5-07), stating that “The Bylaws of the corporation shall provide that minutes of its Board of Directors or other governing board, and regular independently audited financial statements, shall be promptly furnished to the Board of Directors of [the member]. The Bylaws of the district, seminary, college, university, or other corporation of the Synod shall require its Board of Directors to review and to

appropriately respond to the content of those minutes and financial statements.”

- The commission notes that CanCorp Bylaw 19.01 should entirely repeal and replace the prior bylaws, not just to the extent they are inconsistent. If the repealing and replacing are only limited to prior bylaws that are inconsistent, there could be prior bylaws that are not inconsistent (such as those that address areas not covered by these bylaws) that are still effective and would therefore need to be reviewed and approved in light of the changes being proposed.

The commission appreciates the difficulties inherent in trying to operate across national boundaries. However, it is not the commission’s task to evaluate whether something is a good idea or should be permissible; instead, the commission is to evaluate the request in light of the Bylaws as they currently stand. As it currently stands, the commission cannot approve the proposed CanCorp Articles and Bylaws.

## University Board of Regents Unilateral Separation (23-3006)

*Minutes of March 30, 2023*

The Board of Directors of the Synod has submitted a series of ten questions related to actions taken November 8, 2022, by the Board of Regents of Concordia University Texas (CTX), requesting an opinion from the Commission on Constitutional Matters. In conjunction with Bylaw 3.9.2.2 (b) the commission invited input from the President of the Synod, the Synod Board of Directors, the Concordia University System (CUS) Board of Directors, the Boards of Regents of all CUS Universities, Dr. Dean Wenthe, president of CUS, and Mr. Matthew Buesching (LCMS Counsel).

Before specifically addressing the questions submitted, the commission deems it necessary to provide as background a summary overview of the pertinent sections of the Constitution and Bylaws of the Synod pertaining to the Synod Board of Directors, agencies of the Synod, and universities of the Synod, which apply to the questions submitted.

Summary Overview of Pertinent Sections of the Constitution and Bylaws Regarding the Synod Board of Directors, Agencies of the Synod, and Universities

### Synod Board of Directors

Article XI E 2 identifies the Synod Board of Directors as “the legal representative and custodian of all the property of The Lutheran Church—Missouri Synod, directly or by delegation of such authority to an agency of the Synod.” The Synod Board of Directors exercises “supervision over all property and business affairs” of the Synod “except in those areas where it has delegated such authority to an agency of the Synod or where the voting members of the Synod through the adoption of bylaws or other convention action have assigned specific areas to separate corporate or trust entities,” and regarding these the Synod Board of Directors has “general oversight responsibility as set forth in the Bylaws.”

Bylaw 1.2.1 (r) in relevant part defines the property of the Synod as “all assets, real or personal, tangible or intangible whether situated in the United States or elsewhere, titled or held in the name of corporate Synod, its nominee, or an agency of the Synod.”

The Synod Board of Directors is the “legal representative” of the Synod and the “custodian of all property of the Synod.” It is responsible for “the general management and supervision of the business affairs of the Synod except where management authority and duties have been delegated” to, here, an agency “by the Articles of Incorporation, Constitution, Bylaws of the Synod, or by

resolution of a convention of the Synod.” (Bylaw 1.4.4) When authorized by the Bylaws, an agency, to which this authority was delegated by this provision, is entrusted with the management and business affairs of the Synod “to the extent of its jurisdiction.”

Bylaw 3.3.4.3 assigns to the Synod Board of Directors the responsibility to provide for “review and coordination of the policies and directives of the Synod authorized by the Constitution, Bylaws, and resolutions of the Synod, evaluating plans and policies and communicating to the appropriate boards and commissions suggestions for improvement...”

Bylaw 3.3.4.4 gives the Synod Board of Directors responsibility for the “general management of the business and legal affairs of the Synod.” It is “authorized to take action on behalf of the Synod related to business and legal affairs which has not been expressly delegated by the Constitution, Bylaws, and resolutions of the Synod to other officers or agencies of the Synod,” and to those it has “general oversight.” Bylaw 3.3.4.7 designates the Synod Board of Directors as the custodian of all property of the Synod as defined in Bylaw 1.2.1 (r). However, it may delegate these powers to any agency of the Synod that has direct supervisory responsibility of that property.

Bylaw 3.3.4.10 authorizes the Synod Board of Directors to obtain from any agency of the Synod all records and other information relative to the property of the Synod and to matters over which the Board of Directors has general oversight.

#### Agencies

In the structure of the Synod an agency is defined in Bylaw 1.2.1 (a), which defines an agency as “any instrumentality other than a congregation or corporate Synod...caused or authorized to be formed” by the Synod in convention or by the Synod Board of Directors. A listing of agencies then follows, specifically including every board and university of the Synod.

Bylaw 1.4.1 states that Synod’s delegate convention is “the legislative assembly” of the Synod, which alone “ultimately legislates policy, program, and financial direction” for the work of the Synod. It “reserves to itself the right to give direction to all officers and agencies of the Synod.” Unless explicitly indicated in the Bylaws, all officers and agencies are “accountable to the Synod for all their actions.” Bylaw 1.4.3 states that “Officers of the Synod and its agencies serve in accordance with duties assigned to them or otherwise authorized by the Constitution and appropriate bylaws.”

Because agencies were caused or authorized by the Synod, are given direction by the Synod via its Constitution, Bylaws, and Resolutions, and are accountable to the Synod, every agency is bound by the Constitution, Bylaws, and Resolutions of the Synod (Bylaw 1.4.5). An agency does not have authority to amend or alter the Bylaws of the Synod or the applicability of the requirements of the same to itself. Only a delegate convention of the Synod has authority to amend the Bylaws (Article XIV). Therefore, any action taken by an agency which contradicts the Constitution, Bylaws, or resolutions of the Synod is null and void, as is specifically stated in CCM opinion 05-2439 (from Question 2) “... any action or resolution by any officer, board, commission, district, or other agency of the Synod that is in violation of the Synod’s Constitution and Bylaws is null and void.”

Bylaw 1.5.2 requires all members of boards or commissions of every agency to avoid conflicts of interest as described in the Bylaw. Bylaw 1.5.2 (b) states that all board members of an agency must carry out their responsibilities “in a manner reflecting the highest degree of integrity and honesty consistent with the Scriptures, Lutheran Confessions, Constitution, Bylaws, and resolutions of the Synod...” Board members of an agency shall not enter into activities

that “may be detrimental to the interests of the Synod.” Inappropriate activity, if it does not cease, is a cause for removal. Bylaw 1.5.2 (c) requires that prior to accepting a position, all elected and appointed board members of an agency must sign a statement that they have received, understand, and agree to abide by this provision. Bylaw 1.5.7 describes the causes of and process for removal from membership on a board or commission, with a breach of fiduciary duty regarding responsibilities to the Synod or agency included among the causes for removal.

#### Universities as Agencies of the Synod

The Constitution, Bylaws and resolutions of the Synod are directly applicable and binding on all universities of the Synod, as agencies of the Synod (Bylaw 1.2.1 [a]), and to the boards of regents governing them. The confessional position of the Synod as stated in Article II, namely and without reservation, the Scriptures as the Word of God and the Lutheran Confessions as a true and unadulterated statement and exposition thereof, is applicable and binding on the entire Synod, which includes all its agencies, as well as the individual and congregational members of the Synod. Article III lists among objectives of the Synod the training of professional church workers (Const. Art. III 3) and the support of *synodical* colleges and universities (Const. Art. III 5) *subject to the Scripture and Lutheran Confessions*. The Synod’s universities have been formed and incorporated into the Synod to serve these fundamental ecclesial purposes. (The formation of what would become Concordia University Texas was directed by resolution of the Synod Convention in 1923 [*Proceedings*, p. 30].) Constitutional and Bylaw provisions dealing with governance of the institutions—including the assignment of ecclesiastical supervision and oversight to responsible officers and the entrusting of institutional governance to the regents, jointly and severally, acting as fiduciaries of the Synod—are intended to preserve for the ministry and mission of the Synod the institutions that the member congregations, acting through the Synod, have created, sustained, and relied on (Bylaw 1.1.1 [b]).

A university which wishes to change its articles of incorporation (by amendment or restatement) or its bylaws is required to receive advance approval from the Commission on Constitutional Matters of the Synod (Bylaw 3.9.2.2.3 [a]). Failure to do so makes such a change null and void—as it has been adopted contrary to the Bylaws of the Synod, to which every agency is bound—and unable to be put into practice.

The Bylaws of the Synod prescribe membership of the board of regents, how members are elected or appointed, their term of office, and maximum number of consecutive terms an individual may serve (Bylaw 3.10.6.2). The only way by which any of these requirements prescribed in the Bylaws can be changed is by action of a delegate convention of the Synod amending the Bylaws of the Synod, since a delegate convention of the Synod is the sole legislative body of the Synod, and it alone has authority to change the Bylaws (Article XIV). Should an agency make any change to its Bylaws that violate the Bylaws of the Synod, such changes are null and void, as the Bylaws of the Synod control and supersede (Bylaws 1.4.3, 1.4.5, 1.5.2 [b], 1.5.3.6, etc.). Such a change could only be enacted if a future delegate convention of the Synod amended the Synod’s Bylaws.

The members of the board of regents of a Synod university, who have signed a statement prior to taking office affirming they have received, understand, and agree to abide by the conflict of interest provisions of Bylaw 1.5.2, are required to operate the institution “as an agent of the Synod, in which ownership is primarily vested, and which exercises its ownership through the Board of Directors as the custodian the Synod’s property” and then through “the Board of

Directors of Concordia University System” and, finally, through “the respective board of regents.” In operating the institution, the university board of regents is to “carefully exercise its fiduciary duty to the Synod.” (Bylaws 3.10.6.4 [i] and 3.10.6.4 [i][1]) While the university board of regents does have ultimate responsibility and independence in operating the institution, it always remains subject to the pre-established Bylaws of the Synod (Bylaw 3.10.6.5).

The Bylaws of the Synod provide a specific procedure for the consolidation, relocation, separation, or divestment of a university (Bylaw 3.6.6.4 [i]), which does not allow a university to unilaterally separate itself from the Synod, or declare itself to be independent of the Synod. According to this prescribed procedure for a university to be divested it requires a two-thirds vote of approval by the Synod Board of Directors, along with the approval by two-thirds vote of one of the following three: the Council of Presidents, the board of regents of that university, or the Concordia University System Board of Directors.

Should such an action (separation or divestiture) be taken as prescribed in Bylaw 3.6.6.4 (i), the result would be that the university now separated or divested would no longer be an agency of the Synod, which in turn would have several repercussions. Some of these would include the loss of functions exclusively reserved to “colleges and universities of the Synod,” under its forms of ecclesiastical governance and ecclesiastical supervision:

- Graduates from the university or those satisfactorily completing an approved program would no longer be eligible to receive a call or be eligible for individual membership in the Synod as commissioned ministers. (Bylaws 2.7.1–3; 2.8; 2.9)
- Those individual members of the Synod, (commissioned or ordained) currently serving the university would no longer be eligible to be classified as active members of the Synod (Bylaw 2.11.1). If such individuals wished to continue as individual members of the Synod, they would need to apply for candidate status or if qualified for emeritus status. (Bylaws 2.11.2; 2.11.2.1; 2.11.2.2)
- The university would no longer be eligible for advisory representation at conventions of the Synod under Bylaw 3.1.4.2 (a).
- Finally, the university would no longer be entitled to participate in those services offered by the synodwide corporate entities, which are reserved to agencies of the Synod.

#### Questions Submitted

**Question 1:** Does a board of regents of a university of the Synod have authority to unilaterally change its governance model from that described in Synod Bylaw 3.10.6 (modifying the means of appointment of its board of regents, for example)?

**Opinion:** No. It is only a delegate convention of the Synod that, as the legislative body of the Synod, has authority to amend the Bylaws of the Synod (Article XIV) or the Constitution of the Synod (Article XV). Until such an action by a delegate convention of the Synod takes place, the members of a university board of regents have no authority or ability to change the governance model of Bylaw 3.10.6—which, as noted above, exists in the ultimate interest of furthering the Synod’s ecclesial purposes—remains binding on any university of the Synod. Unless a university were to be separated or divested by the Synod under Bylaw 3.6.6.4 (i), any such changes by a board of regents to the governance model described in Bylaw subsection 3.10.6 would be null and void, and the Synod would

continue to operate according to the Bylaws as adopted by the convention and published in the *Handbook* in all areas including elections and membership on the board of regents. Individual regents act outside their authority and contrary to their individual fiduciary duties to the Synod when they affirm such an action (Bylaws 1.5.2 [b] and [b][1]; 3.10.6.4 [i] and [i][1–2]).

**Question 2:** Does a board of regents of a university of the Synod have authority to amend its articles or bylaws without the prior approval described in Synod Bylaw 3.9.2.2.3 (a)?

**Opinion:** No. As an agency of the Synod, the board of regents of a university of the Synod may only amend its bylaws or articles of incorporation with prior approval of the Commission on Constitutional Matters of the Synod. Any such change made without that approval would be null and void (Bylaw 3.9.2.2.3 [a]). If such a proposed change to the articles or bylaws of the university were contrary to the Constitution and Bylaws of the Synod as then current, the commission would be required to reject such change. Outside the convention itself, the commission has the sole authority to interpret the Constitution, Bylaws, and resolutions of the Synod and has no authority to alter or waive their requirements (Bylaw 3.9.2).

**Question 3:** Does a board of regents of a university of the Synod have an obligation to comply with the Constitution and Bylaws of the Synod, including without limitation Article II and Article III of the Constitution, when operating and managing and taking action on behalf of the university, including an action purporting to separate the university from the Synod?

**Opinion:** Yes. The Constitution in all its articles, the Bylaws, and the resolutions of the Synod are binding on all agencies of the Synod, which includes every university. A board of regents of a university of the Synod operates the university as a fiduciary and an agent of the Synod, which includes being faithful to the confessional position (Article II) and the Objectives of the Synod (Article III) and faithfully maintaining and adhering to the model of governance set forth by the Synod (Bylaw 3.10.6.4 [i][1–2]). Ownership of the university remains primarily invested in the Synod, and is exercised first through the Synod’s Board of Directors, which is the custodian of all property of the Synod, then through the CUS Board, and finally through the board of regents, operating with the authority set forth for it in the Bylaws of the Synod. In operating the institution as an agent of the Synod, a board of regents of a university and its members are bound to carefully exercise its fiduciary duty to the Synod. (Bylaws 3.10.6.4 [i] and 3.10.6.4 [i][1]) If a university board of regents were convinced that it was in the best interest of both the Synod and that institution for the institution to be divested or separated from the Synod, then it would be obligated to follow the process detailed in Bylaw 3.6.6.4 (i) and to submit to its conclusion.

**Question 4:** Do individual members of a Synod university board of regents have a duty to comply with the Constitution and Bylaws of the Synod, including without limitation Article II and Article III of the Constitution, when operating and managing and taking action on behalf of the university, including an action purporting to separate the university from the Synod?

**Opinion:** Yes. Constitutional and Bylaw provisions dealing with governance of the institutions—including the assignment of ecclesiastical supervision and oversight to responsible officers and the entrusting of institutional governance to the regents, jointly and severally, acting as fiduciaries of the Synod—are intended to



preserve for the ministry and mission of the Synod the institutions that the member congregations, acting through the Synod, have created, sustained, and relied on (Bylaw 1.1.1 [b]). Any noncompliance with these provisions on the part of a board of regents or individual regent is therefore *not in the interest of the Synod*. Bylaw 1.5.2 (b) and (b)(1) require that every board member of every agency of the Synod shall, when operating and managing and taking action on behalf of such agency (in this case, the university), carry out responsibilities in a manner “reflecting the highest degree of integrity and honesty consistent with the Scriptures, the Lutheran Confessions, the Constitution, Bylaws, and resolutions of the Synod,” and shall act consistently *in the interest of the Synod*. “Any inappropriate activity shall cease or the position will be vacated.” (Bylaw 1.5.2 [b][1]) As a board of the Synod (Bylaw 3.2.2 [6]), a board of regents, which has been given authority to manage the university on behalf of the Synod, has a direct, “fiduciary” responsibility *to the Synod*, which is to be exercised carefully (Bylaw 3.10.6.4 [i][1]). Bylaw 1.5.1.3 requires each member of a board be sensitive in all activities to avoid “taking or giving offense, giving the appearance of impropriety, causing confusion in the Synod, or creating potential liability.” Regarding separating or divesting the university from the Synod, see the answer above.

**Question 5:** Is a university of the Synod and its board of regents an eligible party subject to the Dispute Resolution Process set forth in Synod Bylaw 1.10?

**Opinion:** Yes. Agencies of the Synod are included in those to whom the Dispute Resolution Process applies. (Bylaw 1.10.3)

**Question 6:** Assuming a university of the Synod and its board of regents are eligible parties to the Dispute Resolution process set forth in Synod Bylaw 1.10, does the Dispute Resolution process apply to a dispute between the Synod (or its President or Board of Directors) and a board of regents regarding that board of regents unilaterally amending or modifying its governance documents, and regarding whether the action of the board of regents is within the authority granted to it under the Constitution and Bylaws of the Synod?

**Opinion:** Essentially, no. The fundamental material question of whether a Synod university has the authority to unilaterally change its governance from that prescribed in the Constitution, Bylaws, and resolutions of the Synod, since such a question pertains fundamentally not to the presenting fact situation but to the interpretation and meaning of the Constitution, Bylaws, and resolutions of the Synod, is outside of the authority of the Dispute Resolution Process to arbitrate or adjudicate, as stated in the Bylaws. Authority to interpret the Constitution, Bylaws, and Resolutions of the Synod is specifically given by the Bylaws only to the Synod’s Commission on Constitutional Matters (Bylaw 3.9.2.2). Any Dispute Resolution Process is subject in all its aspects to “Holy Scripture, the Lutheran Confessions, and the Constitution and Bylaws of the Synod” (Bylaw 1.10.18). As to the Constitution and Bylaws of the Synod, opinions of this commission are finally dispositive of any questions as to their interpretation that arise during a Dispute Resolution Process (Bylaw 1.10.18 [h], [h][1]). While the question of whether a board of regents has the authority described is thus finally resolved by this commission’s interpretation of the Constitution and Bylaws in the negative, this is not to foreclose the applicability of the Dispute Resolution Process to disagreements or disputes, related to or arising out of this action, as may apply to the board of regents as a whole or to individual regents as “members of congregations of the Synod elected or

appointed to positions with...an agency of the Synod” (Bylaw 1.10.2 [5]).

**Question 7:** Assuming that the noted parties and issue would be subject to the Dispute Resolution Process, would the outcome of the process, presuming that it is consistent with the Constitution, Bylaws, and resolution of the Synod, be binding on the parties involved.

**Opinion:** The Constitution and Bylaws of the Synod are of themselves generally, and as to the central material question noted above in particular, already binding on both the parties and on the outcome of any Dispute Resolution Process, as explained above. As to other aspects of related disagreements or disputes, the outcome of any Dispute Resolution Process, provided it is consistent with “Holy Scripture, the Lutheran Confessions, and the Constitution and Bylaws of the Synod” (Bylaw 1.10.18), would be binding on the parties.

**Question 8:** Can a university of the Synod and its Board of Regents avoid the Dispute Resolution Process set forth in Synod Bylaw 1.10 by taking unilateral action purporting to separate the university from the Synod (cf. Synod Bylaw 1.10.2)?

**Opinion:** No. “No person, congregation, *or agency* to whom or to which the provisions of this dispute resolution process are applicable because of their membership in the Synod may render this procedure inapplicable by terminating that membership during the course of the dispute resolution process” (Bylaw 1.10.2).

**Question 9:** What is the nature and scope of a board of regents’ *fiduciary* duties to the Synod as stated in Synod Bylaw 3.10.6.4 (i)(1)? Are these fiduciary duties solely secular duties or do these fiduciary duties also encompass operating and managing the institution as a fiduciary and an agent of the Synod in a manner consistent with Constitution and Bylaws of the Synod, including without limitation Article II and Article III of the Constitution?

**Opinion:** The term *fiduciary* is a commonly used legal term of art. *Black’s Law Dictionary* (11<sup>th</sup> Ed.) offers two definitions, both of which inform the use of the term to describe the duties regents owe *to the ecclesial Synod*. A *fiduciary* is: “1. Someone who is required to act for the benefit of another person on all matters within the scope of their relationship; one who owes to another the duties of good faith, loyalty, due care, and disclosure. 2. Someone who must exercise a high standard of care in managing another’s money or property.” The commission finds that these common definitions are included within but may not exhaust the sense of “fiduciary duty” that may be inferred from the immediate context of Bylaw 3.10.6.4 (i)(1). More specifically, the context in Bylaws 3.10.6, 3.10.6.1, and 3.10.6.4 provides, without exhausting the full scope of said “fiduciary duties to the Synod,” some particular aspects of the responsibilities regents owe the Synod in governing the respective institution in a manner that is faithful to the confession of the Synod (Const. Art. II) and fulfills its objectives (Const. Art. III; Bylaw 3.10.6.1). The fiduciary duties expected of regents are thus not purely secular but involve the comprehensive stewardship of the institution in the ecclesial interest of the Synod, which has put them in place to govern. Governing the institution as a “fiduciary” or “agent of the [ecclesiastical] Synod, in which ownership is primarily vested” (Bylaw 3.10.6.4 [i][1]) and, indeed, as a “governing board of the Synod” (Bylaw 3.2.2), they owe duties of “good faith, loyalty, due care, and disclosure” and a “high standard of care” to maintain the institution in faithfulness to the Synod’s confession (Const. Art. II); in fruitfulness with regard to the accomplishment of the Synod’s

objectives (Const. Art. III and relevant Bylaws, resolutions, and policies, as such pertain to the operation of a Synod university); and consistent in every respect with the governance model Synod has set forth to assure the institution operates in its ecclesial interests (see above, “Universities as Agencies of the Synod” and Opinion to Question 4).

**Question 10:** If a board of regents of a university of the Synod fails to carry out or breaches its fiduciary duties to the Synod as required in Synod Bylaw 3.10.6.4(i)(1), who or what body, within the Synod, has the authority and responsibility to take action to address and correct the breach of fiduciary duty, including proceeding under the Dispute Resolution Process or, if appropriate, taking action in secular court?

**Opinion:** Bylaw 3.3.1.1.1 assigns ecclesiastical supervision of all officers of the Synod and its agencies to the President of the Synod. Bylaw 3.3.1.1.1 (c) gives the President the responsibility and authority to exercise ecclesiastical supervision over the doctrine taught and practiced at the universities of the Synod.

Bylaw 3.3.1.2 assigns to the President of the Synod oversight of all the agencies of the Synod to ensure that these agencies are acting in accordance with the Constitution, Bylaws, and resolutions of the Synod. Specifically in regard to the educational institutions of the Synod, the President is charged to officially visit or cause to be visited all these institutions to exercise oversight over their administration relative to adhering to the Constitution, Bylaws, and Resolutions of the Synod (Bylaw 3.3.1.2 [a]).

If the President of the Synod determines there is a violation of the Constitution, Bylaws, and resolutions of the Synod, he may call up for review any such action and request that this action be altered or reversed. If the matter is not resolved, the President of the Synod shall refer the matter, as he deems appropriate to the issues and party/parties to the matter involved, to the Synod Board of Directors, the Commission on Constitutional Matters, or to a convention of the Synod. He is also required to report to the Synod those who are not acting in accordance with the Constitution, Bylaws, and Resolutions of the Synod. (Bylaw 3.3.1.2 [c])

The unauthorized separation of a university of the Synod (which is included in property of the Synod) from the Synod inherently involves a legal and property matter properly to be referred by the President (Bylaw 3.3.1.2 [c][2]) to the Board of Directors as the legal representative and custodian of the property of the Synod (Article XI E 2), which then carries out its constitutional authority in the interest of the Synod. Any conflict or uncertainty in determining the authorities of the officers and agencies of the Synod in this respect is to be resolved as set forth in Articles of Incorporation, Article V. Referral by the President of the legal and property matters involved to the Board of Directors does not exclude the President’s authority otherwise to exercise, or see to the exercise of, ecclesiastical supervision (Bylaw 1.2.1 [j]) or detract from “the President’s constitutional duty to report to the Synod those who do not act in accordance with the Constitution and do not heed his admonition, as prescribed in Constitution Art. XI B 2” (Bylaw 3.3.1.2 [c][3]).

The commission has treated the approach that most naturally, in its opinion, followed from the question, but notes that its answer is not to exclude other processes possible under the Bylaws, including the process under Bylaw 1.5.7.1 or other Dispute Resolution Processes (Bylaw section 1.10) among eligible parties involved in the matter.

## Service of a Synod Congregation (23-3009)

*Minutes of April 28–29, 2023*

By an email of April 4, a district president requested an opinion on the following two questions:

**Question 1:** Is a congregation in violation of Constitution Article VI 3 and Bylaw 2.5.2 if it has as its worship leader a pastor, not called by the congregation, who is Lutheran and has promised to teach completely in line with Lutheran Church—Missouri Synod (LCMS) teaching but is on neither the roster of the Synod nor that of a church body in altar and pulpit fellowship with the Synod?

**Question 2:** Does a district president have the authority to authorize a pastor who is a member of a church body with which the LCMS is not in altar and pulpit fellowship to proclaim the Word and administer the Sacraments on a regular basis to a congregation of the Synod?

### Background:

Constitution Article VI lists the conditions of membership in the Synod. The first three of these conditions are pertinent for the questions raised, and read:

1. Acceptance of the confessional basis of Article II.
2. Renunciation of unionism and syncretism of every description, such as:
  - a. Serving congregations of mixed confession, as such, by ministers of the church;
  - b. Taking part in the services and sacramental rites of heterodox congregations or of congregations of mixed confession;
  - c. Participating in heterodox tract and missionary activities.
3. Regular call of pastors and any commissioned ministers and regular election of lay delegates by the congregations, as also the blamelessness of the life of such.

In the original 1847 constitution, current Const. Art. VI 3 (in the 1847 arrangement, as Const. Art. II 5) read, “Proper [*ordentlicher*] (not temporary [*nicht zeitweiliger*]) calling of the pastors and orderly [*ordentliche*] election of congregational delegates by the congregation. The life of both minister and delegate must be beyond reproof.” (*Concordia Historical Institute Quarterly*, April 1943, p. 3) This wording of today’s Const. Art. VI 3 was intended to reject two common trends then occurring in the Lutheran Churches in the United States: The one was a mentality of “we hired the pastor and pay him, so we can tell him what to do and fire him at will.” The other was the practice of licensing candidates for the ministry for a set period of time as a trial period. The wording rejects these based on the nature of a call as a divine call, directed by God; as such, it should not have any preset time limitation.

More recently, the Synod’s current understanding of phrase “regular call of pastors” is described in 1969 Res. 5-23. The resolution states: “The term *regular call* as used in our Synod has always meant a call extended in conformity with the procedures adopted by the Synod as set forth in the *Handbook*” (p. 120).

Constitution Art. VI 1 and 2 would also apply to the questions as asked. Const. Art. VI 1 refers back to the confessional statement of the Constitution and requires acceptance of that statement as a condition of membership. Const. Art. VI 2 requires congregations and individual members to reject all mixing of doctrine and practice with those who teach differently. There is to be doctrinal agreement between the congregation and the pastor serving it. This precludes an individual who is a member of a church body not in altar and

pulpit fellowship with the LCMS from being called or serving a member congregation.

#### Regarding Bylaw 2.5.2

Bylaw 2.5.2 currently reads:

Congregations that are members of the Synod, as well as association schools, agencies, auxiliaries, and recognized service organizations shall call and be served only by (1) ordained ministers who have been admitted to their respective ministries in accordance with the rules and regulations set forth in these Bylaws and have thereby become members of the Synod; (2) candidates for the pastoral ministry who have satisfied the qualifications and requirements for assignment of first calls by the Council of Presidents acting as the Board of Assignments; or (3) ordained ministers who are members in good standing of church bodies that have been formally recognized to be in altar and pulpit fellowship with the Synod when agreements for such calls are in place.

A bylaw requiring congregations to call and be served only by ordained members and teachers who are on the roster of the Synod was first adopted by the 1969 convention partially in response to 1969 Overture 5-05, which referenced pastors who had resigned from the Synod but still wished to continue to serve the congregation which had called them (*Workbook*, p. 229).

In part, the preamble to the resolution, 1969 Res. 5-23, “To Reiterate in Bylaws that Member Congregations Must Be Served by Members of the Synod,” states (*Proceedings*, pp. 119–20):

One of the very purposes of synodical fellowship is to provide guidance and help in the exercise of congregation’s right to call a pastor, and one of the very reasons why a synod exists is to set standards for the parish pastorate so that the individual congregation may be assured that the man whom it calls is qualified to serve as its parish pastor (Charter, Art. II b; Constitution, Article III 3).

To this end The Lutheran Church—Missouri Synod establishes procedures for determining whether men meet the standards. One of the advantages which a congregation receives when it joins the Synod is the protection against pastors who do not meet such standards.

...

In order that there may be no misunderstanding or misinterpretation of the condition that the membership of congregations in the Synod requires of a congregation that all pastors, as also all teachers, who are called to and who serve the congregations of the Synod must have been admitted to the ministry of the Synod in accordance with the procedures provided by the Synod for certification, recommendation, ordination, or commissioning of such pastors or called teachers, this committee deems it advisable to reiterate the basic constitutional requirements in clear and unmistakable words also in the Bylaws;

The convention adopted Bylaw 4.02, below (printed in the 1969 *Handbook* as 4.01; *Proceedings*, pp. 119–20):

#### **4.02 Eligible Pastors and Teachers**

a. Congregations which are members of the Synod, in conformity with Article III, 3 of the Constitution of the Synod, shall call and be served only by pastors and called teachers who have been admitted to these respective ministries in accordance with the rules and regulations set forth in the synodical *Handbook* and have thereby become members of the Synod.

b. Congregations which violate this requirement and persist in such violation shall after due admonition forfeit their membership in the Synod.

While the Bylaws were renumbered in the following year, and the term *teachers* was eventually changed to *commissioned ministers*, this bylaw remained essentially unchanged until the 2001 convention of the Synod. During this intervening period, the status of women who were graduates of colleges of the Synod and were teaching in the schools of the congregations of the Synod changed, so that they were allowed to become members of the Synod and be placed on the roster of the Synod. In addition, the use of teachers who were not trained in the institutions of the Synod and therefore not eligible for membership in the Synod, greatly increased in the day schools of the congregations of the Synod, which placed them in violation of this bylaw. The result was that 2001 Res. 7-12, “To Separate Calling and Service of Clergy from Other Church Workers” (*Proceedings*, p. 168), changed the bylaw to read:

#### **2.45 Calling Ministers of Religion**

a. Congregations shall seek the advice of the respective District President when calling ordained or commissioned ministers.

b. Congregations that are members of the Synod shall call and be served only by ordained ministers who have been admitted to their ministries in accordance with the rules and regulations set forth in these Bylaws and have thereby become members of the Synod.

c. Congregations that are members of the Synod shall call only commissioned ministers who have been admitted to their ministries in accordance with the rules and regulations set forth in these Bylaws and have thereby become members of the Synod.

d. Congregations that violate these requirements and persist in such violation shall, after due admonition, forfeit their membership in the Synod.

This change demonstrates that the terms *call* and *be served by* are not to be regarded as synonyms. In today’s practice many others are serving congregations by leading worship without a call. Emeritus pastors regularly serve as vacancy pastors, at times for congregations not in the process of calling, or regularly simply serve in vacant congregations every Sunday, often for periods of a year or more, which might include offering the sacraments and conducting weddings and funerals. Ordained ministers on candidate status also are eligible to serve in the same way. Students from the seminaries of the Synod lead worship in congregations that have no pastor. Vicars on occasion are the only one serving congregations with their supervising pastor called by and serving a neighboring congregation. While these other instances of serving reflect a wide variety, what is consistent is that those serving are either ordained members of the Synod, or students authorized by a seminary of the Synod and under the supervision of an ordained member of the Synod.

**Question 1:** Is a congregation in violation of Constitution Article VI 3 and Bylaw 2.5.2 if it has as its worship leader a pastor, not called by the congregation, who is Lutheran and has promised to teach completely in line with LCMS teaching but is on neither the roster of the Synod nor that of a church body in altar and pulpit fellowship with the Synod?

**Opinion:** In its response, the commission understands the term *worship leader* as used in this question to mean the individual performing the role of the pastor in the public worship of the

congregation, proclaiming the Word and/or administering the Sacraments.

A pastor who is not a member of the Synod or of a church body with which the Synod is in altar and pulpit fellowship is ineligible either to be called by a congregation or to serve a congregation by leading worship. For a congregation to so call or be served would be a violation of the conditions of membership under Const. Art. VI 3. Bylaw 2.5.2 requires congregations to “call and be served only by” individuals listed in the three following categories (i.e., ordained ministers on the roster of the Synod; candidates certified for initial placement, for example, by successful completion of colloquy; and ordained ministers in good standing on the roster of church bodies in altar and pulpit fellowship with the Synod), the word “only” highlighting the exclusive nature of this requirement. A congregation may not *call* an excluded individual. The words “and be served by” indicate that a congregation also may not be *served* by an excluded individual in a pastoral capacity (such as by his leading worship), *even if it does not call him* (Cf. Op. 20-2957). By calling or being served by an excluded individual, the congregation puts its membership in the Synod in jeopardy (Bylaw 2.5.4; Const. Art. VI 3; XIII 1).

**Question 2:** Does a district president have the authority to authorize a pastor who is a member of a church body with which the LCMS is not in altar and pulpit fellowship to proclaim the Word and administer the Sacraments on a regular basis to a congregation of the Synod?

**Opinion:** No. A district president does not have the authority to ignore the Constitution and Bylaws of the Synod but rather needs to admonish a congregation that insists on calling or being served by a pastor who is a member of a church body not in pulpit and altar fellowship with the Synod that by doing so the congregation puts its membership in the Synod in jeopardy (Bylaw 2.5.4; Const. Art. VI 3; XIII 1).

### Scope of Bylaw 1.9.1.1 (b) concerning Concordia Publishing House (23-3010)

*Minutes of June 8–11, 2023*

At the request of the Board of Directors of Concordia Publishing House (CPH), clarification was sought on the relationship between Bylaw 1.9.1.1 (b) and Bylaw 3.6.3 (d).

**Question 1:** Is CPH considered a “board[], commission[], or other subordinate group[] of the Synod” pursuant to Bylaw 1.9.1.1 (b) which may produce study documents and exploratory material, which if properly marked, may be published without first being submitted to the doctrinal review process?

**Opinion:** Bylaw 1.9.1.1 (b) provides an exception to the normal doctrinal review process for “study documents and exploratory material” produced by “boards, commissions, or other subordinate groups of the Synod.” The commission understands this question to be a question of the scope of this Bylaw generally, and also specifically to CPH. In order to answer this question, there are two items which need to be addressed. First, whether CPH is a “board[], commission[], or other subordinate group[] of the Synod,” and, second, what is the scope of “study documents and exploratory material.”

With respect to the first inquiry, CPH is included within the definition of an “agency” and specifically within that of a “synodwide corporate entity” under Bylaws 1.2.1 (a) and (w), either of which would fall under the definition of a “subordinate group” of the Synod. The board of directors of CPH is, moreover, also a board

of the Synod (Bylaw 3.2.2), and the board determines, “unless otherwise instructed by the Synod,” “what is to be published by the corporation” (Bylaw 3.6.3 [c]). CPH does, therefore, fall within this broad category, most naturally by its board being one “of the Synod.”

With respect to the second inquiry, the category of “study documents and exploratory material” (Bylaw 1.9.1.1 [b]) is not without limitation. Since this term is not defined within the Bylaws, we must look to the natural meaning of the term and the context in which it is used. The most natural import of this term is that it is intended for a limited purpose. Indeed, the notice that is required under Bylaw 1.9.1.1 (b) for such materials includes that the material “is being released for study and discussion purposes.”

Could any board, commission, or other subordinate group produce material for study on any topic? Could, for instance, the Commission on Constitutional Matters produce study materials on exegetical or doctrinal topics? By no means. There must be a nexus between the Synod’s charge of the board, commission, or other subordinate group and the study materials it is producing. In the previous example, the Commission on Constitutional Matters is not charged under the Constitution and Bylaws with matters of exegesis or doctrine; therefore, it would not be appropriate for the commission to be producing such study materials outside of its purview. Any such materials would not aid the commission in the carrying out of its duties; instead, the production and publication of such would be more of a usurpation of responsibilities assigned to others under the Constitution and Bylaws. The commission finds that the scope of “study documents and exploratory material” conceived of as being produced, possibly without doctrinal review, by a given “board[], commission[], or other subordinate group[] of the Synod,” is limited by the specific charge given to the particular entity in the Constitution and Bylaws of the Synod. Materials that would not be in keeping with the charge of a particular “board[], commission[], or other subordinate group[] of the Synod,” are not hereby authorized to be produced and published by that group. (Of course, where CPH is not itself generating a work but “supply[ing] publishing and distribution services for the agencies of the Synod as required,” Bylaw 3.6.3 [a], the applicable limitation on the scope of “study documents and explanatory material” is determined by the charge of the entity generating the document. The generating entity also bears the burden of satisfying the applicable requirements of doctrinal review.)

This understanding of Bylaw 1.9.1.1 (b) comports with the history of that bylaw and historical practice. As originally enacted in 1971, the provision that has become Bylaw 1.9.1.1 (b) read:

“The right to produce study documents and exploratory material plainly designated as such and published by boards, commissions, or other subordinate groups of the Synod is recognized. When such material is to be issued publicly, it shall be subject to doctrinal review.”

It is clear from this language that study materials were meant to be used by a particular board, commission, or other subordinate group (which use could include dissemination to a sphere of competent discussion partners in a study process of limited scope); not publicly. And if such materials were to be used by a particular board, commission, or other subordinate group, it naturally follows that such materials would be related to the charge of that board, commission, or other subordinate group. A key aspect of this system is discernment. A particular board, commission, or other subordinate group and its “sphere” as described above is competent to review and evaluate critically those items which fall within its purview. This discernment is also a key aspect of the related concept of dissenting from doctrinal positions of the Synod, wherein

objections are first raised “within the fellowship of peers (that is, with those who are competent to evaluate the issue critically)” (Bylaw 1.8.2) and then to the Commission on Theology and Church Relations. It would be nonsensical for a group to produce study material unrelated to its charge but to be used only by that group. Instead, these materials serve essentially as “penultimate” documents intended to result in a clearer or more correct *public* presentation of doctrine or practice in subsequent documents or efforts. Given this context, it is not surprising that the bulk of the study documents historically have originated with the Commission on Theology and Church Relations (Bylaw 3.9.5), which has explicit charges in this regard (Bylaws 1.6.2 [b][1–2], 1.8.2, 3.9.5, and 3.9.5.2–3.9.5.2.1).

In 2007, the language of Bylaw 1.9.1.1 (b) was changed by deleting the final sentence of the original language (as included above) and inserting the provisions related to the required notice that exists in the current version of the Bylaw. The commission finds that the 2007 change did not fundamentally change the scope or purpose of “study documents and explanatory materials.” It changed the potential scope of *distribution* of such materials by removing the restriction on *public issue* of such items prior to doctrinal review. It did so while continuing to satisfy the concern that such documents be shared with discernment and not be understood as reliably teaching the doctrine of the Synod by requiring them to feature prominently the noted caution (Bylaw 1.9.1.1 [b]).

Since CPH’s edition of Albrecht Peters’ *Commentary on Luther’s Small Catechism* (2009–13; hereafter, *Commentary*) was cited as an example in the materials provided to the commission related to this question, the commission finds it necessary to briefly discuss historical materials with doctrinal content (that is, falling under Bylaw 1.9.1.1 [a]; cf. Bylaw 3.6.3 [d]). Unlike materials that have not been published yet or materials of which the author is still living and able to make changes, these historical materials are not malleable. Yet, these texts may contain positions on doctrine that are not in alignment with Synod’s positions. The Bylaws do not provide an exception to doctrinal review for these materials, unless their distribution is contemplated strictly within the parameters of “study documents or exploratory materials” described above; their “historical” nature does not of itself render them such.

The commission notes that the doctrinal review of these “historical materials” may require a more nuanced approach by the Commission on Doctrinal Review. One possibility for approval of such documents that are, on a whole, profitable for use, with discernment, in the Synod would be for the originating body to identify and include clearly in prefatory or other accompanying published material, to the satisfaction of the Commission on Doctrinal Review, statements identifying doctrinal errors or statements that are “inadequate, misleading, ambiguous, or lacking in doctrinal clarity” (Bylaw 1.9.2 [f]) in the historical texts. “[P]ositions deviating from the doctrinal resolutions of the Synod” shall be “clearly identified as such” (Bylaw 1.9.2 [g]). It may be a more difficult path to follow, but the path cannot be avoided as the Bylaws require such review. While the *Commentary* preface included the statement that the content had not been doctrinally reviewed, its being a study document, it *also* included such statements, which may—given the apparent intended audience of the work—satisfy any concerns about doctrinal statements included in the historical text itself (which obviously cannot simply be adjusted away).

With respect to CPH specifically, it is a “board[], commission[], or other subordinate group[]” under Bylaw 1.9.1.1 (b) and is therefore able to produce study materials. But as with any other board, commission or subordinate group, the study materials it can produce

are those that relate to matters that fall within its purview. CPH’s purpose is “to proclaim the Gospel of our Lord Jesus Christ.” (Bylaw 3.6.3). It does this “*by developing, producing, marketing, and distributing*” certain materials (ibid., emphasis added). Study materials produced by CPH, with no other originating board, commission, or other subordinate group, would be limited to study and exploration of development, production, marketing, and distribution. This sphere of responsibility would be very unlikely to generate a study document in the sense contemplated here. Bylaw 3.6.3 (d) requires that any of those materials CPH publishes that are of a religious or theological nature must be “approved through the Synod’s prescribed procedure for doctrinal review before publication.” (The interplay of Bylaws 3.6.3 [d] and 1.9.1.1 [b] will be discussed in the below opinion). This restriction makes sense in that if CPH were to publish materials that were not doctrinally sound, it would undermine its purpose of proclaiming the Gospel of Jesus Christ.

**Question 2:** Assuming that CPH is such a subordinate group of the Synod, does Bylaw 3.6.3 (d) which states “All materials of a religious or theological nature shall be approved through the Synod’s prescribed procedure for doctrinal review before publication” prevent CPH from publishing material pursuant to Bylaw 1.9.1.1 (b)?

**Opinion:** The commission understands this to be a question of the interplay of Bylaw 3.6.3(d) (which requires doctrinal review before CPH can publish) and Bylaw 1.9.1.1 (b) (which, as discussed above, allows for publishing in certain situations without going through doctrinal review). The commission finds that Bylaw 3.6.3 (d) requires CPH to comply with the doctrinal review requirements of Bylaw section 1.9 with respect to “all materials of a religious or theological nature.” Where CPH, within the “nexus” described in Question 1, satisfies the requirement of doctrinal review by way of the mechanism described in Bylaw 1.9.1.1 (b), it has thereby satisfied the requirement of Bylaw 3.6.3 (d).

The commission notes, in closing, that bylaws dealing with doctrinal review and dissent, given changes in the structure of the Synod and in the free exchange of information, may be due for comprehensive review and revision.

Commission on Constitutional Matters

LR68

## Additional Opinion of the Commission on Theology and Church Relations

The following opinion of the Commission on Theology and Church Relations (CTCR) was not included in the *Convention Workbook* under **Report R66**; it is included here as it relates to potential convention business.

### President of Synod Request for Opinion on Lay Reading of Sermons and Conduct of Worship in the Absence of a Pastor

#### The Request of the Synod President

During the extended triennium, the President of Synod repeatedly noted the looming shortage of clergy and the need to provide direction for (male) laymen assisting vacant congregations or congregations without ordained clergy available to preach or conduct worship. In November 2022, following extended

conversations with CTCR executive staff and the chairman of the CTCR, the President posed the following questions:

1) *Given the biblical and confessional doctrine of the Office of the Holy Ministry, under what conditions might a layman read sermons or lead worship at a congregation when there is no pastor available to serve? What precedents are there within orthodox Lutheranism (and the LCMS, in particular) for such a practice? What qualifications should an individual have to assist in this way and what supervision should be provided?*

2) *What practical guidelines could the CTCR offer to ensure this is done “decently and in good order” (1 Cor. 14:40) and in keeping with Scripture and the Confessions of the Evangelical Lutheran Church?*

*It is the President’s hope that, if possible, the CTCR provide answers to these questions in advance of the 2023 Synod Convention.*

The President’s questions require a careful and informed response. In light of this request, the Commission recommended a two-part opinion. It would include a brief statement on the qualifications and supervision appropriate for a layman to read a sermon and conduct worship in the public services of a congregation without a pastor present, especially taking into account the stipulations already addressed in 1989 Res. 3-05B and the recommendations of the 2013 Resolution 4-06A Task Force. It would also (or furthermore) provide guidelines that offer direction for laymen serving in this capacity and congregations being assisted by such laymen. Since the Commission is customarily not the entity tasked with providing liturgical guidance, it sought to restrict itself to a theological consideration of the President’s request and practical guidelines in accordance with those theological considerations.

### The Response of the CTCR

The 2013 Synod convention requested that the President of Synod establish a task force to address questions regarding the service of licensed lay deacons under the terms established in 1989 Resolution 3-05B, whereby qualified laymen were authorized to preach the Gospel and administer the sacraments in certain extraordinary cases with proper supervision. In advance of the 2016 convention, 2013 Task Force 4-06A published its report, which laid out important exegetical, theological, and historical foundations for the office of the ministry and argued that these were inconsistent with the widespread licensure of lay deacons to carry out Word and Sacrament Ministry. It particularly recommended the elimination of two practices—the use of Licensed Lay Deacons in congregations that were already being served or reasonably could be served by ordained pastors, and the use of Licensed Lay Deacons to serve vacancies in neighboring congregations. The task force further suggested that Synod should “provide a clear path forward to certify, call, and ordain men presently serving as lay deacons.” It recommended that “no new lay deacons be licensed to preach or administer the sacraments after January 1, 2018” and that all previously licensed lay deacons apply to a Synodical path leading to ordination (seminary or colloquy). (2016 *Convention Workbook*, 245)

At the 2016 convention, the Synod adopted resolution 6-02, by a vote of 875-177, upholding the biblical and confessional qualifications for the office of the public ministry, including the ordinary prerequisite that all those carrying out the functions of that office be examined, called, and ordained. Synod also adopted resolution 13-02A, by a vote of 809-277, affirming the “theological framework” of the task force and accepting its proposals for regularizing the ministry of lay deacons through ordination. Again,

following the task force, it stipulated the cessation of licensure of deacons for Word and Sacrament ministry by January 1, 2018. It also included a provision that would allow qualified deacons to colloquize directly into Specific Ministry Pastor (SMP) status. It further resolved that the training of lay deacons should continue for service that *does not* include public preaching or administration of the sacraments and finally directed the First Vice-President of Synod and a committee appointed by the Council of Presidents to direct the implementation of the resolution’s requirements, subject to approval by the Colloquy Committee for the Pastoral Ministry.

As the Word and Sacrament ministry of Licensed Lay Deacons has been phased out in accordance with these 2016 resolutions, concerns have been raised by the President of Synod and Council of Presidents about procuring service for congregations which are temporarily or permanently unable to obtain a pastor, potentially growing more acute in light of present and future clergy shortages. It is for this reason that the President of Synod posed the current questions regarding the propriety of laymen publicly reading sermons and conducting worship services in the absence of ordained clergy. The Commission addresses them as follows. (This opinion presupposes the basic Scriptural and confessional foundations and role of the pastoral office in the church which the LCMS has repeatedly affirmed. For examples, see especially the Commission on Theology and Church Relations, *The Ministry: Offices, Procedures, and Nomenclature* [1981]; C.F.W. Walther, *Theses on the Church and the Office of the Ministry* [CPH, 2012], 3–6; “To Uphold the Scriptural and Confessional Principles for the Office of the Holy Ministry,” 2016 Res. 6-02, *Proceedings*, 166–68; and “To Affirm Synod’s Official Position on Church and Ministry,” 2001 Res. 7-17A, *Proceedings*, 172–73.)

**Question 1:** Given the biblical and confessional doctrine of the Office of the Holy Ministry, may a layman read sermons or lead worship at a congregation when there is no pastor available to serve?

To this question, the Commission answers a qualified “Yes.” The Commission does not believe either practice mentioned in the above question necessarily contradicts the biblical and confessional doctrine of the ministry, provided that certain safeguards remain in place to prevent confusion with the pastoral office. The Commission has repeatedly identified four distinctive functions of the public ministry that should be carried out by those who have been rightly called to the office of the public ministry: preaching in the services of the congregation, leading formal public services of worship, public administration of the sacraments, and the public administration of the keys (CTCR, *The Ministry*, 35). Apart from certain exceptional circumstances, the laity ought not exercise these distinctive functions of the public ministry, lest they risk such confusion with the pastoral office.

In the case of the lay reading of sermons, one would be exercising a distinctive function of the public ministry only in a qualified sense, because the sermon would simply be read and not composed by the layman himself. Rather, an ordained pastor, who is regarded as “apt to teach” (2 Tim 2:24), would prepare the sermon. In the case of conducting worship services, there is certainly potential for confusion, but the Commission believes that this can be avoided through the use of services especially designed for lay officiation, or through the use of the daily prayer offices and existing devotional orders (see *Lutheran Service Book* 282–89, 294–98). Likewise, it may be wise for lay officiants to distinguish themselves from ordained clergy in vesture, for instance, by not wearing a stole, or possibly even an alb, to prevent confusion.

Moreover, there is adequate precedent for these measures. Confessional Lutheran churches throughout their history have

sought to address pastoral shortages and other emergency situations in ways that are faithful to Scripture and the Lutheran Confessions. That has at times included laymen reading sermons written for them by ordained clergy and conducting public services with certain limitations. This was particularly the practice for Lutheran congregations in America. For instance, the Berkenmeyer Constitution of 1735 (for congregations of New York and New Jersey) established the office of *Vorleser*, or “reader,” who would serve in the absence of a pastor by leading the congregation in song, or liturgy, and the reading of a sermon provided him by a pastor or from other authorized books. (Karl Kretzmann, ed., “The Constitution of the First Lutheran Synod in America,” *Concordia Historical Institute Quarterly* 9 (1936): 88–89) Likewise, during its early expansion, many Synod congregations found themselves without called pastors for extended periods of time. In these instances, laymen were allowed to publicly read sermons and conduct services in what was called a “read service” (*Lesegottesdienst*), though this was only seen as a temporary or emergency provision and never proposed as a permanent solution. (Karl H. Wynken, “The Development of the Itinerant Ministries in the Lutheran Church—Missouri Synod, 1847–1865,” Unpublished Thesis (Concordia Seminary, 1963), 27–36.)

In its report to the 2016 convention, the 2013 Resolution 4-06A Task Force specifically made this same proposal in the fifth of its concluding recommendations to Synod:

Emergencies and other unforeseen circumstances will occur that will make it impossible for a pastor to serve his congregation on a given Sunday. The time-honored approach to such occasions has been to designate a man (typically an elder or perhaps another called auxiliary minister) to conduct Matins or another service from the hymnal so that the congregation has opportunity to hear the Word of God, to pray together, and to sing praise (1 Tim. 4:4–5). A proactive approach to such occasional needs is important. On most occasions a sermon can be prepared by the pastor to be read in the service. (2016 *Convention Workbook*, 246–47)

The task force recommendation, however, cautioned that such measures should not be taken haphazardly, without guidelines, or in any way that may cause offense. It added:

In all such cases where it is simply impossible for a pastor to preach or conduct worship, care should be taken so that an exceptional circumstance does not create confusion or become a precedent for errant practices. Though “emergency knows no law,” it should not be an excuse for disorder. Thus, even in such difficult circumstances, every attempt should be made to address the problem in an orderly way that is consonant with Scripture and does not cause offense or misunderstanding. For example, while an emergency pastoral absence may necessitate having a layman lead a service of the Word and read a sermon prepared by the pastor, our congregations should heed the Synod’s counsel for women not to exercise liturgical leadership. Moreover, it would be good to distinguish between an emergency and ongoing challenges. A pastor’s illness and unavoidable absence on a given Sunday presents an emergency need. But, when there will be no pastor for the foreseeable future, a thoughtfully considered, theologically orthodox answer, rather than “emergency” remedies, is needed. (2016 *Convention Workbook*, 247)

It is in the spirit of this rationale and these kinds of concerns that the Commission offers a qualified “Yes.” We can explicitly affirm that, in temporary or emergency situations, a layman may read public sermons or conduct public worship in the absence of an ordained minister of Word and Sacrament. However, certain guidelines, as

noted above and expanded upon below, should be practiced to prevent confusion with the pastoral office and its distinctive functions. Furthermore, care should be taken so that such temporary or emergency exceptions are in fact truly temporary or truly emergencies, and thus not seen or encouraged as normative. They are by definition *exceptions* and every effort should be made to obtain ordained clergy to preach and conduct public services of the church in accordance with the distinctive functions of the public ministry implicit in that office.

**Question 2:** What practical guidelines could the CTCR offer to ensure this is done “decently and in good order” (1 Cor. 14:40) and in keeping with Scripture and the Confessions of the Evangelical Lutheran Church?

As noted above, the Commission ordinarily does not address itself to strictly liturgical concerns, such as guidelines for the conduct of lay-led services. However, it can speak to what we believe are optimal theological and practical standards to guide congregations of Synod in this practice. To that end, we suggest that, in these situations, congregations select lay readers and officiants who fit the following criteria. First, the candidate *must* be a male. Second, the candidate should hold a position within the congregation that maintains some accountability for the pastoral office or support of it, such as an elder, officer of the congregation, or, alternately, an auxiliary minister (e.g., Commissioned Minister) within that congregation or from a neighboring congregation. Third, the candidate should be trained and, in the event of longer durations, supervised by an ordained pastor, ordinarily a vacancy pastor, circuit visitor, or district president.

It is incumbent upon both congregation and supervisory clergy to ensure that this practice be reserved for true emergencies, such as the illness of a pastor or the inability to secure pulpit supply on short notice, or other temporary situations, such as during a vacancy. Care should be taken, however, not to use laymen in these instances simply to avoid the difficulty or cost associated with procuring a pastor. In the event of a prolonged vacancy, the presence of a lay officiant is no replacement for the appointment of a vacancy pastor, who may be available to conduct services and preach occasionally and, even if that is impossible, provide pastoral care and oversight to the congregation in the absence of its own shepherd. In the event of congregations with no realistic prospect of financially supporting full-time clergy, other more feasible options should be sought instead of lay officiants, such as alternate routes like SMP, EIIT, Center for Hispanic Studies, or possibly the service of retired pastors, so that the congregation may have a regularly called and ordained pastor to carry out all the distinctive functions of the pastoral office for the spiritual benefit of its members. We also note the time-honored practice of establishing a dual or multi-point parish with one or more similar congregations.

Other practical guidelines may be suggested pertaining to the specific functions entailed by lay services. With respect to laymen reading sermons, they should only read sermons written by ordained synodical clergy, and it should be made clear—by way of a bulletin or public announcement—that this is the case. With respect to conducting worship services, the layman should not administer the Sacrament of the Altar, nor should he exercise the keys by pronouncing absolution. For these reasons, it is best to make use of non-communion orders of service, such as Matins, the Order of Morning Prayer, or the Service of Prayer and Preaching, which may be used by either ordained or lay officiants. (We note that *LSB* indicates the leader position in all these services with an “L” and not with a “P” as is the case in Divine Service – Settings One through Five). The truncation of one of the five settings of the Divine Service in *LSB* to exclude Confession and Absolution and the Service of the

Sacrament is possible, though not desirable due to the potential for incidental confusion.

In order to facilitate a biblically and confessionally responsible use of this practice, the Commission urges other agencies of Synod to assist in providing resources to support it. First, the seminaries of Synod and the publishing arm of Synod would do well to consider establishing a digitally available database of full-text sermons corresponding to the appointed pericopes of the church year (both one-year and three-year). This would enable lay officiants to download and read biblically, confessionally faithful sermons from ordained clergy rather than having to rely upon a supervisory pastor to provide them one, especially in time-sensitive emergencies. It would also allow for a greater diversity of sermons from which to choose. Second, the responsible agencies of Synod, such as the Office of National Mission or Concordia Publishing House, could produce liturgical resources for use by lay officiants. These would ideally include other non-communion services designed for lay leadership that are based upon the current, more familiar settings of the Divine Service, as well as rubrics and training resources dedicated to assist laymen with the conduct of services, use of vestments, and other matters where confusion with the pastoral office should be avoided.

While the Commission does not believe the public reading of sermons or conduct of public services by laymen to be contradictory with the biblical and confessional standards for the pastoral office, nor to cause confusion with the pastoral office (given the basic caveats and guidelines noted above), it ultimately holds that this practice is neither desirable nor a long-term solution to the problem of current and future pastoral shortages. Among the many necessary qualifications of the pastoral office, the aptitude to teach stands out as particularly important within a confessional Lutheran tradition that has long valued preaching and the right division of God's Word (2 Tim. 2:15). Congregations should eagerly desire a theologically trained, rightly called and ordained pastor to preach and teach the Word in a way that addresses that Word to their context. This requires both knowledge of the people pastorally and knowledge of the Scriptures and the Lutheran Confessions theologically. The opinion offered here and its guidelines apply to legitimate emergency or temporary situations, so that the Word may be preached and the people of God edified in conformity with the biblical and confessional standards for the pastoral office. Yet it must not be viewed as an adequate regular or permanent substitute for the examined, called, and ordained pastor serving in the office of the public ministry.

By way of postscript, the Commission regrets that it is unable to provide a satisfying answer to the more serious challenges many of our districts face, namely, the growing number of regions with a high volume of small or financially strained congregations, which are simply unable to afford a full-time pastor. Some are in rural areas that lack geographic proximity either to more populous areas with active clergy that might be able to help fill needs, or to potential sister congregations, with whom they might enter multipoint parish service. Others are in areas with few retired (or even active) clergy to assist vacant congregations. These chronically underserved regions will for the foreseeable future continue to struggle filling pulpits and providing pastoral care. While the Commission understands the plight such congregations face, we are reluctant to propose this model of lay readers and officiants as a legitimate, long-term option, for the reasons cited throughout this opinion (the need for theologically trained clergy who are apt to teach and preach, the proper administration of the Sacrament of the Altar, regular pastoral care, etc.). The pastoral office is not an *adiaphoron*. The office of the public ministry has been instituted in Holy Scripture for the purpose of preaching the Word and administering

the sacraments. In accordance with Augsburg Confession XIV, Lutheran congregations are to call ordained clergy to carry out these distinctive functions of the pastoral office in their midst. When they can no longer obtain the services of such clergy, the congregation must honestly and soberly reconsider its options for ongoing mission and ministry, however difficult and painful that may be.

We do believe there are plausible solutions to such dilemmas that do not necessitate the permanent use of lay-led services, as imperfect and unsatisfying as those solutions may be. Options are available, even if they require creativity and adaptability on the part of pastor and congregation alike. For instance, we would propose the use of lay readers/officiants *in conjunction with* semi-regular conduct of services by an ordained pastor or circuit visitor. This might entail, for example, three lay-led services a month without the sacrament and a fourth clergy-led service with the sacrament. A congregation might also adopt a different service time to accommodate the presence of an ordained pastor from another congregation. Scripture does not necessitate that worship happen at a particular day or time each week. We are free to gather on any day and at any time for the church's public services of Word and Sacrament. The Commission believes that such alternatives, while admittedly not optimal for clergy or congregants, are far preferable to strictly lay-led services because they provide the congregations with ordained clergy to meet their pastoral needs in a way that is consistent with Scripture and the Lutheran Confessions. This position is consistent with the assumed presupposition that undergirds the entire argument and conclusions of this response, namely that doctrinal fidelity to our Confession rather than the force of pragmatic concerns must norm our practice.

Finally, the growing number of congregations that are not able to obtain regular pastoral care merits further attention and careful consideration. To this end, the Commission recommends more formal discussions in the next triennium to address the larger issue of Lutheran theological foundations for mission and ministry, especially as those foundations are being challenged in a post-Christian culture, where religious participation is on the decline and where demographics are also rapidly changing. Such discussions might involve representatives of the CTCR, the Council of Presidents, the Pastoral Formation Committee, and the seminaries, among others. Conversation and collaboration between these parties could lead to the development of practical and educational solutions to this looming problem that are consistent with, and indeed derive from, those theological foundations.

Adopted April 13, 2023

Commission on Theology and Church Relations

LR69

## **Concordia University System Lutheran Identity and Mission Outcomes Standards with Evaluation Tool**

Resolution 7-04, if adopted, establishes an ecclesiastical visitation of the Concordia University System (CUS) colleges and universities. This visitation is conducted by CUS as provided in "Lutheran Identity and Mission Outcomes Standards" (LIMOS). So that the implementation of the ecclesiastical visitation can be carried out timely and efficiently, upon the approval of this resolution by



the Synod Convention, the CUS Board of Directors has taken the proactive step of preparing the LIMOS in advance. The LIMOS were prepared by a committee appointed by the CUS Board of Directors. This committee included representatives of both LCMS seminary faculties, faculty members of Concordia universities, members of Concordia university boards of regents, the CUS President, and the Chairman of the CUS Board of Directors, among others. The LIMOS have been given preliminary approval by the CUS Board of Directors. Upon approval of Res. 7-04, the CUS Board of Directors, after further consideration, will formally adopt the LIMOS to be utilized in the ecclesiastical visitation of the CUS colleges and universities.

The LIMOS, as given preliminary approval by the CUS Board of Directors, are being provided to the 2023 Synod Convention delegates as information as the delegates consider adoption of Res. 7-04.

## **LUTHERAN IDENTITY AND MISSION OUTCOMES STANDARDS**

### **Identity Standard I—Ecclesiastical Mission and Goals**

The institution's ecclesiastical mission and goals appropriately center on Christ, the Holy Scriptures, the Lutheran Confessions, and the shared confession and practice of The Lutheran Church—Missouri Synod.

- 1.1 Mission statement, core identity statement, and values and goals statements are clearly centered in Christ and focused on the life of the church (ecclesiastical).
- 1.2 Mission statement, core identity statement, and values and goals statements unambiguously give voice and controlling weight to the teachings of the Holy Scriptures and the Lutheran Confessions.
- 1.3 The mission statement, core identity statement, and/or values and goals statements indicate that the institution exists to carry out the objectives of The Lutheran Church—Missouri Synod (Constitution, Article III).
- 1.4 Mission statement, core identity statement, and values and goals statements are realistic and appropriate for and within an affiliate institution of higher education of The Lutheran Church—Missouri Synod.

### **Identity Standard II—Spiritual and Academic Life**

The spiritual and academic life of the institution reflects and embraces its ecclesiastical mission and goals.

- 2.1 The ecclesiastical mission and goals are clearly and consciously pursued in the design and delivery of campus worship.
- 2.2 The ecclesiastical mission and goals are clearly and consciously pursued in the design and delivery of the residential undergraduate curriculum.
- 2.3 The ecclesiastical mission and goals are clearly and consciously pursued in the design and delivery of online and graduate curricula.
- 2.4 The ecclesiastical mission and goals are clearly and consciously pursued in the hiring, orienting, and supervising of all faculty.
- 2.5 The ecclesiastical mission and goals are clearly and consciously pursued in the design and delivery of key institution-sponsored academic and spiritual events.

### **Identity Standard III—Student Recruitment and Student Life**

Student recruitment, student affairs, campus life, and other programs reflect and embrace the institution's ecclesiastical mission and goals.

- 3.1 Recruitment and admissions forthrightly present the Lutheran identity and ethos of the institution.
- 3.2 Enrollment management practices prioritize recruiting and retaining students from LCMS congregations.
- 3.3 Enrollment management practices deliberately seek to recruit and retain well-qualified students for pre-seminary and church-worker training.
- 3.4 Enrollment management practices strive to maintain a credibly Lutheran student peer group.
- 3.5 Student affairs work and programming is self-consciously and explicitly conducted from an overarching perspective on the human and society rooted in the verities of the Holy Scriptures and the Lutheran Confessions.

### **Identity Standard IV—Planning & Resourcing**

Planning, resourcing, and personnel reflect and embrace the institution's ecclesiastical mission and goals.

- 4.1 Institutional planning is aligned with the institution's ecclesiastical mission and goals.
- 4.2 Personnel are aligned with the institution's ecclesiastical mission and goals.
- 4.3 Financial resources are aligned with the institution's ecclesiastical mission and goals.
- 4.4 Planning and resourcing processes and outcomes are informed by effective assessment and accountability measures.

### **Identity Standard V—Governance, Leadership, and Administration**

The governance, leadership, and administration of the institution foster and embrace the institution's relationship with The Lutheran Church—Missouri Synod.

- 5.1 The board of regents and administration demonstrate a desire and ability to walk together with and within The Lutheran Church—Missouri Synod.
- 5.2 The board of regents demonstrates thorough knowledge of the ecclesiastical interests of The Lutheran Church—Missouri Synod in the institution and is capable of pursuing them.
- 5.3 The president/chief executive demonstrates knowledge of the ecclesiastical interests of The Lutheran Church—Missouri Synod in the institution and is capable of bringing to fruition initiatives that accord with those interests.
- 5.4 The administration demonstrates knowledge of the ecclesiastical interests of The Lutheran Church—Missouri Synod in the institution and is capable of bringing to fruition initiatives that accord with those interests.

### **Identity Standard VI—Assessment of Effectiveness**

The institution's assessment of its achievement of the Lutheran Identity and Mission Outcomes is foundational to and effective in advancing its ecclesiastical goals.

- 6.1 The ecclesiastical goals of the institution are clear and measurable.

- 6.2 A systematic and regular process of assessment of the outcomes of the Lutheran Identity and Mission Outcomes Standards (this document) is in place at the institution.

## EVALUATION TOOL

### Identity Standard I—Ecclesiastical Mission and Goals

The institution's ecclesiastical mission and goals appropriately center on Christ, the Holy Scriptures, the Lutheran Confessions, and the shared confession and practice of The Lutheran Church—Missouri Synod.

- 1.1 Mission statement, core identity statement, and values and goals statements are clearly centered in Christ and focused on the life of the church (ecclesiastical).
  - 1.1.1 How do the mission statement, core identity statement, and/or values and goals statements demonstrate the high Christology of the holy Christian faith? Is this high Christology articulated both in terms of the gift once given in the incarnation, atoning death, and resurrection of Jesus Christ and in terms of the Sacramental gifts Christ continues to give His believers? Does the mission statement mention Jesus Christ?
  - 1.1.2 How do the mission statement, core identity statement, and/or values and goals statements demonstrate the centrality of the holy Christian faith to the entire educational venture?
  - 1.1.3 How do the mission statement, core identity statement, and/or values and goals statements envision how the holy Christian faith governs and informs all spheres of campus life?
  - 1.1.4 How do the mission statement, core identity statement, and/or values and goals statements provide space and impetus for the flourishing of a robustly Christian manner of life?
  - 1.1.5 How do the mission statement, core identity statement, and values and goals statements, make clear the confession of Jesus Christ, bearing in mind their various inward- and outward-facing uses?
  - 1.1.6 How do campus communications, both print and online, both inward- and outward-facing, publicize the mission statement, core identity statement, and values and goals statements?
- 1.2 Mission statement, core identity statement, and values and goals statements unambiguously give voice and controlling weight to the teachings of the Holy Scriptures and the Lutheran Confessions.
  - 1.2.1 How do the mission statement, core identity statement, and/or values and goals statements make apparent the institution's unconditional subscription of all the teachings of the Holy Scriptures? In what ways does the mission statement represent a Biblical worldview?
  - 1.2.2 How do the mission statement, core identity statement, and/or values and goals statements make apparent an unconditional subscription the Lutheran Confessions? How does the mission statement articulate a Lutheran view of the higher education venture? How does the mission statement make clear the Lutheran identity of the institution?
  - 1.2.3 How do the mission statement, core identity statement, and/or values and goals statements demonstrate how the teachings of the Holy Scriptures and the Lutheran Confessions govern and inform all spheres of campus life?
- 1.2.4 In what ways appropriate to their various inward- and outward-facing uses is the controlling nature of the Holy Scriptures and the Lutheran Confessions voiced in the mission statement, core identity statement, and values and goals statements?
- 1.2.5 Given confessional Lutheran higher education's situs at the intersection of life in the right-hand kingdom and the left-hand kingdom, how do mission statement, core identity statement, and/or values and goals statements articulate a Lutheran understanding of Christian vocation and how Christian vocation informs campus life and the self-identity of students, faculty, and staff? How do these statements address the right-hand/left-hand tensions?
- 1.3 The mission statement, core identity statement, and/or values and goals statements indicate that the institution exists to carry out the objectives of The Lutheran Church— Missouri Synod (Constitution, Article III).
  - 1.3.1 How do the mission statement, core identity statement, and values and goals statements indicate that the institution exists to carry out relevant objectives of The Lutheran Church— Missouri Synod (Constitution, Article III, especially sections 1–7)?
- 1.4 Mission statement, core identity statement, and values and goals statements are realistic and appropriate for and within an affiliate institution of higher education of The Lutheran Church—Missouri Synod.
  - 1.4.1 How do the mission statement, core identity statement, and/or values and goals statements reckon with the right-hand kingdom / left-hand kingdom dimensions of confessional Lutheran higher education?
  - 1.4.2 How do the mission statement, core identity statement, and/or values and goals statements indicate that the institution aims to bring students into a bracing intellectual encounter with the Holy Christian Faith?
  - 1.4.3 How do the mission statement, core identity statement, and values and goals statements indicate that the institution promotes and sustains a robust sacramental life within the rich tradition of Lutheran worship?

### Identity Standard II—Spiritual and Academic Life

The spiritual and academic life of the institution reflects and embraces its ecclesiastical mission and goals.

- 2.1 The ecclesiastical mission and goals are clearly and consciously pursued in the design and delivery of campus worship.
  - 2.1.1 Is campus worship “normed” both by the Holy Scriptures and the Lutheran Confessions? Explain.
  - 2.1.2 Is the Lutheran doctrine of the Holy Ministry reflected in the planning and leading of campus worship? Explain.
  - 2.1.3 Is the proper distinction between law and gospel clearly and consistently reflected in the campus worship? Explain.
  - 2.1.4 Is the sacramental theology of the Lutheran Church reflected in campus practice? Explain (e.g., are regular opportunities afforded for reception of the sacraments? If/when the sacrament of the altar is administered, what guidelines inform admission to communion?).

- 2.1.5 How is commitment to the church's heritage and unity reflected in the use liturgies, hymnals, and hymnody?
- 2.1.6 Is formal catechesis preparatory to baptism and/or confirmation regularly offered on campus? Explain.
- 2.1.7 How are institution-sponsored devotional activities (e.g., in residence halls, etc.) planned and assessed?
- 2.1.8 What intentional efforts have been made to include graduate and online students in the spiritual life of the campus?
- 2.1.9 Have constituents of the college or university raised any concerns (related to ecclesiastical mission and goals) about the design and delivery of campus worship? If so, briefly explain the nature of those concerns and the manner in which they have been or will be addressed.
- 2.2 The ecclesiastical mission and goals are clearly and consciously pursued in the design and delivery of the residential undergraduate curriculum.
- 2.2.1 Must students complete at least two and preferably three semester-length (or equivalent) theology courses to fulfill graduation requirements. Which courses may be counted toward this requirement? Provide course names, catalog descriptions, and sample syllabi. How do these required theology courses fulfill the ecclesiastical mission, goals, and values of the institution?
- 2.2.2 How does the institution assess and assure that non-theology courses are taught in harmony with the biblical and confessional commitments of The Lutheran Church—Missouri Synod?
- 2.2.3 How does the institution assess and assure that church work students have acquired an appropriately thorough knowledge of the Holy Scriptures and the Lutheran Confessions? Provide program details for each church work program offered.
- 2.2.4 How do the curricula of the institution's church work programs compare with the similar programs at the other CUS schools? What particular strengths and/or weaknesses are perceived in these programs vis-à-vis those at other CUS schools?
- 2.2.5 How does the institution solicit, collect, and evaluate feedback on the spiritual and academic preparedness of its church work graduates from relevant constituents (e.g., leadership in congregations and/or schools in which graduates are placed)?
- 2.2.6 Have constituents of the college or university raised any concerns (related to ecclesiastical mission and goals) about the design and delivery of the residential undergraduate curriculum? If so, briefly explain the nature of those concerns and the manner in which they have been or will be addressed.
- 2.3 The ecclesiastical mission and goals are clearly and consciously pursued in the design and delivery of online and graduate curricula.
- 2.3.1 How is theology made a meaningful part of online and graduate programming either through stand-alone coursework or course integration?
- 2.3.2 How does the institution assess and assure that non-theology courses are taught in harmony with the biblical and confessional commitments of The Lutheran Church—Missouri Synod?
- 2.3.3 Have constituents of the college or university raised any concerns (related to ecclesiastical mission and goals) about the design and delivery of online or graduate curricula? If so, briefly explain the nature of those concerns and the manner in which they have been or will be addressed.
- 2.4 The ecclesiastical mission and goals are clearly and consciously pursued in the hiring, orienting, and supervising of all faculty.
- 2.4.1 How do the criteria for recruiting, hiring and retaining faculty, both for residential undergraduate as well as graduate and online teaching, uphold the ecclesiastical goals of the institution? Are all full-time faculty approved by the Board of Regents?
- 2.4.2 What intentional efforts does the institution make in recruiting, hiring, and retaining LCMS faculty, rostered or otherwise? How does this fit into your program design and position planning?
- 2.4.3 Are a majority of faculty LCMS? Has the institution considered and specified what it understands to be a credible percentage of LCMS faculty in view of maintaining Lutheran identity? Given the appropriate academic credentials, how does the institution prioritize the calling, and maximize the number, of LCMS faculty?
- 2.4.4 What is the trend line for percentage of LCMS faculty? How is the institution planning for eventual replacement of LCMS faculty, including rostered faculty, and for identifying LCMS faculty candidates?
- 2.4.5 What intentional efforts does the institution make in orienting both Lutheran and non-Lutheran faculty toward an understanding of Lutheran doctrine and a commitment to the ecclesiastical mission and goals of the institution? How is such understanding and commitment assessed?
- 2.4.6 How do all faculty, including adjunct faculty, commit themselves to teach in harmony with the university's ecclesiastical mission and goals, and not to teach contrary to the biblical and confessional commitments of The Lutheran Church—Missouri Synod? Explain. If such a pledge is required in writing, provide a copy.
- 2.4.7 What policies inform the staffing of theology faculties and/or the teaching of theology courses? (E.g., are such courses taught by called and ordained LCMS clergy, commissioned ministers, others?) In what circumstances and for what reasons might exceptions be made to such policies?
- 2.4.8 Have constituents of the college or university raised any concerns (related to ecclesiastical mission and goals) about faculty or their teaching? If so, briefly explain the nature of those concerns and the manner in which they have been or will be addressed.
- 2.5 The ecclesiastical mission and goals are clearly and consciously pursued in the design and delivery of key institution-sponsored academic and spiritual events.
- 2.5.1 How are formal college or university ceremonies such as matriculation and commencement designed in such a way as to highlight ecclesiastical identity, mission, and goals?
- 2.5.2 How is new student orientation (for residential undergraduates as well as graduate and online students)

designed in such a way as to inform and inspire students concerning ecclesiastical identity, mission, and goals?

2.5.3 How does the institution assess and assure that its public events (e.g., public lectures, conferences) are compatible with its identity, mission, and goals? How do the institution's public events (e.g., lectures, symposia) embody the college or university's ecclesiastical identity, mission, and goals?

2.5.4 Have constituents of the college or university raised any concerns (related to ecclesiastical mission and goals) about the design and delivery of institution-sponsored academic and spiritual events? If so, briefly explain the nature of those concerns and the manner in which they have been or will be addressed.

### **Identity Standard III—Student Recruitment and Student Life**

Student recruitment, student affairs, campus life, and other programs reflect and embrace the institution's ecclesiastical mission and goals.

3.1 Recruitment and admissions forthrightly present the Lutheran identity and ethos of the institution.

3.1.1 How do materials for recruitment underscore the Lutheran identity and life of the institution?

3.1.2 How does the admissions staff present the Lutheran identity and life of the institution to prospective students?

3.1.3 What program does the admissions department utilize to orient and train admissions staff in the Lutheran identity and life of the institution?

3.1.4 What tools does the admissions department utilize to assess and improve the effectiveness of its staff orientation and training program in the Lutheran identity and life of the institution?

3.2 Enrollment management practices prioritize recruiting and retaining students from LCMS congregations.

3.2.1 What methods and tools has the admissions staff developed for identifying and attracting prospective students from LCMS congregations?

3.2.2 What tools has the admissions staff developed to assess and improve its effectiveness in identifying and attracting prospective students from LCMS congregations?

3.2.3 What tools does the institution use to assess and improve the retention rate of students recruited to campus from LCMS congregations?

3.2.4 What financial resources does the institution deploy to attract and retain students recruited from LCMS congregations? What is the institution's financial aid policy for students from LCMS congregations? Do these students receive a more generous financial aid offer than similarly qualified students?

3.3 Enrollment management practices deliberately seek to recruit and retain well-qualified students for pre-seminary and church-worker training.

3.3.1 What tools does the admissions staff use to identify and attract well-qualified pre-seminary and church-work students?

3.3.2 How does the admissions staff partner with congregations, LCMS high schools, the theology department and rostered

staff in identifying and attracting well-qualified pre-seminary and church-work students?

3.3.3 What tools does the admissions staff use to assess and improve its effectiveness in identifying and attracting well-qualified pre-seminary and church-work students?

3.3.4 What financial support does the institution provide to attract pre-seminary and church work studies and to enable them to persist in their studies and embark upon their work for the church or further studies with minimal debt encumbrance? What is the institution's financial aid policy for LCMS church work students? Do these students receive a more generous financial aid offer than similarly qualified students in other programs?

3.4 Enrollment management practices strive to maintain a credibly Lutheran student peer group.

3.4.1 What principles guide the institution in determining numerical (or ratio) goals for the composition of the student body in the recruitment of students from LCMS congregations?

3.4.2 What financial aid does the institution provide to recruit, admit, and retain students to achieve the established numerical (or ratio) goal?

3.4.3 How does the institution leverage the Lutheran student presence to foster a lively and leavening Lutheran culture and ethos?

3.5 Student affairs work and programming is self-consciously and explicitly conducted from an overarching perspective on the human and society rooted in the verities of the Holy Scriptures and the Lutheran Confessions.

#### *Student Health Center*

3.5.1 How does the student health center orient and train health center staff in Lutheran theology and the Lutheran identity, mission, and goals of the institution?

3.5.2 How does the institution ensure that student health center staff are committed to practicing in harmony with Lutheran doctrine?

3.5.3 How does the institution ensure that the services and advice provided by the student health center are consistent with an overarching perspective on the human and society rooted in the verities of the Holy Scriptures and the Lutheran Confessions?

#### *Student Counseling Center*

3.5.4 How does the student counseling center orient and train counseling staff in Lutheran theology and the Lutheran identity, mission, and goals of the institution?

3.5.5 How does the institution ensure that student counseling center staff are committed to practicing in harmony with Lutheran doctrine?

3.5.6 How effective has the institution been in identifying, recruiting, and hiring LCMS counselors with theological as well as psychological training?

3.5.7 How does the institution ensure that the practices, procedures, and counsel of the counseling center are self-consciously and explicitly conducted from an overarching perspective on the human and society rooted in the verities of the Holy Scriptures and the Lutheran Confessions?

*Student Housing*

- 3.5.8 How does the institution orient and train dorm directors and R.A. staff in the Lutheran identity and ethos of the institution?
- 3.5.9 How does the institution prioritize the recruitment of LCMS Lutherans to serve as dorm directors and on the R.A. staff? How effective have these efforts been?
- 3.5.10 How do the organization of campus housing and policies regarding off-campus housing acknowledge and reflect the divine, created distinction of male and female and foster appropriate male-female segregation, privacy, and Christian modesty?
- 3.5.11 How do the campus housing staff inculcate the Lutheran identity and life of the institution to residential students?

*Student Conduct*

- 3.5.12 How does the student conduct policy reflect an overarching perspective on the human and society rooted in the verities of the Holy Scriptures and Lutheran Confessions? How effectively is this policy publicized, promoted, and enforced?

*Athletics, Music, and Performing Arts*

- 3.5.13 How does the institution connect its athletic, music, and performing arts programming to realizing its ecclesiastical mission, goals, and objectives?
- 3.5.14 How do the athletics, music, and performing arts programs orient and train staff in Lutheran theology and the Lutheran identity, mission, and goals of the institution?
- 3.5.15 How effective has the institution been in the recruitment of LCMS Lutheran staff to athletics, music, and performing arts?
- 3.5.16 How does the institution ensure that the artistic productions and performances are in subject matter and theme appropriate to the Lutheran identity and life of the institution?
- 3.5.17 How do the athletics and music and performing arts programs respect and protect chapel worship and Sunday mornings as a time for attending congregational worship?
- 3.5.18 How do the athletics, music, and performing arts programs inculcate the Lutheran identity and life of the institution to students involved in these activities?

*Student Organizations*

- 3.5.19 How does the institution actively further and promote its ecclesiastical mission, goals, and objectives through the development and support of student organizations?
- 3.5.20 How does the institution ensure that the values, goals, and activities of all official student organizations are consistent with an overarching perspective on the human and society rooted in the verities of the Holy Scriptures and the Lutheran Confessions?

*Campus Ministry*

- 3.5.21 What staffing measures are in place for the campus ministry to provide for the spiritual care of students?

**Identity Standard IV—Planning & Resourcing**

Planning, resourcing, and personnel reflect and embrace the institution's ecclesiastical mission and goals.

- 4.1 Institutional planning is aligned with the institution's ecclesiastical mission and goals.

4.1.1 How do relevant portions of planning documents (including campus ministry plan, strategic plan, campus master plan, short range planning documents, goals, etc., as relevant) demonstrate alignment with the ecclesiastical mission and goals (articulated in Identity Standard I)? How is the physical space for theology faculty, theology courses, campus ministry, and chapel made visible and prominent on the campus? How does the master plan provide for the maintenance and enhancement of religious symbolism and art work on the campus?

4.1.2 Who is responsible for institutional planning? What is the role of ordained leadership in planning? What is the role of theology faculty in planning? What steps are taken to ensure that those responsible fully embrace and promote this identity? Who else is involved in planning?

4.2 Personnel are aligned with the institution's ecclesiastical mission and goals.

4.2.1 How do the employment criteria for staff align with the institution's ecclesiastical goals?

4.2.2 How are staff regularly formed in the mission of the university, including its ecclesiastical identity and goals? What steps are in place to ensure all staff members are able accurately to present the ecclesiastical mission and goals of the university and their place within it? Does the campus schedule allow the staff to attend chapel as part of their work day?

4.2.3 What steps are taken to ensure that outward facing departments (e.g., admissions, public relations, advancement) faithfully represent the ecclesiastical mission and identity of the institution?

4.2.4 How is the physical space for theology faculty, theology courses, campus ministry, and chapel made visible and prominent on the campus? How does the organizational positioning of the theological faculty highlight its centrality?

4.3 Financial resources are aligned with the institution's ecclesiastical mission and goals.

4.3.1 How does the budget reflect the priorities and value of the institution? How is it informed by the ecclesiastical mission and goals?

4.3.2 What is the university's endowment balance? How much is devoted to church work preparation, theology, and campus ministry? What steps are taken to ensure appropriate allocation of endowment earnings and other designated gifts?

4.3.3 How does the budget support a vigorous campus ministry program, including facilities, personnel, and activities?

4.3.4 How does the budget support church work preparation and theology programs?

4.3.5 How does the institution ensure that faculty salary and benefits packages are competitive with district salary guidelines and the salary and benefits packages offered by regional higher education institutions?

4.4 Planning and resourcing processes and outcomes are informed by effective assessment and accountability measures.

4.4.1 What is the institution's internal process for assessment of planning and resourcing? How are the standard for Lutheran identity normative in that process? What is the

mechanism for accountability, feedback, and improvement? How are ordained and rostered LCMS faculty and staff involved with that feedback and accountability?

## **Identity Standard V—Governance, Leadership, and Administration**

The governance, leadership, and administration of the institution foster and embrace the institution's relationship with The Lutheran Church—Missouri Synod.

- 5.1 The board of regents and administration demonstrate a desire and ability to walk together with and within The Lutheran Church—Missouri Synod.
  - 5.1.1 In what ways do the board of regents and administration proactively cultivate good relations with other affiliated colleges and universities of The Lutheran Church—Missouri Synod?
  - 5.1.2 In what ways do the board of regents and administration proactively solicit, remain aware of, and cooperate with the needs and desires of The Lutheran Church—Missouri Synod?
  - 5.1.3 In what ways do the board of regents and administration proactively solicit, remain aware of, and cooperate with needs and desires of those districts whom the institution primarily serves?
- 5.2 The board of regents demonstrates thorough knowledge of the ecclesiastical interests of The Lutheran Church—Missouri Synod in the institution and is capable of pursuing them.
  - 5.2.1 What steps are taken to ensure that all board members are able accurately to present the ecclesiastical mission and goals of the university and their place within it?
  - 5.2.2 How does the board of regents in word and deed prioritize their responsibility and authority to act in the interest of our common Lutheran confession and mission?
  - 5.2.3 How does the board of regents expect and actively foster the development and maintenance of curricula and policies for student life and behavior consistent with the doctrine and practice of The Lutheran Church—Missouri Synod and commit the institution to the principles of Christian discipline, an evangelical manner, and good order?
  - 5.2.4 Does the entire board of regents receive on-boarding and ongoing board training in the Lutheran Identity and Mission Outcomes Standards (this document)? How does the board of regents ensure that the institution and its constituent parts strive to excel in the Lutheran Identity and Mission Outcomes Standards?
  - 5.2.5 In addition to the review mandated by Bylaw 3.10.6.6.1, how and how frequently does the board of regents use the Lutheran Identity and Mission Outcomes Standards in its regular review and support of the president/chief executive in his responsibilities to include those specified below (5.3)? How does such evaluation drive decision-making pertinent to the mandated Bylaw process?
- 5.3 The president/chief executive demonstrates knowledge of the ecclesiastical interests of The Lutheran Church—Missouri Synod in the institution and is capable of bringing to fruition initiatives that accord with those interests.
  - 5.3.1 How does the president/chief executive personally prioritize in word and deed his role as the spiritual head of

the institution, demonstrating our shared commitment to our common Lutheran confession and mission?

- 5.3.2 How does the president/chief executive ensure that the institution and its constituent parts strive to excel in the Lutheran Identity and Mission Outcomes Standards?
  - 5.3.3 How and how often does the president/chief executive participate in roles and activities that emphasize and promote the Lutheran identity and life of the institution, on campus, to external audiences, and to the congregations, schools, and, as appropriate, other organizations within the Synod?
- 5.4 The administration demonstrates knowledge of the ecclesiastical interests of The Lutheran Church—Missouri Synod in the institution and is capable of bringing to fruition initiatives that accord with those interests.
    - 5.4.1 How does the administration demonstrate knowledge and prioritization of the doctrine and practice of The Lutheran Church—Missouri Synod, the principles of Christian discipline, and the Lutheran Identity and Mission Outcomes Standards as they develop, implement, and assess curricula and policies for student life?
    - 5.4.2 How does the administration provide for the formal, ongoing training of all faculty in the doctrine of the Holy Scriptures as rightly taught in the Lutheran Confessions as they relate to their academic disciplines, to enable them to engage in responsible exercise of their academic freedom within the confession of the institution and The Lutheran Church—Missouri Synod?
    - 5.4.3 How does the administration support the proper authorities of The Lutheran Church—Missouri Synod in their roles of ecclesiastical supervision of called workers, placement of church-work graduates, and doctrinal review status appeals? Have faculty complaints and dispute resolutions, if any, been resolved in accordance with applicable bylaws and policies of The Lutheran Church—Missouri Synod? Explain.

## **Identity Standard VI—Assessment of Effectiveness**

The institution's assessment of its achievement of the Lutheran Identity and Mission Outcomes is foundational to and effective in advancing its ecclesiastical goals.

- 6.1 The ecclesiastical goals of the institution are clear and measurable.
  - 6.1.1 Are the ecclesiastical goals stated with an appropriate degree of specificity? Is each goal stated in concise language? Are goal statements formulated so as not to allow for subjective interpretation?
  - 6.1.2 Do each of the ecclesiastical goals allow for measurement? Are the goals stated in such a manner that it is possible to determine objectively the degree to which the goal is being met?
- 6.2 A systematic and regular process of assessment of the outcomes of the Lutheran Identity and Mission Outcomes Standards (this document) is in place at the institution.
  - 6.2.1 Does the institution have a stated policy describing the process and schedule for assessment of ecclesiastical goals? Explain.
  - 6.2.2 How does the process of assessment involve all levels of the institution (board, administration, faculty, staff, students)?

- 6.2.3 Does the stated process of assessment involve both formative and summative assessment of the outcomes of the ecclesiastical goals? Explain.
- 6.2.4 Does the process of assessment include a feedback loop that informs a process of continual improvement? How have past assessment results informed institutional change? Explain.
- 6.2.5 How does the process of assessment include a mechanism for receiving and integrating feedback from CUE Accreditation review?
- 6.2.6 Does the assessment process allow for free and open access to the inquiries of the CUE? Does the schedule for assessment coincide with scheduled CUE review and other accreditation timelines?

## **REQUEST FOR DATA**

The self-study returned in response to the Lutheran Identity and Mission Outcomes Standards Evaluation Tool (this document) should include such appendices as these [to be elaborated by CUE].

- A. Personnel Table(s)
- B. Student Body Demographics
- C. Policy Manuals
- D. Catechetical and Orientation Syllabi for Regents, Faculty, and Staff

Accepted June 24, 2021, as report of drafting committee  
and for broader dissemination and comment

Concordia University System Board of Directors





## LATE OVERTURES

### 5. Theology and Church Relations

#### Ov. L5-51

#### To Recognize Altar and Pulpit Fellowship with the Evangelical Lutheran Church of Ukraine

##### Preamble

The Evangelical Lutheran Church of Ukraine (ELCU) has its roots in the German Evangelical Lutheran Church of Ukraine (GELCU). Lutheranism had come to Ukraine near the end of the eighteenth century, with a mass migration of German farmers and craftsmen invited by the Russian Czar to help develop Ukraine. Because many of these immigrants were Lutherans, congregations were formed, and churches built. In the twentieth century, with the Russian Revolution and the rise of atheistic communism (especially under Stalin in the 1930s), Lutheranism was nearly wiped out. But after the collapse of the Union of Soviet Socialist Republics (USSR) beginning with the fall of the Berlin Wall in 1989, a new era began, and Lutheranism had an opportunity to re-emerge.

The GELCU was established by 1992, even as many ethnic Germans living in the former USSR were allowed to repatriate back to Germany. Nonetheless, from 1992–2014, GELCU continued to be led by German bishops and was supported financially by partner German churches affiliated with the state church of Germany, namely, the *Evangelische Kirche in Deutschland* (EKD, Evangelical Church in Germany). It was also supported at that time by the Lutheran World Federation (LWF). Before Rev. Serge Maschewski was installed as the bishop of GELCU, the bishop of GELCU was also a member of the Evangelical Lutheran Church of Russia (ELCROS) Bishops' Council (also affiliated with LWF).

Rev. Maschewski (who is Ukrainian and German but was raised in Kazakhstan) was elected as Bishop of GELCU in 2013 and took office in 2014. He was allowed to repatriate to Germany in the 1990s and was able to enroll in the Russian Project of Concordia Theological Seminary (CTSFW), where he was introduced to historic confessional Lutheran theology. After returning to Germany, he was viewed as an ideal candidate in the continuation of the German line of bishops of GELCU. He was also the first bishop of GELCU who was not only a German speaker, but also fluent in Russian (from his upbringing in Kazakhstan) and in Ukrainian.

With his newly found confessional Lutheran convictions, however, Rev. Maschewski and GELCU soon came into conflict with the theology of GELCU's sponsors from Germany and the LWF. When directed to receive ordained women pastors to work within GELCU, for example, Bishop Maschewski refused to allow it, as did his synod in convention. The same was true when GELCU was pressured to embrace the LGBTQ agenda in the church's life in Ukraine.

The conflict escalated to the point that, in 2015, GELCU severed its fellowship with its heretofore German partner churches, dropped its membership in the LWF, and left the ELCROS Bishops' Council, leaving GELCU alone and isolated. With newly-found confessional Lutheran friends from the CTSFW Russian Project and elsewhere, GELCU reached out to The Lutheran Church—Missouri Synod (LCMS). By 2016 the process of seeking to formalize church fellowship with the LCMS began. At the same time, some of the more liberal-oriented members of GELCU left the church and sought support from the old partners, calling themselves GELCU as well. To avoid confusion, it became necessary for the church body to change its name from GELCU to ELCU (dropping the *G*, for *German*). During the years 2015–2017 a new liturgy in Ukrainian and Russian was developed and approved (previously there was an Agenda only in German). The Liturgical Commission continues to work on a new hymnal.

The ELCU was officially established by convention on Sept. 20, 2019, but the new name was not officially recognized by the Ukrainian state until Feb. 11, 2021. This was due partly to a slow governmental bureaucracy, the COVID-19 pandemic, and political machinations surrounding the church's severance from the EKD and LWF.

Beginning in 2017, the LCMS Office of International Mission (OIM) in Eurasia began mission work with this newly emerging Lutheran church body. Monthly week-long seminars on a variety of theological topics were offered to the Ukrainian clergy by OIM missionary theological educators as well as by regional partner churches from Europe, Russia, Kazakhstan, and the Baltic states. An LCMS missionary couple moved to Odessa as English as a Second Language teachers, especially for Ukrainian pastors, in order to broaden their access to important Lutheran literature, which was not available in Russian or Ukrainian. An LCMS pastor and his family was called to live and work in Ukraine with the pastors of the ELCU. Unfortunately, much of this work, as well as plans for formal discussions pursuing the recognition of church fellowship with the LCMS, were either stalled or postponed due to the outbreak of COVID-19 and then by the Russian

1 war against Ukraine, when all missionaries had to be recalled from fields in Russia and Ukraine. OIM Eurasia plans to  
2 resume this work as soon as the war ends, and the LCMS can re-enter Ukraine.

3 Despite these challenging circumstances, in October of 2022 various leaders of the LCMS—including President Matthew  
4 Harrison, the Rev. Dr. Jonathan Shaw (Director of Church Relations—Assistant to the President) and Rev. James Krikava  
5 (then OIM Regional Director for Eurasia)—were able to meet with Bishop Maschewski in Freising, Germany for an initial  
6 live round of formal discussions regarding church fellowship with the LCMS. At that time, plans were already in place for  
7 Bishop Maschewski to travel to St. Louis and meet with the Commission on Theology and Church Relations (CTCR) to  
8 continue those discussions, but ongoing fighting in the war between Ukraine and Russia prevented him from traveling. A  
9 thorough report on the October discussions, however, was presented to the CTCR by Dr. Shaw and Rev. Krikava at the  
10 CTCR’s December 2022 meeting.

11 Finally, in February of 2023, Bishop Maschewski was able to travel to St. Louis to meet with the CTCR, together with an  
12 ELCU lay leader (Mr. Alex Gerzhik). Following a presentation by Bishop Maschewski to the CTCR, and extensive  
13 discussion with a CTCR subcommittee charged with evaluating church relations requests, the CTCR (at its Feb. 16–18,  
14 2023, meeting) unanimously approved a motion to memorialize the 2023 convention to recognize fellowship with the  
15 ELCU in keeping with Bylaw 3.9.5.2.2 (b):

16           When a church body applies for formal recognition of altar and pulpit fellowship with the Synod, such  
17           recognition shall be proposed at a convention of the Synod only after the approval of the commission  
18           [CTCR].

19           WHEREAS, The ELCU, in the face of severe trials (including the Russian-Ukrainian war) and intense opposition and  
20           persecution, has established itself as an independent and self-supporting church body that is firmly committed to the Holy  
21           Scriptures and the Lutheran Confessions; and

22           WHEREAS, The ELCU has sought and received support and assistance from the LCMS over the years through its  
23           participation in the Russian Project of CTSFW and through the work of OIM in Eurasia, which has helped enable the  
24           ELCU to be and remain committed to theology and practice that is fully faithful to the Word of God and the Lutheran  
25           Confessions; and

26           WHEREAS, The ELCU accepts all the canonical books of the sacred Scriptures of the Old and New Testaments as the  
27           inerrant, revealed Word of God; and

28           WHEREAS, The ELCU accepts without qualification all of the symbolic books of the Evangelical Lutheran Church,  
29           compiled in the Book of Concord of 1580, as a correct exposition of the sacred Scriptures; and

30           WHEREAS, On March 27, 2019, Bishop Serge Maschewski, on behalf of the ELCU, formally requested altar and pulpit  
31           fellowship with the LCMS; and

32           WHEREAS, Bylaw 3.9.5.2.2 (b) says, “When a church body applies for formal recognition of altar and pulpit fellowship  
33           with the Synod, such recognition shall be proposed at a convention of the Synod only after the approval of the commission  
34           [CTCR]”; and

35           WHEREAS, In face-to-face discussions with Bishop Maschewski, the CTCR has examined the official documents,  
36           teachings, and practices of the ELCU and found them to be faithful to Scripture and the Lutheran Confessions, and has  
37           proposed the recognition of fellowship between the ELCU and the LCMS; therefore be it

38           *Resolved*, That we acknowledge with gratitude the unity of confession that has been given to our churches under the  
39           guidance of the Holy Spirit; and be it further

40           *Resolved*, That we give thanks that despite serious challenges, obstacles, and opposition, God, by His grace, has  
41           equipped, preserved, and strengthened the ELCU to give a faithful, confessional Lutheran witness in Ukraine and beyond;  
42           and be it further

43           *Resolved*, That we give thanks to God that doctrinal discussions between official representatives of the LCMS and the  
44           ELCU have resulted in recognition of complete concord and agreement; and be it further

45           *Resolved*, That the Synod formally recognize the existence of altar and pulpit fellowship between the ELCU and the  
46           LCMS; and be it further

47           *Resolved*, That we encourage and walk with the ELCU as it continues to proclaim the saving Gospel of Jesus Christ  
48           in Ukraine; and be it further

1        *Resolved*, That we pray for God’s blessings in the coming years on our agreement in the confession of the Gospel that  
 2 we enjoy as partner churches, and for the blessing of the Lord upon the members and leaders of the Lutheran Church of  
 3 Ukraine; and be it finally

4        *Resolved*, That in celebration and thanksgiving for this partnership in the Gospel, the convention assembly signify its  
 5 approval by rising and singing the common doxology.

6 Commission on Theology and Church Relations

## 7 **6. Pastoral Ministry and Seminaries**

### 8 **Ov. L6-47**

#### 9 **To Amend Bylaw 3.10.2.2 to Provide for Temporary Service of Men Undergoing Colloquy**

10        WHEREAS, Some pastoral colloquy applicants are deemed by the Colloquy Committee for the Pastoral Ministry to be  
 11 fully ready for ministry in The Lutheran Church Missouri—Synod already from the time of their interview with the  
 12 committee; and

13        WHEREAS, Due to various circumstances, some of which are outside of the committee’s control, there can sometimes  
 14 be a lengthy period of time between the interview with the committee and eventual call and initial placement in a  
 15 congregation; and

16        WHEREAS, There is a pressing need for pulpit supply, especially in certain areas of the Synod; and

17        WHEREAS, The aforementioned colloquy applicants could assist with this need; and

18        WHEREAS, This practice has long been the norm with seminary students who, even before certification and in addition  
 19 to vicarage, often assist with pulpit supply in their fieldwork congregations and elsewhere; therefore be it

20        *Resolved*, That Bylaw 3.10.2.2 be amended as follows:

#### 21 PRESENT/PROPOSED WORDING

#### 22 ***B. Colloquy Committee for the Pastoral Ministry***

23 ...

24 3.10.2.2        The Colloquy Committee for the Pastoral Ministry shall establish and monitor academic, theological, and  
 25 personal standards for admission to the office of the pastoral ministry by colloquy after consultation with the  
 26 faculties of the seminaries.

27                (a) In consultation with the President of the Synod, it shall develop all necessary policies to govern  
 28 eligibility and the process to be followed to determine qualifications and suitability for pastoral service  
 29 in the Synod.

30                (b) Following the committee’s initial interview with an applicant, if the committee determines it would  
 31 be beneficial for the applicant and/or the Synod, the committee may authorize said applicant to  
 32 temporarily serve in the congregation of Synod in the same manner as a seminary student or vicar and  
 33 provide for proper supervision. If the committee at any time concludes that this authorization for an  
 34 applicant needs to be terminated, the committee may do so.

35                ~~(bc)~~ Decisions to declare applicants qualified for the pastoral ministry and to certify for placement shall  
 36 be at the sole discretion of the committee.

37                ~~(ed)~~ Every applicant whom the committee declares qualified shall be assigned his first call by the  
 38 Council of Presidents acting as the Board of Assignments.

39 Colloquy Committee for the Pastoral Ministry

## 1 7. University Education

### 2 Ov. L7-27

#### 3 To Revise Bylaws to Revisit and Renew the Relationship 4 of Colleges and Universities with the Synod

##### 5 Preamble

6 The following proposed convention action, having to do with the Concordia University System (CUS), represents the  
7 culmination of the collaborative process set forth by 2019 Resolution 7-03 (“To Direct a Collaborative Process to Propose  
8 a New Governance Plan”) to propose a new governance plan for CUS that (as the resolution directed) strengthens all CUS  
9 institutions’ connection to the Synod, strengthens their confessional Lutheran identity and reflects intensive and extensive  
10 review of the composition, size, and selection of their boards of regents, the process of selecting their presidents; the  
11 overall governance of the system by the CUS and the boards; and the financial model for the institutions.

12 This proposal aims to respond effectively—with realism, faithfulness, and hopefulness—to decades of higher education  
13 change. What were once colleges devoted almost exclusively to the training of sons and daughters of Synod congregations  
14 for church work have—through a process that began as early as 1947, with the development of the “senior college”  
15 concept, and that accelerated with each subsequent decade—completely transitioned to four-year, regional universities,  
16 reliant for the vast majority of their material operating inputs on sources outside the Synod. A few details are important:

- 17 • The colleges once served a “captive Synod audience” of traditional, residential undergraduate students studying in  
18 a limited number of academic programs on campuses oriented principally or exclusively toward church work or  
19 final pastoral formation at seminary. Today, the universities offer, to a confessionally diverse student population,  
20 dozens of competitive online and on-ground undergraduate and masters, doctoral, and professional degrees and  
21 programs in a wide variety of disciplines including health care, engineering, education, criminal justice, etc.
- 22 • Across the board today, church work (4 percent) and member-congregation students (11 percent) are a small  
23 minority on each campus and tuition and fees (especially from profitable, largely graduate, almost exclusively non-  
24 church-work programs), grants, and gifts from the faithful, from alumni, and from surrounding communities have  
25 replaced a Synod subsidy as principal financial means. Only approximately 5–6 percent of graduates of Synod  
26 congregations attend a Concordia university.
- 27 • With the size of the schools’ operating budgets (by 2022, collectively, approximately 23 times the total unrestricted  
28 budget of corporate Synod), their principal reliance on non-Synod sources of income, their responsibility to those  
29 providing those inputs (including the federal government and students investing in programs of education they hope  
30 to finish), their expanding but variously-structured endowments, and their potential liabilities vastly outweighing  
31 the value of the schools’ properties, any sweeping rearrangement of the CUS would be far more complex than a  
32 simple application of present Synod bylaw mechanisms (e.g., Bylaw 3.6.6.4) or a simple convention action.
- 33 • It is no longer practical to contemplate empowering any single Synod board to coordinate the business and financial  
34 operations of the universities as they presently exist and operate as a unitary whole. Even the few existing layers of  
35 authorization in left-hand kingdom matters (e.g., administration, finance, real estate, budget, information  
36 technology) have engendered uncertainty regarding the relative roles of CUS, the Synod Board of Directors (BOD),  
37 and the boards of regents, although the latter are clearly intended to be the schools’ “governing bodies corporate.”
- 38 • While schools’ cash flow and other financial needs were once met with granting by the Synod or lending of funds  
39 deposited by other Concordias, this can no longer be the case. Today the CUS no longer manages lines of credit to  
40 the schools. Instead, the Lutheran Church Extension Fund and other banks finance the borrowing by schools based  
41 on their individual financial circumstances. Neither does the Synod have the resources, even if all other activity  
42 were ceased, to keep all of its institutions economically viable (institutions in Selma, Ala., Portland, Ore., and  
43 Bronxville, N.Y. having been lost to the Synod in the last five years) or to take on the scale of liabilities that could  
44 be expected to arise in connection with colleges and universities experiencing severe financial straits. Nor has the  
45 Synod the power to insulate them from the theological drift characteristic of religious colleges and universities  
46 across the country or from increasing uncertainties about viability of American colleges and universities, generally.  
47 Nor, finally, has the Synod the flow of church vocation and other interested member congregation students or faculty  
48 to fill them at anything approximating their current scale. Their survival, flourishing, and usefulness to the church  
49 depend on the utmost performance by highly skilled and qualified governing bodies and administrations, both  
50 committed to the institutions’ purpose within the mission of the Synod.

- 1 • The uniqueness of our Concordias in an otherwise lost-at-sea higher education landscape, however, has radically  
2 increased. Gone are days when public schools advocated basic Judeo-Christian morality and moral principles, and  
3 secular society willingly supported Christian churches and schools and maintained Christian pro-life and sexuality  
4 standards. Today, churches and schools are left to contend with government and society increasingly antagonistic  
5 to Christianity, and the church's universities exist not only in competition with each other or with similar regional  
6 institutions but with the unique and valuable opportunity to offer a robust and compelling Christian *contrast* to their  
7 secular or *legacy* "Christian" counterparts. In a very real sense, what is "right" is also what "could work." That is to  
8 say, the viability and prospering, the "marketable brand" of each university is, in the long view, tied to its performance  
9 of a mission that is unique in the field of higher education—as a university that believes, teaches, and confesses the  
10 Word of God and the Lutheran Confessions.
- 11 • There is an opportunity—recognizing that our Concordias are not "legacy institutions" but devoted to faithfully  
12 serving the Church and their students as institutions of the Church in their new reality as somewhere between  
13 "critical mass" institutions, having enough Lutheran Church—Missouri Synod (LCMS) presence to largely serve  
14 the faithful while inviting others seeking what they provide to be immersed in that environment, and "mission"  
15 institutions, having largely faithful faculty and staff but focusing more on delivering education to unchurched  
16 students than to the faithful. These simple facts have implications and shifting from a "broader" institution to a  
17 "narrower" one is an extremely challenging prospect. At the same time, a broader institution may be capable of  
18 having a broader mission impact if it can chart the challenging course of such an institution well.

19 This proposal aims to orient the Synod to continue vigorously in common confession and mission with her colleges and  
20 universities, providing opportunities for members of the Synod's congregations to attend and hold before the world high-  
21 quality and attractive schools that, both in teaching and campus life, faithfully adhere to and advocate the Holy Scripture  
22 and the doctrine and practice of the Synod (Constitution Article II). The crucial roles of boards of regents and university  
23 presidents are restated clearly, along with appropriate safeguards, and realistic lines of accountability are drawn. These  
24 will be equipped, empowered, and expected to exercise their duty to the congregations of the Synod, as the governing  
25 bodies corporate of the several institutions (existing Bylaw 3.10.6.4 [i][1, 6]) and their executives, to do the work for which  
26 Synod has established the schools, including training professional church workers (Const. Art. III 3) and laity for service  
27 in the Evangelical Lutheran Church (Articles of Incorporation II d), and thoroughly educating and nurturing "others  
28 desiring a Christian liberal arts education" (Bylaw 3.6.6.1). At the same time, the complexity and sophistication of the  
29 individual schools is recognized, reducing administrative overhead and favoring coordinative and collaborative work that  
30 comes "from within" as a means of strengthening the individual institutions while extending their witness and collective  
31 influence.

32 Simply put, the proposal aims to continue thereby the Synod's efforts to uphold the relationship of the schools with its  
33 congregations and commending them to their students, while guiding the schools to build on the strength that differentiates  
34 them from every other university—the full and pure confession of a Jesus who is never for them "in the way" but in every  
35 sense "the Way." The institutions will be guided to thrive in precisely that way that will sustain and increase their unique  
36 and indispensable contributions to the common mission of the Synod.

37 This proposal does not come alone but with commitment, by all Concordia presidents, to the following shared convictions:

38 There is great promise and possibility in the Concordias, individually and collectively, maintaining a close two-way  
39 relationship and connection with the Synod through a formal governance structure; supporting the mission and  
40 goals of the Synod; strengthening Lutheran identity; accommodating as many congregation member students as  
41 possible; equipping *all* who attend with a Lutheran higher education that prepares them to be a blessing to  
42 families, churches, communities, and workplaces; and starting to build a bridge between such students and the life  
43 of the Church.

44 There is also great promise and possibility in each of the Concordias working—each with unique influence and  
45 impact—in concert, called together by a Synod convener to seek cooperative and collaborative efforts and to  
46 support one another, aiming for a shared path forward with collective influence that expands rather than shrinks.

47 The viability and prospering of each university is, in the long view, tied to its performance of a mission that is unique  
48 in the field of higher education—as a university that believes, teaches, and confesses the Word of God and the  
49 Lutheran Confessions. As Dr. Luther wrote, "I greatly fear that the universities, unless they teach the Holy  
50 Scriptures diligently and impress them on the young students, are wide gates to hell" ("To the Christian Nobility  
51 of the German Nation concerning the Reform of the Christian Estate," *Luther's Works* 44:206–7; WA 6:462). This  
52 makes Synod visitation and ecclesiastical supervision—a formal expression of the rich visitation heritage of the  
53 Church—invaluable to each institution. As such, each of the Concordias shares a commitment, and welcomes  
54 support and accountability, in providing a higher education where the Scriptures are present and prevalent,  
55 offering to those within the church and beyond a compelling alternative to secular higher education.

1 We believe that the existing CUS, with some adjustments in practice, shared work, and scope of responsibility, is the  
2 best way for the universities to continue to achieve these and other cooperative efforts.

3 The following proposed amendments to the CUS, reflecting these realities and hopes, have emerged from a series of recent  
4 Synod convention actions (2013 Res. 5-01A; 2016 Res. 7-02B; and 2019 Res. 7-03). The culminating 2019 convention  
5 action directed the Synod’s BOD—with active involvement of the President of the Synod; the CUS board, advisory  
6 council, and president; the institutions’ boards of regents; and others as needed—to propose a new governance plan for  
7 consideration and adoption by the 2023 convention. The process directed by 2019 Res. 7-03 required the concurrence of  
8 the CUS advisory council and the CUS BOD and a period of review and comment by the entire Synod, which took place  
9 between March and September 2021. The following plan—significantly revised by the university presidents and drafting  
10 committee while the *Workbook* was going to print—is presented in pursuit of a realistic, sustainable, and transparent  
11 framework, satisfying and acting upon the following objectives of the aforementioned resolutions, as summarized in 2019  
12 Res. 7-03, as summarized at the outset.

13 Each of the following seven sections (A–G) of the proposed governance plan is prefaced by a *rationale* section briefly  
14 relating the proposed changes to the above objectives. In response especially to the thrice-expressed (2013 Res. 5-01A;  
15 2016 Res. 7-02B; 2019 Res. 7-03) desire of the convention for materially *strengthened* connections with the Synod’s  
16 colleges and universities, detailed bylaws refocus the CUS on providing concrete mechanisms for continued evaluation  
17 and improvement where the Synod’s strength most lies and where it most matters: confessional Lutheran identity and  
18 mission focus. At the same time, responding to the rationale for 2019 Res. 7-03, to the collective desire expressed by the  
19 several boards of regents, and to practical necessity, the following proposal aims, so far as an appropriate governance  
20 structure can, to foster and facilitate the coordination and collaboration that will help the institutions to succeed,  
21 individually and together—as schools committed to the church and her mission—in an increasingly challenging higher  
22 education environment.

### 23 A. TO REFOCUS CONCORDIA UNIVERSITY SYSTEM 24 AS ECCLESIASTICAL VISITOR

#### 25 Rationale

26 In keeping with the charge of 2019 Res. 7-03 to “review the overall governance of CUS and the boards of regents of the  
27 CUS institutions,” the interaction of the Synod, its President, BOD, CUS, and the various boards of regents was examined  
28 from the perspective of the “two kingdoms” in an attempt to be clear about who is responsible for which aspects of the  
29 schools’ governance and in what manner.

30 It is relatively easy to *distinguish* right-hand (doctrine, practice, ecclesial mission) and left-hand (business, property, legal)  
31 aspects of a university’s operation and to understand their different realms of Synod supervision and oversight. The two  
32 “hands” can hardly be *separated*, however, especially in the work of a board of regents. Of concern have been recent  
33 situations in which “left-hand” realities have overwhelmed the right hand’s ability to continue the mission, or “left-hand”  
34 powers and supposed obligations have distracted a board of regents from its right-hand obligations. To be sure, regents  
35 are responsible to keep the ship of their institution afloat (in a business, property, and legal sense)—but their work hardly  
36 ends there; they are charged much more to *steer* their ship in the direction of the church’s mission (doctrine, practice,  
37 ecclesial mission). A ship afloat but rudderless is as useless to the church as is a well-charted course for a sunken ship.  
38 Thus, as a Christian lives *in two* kingdoms but *as one* subject—entrusted at once with material gifts and human  
39 relationships, on the one hand, but also with the Word of God, on the other—so these two spheres meet in the board of  
40 regents of a Synod university. The final responsibility and authority, logically and legally, to marshal their institution’s  
41 material means to achieve the Synod’s churchly ends, Christ’s ends, lie with these regents (2019 Bylaw 3.10.6.4 [i][6]).

42 Keeping the ships of our schools afloat while maintaining—in challenging seas, these days, for universities of any stripe  
43 except those with massive endowments—their freedom to maneuver on the church’s charted course is a grand challenge  
44 for each board of regents. They need agility to marshal their institutions’ material resources for mission. They need to be  
45 accountable to the Synod in two distinct ways: first, that they chart, in doctrinal, practical, and mission terms, the right  
46 course; second, that they marshal their material resources properly to perform that task, without undue worldly  
47 entanglements, and in the long term. Supervision in the first, “right-hand” realm, and oversight in the second, “left hand”  
48 realm are both absolutely necessary but each call for different gifts and approaches. CUS has struggled with “left-hand”  
49 oversight, not having in itself the necessary business, property, and legal expertise, which has perhaps detracted from its  
50 chief aim, namely, to chart a churchly course with the regents and presidents of our institutions.

51 Proposed is moderate and focused change to CUS, *not* to introduce or enhance mechanisms by which it directs the  
52 universities or to involve it in their kingdom-of-the-left business decisions, but to *focus and enhance* the Synod’s effort in  
53 the guidance, encouragement, and provision of accountability for the schools’ accomplishment of their churchly purpose.  
54 “Left-hand” accountability of regents for property, business, and legal matters is channeled elsewhere—to the BOD (see

1 Section C below), which has in its members, in its Chief Financial Officer, and in other experts available for its use, the  
 2 requisite gifts to hold boards of regents accountable—ultimately, to the congregations of the Synod—for their stewardship  
 3 of “property of the Synod” in cultivating mission and ministry on and beyond their campuses. Mechanisms for what were  
 4 always the chief aims of CUS must be sustained and strengthened, namely, to set forth and realize a vision for the schools’  
 5 role in the mission of the Synod, in pursuit of which CUS has worked with them to establish Lutheran Identity Standards  
 6 for CUS Institutions (2016 Res. 7-01A, *Proceedings*, 171–72) and to advocate the schools’ provision of church workers  
 7 and preeminently and pervasively *Lutheran* higher education programs and campuses.

8 Section B, below, elaborates the process of visitation and affirmation by which, chiefly, CUS will guide institutions in the  
 9 way of expressing *Lutheran identity* in all spheres of university life and accomplishing the Synod’s *mission outcomes*,  
 10 including bold confession (Const. Art. III 1–2), quality Christian education (Const. Art. III 5), and preparation of church  
 11 workers (Const. Art. III 3) and others (Art. Inc. II d) for exemplary service in family, church, and state. This process falls  
 12 squarely within the churchly tradition of *visitation* and *ecclesiastical supervision* (cf. Bylaws 1.2.1 [j]; 3.3.1.1.1; 3.3.1.2;  
 13 Const. Art. XII 7) as a means of accountability of the Synod’s colleges and universities, under the Scriptures and Lutheran  
 14 Confessions, to the whole Synod. CUS, acting in concert with the existing Committee for Convention Nominations, will  
 15 also have an active role in commending highly qualified potential regents for election and appointment to these boards.  
 16 The boards of regents themselves are dealt with in Section D, further below.

17 As the function of CUS has changed and will further change to one of Synod theological oversight and coordination, and  
 18 all business and property roles will cease, the corporate structure of CUS as a synodwide corporate entity is simplified.

### 19 **Proposed Action**

20 Therefore be it

21 *Resolved*, That existing Bylaws 3.6.6.4–8, regarding the CUS, be deleted, their content being superseded by the  
 22 following new bylaws; and be it further

23 *Resolved*, That Bylaws 3.6.6 and following, regarding the CUS, be revised as follows:

#### 24 PRESENT/PROPOSED WORDING

#### 25 *Concordia University System*

26 3.6.6 Concordia University System, as a corporation under the laws of the State of Missouri, ~~is operated by its~~  
 27 ~~members and board of directors in accordance with incorporated as a non-member corporation as provided~~  
 28 ~~in its Articles of Incorporation and corporate Bylaws to further the objectives of facilitate ecclesiastical~~  
 29 ~~visitation and affirmation of the Synod’s colleges and universities (Bylaw 3.10.6f.) and to assist with their~~  
 30 ~~cooperation and coordination higher education within the Synod. Any amendments to these Articles of~~  
 31 ~~Incorporation shall be subject to approval by the members. It shall seek to assist them with effective and~~  
 32 ~~accountable:~~

- 33 • preparation of commissioned ministers for service in the Synod and of pre-seminary students for  
 34 study at a Synod seminary;
- 35 • raising up of Lutheran laypersons for life-long, faithful service to Christ and the neighbor; and
- 36 • robust, intentional engagement of all students with the faith taught and practiced, with application to  
 37 their vocations in family, church, and state.

38 ~~3.6.6.1 The Board of Directors of the Concordia University System has authority with respect to the Synod’s colleges~~  
 39 ~~and universities. It shall have the overall responsibility to provide for the education of pre-seminary students,~~  
 40 ~~ministers of religion—commissioned, and others desiring a Christian liberal arts education by facilitating~~  
 41 ~~prior approval as set forth in Bylaw 3.10.6.7.3 for theology appointments to college/university faculties and~~  
 42 ~~by coordinating the activities of the Synod’s colleges and universities as a unified system of the Synod~~  
 43 ~~through their respective boards of regents.~~

44 ~~3.6.6.2 The members of Concordia University System shall consist of the Synod and the colleges and universities of~~  
 45 ~~the Synod. The Board of Directors of the Synod and the Council of Presidents of the Synod each shall appoint~~  
 46 ~~delegates representing the Synod. The boards of regents of the colleges and universities of the Synod shall~~  
 47 ~~appoint delegates representing the colleges and universities. The numbers of delegates appointed by the~~  
 48 ~~Board of Directors of the Synod, the Council of Presidents, and the boards of regents shall be established by~~  
 49 ~~the Articles of Incorporation and Bylaws of Concordia University System.~~

50 3.6.6.1 The Concordia University System Board of Directors shall:

- 51 (a) define, in consultation with the Institution Advisory Council, and adopt the Lutheran Identity and  
 52 Mission Outcome Standards (“Standards”), on the basis of which Synod colleges and universities and

1 each of their church worker preparation programs shall undergo Synod visitation; and maintain policies  
 2 governing, and supervise the performance of, such Synod visitation (Bylaws 3.6.6.4f.), which shall focus  
 3 on support and accountability for maintaining and strengthening Lutheran identity. Consistent with the  
 4 Standards, the Concordia University System shall ensure that each institution receives:

5 (1) regular oversight and fraternal counsel and encouragement through annual, informal visitation  
 6 that involves free exchange among peers;

7 (2) in-depth oversight through formal visitation and reporting (including affirmation,  
 8 commendations, cautions, and recommendations for improvement; Bylaw 3.6.6.4) at least once  
 9 every three years;

10 (b) review and approve new implementations of programs of study leading to professional church work  
 11 in the interest of the institution(s) and the Synod;

12 (c) facilitate, together with respective boards of regents, the processes of president selection (Bylaw  
 13 3.10.6.8.2) and prior approval for appointments to theology faculties of Synod colleges and universities  
 14 (Bylaw 3.10.6.9.2); [bylaws as renumbered pursuant to amendments that follow]

15 (d) maintain a *Model Operating Procedures Manual*, in consultation with the Commission on  
 16 Constitutional Matters, regarding the handling of faculty and staff complaints and dispute resolution by  
 17 college/university boards of regents, to include notification of any relevant ecclesiastical supervisor, and  
 18 monitor compliance with such;

19 *Oversight roles:*

20 (e) monitor, inquire into, report to the President of the Synod regarding, and promote the ongoing  
 21 faithfulness of Synod's colleges and universities to the doctrine, practice, and objectives of the  
 22 Constitution of the Synod (Const. Art. II and III);

23 (f) monitor—in consultation with the Office of National Mission; the Department of Rosters, Statistics,  
 24 and Research Services; the Council of Presidents; and the Synod's seminaries—and report to the Synod  
 25 on the enrollment, graduation, placement, and retention rates in programs leading to candidacy for  
 26 commissioned ministry or to seminary enrollment and advise the schools on the Synod's worker needs  
 27 and opportunities for coordination;

28 (g) receive, revise, and recommend to conventions of the Synod for approval any proposals for creating,  
 29 essentially revising, or renaming programs of study and certification for commissioned ministry;

30 (h) in addition to providing its own report, review and respond in each Synod convention *Workbook* to  
 31 a detailed triennial strategic report prepared by the Institution Advisory Council, summarizing the state  
 32 of and outlook for church worker preparation, confessional Lutheran lay education, campus and ethos;

33 *Assistive and coordinative roles:*

34 (i) assist the Synod and its colleges and universities in articulating and advancing the schools' unified  
 35 public confession and application of the church's doctrine and practice, and, in coordination with the  
 36 Board of Directors of the Synod, assist in advancing the common defense of their rights to the free  
 37 exercise of our confession under the Constitution of the United States;

38 (j) develop and administer, on behalf of the Synod and subject to policies of the Board of Directors of  
 39 the Synod, financial resources designated to assist the schools in their pursuit of the Standards, in  
 40 strengthening of churchly identity and in their achievement of mission outcomes;

41 (k) regularly convene the college and university presidents and, as needed, other leadership to facilitate  
 42 the schools' coordination, cooperation, and consolidation of operations, in part or in whole, wherever  
 43 prudent and practically feasible, while not itself assuming any operational or financial responsibility for  
 44 such efforts;

45 (l) serve, in consultation with the President and Secretary of the Synod, the Institution Advisory  
 46 Council, and the boards of regents of Synod colleges and universities, as a resource for the recruitment  
 47 of highly and variously qualified potential regents, offering in nomination (e.g., as in Bylaw 3.12.3.4  
 48 [c]) and suggesting for appointment those suitably qualified;

49 (m) serve as a resource for regents' development of and mandatory training in governance skills,  
 50 especially as they relate to the carrying out of the mission of the Synod's colleges and universities within  
 51 the mission of the church, and foster regents' growth in aspects of governance related to the expectations  
 52 of the Standards;

53 (n) serve as a resource for the development of lists of potential teaching and administrative personnel;

54 (o) together with districts, congregations, local boards of regents, and national efforts, promote student  
 55 recruitment for both professional church work and lay higher education; and



(p) participate with the Board of Directors, Council of Presidents, and respective board(s) of regents, in determinations to consolidate, relocate, separate, or divest a college or university (Bylaw 3.10.6.5).

3.6.6.32 The Board of Directors of the Concordia University System shall be composed of ~~nineteen~~ voting members and ~~five~~~~six~~ nonvoting members (no more than two members elected by the Synod shall be from the same district, ~~and no executive, faculty member, or staff member from a Lutheran institution of higher education may serve on the Board of Directors of Concordia University System as a voting member~~) and no voting member shall be a regent, executive, faculty member, as defined in Bylaw 1.5.1.1, of a Synod college or university:

*Voting Members:*

1. Two ministers of religion—ordained elected by the Synod
2. One minister of religion—commissioned elected by the Synod
3. Two laypersons elected by the Synod
4. ~~Three~~~~Four~~ laypersons appointed by the ~~delegates of the members of Concordia University System~~ elected members listed above, after consultation with the President of the Synod and the Institution Advisory Council; at least two of the four must have background experience in higher education administration or accreditation
5. The President of the Synod or his representative

*Nonvoting Advisory Members:*

1. A district president appointed by the Council of Presidents
2. ~~Up to two persons appointed by~~One representative designated by the Board of Directors of the Synod
3. One representative designated by the Commission on Theology and Church Relations
34. ~~The Chief Mission Officer of the Synod or his representative~~
45. One university president appointed by the Concordia University System Advisory Council who is designated by, and is a member of, the Institution Advisory Council
6. One university board of regents chair who is designated by the Institution Advisory Council and whose institution is a college or university presently affirmed by the Synod.

The advisory university president and university board of regents chair shall be drawn from different institutions. Neither the advisory university president nor the advisory board of regents chair shall participate in the work or the sessions of the board as they relate to the ecclesiastical visitation of any individual college or university.

3.6.6.2.1 Persons elected or appointed to the Concordia University System Board of Directors should have demonstrated familiarity with and support of ~~the institutions—Synod colleges and universities, and~~ shall strongly and demonstrably articulate and support the confession and doctrinal positions of the Synod, and shall possess~~have demonstrated a high degree of~~ two or more of the following qualifications or background experiences: theological acumen, an advanced degree, ~~experience in~~ higher education administration, higher education accreditation, professional church worker education, administration of complex organizations, finance, religious non-profit law, higher education law, investments, technology, human resources, facilities management, or fund development or the strengthening of the mission of the Synod's congregations and schools. The ~~Chief Administrative Officer~~President of the Synod (or a designee) and the Secretary of the Synod (or a designee) shall review and verify that nominees are qualified to serve as stated above.

3.6.6.3 The Institution Advisory Council shall, as specified elsewhere in these bylaws and upon request, advise the Concordia University System Board of Directors in its responsibilities, providing expert consultation and access to information as necessary to facilitate Concordia University System oversight, on the Synod's behalf, of the schools' Lutheran identity and mission outcomes under the Standards (Bylaw 3.6.6.1). It shall also, as bylaws elsewhere specify and upon request, advise Concordia University System in its responsibilities as they relate to programs leading to candidacy for commissioned ministry and to seminary enrollment.

(a) It shall comprise the presidents (including interim presidents) of Synod's colleges and universities currently affirmed by the Synod.

(b) It may, as necessary for its work and subject to Concordia University System approval, create committees consisting of its own members or others, and, while retaining supervision and accountability, delegate to them certain of its responsibilities.

and be it further

*Resolved*, That Bylaws 3.12.3.5 (e–f) and 3.12.3.7 (c) be amended as follows:

1 PRESENT/PROPOSED WORDING

2 3.12.3.5 The first meeting of the Committee for Convention Nominations shall be at the call of the Secretary of the  
3 Synod at least six months prior to the convention of the Synod.

4 ...  
5 (e) In the case of the boards of regents of educational institutions of the Synod, the committee shall  
6 consult with the President of the Synod, the Board of Directors of the Synod, the Board of Directors of  
7 Concordia University System, and the presidents and chairs of the institutions' boards of regents and  
8 receive their input for the committee's consideration. The President of Concordia University System (or  
9 a designee) and the Secretary of the Synod (or a designee) shall review and verify that nominees are  
10 qualified as stated in Bylaw 3.10.6.2 (8). Only those nominees whose qualifications have been verified  
11 as described in Bylaw 3.10.6.2.1 shall be considered to be eligible for selection as candidates for  
12 subsequent election.

13 (f) ~~The Committee for Convention Nominations~~ Secretary of the Synod shall establish and maintain a  
14 procedure to generate and publish in advance of the convention ~~a list~~ of names from all who have been  
15 nominated for Synod boards and commissions who meet the qualifications (as certified under Bylaws  
16 3.10.6.2 [8].1 and ~~3.6.6.3~~ 3.6.6.2.1) to serve (1) on a ~~Concordia University System~~ board of regents of a  
17 Synod college or university or (2) on the Concordia University System Board of Directors. Information  
18 on such nominees shall be shared with the Concordia University System Board of Directors for use  
19 throughout the following triennium as it appoints further members and assists the districts and Synod  
20 colleges and universities, respectively, in identifying potential regents for election and appointment.

21 ...  
22 3.12.3.7 The chairman of the Committee for Convention Nominations shall submit the committee's report in person  
23 to the convention at one of its earliest sessions and shall facilitate the amendment of the slate from the floor.

24 ...  
25 (c) Such floor nominations may only be made from the list of names which have previously been offered  
26 to the Committee for Convention Nominations prior to the final deadline for the submission of  
27 nominations, unless the convention shall otherwise order by a simple majority vote. ~~The President of~~  
28 ~~Concordia University System (or a designee) and the Secretary of the Synod (or a designee) shall verify~~  
29 ~~that all floor nominees to serve as a member of a Concordia University System board of regents possess~~  
30 ~~qualifications as stated in Bylaw 3.10.6.2 (8). The qualifications of floor nominees for boards of regents~~  
31 ~~of Synod colleges and universities shall be verified as provided in Bylaw 3.10.6.2.1. The Chief~~  
32 ~~Administrative Officer~~ President of the Synod (or a designee) and the Secretary of the Synod (or a  
33 designee) shall review and verify that all floor nominees to serve as a member of the Concordia  
34 University System Board of Directors possess qualifications as stated in Bylaw 3.6.6.32.1.

35 ...  
36 and be it further

37 *Resolved*, That the Secretary of the Synod, in consultation with the Standing Committee on Nominations, the CUS  
38 BOD and Institution Advisory Council, and Synod BOD, be directed to prepare specific forms for nomination of regents  
39 and CUS directors, whether elected or appointed, that require detailed elaboration of subject matter qualifications as  
40 indicated in Bylaws 3.6.6.2.1 and 3.10.6.2.1, which forms shall be used in each election or appointment process; and be it  
41 further

42 *Resolved*, That the CUS BOD, in consultation with legal counsel, draft new governing documents for the CUS to  
43 bring it into compliance with the above and with all other applicable bylaws and present them, as soon as practically  
44 feasible and in the interest of the Synod, for adoption subject to Bylaw 3.6.1.7; and be it finally

45 *Resolved*, that the CUS BOD and its members be directed to facilitate the adoption and, as applicable, filing of the  
46 new governing documents.

47 **B. TO ESTABLISH PROCEDURES FOR FORMAL**  
48 **ECCLESIASTICAL VISITATION OF THE CONCORDIA UNIVERSITIES**

49 **Rationale**

50 In keeping with the charge of 2019 Res. 7-03 to "strengthen all CUS institutions' connection to the Synod" and to  
51 "strengthen the confessional Lutheran identity of all CUS institutions," the role of CUS as assistant to the President in his  
52 *ecclesiastical visitation* (Const. Art. XII 7; Bylaws 1.2.1 [j]; 3.3.1.1.1 [c], 3.3.1.2 [c]; 3.6.6.4 [h]) of the Concordia  
53 universities is elaborated, strengthened, and made more transparent. CUS visitation of colleges and universities will focus

1 on their Lutheran Identity and Mission Outcomes (that is, their effective preparation of church workers, thorough  
2 preparation of Lutheran laity for service and leadership in the church, and immersion of all students in a faithful and  
3 forthright Lutheran context and curriculum).

4 2016 Res. 7-01A, “To Adopt Lutheran Identity Statements for CUS Institutions as Prepared by CUS Presidents” (*Proc.*,  
5 171–72), already adopted by the convention and the several boards of regents, provides an initial framework for the  
6 Lutheran Identity and Mission Outcome Standards (“Standards”); the process of visitation set forth in new bylaws aims to  
7 provide a context for evaluating and fostering each institution’s growth in achieving these mission outcomes. The ecclesial  
8 visitation process here set forth assures and fosters growth in the connection of *our* universities with the Church, its  
9 confession, and its non-seminary, higher education mission objectives. The process holds college and university boards of  
10 regents (and through them, presidents, faculties, and staffs) accountable to the Synod for the governance, administration,  
11 and implementation of programs and campus life consistently faithful to the confession of and oriented toward the mission  
12 of the church—not as imposition of an external compulsion but as “iron sharpening iron” in pursuit of each college or  
13 university’s own all-encompassing, sacred purpose.

14 The visitation process is primarily *formative*, in that it engages institutions in self-study and outside evaluation, relative to  
15 the expectations of the Standards. Every institution will be engaged, no matter its present degree of success in pursuing  
16 the ideals of the Standards, and challenged to demonstrate concrete plans for such pursuits. While CUS has in the past  
17 aimed to state ideals and to work with institutions with identified deficiencies, this model provides a definite process  
18 intended accountably and transparently to advance *all* Concordia institutions in their pursuit of the Standards and,  
19 therefore, in their service in support of and on behalf of the member congregations of the Synod.

20 Visitation is also finally *summative*; that is, it can reach the conclusion that the Standards expected have not and cannot  
21 reasonably be expected to be reached. While no one desires this outcome, its definite possibility is intended to strengthen  
22 the intentional working of all Concordia colleges and universities, taking into account the *possibility* of differences in  
23 opinion about objectives or weaknesses in leadership, with CUS in pursuit of the Synod’s objectives. The model allows  
24 for both quiet and open cautions about weaknesses in a university’s accomplishment of the Standards. An institution or  
25 program that loses *ecclesiastical affirmation* loses its ability to prepare and declare qualified church workers for rostered  
26 service in the Synod as well as some of its rights to participate more broadly in the life of the Synod; it is put on public  
27 notice that it is not adequately fulfilling its churchly mission. Such a finding may prompt the removal of a university  
28 president for reasons of doctrine and practice as provided in the bylaw revisions proposed hereunder (proposed Bylaw  
29 3.10.6.8.3).

30 This model recognizes the responsibility, initiative, and creative capacity of local boards of regents and administrations to  
31 pursue the high expectations the Synod rightfully has of its colleges and universities. It provides not only for minimum  
32 expectations but for individualized, measurable, and reproducible plans for continuous improvement—the development  
33 of organic but intentional processes for improvement of each campus, with prescriptions and progress visible to the Synod.  
34 It provides a framework for monitoring of and accountability for confessional fidelity, directed and supervised by CUS  
35 and carried out with peer input, that can be shared regularly with the members of the Synod, to guide their support and  
36 utilization of the institutions.

### 37 **Proposed Action**

38 Therefore be it

39 *Resolved*, That a formal program of Synod college and university visitation be established by the adoption of the  
40 following bylaws:

#### 41 PRESENT/PROPOSED WORDING

#### 42 Lutheran Identity and Mission Outcome Standards, Ecclesiastical Visitation

43 3.6.6.4 The Concordia University System Board of Directors shall, in consultation with its Institution Advisory  
44 Council, define and adopt the Lutheran Identity and Mission Outcome Standards (“Standards”), a regularly  
45 published policy document containing standards for ecclesiastical visitation and affirmation of institutions  
46 and of programs leading to candidacy for commissioned ministry or to preparedness for seminary study.

47 (a) The Standards shall express the Synod’s expectations for its college or university, including fidelity  
48 of campus curriculum and culture intended to propagate the faith, strong theology and campus ministry  
49 programs having positive and intentional interaction with the entire faculty and student population and  
50 with all curricular programs, and success in preparation of church workers for the Synod and of Lutheran  
51 laypeople for distinctively faithful lives of service to church and neighbor and in conveying to all  
52 students a clear understanding of the essentials of the faith, generally and in specific relation to their  
53 particular vocations.

(b) The Standards shall be elaborated to support both formative and summative functions. They shall engender local development and provide for outside monitoring of formative processes, engaging all institutions fully in intentional and measurable programs intended to advance their expression of Lutheran identity and accomplishment of mission outcomes. They shall also enable the drawing of summative conclusions, concretely identifying strengths and weaknesses in institutions and programs, ultimately to provide clear rationale for decisions about continuation or termination of affirmation.

(c) In addition to the standards with institution-wide applicability, the Concordia University System shall develop and maintain supplemental program standards specific to each type of program intended to result in candidacy for one of the Synod’s categories of commissioned ministry or in preparedness for seminary study. Such program standards shall specify, for example, the instructional and practical curricular requirements expected to be satisfactorily completed prior to qualification for first call or for granting of credit by a seminary for pre-seminary studies. The Concordia University System shall develop pre-seminary curricular standards in consultation with the seminaries of the Synod.

(d) The Standards shall be made publicly available on the Synod’s website and as otherwise determined by Concordia University System.

3.6.6.4.1 Synod colleges and universities shall undergo Synod visitation with respect to the Lutheran Identity and Mission Outcome Standards, both comprehensively as institutions and with regard to the specific requirements of each implemented program intended to result in candidacy for one of the Synod’s categories of commissioned ministry or in preparedness for seminary study.

(a) Ordinarily each college or university shall receive a formal institutional and program visitation once in each Synod national convention cycle. These regular, formal visitations shall attend to both formative and summative elements, evaluating present performance relative to the Standards but also fostering, monitoring, and advancing initiatives in pursuit of the Standards. A focused review of a specific alleged breach of the Standards, however, may be initiated by Concordia University System at any time.

(b) Concordia University System may, if a regular or focused review finds that an institution or program is at risk of not fulfilling the Standards, place the institution or program under a notice of concern, which may, at Concordia University System’s option, be made public. Concordia University System may lift the notice at any time it determines the risk has been satisfactorily addressed.

(c) Concordia University System may, upon finding an institution to be in breach of the Standards, either on the basis of a regular visitation report or of a focused review, place the institution on probation for up to a two-year period. Probation may be extended once for two years and once for one year, but to no more than five years total, if Concordia University System determines that substantial progress has been made and that verifiable plans and resources are in place to bring the institution into compliance. Probation may be lifted earlier by Concordia University System. An institution not in compliance at the conclusion of the probationary period is no longer affirmed by the Synod, can no longer declare graduates qualified for placement, and is no longer commended by Concordia University System to the church.

(d) Concordia University System may, upon finding a church work preparation program to be in breach of the Standards, either on the basis of a regular visitation report or of a focused review, place the program on probation for up to a one-year period, which may be extended twice, each extension by up to one year, but to no more than three years total, if Concordia University System determines that substantial progress has been made and that verifiable plans and resources are in place to bring the institution into compliance. Probation may be lifted earlier by Concordia University System. A program not in compliance at the conclusion of the probationary period is no longer affirmed by the Synod and therefore cannot certify graduates as qualified for initial placement or be commended and acknowledged as a suitable program of pre-seminary preparation, as the case may be.

(e) An institution or program under probationary affirmation is not “in good standing with the Synod” for purposes of these Bylaws.

3.6.6.4.2 In consultation with its Institution Advisory Council, the Concordia University System Board of Directors shall implement and maintain policies governing, and shall supervise, the process of formal visitation for the Synod’s colleges and universities on the basis of the Lutheran Identity and Mission Outcome Standards.

(a) In preparation for visitation and affirmation review, each institution and church work program shall provide, on the basis of a thorough self-study, a written report evidencing compliance with the criteria and core components of the Standards, as evaluated by the stated measurable factors, as well as indicating any relevant explanatory factors and initiated or planned efforts to improve specific aspects of performance relative to the Standards. It shall especially address any issues noted in previous reviews

1 or specifically requested by Concordia University System. The self-study shall be delivered to and  
 2 reviewed by Concordia University System.

3 (b) A visitation team, assembled by Concordia University System upon review of the self-study report  
 4 or recommendation of its Institution Advisory Council, shall itself review the self-study report and then  
 5 visit the institution, interacting with its board of regents, administration, faculty, campus ministry staff,  
 6 and students. An effective visitation, with broad and unimpeded access to campus program information,  
 7 policies, and personnel, shall be facilitated by the institution. Each implemented or proposed church  
 8 work and pre-seminary program shall receive specific attention.

9 (c) The visitation team shall compile a report of its visit and associated findings, which shall be shared  
 10 with Concordia University System and the institution. After allowing 60 days for the institution to  
 11 respond in writing to the team's report, Concordia University System shall, with regard to the institution  
 12 and each of its implemented or proposed church work programs: (1) affirm without concerns; or (2)  
 13 affirm with concerns (notice); or (3) place the institution or program on probation; or (4) disaffirm, in  
 14 the case of an initial application, or initiate withdrawal of affirmation; or (5) initiate further investigation,  
 15 with the same or a new visitation team.

16 (d) The institution reviewed may within 30 days of being notified of Concordia University System's  
 17 visitation determination(s) submit a written appeal and/or response to Concordia University System's  
 18 determination. Once Concordia University System has, within 30 days of its receipt, considered and  
 19 acted upon any such appeal, its determination is final and not subject to further appeal.

20 (e) Within the above 30-day period for request of an appeal or within seven days of receipt of Concordia  
 21 University System's negative action on a requested appeal, an institution may state a corrective action  
 22 plan and request Concordia University System, acting in its sole discretion, to grant a delay of up to six  
 23 months in the publication of a negative visitation result to allow initiation of the plan. Concordia  
 24 University System may at its option require a summary of the action plan, composed by the institution  
 25 and approved by Concordia University System, to be published with any revised visitation outcome.

26 (f) At the conclusion of the above, the visitation status of each institution and its programs, together  
 27 with summary reports of visitation reviews, any imposition(s) of notice or probation, and any  
 28 withdrawal(s) of affirmation, shall be timely made available to the Synod through a publicly accessible  
 29 website. The information presented shall be of a depth and character that would allow members of the  
 30 Synod to evaluate the churchly character, relative value, and mission effectiveness of each institution  
 31 and program, and to understand concretely the steps being taken to improve the same.

32 (g) Visitation teams, composed of members of member congregations of the Synod and assembled and  
 33 organized by Concordia University System, shall include representation from peer boards of regents,  
 34 administrations, and faculties, and a district president having ecclesiastical supervision of peer institution  
 35 faculty, all with demonstrated excellence in advancing and achieving the Standards. It shall also include  
 36 representation drawn from the member congregations and ministerium of the Synod and representative  
 37 of their interests in the institutions. The Institution Advisory Council, the Council of Presidents, the  
 38 Board for National Mission, the Synod Board of Directors, and President of the Synod may nominate  
 39 visitors, as may members of Concordia University System.

40 (h) An institution receiving a visitation team shall be notified in advance of the membership of the team.  
 41 Either the institution or any member of such a team may challenge the participation of any member on  
 42 the basis of actual partiality or the appearance thereof. Concordia University System shall have in place  
 43 a procedure for responding to any such challenge within 30 days. A finding by Concordia University  
 44 System of actual partiality or the appearance thereof shall disqualify the member from participating in  
 45 the visitation. Concordia University System may at its option replace any member so disqualified or  
 46 continue with the reduced visitation team.

47 (i) Concordia University System, with the assistance of its Institution Advisory Council, shall provide  
 48 training for members of visitation teams, according to policies established by Concordia University  
 49 System.

50 (j) Direct costs of the visitation process shall be borne by the institution visited, regulated according to  
 51 a schedule devised, in consultation with the Institution Advisory Council, and published triennially by  
 52 Concordia University System.

53 and be it further

54 *Resolved*, That Bylaws 3.3.1.1.1 (c) and 3.3.1.2 (a) be amended to clarify the relationship of the President's official  
 55 visitation with that of CUS as follows:

1 PRESENT/PROPOSED WORDING

2 *Powers and Duties – Ecclesiastical*

3 3.3.1.1 As the chief ecclesiastical officer of the Synod, the President shall supervise the doctrine taught and practiced  
4 in the Synod, including all synodwide corporate entities.

5 3.3.1.1.1 The President of the Synod has ecclesiastical supervision of all officers of the Synod and its agencies, the  
6 individual districts of the Synod, and all district presidents.

7 ...

8 (c) He shall at regular intervals officially visit or cause to be visited all the educational institutions of  
9 the Synod to exercise supervision over the doctrine taught and practiced in those institutions.

10 (1) With regard to Synod’s colleges and universities, regular visitation shall be conducted through  
11 the Concordia University System as described in Bylaw 3.6.6.4 and following.

12 (2) He may in addition and at any time specially visit or cause to be visited any educational  
13 institution of the Synod to exercise his ecclesiastical supervision.

14 (3) He shall call up for review any action by the respective board of regents, administration, faculty,  
15 or institution that, in his view, may be contrary to the doctrine and practice of the Synod and, if he  
16 deems appropriate, he shall request that such action be altered or reversed.

17 ...

18 *Powers and Duties – Administrative*

19 3.3.1.2 The President shall oversee the activities of all officers, executives, and agencies of the Synod to see to it  
20 that they are acting in accordance with the Constitution, Bylaws, and resolutions of the Synod.

21 (a) He shall at regular intervals officially visit or cause to be visited all the educational institutions of  
22 the Synod and thereby exercise oversight over their administration as it relates to adherence to the  
23 Constitution, Bylaws, and resolutions of the Synod.

24 (1) With regard to Synod’s colleges and universities, regular visitation shall be conducted through  
25 the Concordia University System as described in Bylaw 3.6.6.4 and following.

26 (2) He may in addition and at any time specially visit or cause to be visited any educational  
27 institution of the Synod to exercise his ecclesiastical supervision.

28 ...

29 and be it further

30 *Resolved,* That CUS shall, no later than Sept. 1, 2024, on the basis of the Lutheran Identity Statement adopted in in  
31 2016 Res. 7-01A and draft materials presented to the convention and in consultation with its Institution Advisory Council,  
32 release the first operational edition of the institutional Lutheran Identity and Mission Outcome Standards; and be it further

33 *Resolved,* That CUS shall, no later than Sept. 1, 2024, in consultation with its Institution Advisory Council, release  
34 the first edition of uniform standards for the commissioned ministry and pre-seminary programs offered by Synod colleges  
35 and universities; and be it further

36 *Resolved,* That Synod affirmation be granted herewith to the Concordia universities and their presently-approved  
37 ministry programs, with the report of the first visitation and reaffirmation process for each institution and program to be  
38 prepared and available to the Synod not later than 20 weeks prior to its 2026 convention; and be it further

39 *Resolved,* That the CUS and its universities be instructed to make every effort to complete the process of development,  
40 reaffirmation, and reporting as scheduled, with the understanding that the initial implementation is the first step in a  
41 developmental process; and be it further

42 *Resolved,* That in order to account for the possibility that a school or church work program could be disaffirmed as  
43 the result of a negative visitation, Bylaws 2.8.1–2 be amended as follows to become Bylaws 2.8.1–4 (including the division  
44 of existing Bylaw 2.8.2 into Bylaws 2.8.2–2.8.3 and the addition of Bylaw 2.8.4) to clarify that only LCMS faculty of  
45 colleges and universities currently affirmed by the Synod have the authority to declare church workers qualified for  
46 rostered service within the Synod, and then only within programs so affirmed by the Synod:

47 PRESENT/PROPOSED WORDING

48 2.8.1 Candidates shall be declared qualified for first calls.

49 (a) They are those who before the effective date of the first calls will have satisfactorily completed the  
50 prescribed courses of studies and will have received diplomas from their respective ~~educational~~  
51 institutions seminaries of the Synod or in Synod-affirmed programs of colleges or universities of the

1 Synod, or have fulfilled the requisites of a colloquy or other approved education program of the Synod  
2 (Bylaws 2.7.2 and 2.7.3).

3 ...

4 2.8.2 It shall be the responsibility of Synod’s colloquy committees or, subject to the policies of the Colloquy  
5 Committee for Commissioned Ministry and within programs for which their respective institutions are  
6 currently affirmed by the Synod, the faculties of ~~educational institutions of the Synod~~ Synod colleges and  
7 universities to declare colloquy candidates qualified for first calls.

8 ~~2.8.3~~ For purposes of declaring candidates qualified for placement and recommending them for membership in the  
9 Synod, the Synod considers ~~the such a “faculty” of an educational institution~~ to be defined as follows:

10 (a) Seminaries: all full-time faculty members who are in good standing on the Synod’s roster of ordained  
11 ministers.

12 (b) Colleges and universities: all full-time faculty members who are in good standing as individual  
13 members of the Synod or are members in good standing of a member congregation of The Lutheran  
14 Church—Missouri Synod.

15 ~~2.8.4~~ Only faculties of such Synod colleges and universities as are currently affirmed by the Concordia University  
16 System may declare qualified and recommend candidates for first calls, and each of these, only with regard  
17 to programs leading to candidacy for commissioned ministry (Bylaw 2.6.1.1) for which it is specifically and  
18 currently affirmed by Concordia University System.

19 ~~2.8.4.1~~ A graduate of such a program that was affirmed by Concordia University System at the time of matriculation  
20 but no longer affirmed at the time of qualification for a first call may apply to the Colloquy Committee for  
21 Commissioned Ministry for examination, any necessary remediation, and certification. The institution  
22 offering such a program shall share records with the Colloquy Committee as necessary to assess the  
23 candidate’s preparation and fitness for commissioned ministry.

24 and be it further

25 *Resolved*, That Bylaw 2.9.1 be amended as follows (subparagraphs [a] and [b] remaining unchanged):

26 PRESENT/PROPOSED WORDING

27 2.9.1 The Council of Presidents, acting as the Board of Assignments, shall regularly assign to qualified graduates  
28 of ~~educational institutions of the Synod~~ seminaries and Synod-affirmed programs of Synod colleges and  
29 universities, and to workers available from colloquy programs, as “first calls” those calls that have been duly  
30 extended to fill active member positions as identified in Bylaw 2.11.1 for ordained and commissioned  
31 ministers if positions for which candidates are qualified are available.

32 ...

33 and be it finally

34 *Resolved*, That Bylaws 3.10.3.1–2, establishing the membership and function of the Colloquy Committee for  
35 Commissioned Ministry, be amended as follows, and Bylaw 3.10.3.3 be added as follows, to reflect the new relation of  
36 the Synod and the schools:

37 PRESENT/PROPOSED WORDING

38 3.10.3.1 The Colloquy Committee for Commissioned Ministry shall consist of the First Vice-President of the Synod  
39 as chairman, a representative of Concordia University System, and two ~~college/university presidents of~~  
40 affirmed colleges or universities of the Synod that operate a program or programs that are affirmed by the  
41 Synod to qualify graduates for commissioned ministry appointed by the President of the Synod, ~~two~~  
42 Concordia University System and three faculty members of the same, who are involved in colloquy and  
43 appointed by the president of Concordia University System, and one representative from CUEnet.

44 3.10.3.2 The committee shall direct the Synod’s activity in matters of colloquies for commissioned ministers.

45 (a) The committee shall ~~oversee~~ maintain policies specifying, for each category of commissioned  
46 ministry ~~at each college and university of the Synod~~, the prerequisites for colloquy application, required  
47 courses of study, and internship expectations.

48 (b) The committee shall also establish and monitor academic and theological standards for each of the  
49 colloquy programs. The committee shall consult the ~~directors of the programs at the Synod’s colleges~~  
50 and universities Concordia University System and its Institution Advisory Council when establishing or  
51 reviewing the standards.

52 (c) The committee shall render a report on the commissioned ministry colloquy activities to each  
53 convention of the Synod.

1 3.10.3.3 The committee shall additionally facilitate the examination, remediation, and qualification for first call of  
 2 suitable candidates from disaffirmed programs applying under Bylaw 2.8.4.1.

3 **C. TO CLARIFY RELATIONSHIP OF THE SYNOD’S BOARD OF DIRECTORS TO**  
 4 **THE CONCORDIA UNIVERSITY BOARDS OF REGENTS**

5 **Rationale**

6 CUS has struggled to give attention both to ecclesial and to financial oversight of the institutions, owing in large measure  
 7 to a lack of personnel with expertise and time to devote to left-hand kingdom matters. The BOD of the Synod is the “legal  
 8 representative and custodian of all the property of [the Synod], either directly or by its delegation of such authority to an  
 9 agency of the Synod” (Const. Art. XI E 2). The BOD is the proper body to oversee boards of regents’ stewardship of  
 10 property of the Synod held or otherwise administered by the colleges and universities of the Synod. It has authority to and  
 11 has delegated certain authorities (BOD Policy 6.3.3), under limits and subject to provisions which can be changed from  
 12 time to time by the BOD (Bylaw 3.3.4.7 [b–c]). The removal of business and property responsibilities from the CUS means  
 13 that the oversight of Synod property (Bylaw 1.2.1 [r]) held by or for the universities will henceforth rest fully on the BOD,  
 14 which is charged and equipped (for example, with a Chief Financial Officer and Audit Committee) to handle such matters.

15 Proposed is that the BOD exercise its oversight of the financial condition and operations of the Synod’s colleges and  
 16 universities. It is anticipated this will include the BOD working with the boards and administrations of the institutions to  
 17 develop appropriate instruments for regular monitoring as well as to address specific challenges that may arise. The Board  
 18 also is charged to undertake a process, in the current triennium, to ensure that each college and university of the Synod  
 19 make any and all changes to its governing documents necessary to comply with the Synod Constitution, Bylaws, and  
 20 resolutions. The boards of regents and administrations of each college and university are directed to cooperate in this  
 21 process.

22 **Proposed Action**

23 Therefore be it

24 *Resolved*, That Bylaw 3.3.4.10.1 be added as follows:

25 ~~PRESENT~~/PROPOSED WORDING

26 3.3.4.10 To carry out its obligations under Article XI E of the Constitution and these Bylaws, the Board of Directors  
 27 may obtain from any agency of the Synod all records and other information (a) relating to property of the  
 28 Synod, and (b) pertaining to matters for which the Board of Directors has oversight responsibility under the  
 29 Constitution and other provisions of these Bylaws, including financial records, records of operations, and  
 30 information regarding legal affairs of such agency of the Synod. Notwithstanding the foregoing, an agency  
 31 of the Synod shall not be required to deliver: (i) records or information that an agency of the Synod is legally  
 32 prohibited from disclosing under applicable federal or state law; and (ii) personally identifiable information  
 33 pertaining to employees, donors, students, beneficiaries, investors, borrowers, and participating employers  
 34 and plan members of Concordia Plan Services. If any of the records or information requested by the Board  
 35 of Directors are subject to a confidentiality agreement, the Board of Directors shall maintain such  
 36 confidentiality. The goal of this bylaw is to permit delivery of records and information to the Board of  
 37 Directors to the greatest extent possible, subject to clauses (i) and (ii) above. All agencies of the Synod shall  
 38 cooperate fully with the Board of Directors when responding to requests to provide records and information.

39 3.3.4.10.1 In carrying out its oversight responsibilities with respect to the Synod’s colleges and universities, the Board  
 40 of Directors shall give particular consideration to the financial condition and operations of the institutions  
 41 individually and collectively to evaluate both short-term and long-term effectiveness and viability in  
 42 satisfying the Synod Constitution, Bylaws, and resolutions, including the applicable objectives under Article  
 43 III of the Constitution. Consistent with its oversight responsibilities, the Board of Directors may bring to the  
 44 attention of a college or university president and/or board of regents any matters that, in its judgment, exhibit  
 45 deficiencies and may suggest corrective action (Bylaw 3.10.6.8.4). The Board of Directors may also report  
 46 the same to the Synod in convention. The Board of Directors may appoint a committee, consisting of board  
 47 members or others, to assist in carrying out this responsibility.

48 and be it further

49 *Resolved*, That the BOD, in consultation with the Commission on Constitutional Matters, review within the upcoming  
 50 triennium the governing documents and governance practices of all higher education institutions of the Synod, and all  
 51 boards of regents and boards of associated foundations be directed to correct any identified noncompliance with the Synod  
 52 Constitution, Bylaws, and resolutions; and be it further



1 *Resolved*, That the BOD of the Synod be authorized to develop, consistent with Bylaw 3.3.4.7 and its constitutional  
2 authority and responsibility as “legal representative and custodian of all the property of [the Synod]” (Const. Art. XI E 2),  
3 legal instruments and policies appropriate to ensure that all Concordia universities bring their governing documents,  
4 policies, and practices into full compliance with the Synod Constitution, Bylaws, and resolutions; and be it further

5 *Resolved*, That the boards of regents of the Concordia universities and the boards of their foundations be directed to  
6 consent to said instruments and to adhere to said policies as in the interest of the Synod; and be it further

7 *Resolved*, That each university of the CUS shall acknowledge in a written agreement, facilitated by the BOD of the  
8 Synod, the paramount right, title, and interest of the Synod in the name *Concordia*, agreeing that in the case of separation  
9 or divestiture it shall immediately cease to represent itself as a college or university in any sense associated with the Synod  
10 and shall within one year permanently cease using, and transfer and assign to the Synod any rights involving, any name  
11 including the word Concordia or any derivation thereof; and be it finally

12 *Resolved*, That the BOD report to the subsequent Synod convention its progress in achieving the foregoing and any  
13 proposed bylaw changes or other action needed to more faithfully steward resources for higher education in the Synod.

#### 14 **D. TO REVISE BYLAWS GOVERNING CONCORDIA UNIVERSITY BOARDS OF REGENTS**

##### 15 **Rationale**

16 In keeping with the charge of 2019 Res. 7-03 to “review the composition, size, and selection of boards of regents” and to  
17 “review the financial models for the institutions,” the committee reviewed the composition and charge of boards of regents.  
18 Existing bylaws dictate excessive governance and even management details for the boards of regents, some of which are  
19 severely outdated. New bylaws clarify the relationship between the Synod and the schools, maintaining the essential  
20 features of both the regents’ authority as “governing bodies corporate” and their duty to the Synod to govern their  
21 respective institutions *in the interest of the confession and objectives of all the congregations of the Synod* (Const. Art. II  
22 and III).

23 While a variety of approaches have been proposed for restructuring the boards of regents, the present structure of the  
24 boards, with strong representation elected by the congregational members of the Synod but also the flexibility to appoint  
25 needed educational governance expertise, supports boards’ ability to carry out this authority and this duty. While it was  
26 generally affirmed that the present election/appointment model provides a helpful diversity of impressions and of gifts on  
27 the boards of regents, it was also generally acknowledged that the model is certainly not uniformly effective or efficient.  
28 Despite a great deal of discussion, no alternative model achieved broad support.

29 In addition to continuing the screening of regents for basic qualifications, proposed bylaws add specific training regarding  
30 responsibilities to the Synod and the task of governance.

##### 31 **Proposed Action**

32 Therefore be it

33 *Resolved*, that Bylaws 3.10.6–3.10.6.3 be revised, Bylaw 3.10.6.4 be replaced, Bylaw 3.10.6.5 be renumbered, and  
34 bylaws be added as follows:

##### 35 PRESENT/PROPOSED WORDING

##### 36 ***F. Concordia University System Boards of Regents***

37 3.10.6 Each college and university of the Synod, with its president and faculty, shall be governed by a board of  
38 regents, subject to ~~general policies set by the Synod, including those established by the Concordia University~~  
39 ~~System the Constitution, Bylaws, and resolutions of the Synod and, as to business, property, and legal~~  
40 ~~matters, by policies of the Synod’s Board of Directors. Such board of regents shall serve as the governing~~  
41 ~~body corporate of the institution, vested, subject to the Constitution, Bylaws, and resolutions of the Synod,~~  
42 ~~with all powers which its members may exercise either as directors, trustees, or members of the body~~  
43 ~~corporate. The board of regents shall have no authority to and shall never exercise any power contrary to the~~  
44 ~~Constitution, Bylaws, or resolutions of the Synod.~~

45 3.10.6.1 In exercising its relationship to the Synod ~~and to the Concordia University System as set forth elsewhere~~  
46 ~~under Bylaw 3.6.6 and following~~, the board of regents of each institution shall ~~consider as one of its primary~~  
47 ~~duties the defining~~ define and ~~fulfilling of~~ fulfill the mission of the institution ~~within the broad assignment~~  
48 ~~of the Synod as part of the Concordia University System. In fulfilling its commonly understood fiduciary~~  
49 ~~and governance responsibilities, the board of regents shall:~~

- 1 (a) as a whole and as individual members, as stewards of the institution on behalf of the congregations  
2 of the Synod, embrace and advance with administration, faculty, staff, and students the institution's  
3 fundamental purpose as inculcating the faith, as taught in the Scriptures and Lutheran Confessions  
4 (Constitution Article II), preparing students to live in this faith toward God and by this faith, in their  
5 various vocations, in love toward the neighbor;
- 6 (b) govern the institution with consistent attention to specific ways that the institution is confessing  
7 Jesus Christ in full accord with the doctrinal position of the LCMS (Constitution Art. II) and fulfilling  
8 His mission in our world as proper to a college or university of the Synod under its objectives  
9 (Constitution Art. III), intentionally seeking continual growth as a board in such governance;
- 10 (c) ensure that all faculty receive appropriate formal, ongoing training in the doctrines of Holy Scripture  
11 as rightly taught in the Lutheran Confessions as they relate to their academic disciplines, to enable  
12 faculty to engage in responsible exercise of their academic freedom within the confession of the  
13 institution and the Synod (Constitution Art. II);
- 14 (d) actively foster and expect curricula and policies for student life and behavior consistent with the  
15 doctrine and practice of the Synod, and commit the institution to the principles of Christian discipline,  
16 an evangelical manner, and good order;
- 17 (e) maintain and approve an institutional master plan, any modifications to which shall be submitted to  
18 the Synod Board of Directors for its approval (Bylaw 3.3.4.5 [e]);
- 19 (f) coordinate institutional planning through the Concordia University System Institution Advisory  
20 Council;
- 21 (g) review and approve academic programs recommended by the administration and faculty, giving due  
22 consideration to the Lutheran Identity and Mission Outcome Standards and coordination with other  
23 Synod colleges and universities;
- 24 (h) participate fully in the procedures for the selection and regular review of the president, and approve  
25 the appointment of faculty members;
- 26 (i) ensure that its institution and constituent parts strive to excel in the Lutheran Identity and Mission  
27 Outcome Standards, and to cooperate fully with processes for ecclesiastical visitation by the Concordia  
28 University System and for appointment of the institution's president;
- 29 (j) ensure that its institution and constituent parts support the proper authorities of the Synod in their  
30 roles of ecclesiastical supervision of called workers, placement of graduates, and doctrinal review status  
31 appeals, and submit to the Synod's expectations for handling of faculty complaints and dispute  
32 resolution, insofar as they apply;
- 33 (k) duly consider the common confession, mission, interest, and cooperative strength of the Synod, with  
34 its congregations, agencies, and other institutions, as it makes decisions with impact beyond its campus,  
35 especially as it plans new programs, cooperates and consolidates operations with other Synod schools,  
36 operates in a worldwide online marketplace, cooperates with the Synod Board of Directors in the legal  
37 defense of the right to the free exercise of our confession, and interacts with the ministries and partner  
38 churches of the LCMS, domestically and internationally, in harmony with its programs and consistent  
39 with its protocol agreements;
- 40 (l) govern transparently, including, without limitation, providing to Concordia University System in a  
41 timely manner minutes of board meetings and board and institution policies adopted or modified, and to  
42 both Concordia University System and the Synod Board of Directors proposed revisions of institutional  
43 governing documents and policies prior to their adoption, and responsively, understanding inquiries and  
44 suggestions offered by Concordia University System and the Synod Board of Directors to be offered on  
45 behalf of the congregations of the Synod, to which the board is ultimately responsible;
- 46 (m) maintain effective internal controls and operate with financial transparency, annually providing,  
47 within 30 days of audit completion, audited financial statements and other information as specified in  
48 the policies of the Synod Board of Directors and to congregations of the Synod upon request;
- 49 (n) execute or cause to be executed with the Synod Board of Directors a contractual agreement that  
50 safeguards adherence of the university and its board and administration to the Constitution, Bylaws, and  
51 resolutions of the Synod, such as are in force and may from time to time be adopted;
- 52 (o) maintain policies and procedures for handling faculty complaints and dispute resolution under an  
53 operating procedures manual approved by the Concordia University System Board of Directors;
- 54 (p) exercise its unique fiduciary duty of institutional governance in the interest of the Synod without  
55 abdicating its authority to, or commingling its authority with, that of others;

(q) ensure that all governing and other legal documents and policies of the institution conform to and are consistent with the Constitution, Bylaws, and resolutions of the Synod, and modify institutional governing documents only after proposed modifications have been approved by the Commission on Constitutional Matters and with at least 30 days advance notice to the Synod Board of Directors as custodian of Synod’s property;

(r) safeguard present and future assets of the institution, making every effort to ensure designation of gifts, whether to the university itself or to any associated foundation, so that they will continue to be available to higher education within the Synod in the event of the closure, divestiture, or separation of the institution;

(s) effect the removal from office of the institution’s president upon a finding, under the procedure of Bylaw 3.10.6.8.3, that he is not ecclesiastically fit for such service;

(t) initiate a performance review of the institution’s president upon identification of significant deficiencies under the procedure of Bylaw 3.10.6.8.4;

(u) annually certify the institution’s viability to the Board of Directors of the Synod or to a committee designated by the Board of Directors, providing all supporting documentation, and ensuring timely response to all their requests for financial and business records (Bylaws 3.3.4.10–3.3.4.10.1); and

(v) effectively and intentionally govern the institution and its president so that administration and faculty carry out their management and educational responsibilities in a manner consistent with the foregoing.

3.10.6.2 The board of regents of each college and university shall consist of no more than 18 members, all voting.

1. One ordained minister, one commissioned minister, and two laypersons shall be elected by the conventions of the Synod.

2. One ordained minister, one commissioned minister, and two laypersons shall be elected by the geographical district in which the institution is located. If any board is required by its governing documents to include one or more persons holding residence or church membership in a specific locality, the institution is responsible for ensuring (including by appointment, if necessary) that individual(s) meeting such requirements are included among those persons serving on such board, and no such geographic restriction shall apply to Synod-elected regents.

3. No fewer than four and no more than eight members shall be appointed as members by the board of regents according to a process determined by the individual institution. An appointed member shall not vote on his or her own reappointment.

4. The president of the district in which the college or university is located or a district vice-president as his standing representative shall serve as an *ex officio* member.

5. One member, who may be an ordained minister, a commissioned minister, or a layperson, shall be appointed by the Praesidium of the Synod after consultation with the President of the respective institution and the Board of Directors of the Synod.

6. College and university board of regents members may be elected or appointed to serve a maximum of three consecutive three-year terms and must hold membership in a member congregation of the Synod.

7. Not more than two of the elected members shall be members of the same congregation.

3.10.6.2.1 ~~8. Persons elected or appointed to a board of regents should be knowledgeable regarding the region in which the institution is located and shall demonstrate familiarity and support for the doctrinal positions of the Synod and possess two or more of the following qualifications or background experiences: theological acumen, an advanced academic degree, ~~experience in~~ higher education administration, administration of complex organizations, finance, law, investments, technology, human resources, facilities management, ~~or~~ fund development, or a specific instructional or operational domain designated by the college or university (e.g., “health care” or “marketing”). Demonstrated familiarity with and willingness to advocate for and financially support of the institution is a are desired qualityqualities in the candidate. ~~When regents are elected at the national convention of the Synod or appointed by the board of regents, qualifications shall be reviewed and verified by the Secretary of Synod (or designee) and the President of the CUS (or designee). When regents are elected at district conventions, qualifications of all nominees, including floor nominees, shall be reviewed and verified by the chair and secretary of the district board of directors or their designees.~~~~

(a) Qualification of nominees for appointment or election as regents, according to the standard indicated above, shall be reviewed and verified by the Concordia University System, which duty may be delegated to a committee composed of its members or others.

(b) Concordia University System shall also ensure that it is prepared to review and verify qualifications of floor nominees at each district and Synod convention, as well as those of regents appointed by a board or in the case of a vacancy, in a timely manner.

(c) Assessment of qualification for service shall be performed on the basis of information submitted by nominees on a regular instrument maintained by the Secretary of the Synod for this purpose.

(d) The Concordia University System shall also provide for continuing training of all regents concerning their responsibility to advance the Synod’s confession and mission objectives.

(e) Approximately 18 months prior to each convention of the Synod, Concordia University System shall consult with the President and Secretary of the Synod and the chairs of the boards of regents of Synod colleges and universities regarding its application of the qualification standards, and upon this consultation review and revise its related policies and procedures.

(f) Concordia University System shall maintain in its public policies a rubric for consistent evaluation of qualification for regent service.

3.10.6.2.2 Persons elected or appointed to a board of regents shall undergo training for such service.

(a) The Concordia University System shall provide for training of newly elected or appointed regents concerning their responsibility to advance the Synod’s confession and mission objectives and to advance their respective institutions in service of the church through the Concordia University System visitation program.

(b) Each board of regents shall, subject to guidelines prepared by the Concordia University System Institution Advisory Council in consultation with Concordia University System, provide training of newly elected or appointed regents in the task of governance and in their business and legal duties as directors.

(c) Failure to complete such training within the first year after election or appointment renders the regent ineligible to continue in office. Upon such failure, the respective board of regents shall declare the position vacant.

(d) The several boards of regents are encouraged to implement regular programs of continuing education for regents in both aspects of training.

(e) Training programs, initial and continuing, may allow for electronic or remote participation.

(f) Concordia University System, in collaboration with its Institution Advisory Council, shall prepare and make available an online introduction to the demands and expectations of service as a college or university regent, which shall be reviewed by nominees before they consent to serve if elected or appointed.

(g) The cost of initial regent training shall be assessed on an equitable basis to the Synod schools.

3.10.6.3.3 Vacancies that occur on a board of regents shall be filled in the following manner:

...

3.10.6.4 The board of regents of each institution shall become familiar with and develop an understanding of pertinent policies, standards, and guidelines of the Synod and the Board of Directors of Concordia University System.

(a) It shall develop detailed policies and procedures for governance of the institution, including but not limited to

(1) attention to specific ways that the institution is confessing Jesus Christ in full accord with the doctrinal position of the LCMS (Constitution Art. II) and fulfilling His mission in our world;

(2) ensuring that all faculty receive appropriate formal, ongoing training in the doctrines of Holy Scripture as rightly taught in the Lutheran Confessions as they relate to their academic disciplines, consistent with the CUS Lutheran Identity Statement, to enable faculty to engage in responsible exercise of their academic freedom under the CUS Academic Freedom Policy in effect from time to time;

(3) annual certification of the institution’s financial viability;

(4) creation, modification, and abolition of administrative positions;

(5) processes for filling and vacating administrative positions;

(6) a clear plan for succession of administration to ensure that the institution continues to function effectively in the case of incapacity or lengthy absence of the president and other executive officers;

(7) handling faculty complaints and dispute resolution under an operating procedures manual approved by the Concordia University System Board; and

~~(8) all subject matters for which Concordia University System requires policies to be developed (Bylaw 3.6.6.7).~~

~~(b) It shall coordinate institutional planning with other Concordia University System schools and approve master plans for its college or university.~~

~~(c) It shall review and approve academic programs recommended by the administration and faculty after assessment of system policies in accordance with Concordia University System standards and guidelines and institutional interests and capacities.~~

~~(d) It shall review and approve the institutional budget.~~

~~(e) It shall approve institutional fiscal arrangements, develop the financial resources necessary to operate the institution, and participate in its financial support.~~

~~(1) Only the board of regents is authorized to establish a line of credit or to borrow for operating needs, subject to the policies of the Board of Directors of Concordia University System and the Board of Directors of the Synod.~~

~~(2) All surplus institutional funds above an adequate working balance shall be deposited with the Concordia University System for investment. Earnings from such investments shall be credited to the depositing institution.~~

~~(f) It shall establish appropriate policies for institutional student aid.~~

~~(g) It shall participate fully in the procedures for the selection and regular review of the president of the institution and of the major administrators; approve of the appointment of faculty members who meet the qualifications of their positions; approve sabbatical and study leaves; and encourage faculty development and research.~~

~~(h) It shall take the leadership in assuring the preservation and improvement of the assets of the institution and see to the acquisition, management, use, and disposal of the properties and equipment of the institution within the guidelines set by the Board of Directors of The Lutheran Church—Missouri Synod.~~

~~(i) It shall operate and manage the institution as the agent of the Synod, in which ownership is primarily vested and which exercises its ownership through the Board of Directors as custodian of the Synod's property, the Board of Directors of Concordia University System, and the respective board of regents as the local governing body. Included in the operation and management are such responsibilities as these:~~

~~(1) Carefully exercising its fiduciary duties to the Synod.~~

~~(2) Determining that the charter, articles of incorporation, constitution, and bylaws of the institution conform to and are consistent with those of the Synod.~~

~~(3) Carrying out efficient business management through a financial officer appointed on recommendation of the president of the institution and responsible to him.~~

~~(4) Receiving of all gifts by deed, will, or otherwise made to the institution and managing the same, in accordance with the terms of the instrument creating such gift and in accordance with the policies of the board of regents.~~

~~(5) Demonstrating concern for the general welfare of the institutional staff members and other employees, adoption of regulations governing off campus activities, development of policies regarding salary and wage scales, tenure, promotion, vacations, health examinations, dismissal, retirement, pension, and other employee welfare benefit provisions.~~

~~(6) Serving as the governing body corporate of the institution vested with all powers which its members may exercise in law either as directors, trustees, or members of the body corporate, unless in conflict with the laws of the domicile of the institution or its Articles of Incorporation. In such event the board of regents shall have power to perform such acts as may be required by law to effect the corporate existence of the institution.~~

~~(7) Establishing and placing a priority on the capital needs of the institution and determining the plans for the maintenance and renovation of the buildings and property and purchase of needed equipment, but having no power, without the prior consent of the Board of Directors of the Concordia University System and the Board of Directors of the Synod, to close the institution or to sell all or any part of the property which constitutes the main campus, except that the Board of Regents may close the institution in the event of legal insolvency necessitating immediate closure after consultation with the Board of Directors of the Synod and the Board of Directors of the Concordia University System.~~

~~(8) Recognizing that the authority of the board of regents resides in the board as a whole and delegating the application of its policies and execution of its resolutions to the president of the institution as its executive officer.~~

~~(9) Establishing a comprehensive policy statement regarding student life and behavior that is consistent with the doctrine and practice of the Synod and that commits the institution to the principles of Christian discipline, an evangelical manner, and good order.~~

~~(10) Promoting the public relations of the institution and developing the understanding and cooperation of its constituency.~~

~~(11) Requiring regular reports from the president of the institution as the executive officer of the board and through him from other officers and staff members in order to make certain that the work of the institution is carried out effectively.~~

3.10.6.3 Recognizing its fiduciary duty as a board, as well as the requirements of accrediting bodies that an institution's governing board be clearly defined and have ultimate authority and independence in the operation of the institution subject to appropriate pre-established policies and rules (e.g., Synod Bylaws), under no circumstances shall a board delegate its authority to, nor commingle its authority with, any other body that includes non-board members. Boards of regents may meet as a "committee of the whole" with advisory groups (e.g., a foundation board; the CUS board) to seek input, but no votes shall be taken at such meetings.

3.10.6.4 The board of regents shall have no power, without the prior consent of the Board of Directors of the Concordia University System and the Board of Directors of the Synod, to close the institution or to sell all or any part of the real property which constitutes the campus, except that the board of regents may close or finally divest the institution in the event of legal insolvency necessitating closure or final divestiture after consultation with the Board of Directors of the Synod and the Board of Directors of the Concordia University System.

3.10.6.5 The board of regents shall effect a consolidation, relocation, separation, or divestiture of the college or university if and only if such has been approved under the following procedure, except in the case of a final divestiture as a result of legal insolvency (Bylaw 3.10.6.4):

(1) The consolidation, relocation, separation, or divestiture is proposed to the Board of Directors of the Synod as in the interest of the Synod by a board of regents, by a committee appointed by the Board of Directors to review university financials, or by the Board of Directors of Concordia University System.

(2) Upon such proposal, the Board of Directors of the Synod shall require the proposal be developed adequately to allow determination whether the action proposed is in the interest of the Synod, for which each board of regents, the Concordia University System Board of Directors, and other agencies of the Synod shall in a timely manner supply all information the Board of Directors deems necessary.

(3) The Board of Directors shall consult with the involved board(s) of regents, the Concordia University System Board of Directors, and the Council of Presidents.

(4) The Board of Directors may negotiate terms that are in the interest of the Synod and the general furtherance of its higher education mission.

(5) The action is approved by the Board of Directors of the Synod by its two-thirds vote and by one of the following by its two-thirds vote: either by the board(s) of regents of the university(ies) being consolidated, relocated, separated, or divested or by the Board of Directors of the Concordia University System.

3.10.6.5.1 In the case of the consolidation of a college or university of the Synod, proposed by the respective board of regents, with a non-Synod school, approval shall be by the Board of Directors of the Synod by its two-thirds vote and by the Board of Directors of the Concordia University System, by its two-thirds vote. If the governance structure of the resulting school differs from that of the Synod school, it shall be subject to the requirements of Bylaw 3.10.6.6.

3.10.6.6 Upon a college or university's proposal to join the Concordia University System, the Board of Directors of the Concordia University System may, having consulted with its Institution Advisory Council, by its two-thirds vote recommend, and either the convention of the Synod, by a majority vote, or the Board of Directors of the Synod, by a two-thirds vote, grant membership in Concordia University System, subject to all the requirements and privileges thereto pertaining, except that the initial composition of the board of regents may deviate from that specified in Bylaw 3.10.6.2. Such proposal must indicate a definite plan of no more than six years' duration to bring the composition of the board of regents of the institution into compliance with Bylaw 3.10.6.2, and continued affirmation shall be contingent on execution of said plan.

## E. TO REVISE BYLAWS GOVERNING CONCORDIA UNIVERSITY PRESIDENTS

### Rationale

In keeping with the charge of 2019 Res. 7-03 to “review the process for selecting presidents of institutions” and to “review the financial models for the institutions,” the following bylaws are revised. As with bylaws dealing with the boards of regents, existing bylaws dealing with institution presidents call for simplification and updating. The absolutely essential role of the president as spiritual head of the university is emphasized, along with his responsibility and accountability not only to his board of regents and to CUS but also to the Synod. New mechanisms are put in place for Synod to demand, for reasons of doctrine and practice, or to advise, for fiscal reasons, a board of regents to remove a university president.

After a significant amount of input from boards of regents, the 2019 Synod convention already made significant changes to the presidential selection process, moving the work of Synod’s prior approval panel earlier in the process to allow for more effective communication of the panel with the board of regents and to reduce opportunities for disappointment or misunderstanding formerly associated with the process. These changes have aided presidential appointment processes conducted since and remain in place in the following.

### Proposed Action

Therefore be it

*Resolved*, that Bylaws 3.10.6.6–3.10.6.6.2 be renumbered and revised as follows:

#### PRESENT/PROPOSED WORDING

*Concordia University System College and University Presidents*

3.10.6.6~~8~~ The president of the institution shall be the executive officer of the board of regents. He shall as his foremost duty serve as the spiritual, academic, and administrative head of the institution; and, in addition to this and to the customary executive management exercised by a college or university president, carry out the following responsibilities:

(a) He shall represent the institution in its relations to the Synod and its officers and boards.

(b) He shall in the interest of the Synod supervise, direct, and administer the affairs of the institution and all its departments, pursuant to the ~~rules and regulations of the Synod and its boards and agencies Constitution, Bylaws, and resolutions of the Synod and the polices of its Board of Directors,~~ and pursuant to the policies of the board of regents.

~~(c) He shall bring to the attention of the board of regents matters that require consideration or decision and make pertinent recommendations.~~

~~(d) He shall be the academic head of the faculty, preside at its meetings, and be an *ex officio* member of all standing committees of the faculty and its colleges and departments with the exception of the standing hearings committee or of another standing committee to which the functions of such a committee have been assigned.~~

~~(e) He shall periodically visit or cause to be visited the classes of professors and instructors, and in general secure conformity in teaching efficiency and subject matter to the standards and policies prescribed by the board of regents and by the Synod through the Board of Directors of Concordia University System and to the doctrine and practice of the Synod, and in intentional and pervasive pursuit of the Lutheran Identity and Mission Outcome Standards.~~

~~(f) He shall advise and admonish in a fraternal spirit any member of the faculty found dilatory, neglectful, or exhibiting problems in his teaching. Should this action prove ineffective, he shall request selected members of the faculty privately to engage their colleague in further fraternal discussion. If this results in failure to correct or improve the situation, the president shall report the matter to the board of regents with his recommendation for action.~~

~~(g) He shall delegate or reassign one or more of his functions to a member of the faculty or staff, although standing administrative assignments shall be made by the board of regents upon his recommendation.~~

~~(h) He shall be responsible for the provision of spiritual care and nurture for, and, to the extent possible through each mode of instruction, the comprehensive spiritual formation of, every student.~~

~~(i) He shall carefully watch over the spiritual welfare, personal life, conduct, educational progress, and physical condition of the students, and shall in general exercise such Christian discipline, instruction, and supervision as may be expected at a Christian educational institution.~~

(f) He shall diligently manage the institution subject to, and effectively support the exercise of, the governance of the institution by the board of regents, consistent with the expectations of Bylaw 3.10.6.1.

~~(j) He shall be responsible for the employment, direction, and supervision of all employees of the institution.~~

~~(k) He shall be responsible for the business management of the school and for the proper operation and maintenance of grounds, buildings, and equipment.~~

~~(l) He shall make periodic and special financial reports to the board of regents.~~

(m) He shall represent the institution on the Concordia University System Institution Advisory Council.

3.10.6.68.1 The president of each college or university shall serve a five-year renewable term of office under the terms set forth herewith under Bylaw 3.10.6.68.1 (c), beginning with the date of his assumption of his responsibilities as president.

(a) Each president shall relinquish academic tenure upon assumption of the presidency, and shall not be granted academic tenure during the time of presidential service.

(b) The president and board of regents shall develop mutually agreed upon institutional goals and priorities that give direction to the individual as he carries out the duties of the office of the presidency. The board of regents ~~will~~ shall annually evaluate presidential effectiveness based on these goals and priorities.

(c) Nine months prior to the end of each five-year term, the board of regents ~~will~~ shall conduct a formal review of the president’s effectiveness in the current term of office, evaluating his leadership, both of the administration of the institution and of the institution’s advancement of Synod’s confession and pursuit of Synod’s mission objectives. The president shall then be eligible for another five year term by majority action of the board of regents, voting with a ballot containing only the current president’s name. Upon completion of the review and using a ballot containing only the current president’s name, the board of regents shall vote, the majority action of the board of regents being required to extend the president’s term for an additional five years.

(1) In addition to considering the evaluation report, the board of regents shall as part of its review consult with the President of the Synod and the chairman of the Board of Directors of Concordia University System.

(2) The regents may consult with other boards, commissions, and councils of the Synod as they deem wise.

(d) In the event that a president’s term is not renewed, the office of the president shall be considered vacant as of the end of the term of the incumbent.

(e) A president who is on a roster of the Synod is under the ecclesiastical supervision of the Synod. In the event a member is removed from membership in the Synod pursuant to procedure established in these Bylaws, then that member is also considered removed from the position held and shall be terminated forthwith by the board of regents.

(f) A president who is not on the roster of the Synod shall be subject to ecclesiastical supervision as to doctrine, life, and administration of office, by the respective geographic district president. He shall, for actions contrary to the confession of Constitution Art. II or persistence in offensive conduct, after previous futile admonition, be subject to the process of Bylaw section 2.14 as if he were a member of the Synod. Should he be suspended and not contest the suspension, or the suspension be upheld by a hearing panel and/or final hearing panel, he shall be considered removed from the position held and shall be terminated forthwith by the board of regents.

3.10.6.68.2 The following process shall govern the selection of a college/university president.

(a) When a vacancy or an impending vacancy in the office of president is known, the board of regents shall inform the campus constituencies, the Board of Directors of Concordia University System, the President of the Synod, an official periodical of the Synod, and other parties as appropriate. If a vacancy in a presidency occurs, the board of regents shall appoint an interim president, who shall meet the qualifications established for the office of president. He shall bear the title “interim president” and may not serve more than eighteen (18) months without the concurrence of the President of the Synod. Such interim appointee shall be ineligible to serve on a permanent basis without the concurrence of the President of the Synod.

~~(21) The board of regents shall request initiate that the Board of Directors of Concordia University System schedule a transition review of the campus, which shall include consultation with Concordia University System on the basis of the Lutheran Identity and Mission Outcome Standards and the~~



institution's most recent affirmation review. The review is to provide a report on the state of the campus for use by the search committee, the board of regents, and the candidates.

(+2) The board of regents shall ~~request that the Board of Directors of Concordia University System authorize the institution to, on the basis of the above consultation, compose and, with the concurrence of CUS,~~ publish a request for nominations for the position of president.

...

3.10.6.8.3 The president, in his service as spiritual head of the college or university, shall be overseen by the Concordia University System.

(a) The Concordia University System Board of Directors may call up for review any action or inaction of the president that, in its view, may be in violation of the doctrine or practice of the Synod (Constitution Art. II). Such review may be requested of the president himself or of the president and the respective board of regents.

(b) Should the action or inaction prove, to the satisfaction of the Concordia University System Board of Directors and with the concurrence of the President of the Synod, to violate the doctrine and practice of the Synod (Constitution Art. II), the Concordia University System Board of Directors and President of the Synod shall admonish the president to take appropriate action consistent with the doctrine and practice of the Synod (Constitution Art. II), and shall invite the respective board of regents and the district president thereon to join in said admonishment.

(c) Should repeated admonition prove futile, the Concordia University System Board of Directors may, by an affirmative vote of two-thirds of its current members, resolve that the president is unfit to serve as spiritual head of the college or university and so inform the respective board of regents, which shall remove him from office forthwith.

3.10.6.8.4 The president and administration of the university and its subordinate parts, in their stewardship of the business, property, and legal matters of the institution, shall be overseen by the Board of Directors of the Synod (Bylaw 3.3.4.10.1). The Board of Directors may bring to the attention of a college or university president and/or board of regents any matters that, in its judgment, exhibit deficiencies and may suggest corrective action.

## F. TO REVISE BYLAWS GOVERNING CONCORDIA UNIVERSITY FACULTIES

### Rationale

In keeping with the charge of 2019 Res. 7-03 to “strengthen all CUS institutions’ connection to the Synod” and in light of other changes made above, minor revisions to bylaws dealing with the college and university faculties are required. Changes in higher education and in the role of the faculties in the broader work of the Synod have reduced the degree to which the Bylaws of the Synod should or can direct specifics of what are ordinarily internal personnel matters of colleges and universities. In keeping with the general philosophy of the proposal, detailed specifications have been eliminated in favor of allowing boards of regents more flexibility while maintaining Synod’s specific interests through the CUS oversight and visitation.

### Proposed Action

Therefore be it

*Resolved*, that Bylaws 3.10.6.7–3.10.6.7.5.2 be renumbered and revised as follows:

#### PRESENT/PROPOSED WORDING

*Concordia University System Faculties*

3.10.6.79 The faculty of each college or university of the Synod shall consist of the president, the full-time faculty and the part-time faculty.

(a) Part-time or temporary faculty members are distinguished by an appropriate title.

(b) Part-time or temporary faculty members shall hold nonvoting membership on the faculty.

(c) Only the voting or full-time faculty who are in good standing as individual members of the Synod or are members in good standing of a member congregation of the Synod shall participate in faculty decisions regarding the qualification of graduates or colloquy program participants for rostered service.

~~3.10.6.7.1 The Concordia University System Board of Directors shall maintain in its policies a list of subject matters that each educational institution must address in its own policies and procedures, to include faculty appointments, employment contracts, contract renewal, contract termination, faculty organization, modified service, sabbaticals, and dispute resolution.~~

- 1 3.10.6.7-29.1 Except as otherwise provided in these bylaws, the board of regents on recommendation of the president of  
 2 the institution shall appoint all full-time members of the faculty. The terms and conditions of every  
 3 appointment shall be stated in writing and be in the possession of both the institution and the prospective  
 4 faculty member before the appointment is consummated. Limitations of academic freedom because of the  
 5 religious and confessional nature and aims of the institution shall be stated in writing at the time of the  
 6 appointment and conveyed to the person being appointed. Faculty members, full- and part-time, shall pledge  
 7 to perform their duties in harmony with the Holy Scriptures as the inspired Word of God, the Lutheran  
 8 Confessions, and the Synod's doctrinal statements.
- 9 3.10.6.7-39.2 All initial appointments to persons serving on theology faculties, or teaching classes in or cross-listed with  
 10 the theology department, shall require prior approval by a majority vote of the President of the Synod (or his  
 11 designee), the chairman of the Council of Presidents (or his designee), and a member of the Concordia  
 12 University System board selected by the chair, and shall include a thorough theological review. The three  
 13 voters shall be ordained. The process shall be facilitated by the president of Concordia University System.  
 14 Initial appointment refers to the initial engagement of any person to teach one or more theology courses,  
 15 regardless of assigned academic department, other than faculty who teach theology courses no more than one  
 16 academic year in any three-year period.
- 17 3.10.6.7-49.3 A formal procedure shall be in place to carry out performance reviews for all faculty on a regular basis.
- 18 3.10.6.7-59.4 Other than honorable retirement, termination of faculty employment may only be the result of the following:  
 19 (a) professional incompetency;  
 20 (b) incapacity for the performance of duty;  
 21 (c) insubordination;  
 22 (d) neglect of or refusal to perform duties of office;  
 23 (e) conduct unbecoming a Christian;  
 24 (f) advocacy of false doctrine (Constitution Art. II) or failure to honor and uphold the doctrinal position  
 25 of the Synod as defined further in Bylaw 1.6.2 (b);  
 26 (g) discontinuance of an entire program (e.g., social work, business);  
 27 (h) discontinuance of an entire division or department (e.g., modern foreign language) of a college or  
 28 university;  
 29 (i) reduction of the size of staff in order to maintain financial viability in compliance with policies  
 30 concerning fiscal viability;  
 31 (j) discontinuance, merger, or consolidation of an entire college or university operation;  
 32 (k) expiration of the term of a contract of employment; and  
 33 (l) for those whose position requires membership in a Synod congregation, if the person ceases to be a  
 34 member of a Synod congregation.
- 35 3.10.6.7-5-19.5 A faculty or staff member who is on a roster of the Synod is under the ecclesiastical supervision of the  
 36 Synod. In the event a member is removed from membership in the Synod pursuant to procedure established  
 37 in these Bylaws, then that member is also considered removed from the position held and shall be terminated  
 38 forthwith by the board of regents.
- 39 3.10.6.7-5-29.6 An appeal process consistent with the *Model Operating Procedure Manual for Faculty and*  
 40 *Administration Complaints and Appeal of Termination: Colleges and Universities* (developed by the  
 41 Commission on Constitutional Matters in consultation with the Concordia University System) shall be in  
 42 place for use by faculty members who wish to challenge a termination decision. Notwithstanding the  
 43 provisions of any such policy, any person connected with an institution who is a member of Synod shall also  
 44 remain under the ecclesiastical supervision of the Synod, and nothing in any such CUS institution policy  
 45 shall be construed to limit or constrain any action that may be taken, or the rights or responsibilities of any  
 46 party, pursuant to the Synod's *Handbook* with respect to a member of Synod.

47 **G. TO ENCOURAGE AND FACILITATE SYNOD COLLEGES AND UNIVERSITIES'**  
 48 **BUSINESS CONSULTATION AND EFFICIENT COORDINATION AND COLLABORATION**  
 49 **IN SHARED PROGRAMS AND SERVICES**

50 **Rationale**

51 In the impression of the 2019 Res. 7-03 committee, the CUS institutions' success in the present environment—certainly  
 52 their thriving, as tuition-dependent schools with relatively limited endowments—requires not only the sort of shared values  
 53 advanced by the visitation and affirmation review program developed above but also efficient coordination and

1 collaboration or organic consolidation. To address this issue, the first *whereas* of 2019 Res. 7-03 acknowledged the college  
 2 and university presidents' conclusion that "greater integration and collaboration would strengthen the individual  
 3 institutions and the system as a whole." Given the natural inertia and independence of every individual human institution,  
 4 however, broad success in such synergetic efforts will likely require strong leadership.

5 CUS has in the past facilitated some common efforts of the colleges and universities, including the employment of staff  
 6 and the maintenance of finances, principally in the area of information technology, accounting software, and common  
 7 efforts toward distance education in support of commissioned minister colloquy. It will no more be charged with such  
 8 business coordination. Its focus must be on confession and mission rather than on administration and operations, areas that  
 9 demand, instead, the focused attention of the several boards of regents and their executives. Mechanisms the schools devise  
 10 together to lend efficiency to their operations simply must be immediately responsive and clearly accountable to the  
 11 institutions served. In recognition of the value such shared endeavors may have in preserving and extending the schools'  
 12 mission capacity, the Synod BOD is to be permitted to extend to them the same benefits available to the several schools.

### 13 **Proposed Action**

14 Therefore be it

15 *Resolved*, That the Synod in convention implore the boards of regents and presidents of Synod colleges and  
 16 universities that, being mindful of their common confession and mission, of the Synod's vast historical investment in and  
 17 present and future reliance on the schools, and of the great responsibility incumbent on them as wise stewards—for the  
 18 church's sake—of limited resources, they seek diligently and urgently opportunities for coordination, cooperation, and  
 19 consolidation of operations, in part or in whole, that will reduce unnecessary duplication, share best-in-class resources and  
 20 leadership, strengthen the institutions' ability to weather challenges, and enhance their ability together to deliver effectively  
 21 on their mission objectives; and be it further

22 *Resolved*, That Bylaws 3.10.6.7–7.2 be added as follows:

#### 23 PRESENT/PROPOSED WORDING

#### 24 Concordia University System Coordination and Collaboration

25 3.10.6.7 Colleges and universities of the Synod are urged to conduct themselves materially in accordance with "our  
 26 Lord's will that the diversities of gifts should be for the common profit (1 Cor. 12:4–31; Constitution  
 27 Preface)," strengthening one another through coordination, collaboration, consultation, and efficient  
 28 consolidation of operations, wherever prudent and practically feasible.

29 3.10.6.7.1 Colleges and universities of the Synod are free and are encouraged to pursue among themselves efficient  
 30 collaboration; sharing of administrative and educational resources; and consolidation of operations, academic  
 31 programs, or institutions, as opportunities present themselves to their respective boards of regents and in  
 32 consultation with the Board of Directors of Concordia University System.

33 3.10.6.7.2 In the event of a proposed consolidation of two or more Synod colleges or universities:

34 (a) Prior to effecting a proposed consolidation, the boards of regents of consolidating schools shall  
 35 jointly present the Concordia University System and Board of Directors of the Synod with their  
 36 consolidation plan. Such a plan shall be consistent with the requirements of these Bylaws for a Synod  
 37 college or university, except that it may involve a consolidated board of regents deviating from the  
 38 composition specified in Bylaw 3.10.6.2, provided that the ratio of elected to appointed regents is not  
 39 decreased and that all members of the resulting board of regents are members of member congregations  
 40 of the Synod. Such plan must indicate a definite plan of no more than six years' duration to bring the  
 41 composition of the board of regents of the institution into compliance with Bylaw 3.10.6.2, and  
 42 continued affirmation shall be contingent on execution of said plan.

43 (b) The consolidated college or university shall, upon approval of the Concordia University System and  
 44 Board of Directors of the Synod, be regarded as a college or university of the Concordia University  
 45 System.

46 LCMS Board of Directors

1 **9. Structure and Administration**

2 **Ov. L9-50**

3 **To Amend Bylaws 3.6.4 and 3.6.4.4.1 to Clarify the Use**  
4 **of Lutheran Church Extension Fund Financial Resources and Related Services**

5 **Preamble**

6 The Lutheran Church Extension Fund—Missouri Synod (LCEF) was “formed to provide financial resources and related  
7 services for ministry, witness, and outreach of The Lutheran Church—Missouri Synod”. This is accomplished by providing  
8 financial resources and related services to support rostered church workers, congregations, schools, recognized service  
9 organizations, auxiliaries, districts, colleges, universities, and synodwide corporate entities (“traditional support”).

10 Two recent opinions of the Synod’s Commission on Constitutional Matters (Opinions 23-3003 and 23-3005), issued in  
11 response to questions raised by LCEF, clarify that LCEF under current Synod Bylaws may not provide support to church  
12 bodies with which the Synod is in altar and pulpit fellowship (partner churches) or other church bodies working  
13 cooperatively with the Synod (“outreach support”). Specifically, one opinion constrains the authority of LCEF to provide  
14 financial resources and related services to be only “within the Synod” (Bylaw 3.6.4), thus prohibiting LCEF from providing  
15 financial resources and related services to support activities outside of the Synod itself, even if such activities were  
16 determined by the Synod Board of Directors to be within the strategic and operational scope of the Synod’s ministry,  
17 witness, and outreach. The second opinion goes further, stating that although Lutheran church bodies in Brazil, Argentina,  
18 and Canada were once a part of Synod, they are now established, independent partner churches, no longer “within the  
19 Synod” (Bylaw 3.6.4), and are, therefore, not eligible for the support of the financial resources and related services that  
20 might be provided by LCEF. The effect of the opinion is that LCEF may not make its financial resources and related  
21 services available to partner churches, even were the Synod Board of Directors to determine that making such LCEF  
22 financial resources and related services available would advantageously support the Synod’s ministry, witness, and  
23 outreach.

24 **Rationale**

25 LCEF believes that the full exercise of its capacity and expertise in the provision of financial resources and related  
26 services—not only for “traditional support” but also to support partner churches—is essential to accomplish the ministry,  
27 witness, and outreach of the Synod. In certain exceptional cases, when directed by the Synod President, the Chief Mission  
28 Officer, and the Board for International or National Mission, this same strategic rationale likewise pertains to outreach  
29 support. As a result, LCEF is proposing the following amendments to Bylaws 3.6.4 and 3.6.4.4.1 to clarify that the LCEF  
30 Board of Directors may make financial resources and related services available to partner churches and for outreach  
31 support, provided that in each such instance the provision of such financial resources and related services is approved by  
32 the Synod Board of Directors.

33 Therefore be it

34 *Resolved*, That Bylaws 3.6.4 and 3.6.4.4.1 be amended as follows:

35 ~~PRESENT~~/PROPOSED WORDING

36 ***The Lutheran Church Extension Fund—Missouri Synod***

37 3.6.4 The Lutheran Church Extension Fund—Missouri Synod, as established on June 15, 1978, as a corporate  
38 entity under the laws of the State of Missouri, is operated by its members and Board of Directors, in  
39 accordance with its Articles of Incorporation and corporate Bylaws, to further the objectives and duties of  
40 the church extension fund by providing financial resources and related services for ministry, witness, and  
41 outreach within the Synod and, as approved by the Synod Board of Directors, beyond the Synod. ~~It is formed~~  
42 ~~to provide financial resources and related services for ministry, witness, and outreach of The Lutheran~~  
43 ~~Church—Missouri Synod.~~

44 (a) Any amendment to the Articles of Incorporation and the corporate Bylaws of the Lutheran Church  
45 Extension Fund—Missouri Synod as heretofore adopted shall be made by a two-thirds vote of the  
46 members of the Lutheran Church Extension Fund—Missouri Synod as set forth in its Articles of  
47 Incorporation and Bylaws.

48 (b) Amendments shall be reported to the next convention of the Synod.

49 ...

- 1 3.6.4.4 The Lutheran Church Extension Fund—Missouri Synod shall raise funds primarily through the issuance of  
2 corporate notes and other debt instruments.
- 3 3.6.4.4.1 The assets of the Lutheran Church Extension Fund—Missouri Synod shall be used exclusively to provide  
4 financing and services for the acquisition of sites, for the construction of facilities, for the purchase of  
5 buildings and equipment, for operating expenses, for professional church worker education, for the  
6 residential housing needs of professional church workers, for promoting strategic ministry planning and  
7 assisting in capital campaigns; and for other purposes approved by its governing board and the Synod Board  
8 of Directors, which purposes shall be consistent with the ministry and mission of the Synod~~under policies~~  
9 ~~approved by the Board of Directors of the Synod.~~
- 10 3.6.4.4.2 The assets of the Lutheran Church Extension Fund—Missouri Synod shall also be used exclusively to  
11 provide financing for its own operations and for distribution of operating results to its member districts,  
12 congregations, and corporate Synod, as determined by its governing board.

13  
14  
15

Board of Directors  
Lutheran Church Extension Fund



## OMNIBUS RESOLUTIONS

### Responsibility Assigned to Others

#### OMNIBUS RESOLUTION A

WHEREAS, Certain overtures submitted to the convention for consideration request action for which the responsibility has been previously delegated to a board, office, individual, or commission; therefore be it

*Resolved*, That the following overtures be referred to the appropriate board, office, individual, or commission indicated below:

<u>Overture</u>	<u>Title</u>	<u>Board, Office, Individual, Commission</u>
Ov. 1-05	To Include Prison Ministry as Mission Program and Objective of the Synod	Office of National Mission (Specialized Pastoral Ministry)
Ov. 2-05	To Thank God for the Synod’s International Schools and Pray for God’s Guidance in Furthering Their Role in the Church’s Mission	Board for International Mission
Ov. 3-02	To Offer Clearer Information for Couples Using the Pill for Birth Control as to When and How Often It Acts as an Abortifacient	Office of National Mission (Life Ministry)
Ov. 4-02	To Provide Triennial Synod Emphases	Board for National Mission, Board for International Mission
Ov. 4-03	To Prioritize “Living as the Baptized” as a Mission and Ministry Focus for the 2022–2025 Triennium	Board for National Mission, Board for International Mission
Ov. 4-04	To Suggest Mission and Ministry Emphases for the Synod	Board for National Mission, Board for International Mission
Ov. 4-09	To Rejoice in Proclamation of God’s Word by His Called and Ordained Servants	Commission on Theology and Church Relations
Ov. 4-16	To Prohibit District Conventions and Pastors Conferences during Lent and Advent	Council of Presidents
Ov. 5-07	To Study Triangular Fellowship	Office of the President
Ov. 5-21	To Rescind 2019 Resolution 5-09A	Commission on Theology and Church Relations
Ov. 5-22	To Clearly Declare the Work of Our Creator	Commission on Theology and Church Relations
Ov. 5-23	To Affirm and Bind Ourselves to Biblical Doctrine of Young Age of Earth	Commission on Theology and Church Relations
Ov. 5-24	To Affirm and Bind Ourselves to Biblical Doctrine of Young Age of Earth	Commission on Theology and Church Relations
Ov. 5-25	To Affirm and Bind Ourselves to Biblical Doctrine of Young Age of Earth	Commission on Theology and Church Relations
Ov. 5-26	To Affirm Young Earth as Biblical Doctrine	Commission on Theology and Church Relations
Ov. 5-27	To Confirm Synodical Position Concerning Special Creation, Young Earth, and Global Flood	Commission on Theology and Church Relations
Ov. 5-34	To Instruct CPH to Have <i>Portals of Prayer</i> and Other Devotionals Written by Men	Commission on Theology and Church Relations
Ov. 5-45	To Reconsider Allowing “Brain Death” Criteria for Determination of Death at End of Life	Office of National Mission (Life Ministry)

<u>Overture</u>	<u>Title</u>	<u>Board, Office, Individual, Commission</u>
Ov. 5-46	To Commission Biblical Study of Lending within the Church	Commission on Theology and Church Relations
Ov. 5-48	Distinguish Terms for Pastoral Office from Those for Auxiliary or Helping Offices	Commission on Theology and Church Relations
Ov. 5-49	To Affirm the Use of “Deliver Us from the <i>Evil One</i> ”	Commission on Theology and Church Relations, Office of National Mission
Ov. 5-50	To Affirm Inspiration and Authority of Mark 16:9–20	Commission on Theology and Church Relations, Concordia Publishing House
Ov. 6-09	To Encourage and Expand Support for Immigrant and Non-Anglo Pastoral Formation through Learning in Ministry, Non-Residential, Distance Programs that Lead to Ordination	Seminaries
Ov. 6-10	To Encourage and Support Existing Learning-In-Ministry, Non-Residential, Distance Programs Leading to Ordination	Seminaries
Ov. 6-22	To Increase Number of Students Preparing for General Ordination by Expanding Work of Cross-Cultural Ministry Center	Pastoral Formation Committee
Ov. 6-23	To Increase Number of Students Preparing for General Ordination through Distance Learning Opportunities and by Expanding Work of Cross-Cultural Ministry Center	Pastoral Formation Committee
Ov. 6-29	To Work to Resolve Issue of Qualified Ordained Candidates Remaining Without Calls	Council of Presidents
Ov. 6-34	To Prevent Admission, Reinstatement, or Colloquization of a Divorced Man into the Office of the Public Ministry Who Has Married Another Woman	Seminaries, Colloquy Committee for the Pastoral Ministry, Council of Presidents
Ov. 6-35	To Define “Domineering in Office”	Commission on Theology and Church Relations
Ov. 6-36	To Require Knowledge of Scripture and Confessions from Candidates for Ordained Ministry	Seminaries, Colloquy Committee for the Pastoral Ministry
Ov. 6-41	To Encourage the Synod’s Seminaries to Teach the <i>Handbook</i>	Seminaries, Council of Presidents
Ov. 6-42	To Provide for Prior Approval for Seminary Adjunct Faculty	Pastoral Formation Committee
Ov. 6-44	To Encourage Both Synod Seminaries to Continue Teaching Men for Faithful Service and to Petition the Synod to Dramatically Increase Funds Sent to Undesignated Seminary Operations	Synod Board of Directors
Ov. L6-47	To Amend Bylaw 3.10.2.2 to Provide for Temporary Service of Men Undergoing Colloquy	Pastoral Formation Committee
Ov. 7-18	To Protect People’s Offerings Given to Concordia University Schools	Concordia University System
Ov. 7-19*	To Encourage and Provide Support for Currently Non-rostered Lutheran School Educators to Receive Colloquy	Colloquy Committee for Commissioned Ministry
Ov. 7-22	To Encourage Training for Volunteers Stepping into Roles of Youth Education and Faith Formation	Concordia University System
Ov. 7-23*	To Request Comprehensive Review of Commissioned Ministry Colloquy Process	Colloquy Committee for Commissioned Ministry

\* Ov. 7-19 and 7-23 were transferred to Floor Committee 12, which placed them in omnibus A



<u>Overture</u>	<u>Title</u>	<u>Board, Office, Individual, Commission</u>
Ov. 8-03	To Establish a Commission to Study the Possibility of Utilizing a Health Sharing Community Group	Concordia Plan Services, Synod Board of Directors
Ov. 8-04	To Audit Concordia Plan Services Retirement Funding	Synod Board of Directors, Concordia Plan Services
Ov. 9-27	To Restrict Synod Convention on Sundays	Synod Board of Directors
Ov. 9-28	To Establish Procedures for Delay of Meetings of Synod	Commission on Constitutional Matters, Commission on Handbook
Ov. 9-29	To Provide for Elections if Conventions Cannot Be Held	Commission on Constitutional Matters, Commission on Handbook
Ov. 9-30	To Have Next Available Convention of the Synod in Detroit	Synod Board of Directors
Ov. 9-33	To Provide Additional Information about Nominees for Elected Positions of the Synod and Districts	Secretary of the Synod
Ov. 10-07	To Establish Common Procedures for Sake of Unity and Avoiding Unnecessary Offense	Council of Presidents
Ov. 11-28	To Offer Special Thanks to Our Supreme Court Justices	Office of the President
Ov. 11-31	To Address Violence	Commission on Theology and Church Relations
Ov. 12-11	To Ensure Fidelity and High Quality in Lutheran Education	Concordia University System Advisory Council, LCMS School Ministry

### **Issues Addressed by Previous Convention(s)**

#### **OMNIBUS RESOLUTION B**

WHEREAS, A number of issues have been presented through overtures to which the Synod, in convention, has previously spoken; and

WHEREAS, After careful consideration of these matters, there appears to be insufficient rationale to change or alter the stated position of the Synod; therefore be it

*Resolved*, That petitioners offering the following overtures be referred to previous convention action as indicated.

<u>Overture</u>	<u>Subject</u>	<u>Previous Action</u>
Ov. 5-39	To Reconsider Woman Suffrage in the Church	1995 Res. 3-05; 1986 Res. 3-09; 1969 Res. 2-17
Ov. 5-40	To Reconsider Woman Suffrage in the Church	1995 Res. 3-05; 1986 Res. 3-09; 1969 Res. 2-17
Ov. 5-41	To Reconsider Woman Suffrage in the Church	1995 Res. 3-05; 1986 Res. 3-09; 1969 Res. 2-17
Ov. 7-17	To Memorialize Commission on Handbook to Revise Number of Voters for Election of Presidents of Concordia University System Schools	2019 Res. 7-04 relocated the work of the prior approval panel to prior to the vote of the board of regents.
Ov. 9-04	To Reaffirm “Bottom-Up Nature of Synod”	Constitution Articles III and IV

## Expressions of Encouragement and Gratitude

### OMNIBUS RESOLUTION C

WHEREAS, Many requests for recognition of noteworthy labors of love are brought to the Synod's attention at every convention; therefore be it

*Resolved*, That the following overtures be received as expressions of encouragement or gratitude:

<u>Overture</u>	<u>Subject</u>	<u>Encouragement / Thanks</u>
Ov. 6-45	To Declare/Encourage Recognition of the Pastor's Wife and Honor Her in 2025	Thank all pastors' wives with deep gratitude.
Ov. 6-46	To Thank the Lord of the Church for the Life and Ministry of Rev. Dr. Laokouxang (Kou) Seying	Thanksgiving to God for the devoted life and ministry of our esteemed brother, Rev. Dr. Seying

## PROPOSED RESOLUTIONS

### 1. NATIONAL WITNESS

#### To Stimulate Training for Witness

##### RESOLUTION 1-01

Report R1.2.1 (*CW*, 15–16)

WHEREAS, Christians as God’s people are to “proclaim the excellencies of him who called [us] out of darkness into his marvelous light” (1 Peter 2:9) and maintain constant preparation “to make a defense to anyone who asks you for a reason for the hope that is in you” (1 Peter 3:15); and

WHEREAS, As Martin Luther observed, it might seem “best for God to take away our breath and let us die as soon as we are baptized and have begun to believe. But He lets us live here in order that we may lead other people to believe, doing for them what He has done for us” (*What Luther Says*, [CPH, 1959] number 3021; WA 12:267); and

WHEREAS, Christians know and interact with many non-Christians and unchurched people through their vocations and daily lives (e.g., family, coworkers, classmates); and

WHEREAS, In this sinful world, Christians often fear to speak of Christ with others; and

WHEREAS, Such fear can be addressed through teaching and learning not only the biblical message of the Gospel but also particular ways to become conversant concerning it; and

WHEREAS, There are resources for learning such as Synod’s *Every One His Witness* (E1HW), both its core module and a growing number of context modules that help prepare Christians for witness to people from various specific backgrounds; therefore be it

*Resolved*, That the Synod encourage its congregations and its institutions of higher education to make diligent and widespread use of E1HW; and be it further

*Resolved*, That the Synod encourage its pastors and other church workers to teach people to want to engage in witness, consistent with the Lutheran Confessions, particularly to non-churched people; and be it further

*Resolved*, That the Synod encourage all the baptized members of her congregations to recognize they are Christ’s witnesses wherever they are; and be it further

*Resolved*, That the Synod encourage its congregations, their pastors, and other church workers to take serious and realistic stock of how often and how well they employ recurring parish education opportunities (including, but not limited to: Bible and catechism classes, youth ministry, retreats, etc.) to teach church members key witnessing skills (such as listening discerningly to non-churched people, beginning a spiritual conversation, making a simple statement of the Gospel, defending the resurrection), including the provision of opportunity to practice such skills; and be it finally

*Resolved*, That the Synod instruct its districts to encourage and assist congregations as they train their members to tell the Good News about Jesus.

#### To Aid Small Congregations and Multi-Congregation Pastors and Parishes

##### RESOLUTION 1-02

Report R1.2.1 (*CW*, 16); Overtures 1-01–03 (*CW*, 255–56); Report LR68 (*TB*, 1:37–40)

WHEREAS, The Office of the Public Ministry is indispensable for the church as an office God instituted in order to provide theologically apt preaching and teaching, the proper administration of the Sacrament of the Altar, and regular pastoral care for the faithful (Titus 1:5; Acts 14:23; 20:28; 1 Tim. 2:24; 2 Tim. 2:2); and

WHEREAS, Many congregations in The Lutheran Church—Missouri Synod (LCMS) are facing declining membership to the point that they are no longer financially able to support the cost of compensating a full-time pastor, especially considering healthcare costs and the rising cost of living; and

1 WHEREAS, There is a shortage of ordained pastors in the LCMS and as of April 2023 there were over 500 calling  
2 congregations; and

3 WHEREAS, In recent years individual congregations, circuits, and districts have been forced to deal with this problem  
4 through multi-congregation parish relationships; and

5 WHEREAS, There are resources that already exist to aid small congregations, multi-congregation parishes, and their  
6 pastors such as The Partnership Project (Kansas District), *re: Vitality* guided self-assessment (LCMS), MissionInsite  
7 reports (Lutheran Church Extension Fund), Rural and Small Town Mission resources (LCMS); and

8 WHEREAS, In an opinion dated April 2023, the Commission on Theology and Church Relations (CTCR) addresses  
9 the practice of laymen reading sermons and conducting worship services in churches unable to support a pastor and  
10 recommends “more formal discussions in the next triennium to address the larger issue of Lutheran theological foundations  
11 for mission and ministry, especially as those foundations are being challenged in a post-Christian culture, where religious  
12 participation is on the decline and where demographics are also rapidly changing” (LCMS CTCR, *President of Synod*  
13 *Request for Opinion on Lay Reading of Sermons and Conduct of Worship in the Absence of a Pastor* [adopted April 13,  
14 2023], 7); therefore be it

15 *Resolved*, That the Synod in convention direct the Office of National Mission (ONM) to work through districts to  
16 gather and share resources that aid small congregations and multi-congregation parishes and identify best practices in  
17 arranging and conducting such ministry; and be it further

18 *Resolved*, That the Synod in convention commend The Partnership Project resources and direct ONM to make them  
19 available on the Synod website and be further developed; and be it further

20 *Resolved*, That the Synod in convention ask the CTCR to prepare a document on Lutheran theological principles for  
21 mission and ministry that would address the theological and practical issues faced by small congregations and multi-  
22 congregation parishes; and be it finally

23 *Resolved*, That these principles be disseminated to the Office of the President, the Council of Presidents, and the  
24 Pastoral Formation Committee as a basis for considering how the Synod might provide for the ongoing pastoral needs of  
25 small congregations and multi-congregation parishes.

26 **To Plant More Churches**

27 **RESOLUTION 1-03**

28 President’s Report, Part 2 (*TB*, 1:24)

29 WHEREAS, The Lutheran Church—Missouri Synod (LCMS) has planted 468 new churches since 2000, as reported to  
30 LCMS Rosters, Statistics and Research Services; during that same time period, 903 LCMS congregations closed (including  
31 failed church starts); and

32 WHEREAS, About one-third of the 468 church plants closed before becoming sustainable congregations (the above  
33 statistics obtained from a soon to be released church planting study gathered by the Office of National Mission [ONM],  
34 with the assistance of LCMS districts); and

35 WHEREAS, In recent years, Synod has not promoted a systematic approach for starting new churches; and

36 WHEREAS, Large financial grants from the district or the Synod have often not tended to result in sustainable  
37 congregations; that is, the model of calling a mission pastor and giving him a large financial grant to start a church has not  
38 consistently produced sustainable congregations; and

39 WHEREAS, Population shifts have resulted in a large number of people residing where the LCMS does not have a  
40 presence, especially in the western United States and the “Sunbelt”; and

41 WHEREAS, The most effective church planting model is mother/daughter congregations, though other ways may prove  
42 to be more feasible (e.g., sister congregations where congregations from elsewhere support a mission plant); and

43 WHEREAS, Opportunities for new church starts are best identified at a local level instead of at the district or Synod  
44 level, that is, individual congregations or circuits making the identifications; and

45 WHEREAS, The ONM is currently developing a systematic approach to planting new churches through a church  
46 planting initiative; and

47 WHEREAS, The Bolick Foundation has granted \$2 million to the LCMS for the church planting initiative; and

1 WHEREAS, Successful plants involve a group of committed laity as the sustaining core, sustained with the help of a  
2 neighboring pastor; therefore be it

3 *Resolved*, That the Synod give thanks to God for the Bolick Foundation’s generous support for the church planting  
4 initiative; and be it further

5 *Resolved*, That the Synod direct the ONM to work with districts to develop and implement resources for the LCMS  
6 church planting initiative (a systematic approach to church planting), and encourage congregations to make use of the  
7 resources; and be it further

8 *Resolved*, That the Synod encourage pastors and lay people to identify and initiate local opportunities for starting new  
9 churches; and be it further

10 *Resolved*, That the ONM, in partnership with the districts, provide training, support, and, as available, funding for  
11 locally identified new church starts; and be it finally

12 *Resolved*, That congregations be encouraged to support new church starts locally, within their districts, and across the  
13 Synod.

14 *The Chief Financial Officer and LCMS Accounting and Financial Services staff, in consultation with*  
15 *the Finance Committee, project cost of implementation to be borne, at present, by available gifts and grants*  
16 *(estimate required by Bylaw 3.1.7 [g]).*

## 17 **To Continue to Address Sexual Orientation and Gender Identity Issues**

### 18 **RESOLUTION 1-04**

19 Overtures 1-06–07 (*CW*, 257–59)

#### 20 **Preamble**

21 Over the course of the 2019–2023 quadrennium, The Lutheran Church—Missouri Synod (LCMS) Office of National  
22 Mission (ONM) staff reflected on how best to respond to the Synod’s ongoing desired goals, objectives, and possible  
23 beneficial actions pertaining to sexual orientation and gender identity issues. The ONM leadership especially considered  
24 2019 Resolution 11-03A, “To Encourage Synod to Develop Resources to Aid Congregations and Schools regarding Sexual  
25 Orientation and Gender Identity Issues” (*Proceedings*, 216), particularly its eight resolved statements:

26 *Resolved*, That the LCMS in convention affirm and faithfully confess the biblical truth that God created  
27 humanity as male and female; and be it further

28 *Resolved*, That we regard all those who experience sexual orientation and gender identity issues as our  
29 neighbors, beloved of God, and therefore condemn acts of abuse committed against them; and be it further

30 *Resolved*, That the Synod in convention gives thanks for those individuals who, despite same-sex attraction  
31 or gender identity confusion, continue to live chaste and decent lives in repentant faith, and that LCMS  
32 congregations, districts, and Synod entities seek the counsel and leadership of such individuals in developing  
33 faithful approaches to minister to those who experience same-sex attraction and gender identity confusion;  
34 and be it further

35 *Resolved*, That pastors and congregations of the Synod be encouraged to minister compassionately to those  
36 who experience sexual orientation and gender identity issues through prayer, the proclamation of Law and  
37 Gospel, the Sacrament of Holy Baptism, corporate and individual confession and absolution, the proper  
38 administration of the Lord’s Supper, the mutual conversation and consolation of the brothers and sisters, and  
39 pastoral care; and be it further

40 *Resolved*, That pastors and congregations of the Synod be encouraged to minister compassionately to the  
41 families, friends, and all others impacted by those who experience same-sex attraction, those who are  
42 involved in same-sex relationships, and those whose sexual self-understanding is shaped by a distressing  
43 conflict between their biological sex and their perceived gender identity through prayer, the proclamation of  
44 Law and Gospel, the Sacrament of Holy Baptism, corporate and individual confession and absolution, the  
45 proper administration of the Lord’s Supper, the mutual conversation and consolation of the brothers and  
46 sisters, and pastoral care; and be it further

1        *Resolved*, That church workers and congregations in the Synod be encouraged to utilize the following  
 2        CTCR reports: *Human Sexuality: A Theological Perspective*; *Response to Human Sexuality: Gift and Trust*;  
 3        *The Creator’s Tapestry: Scriptural Perspectives on Man-Woman Relationships in Marriage and the Church*;  
 4        and *Gender Identity Disorder or Gender Dysphoria in Christian Perspective*; as well as the treatment of  
 5        these matters in *Luther’s Small Catechism with Explanation* (Concordia Publishing House, 2017); and be it  
 6        further

7        *Resolved*, That the CTCR be directed to prioritize the updating of the 1981 study, *Human Sexuality*; and  
 8        be it finally

9        *Resolved*, That the Synod in convention direct the Office of National Mission, Concordia Publishing  
 10        House, the seminaries, and the Concordia University System to continue to provide resources that enable the  
 11        church to confess the truth boldly and minister compassionately both to those who experience sexual  
 12        orientation and gender identity issues and those who care for them.

13        The ONM eventually determined to establish an ad hoc task force to undertake further study, initiate feasible actions and  
 14        the development of recommendations aimed at future Synod actions, and initiatives to address sexual orientation and  
 15        gender identity issues. The ONM is grateful for the direct participation of the following individuals on the ad hoc task  
 16        force, chaired by Rev. Christopher Esget (Immanuel Lutheran Church, Alexandria, Va.); Rev. Kevin Robson (Chief  
 17        Mission Officer); Deac. Dr. Tiffany Manor (ONM); Dr. Mark Rockenbach (faculty member, Concordia Seminary); Ms.  
 18        Nicole Chappell (ONM); Dr. Gifford Grobien (faculty member, Concordia Theological Seminary); Rev. Kevin Karner  
 19        (Immanuel Lutheran Church, Bristol, Conn.); Rev. Jonathan Lange (St. Paul Lutheran Church, Kemmerer, Wyo. and Our  
 20        Saviour Lutheran Church, Evanston, Wyo.); Rev. Brian Barlow (Resurrection Lutheran Church, Quartz Hill, Calif.); and  
 21        Rev. Jared Melius (Mt. Zion Lutheran Church, Denver, Colo.).

22        The ad hoc task force sought to: study, summarize, and articulate the current state of Sexual Orientation and Gender  
 23        Identity resources available to Synod’s people and institutions; determine the preferred means of elevating awareness and  
 24        increasing the use of such resources in the mission and ministry of our congregations, schools, and families; identify and  
 25        prioritize additional resource development according to current, and future needs; and to outline learnings,  
 26        recommendations, and future planned work emerging from these outcomes. Pandemic constraints did not allow the task  
 27        force to complete all of the objectives during the quadrennium.

28        In view of the still-applicable whereas statements of 2019 Res. 11-03A (*Proceedings*, 215–16), which are entrusted to  
 29        delegates to 2023 Synod convention for additional reflection, and the ongoing criticality of the work described above, this  
 30        ad hoc task force is hereby commending, through the LCMS Board for National Mission, the following resolution to the  
 31        2023 Synod convention.

### 32        **Proposed Action**

33        WHEREAS, In the beginning God created man in his own image, “male and female, he created them” (Gen. 1:27); and

34        WHEREAS, As the Small Catechism (SC) teaches, “I believe that God has made me and all creatures. He has given me  
 35        my body and soul, eyes, ears, and all my members” (SC II, First Article); and

36        WHEREAS, After humanity’s fall into sin, Jesus again affirmed God’s continuing work: that from the beginning he  
 37        created them “male and female” (Matt. 19:4); and

38        WHEREAS, All sexual corruption and confusion result from humanity’s fall into sin and often lead to rebellious and  
 39        sinful acts against God’s will (James 1:14–15); and

40        WHEREAS, All sexual acts outside of faithful, biblical marriage, which is between one man and one woman, are sinful  
 41        and contrary to God’s will (Rom. 13:13; 1 Cor. 6:9–11); and

42        WHEREAS, Sex, a physical reality created by God, is now considered by many in our culture to be a social construct;  
 43        and

44        WHEREAS, The federal government of the United States has ruled that marriage is no longer exclusively the lifelong  
 45        union of one man and one woman; and

46        WHEREAS, The Body of Christ has been called to proclaim His saving Gospel to all the world, including those who  
 47        are uncertain whether they are “truly” male or female (with regards to intersex individuals, see excursus in LCMS  
 48        Commission on Theology and Church Relations [CTCR], *Gender Identity Disorder or Gender Dysphoria in Christian  
 49        Perspective*), those who present themselves as members of the opposite sex in dress and physical appearance, and those  
 50        who participate in hormonal and/or surgical procedures in an attempt to modify their anatomy from male to female or from  
 51        female to male; and

1 WHEREAS, We are called to preach repentance and forgiveness of sins with clarity and compassion to all; and

2 WHEREAS, The LCMS parochial schools, congregations, seminaries, the Concordia University System (CUS), church  
3 workers, parents, children, and other individuals in our Synod are experiencing mounting pressure and intimidation as a  
4 result of media propaganda, cultural, and legal changes; and

5 WHEREAS, LCMS church workers and laity have asked for guidance in pastoral care for individuals and families  
6 struggling with matters of same-sex attraction and sexual identity issues; and

7 WHEREAS, The Church is called to support and proclaim the Gospel to all those who struggle with the corrupting  
8 power of concupiscence, including those with the propensity toward a myriad of sexual sins and identity confusion; and

9 WHEREAS, The LCMS has produced resources such as the following CTCR reports: *Gender Identity Disorder or*  
10 *Gender Dysphoria in Christian Perspective* (adopted September 2014); *Human Sexuality: A Theological Perspective*  
11 (adopted September 1981); *Response to Human Sexuality: Gift and Trust* (adopted April 2012); and *The Creator's*  
12 *Tapestry: Scriptural Perspectives on Man-Woman Relationships in Marriage and the Church* (adopted December 2009);  
13 as well as the treatment of these matters in *Luther's Small Catechism with Explanation* (St. Louis: Concordia Publishing  
14 House [CPH], 2017); and

15 WHEREAS, The ONM has already established an ad hoc Created Male and Female task force in response to 2019 Res.  
16 11-03A which has begun work on these and related issues; therefore be it

17 *Resolved*, That the Synod direct the continuance of said task force during the new triennium, consisting of the current  
18 ad-hoc task force members (which includes parish pastors, commissioned church workers, representation from the Council  
19 of Presidents, ONM, and the seminaries), and also add to the existing membership as necessary, to include but not be  
20 limited to representation from LCMS Communications, CUS, and CPH; and be it further

21 *Resolved*, That the task force consider conducting field research; and be it further

22 *Resolved*, That the task force recommend and advocate for strategies and structural approaches to serve the Church  
23 better and address the challenges posed by contemporary sexual ethics, recommend and coordinate implementation with  
24 Synod entities and organizations that will best deliver resources to the Church, and encourage congregations to raise  
25 awareness of media propaganda, cultural intimidation, and mounting pressures, responding to them by the study of Holy  
26 Scripture and the Lutheran Confessions (particularly the Small Catechism), and further encouraging support for those  
27 persecuted for their faithful confession of human sexuality and marriage; and be it finally

28 *Resolved*, That the task force report to the next Synod convention its work and further recommendations.

29 *The Chief Financial Officer and LCMS Accounting and Financial Services staff, in consultation with*  
30 *the Finance Committee, project cost of implementation as \$40,000 (estimate required by Bylaw 3.1.7 [g]).*

## 31 **To Increase Mission Efforts to Immigrants and Various Cultural Groups in North America**

### 32 **RESOLUTION 1-05**

33 Report R1.2.1 (*CW*, 15–16); Overture 1-04 (*CW*, 256)

34 WHEREAS, The Lord has obliged his Church to preach repentance and forgiveness of sins in His name to all nations  
35 (Luke 24:47); and

36 WHEREAS, Many immigrants who have come to the United States and Canada from all over the world are not  
37 Christians; and

38 WHEREAS, In the past the Synod has reached and assimilated new immigrants; and

39 WHEREAS, The United States and Canada contain a variety of cultural groups not only as a result of recent immigration  
40 but also due to various non-Christian religious and spiritual influences (e.g., “Mormon culture” in several places within  
41 western states); and

42 WHEREAS, The Synod’s Office of National Mission (ONM) has resources to locate and call the Synod’s attention to  
43 the whereabouts of groups currently under-served with the Gospel of Christ; therefore be it

44 *Resolved*, That the Synod recognize and actively promote the fact that the United States and Canada form a mission  
45 field with many unreached immigrants, ethnic groups, and non-Christian religious groups; and be it further

1        *Resolved*, That the Synod direct ONM to assemble an inventory of existing efforts to bring the Gospel to various  
2 immigrant, ethnic, and non-Christian religious groups, whether these efforts have been undertaken, e.g., by the Synod and  
3 its agencies, auxiliaries, or recognized service organizations, or perhaps by parachurch groups that work at least in  
4 coordination with the Synod and its congregations; and be it further

5        *Resolved*, That ONM make this inventory available and communicate its availability; and be it further

6        *Resolved*, That the Synod direct the *Set Apart to Serve* initiative to give attention to recruiting professional church  
7 workers among present Lutherans who grew up in these immigrant, ethnic, and non-Christian religious groups, as these  
8 people can serve as a vital resource in reaching such populations; and be it further

9        *Resolved*, That ONM work to make available grants to provide short- and longer-term internships and other training  
10 for those preparing to do mission work amid these populations; and be it further

11        *Resolved*, That ONM conduct demographic research to specify the locations of larger immigrant, ethnic, and non-  
12 Christian religious groups who are currently under-served with the Gospel; and be it further

13        *Resolved*, That ONM work especially with districts, providing information to help these districts pinpoint where they  
14 can begin new ethnic ministries in the United States and Canada, with the goal of districts beginning at least five ministries  
15 during the next triennium; and be it finally

16        *Resolved*, That ONM work to make church planting grants available to those beginning new ethnic/cultural ministries.

17                    *The Chief Financial Officer and LCMS Accounting and Financial Services staff, in consultation with*  
18                    *the Finance Committee, project cost of implementation to be borne, at present, by available gifts and grants*  
19                    *(estimate required by Bylaw 3.1.7 [g]).*

20                    **To Direct Districts and Council of Presidents to Provide Strategic Plan**  
21                    **for Addressing Wellness of Church Workers**

22                    **RESOLUTION 1-06**

23        Reports R1.2.1, R6 (*CW*, 11–12, 49–50); Overture 1-08 (*CW*, 259–60)

24        WHEREAS, One of the objectives of The Lutheran Church—Missouri Synod (LCMS) is to “Recruit and train pastors,  
25 teachers, and other professional church workers and *provide opportunity for their continuing growth*” (Constitution Article  
26 III 3); and

27        WHEREAS, Another objective of the LCMS is to “Provide evangelical supervision, counsel, *and care for pastors,*  
28 *teachers, and other professional church workers* of the Synod in the performance of their official duties” (Const. Art. III  
29 8); and

30        WHEREAS, Another objective of the LCMS is to “Aid in providing for the welfare of pastors, teachers, and other  
31 church workers, and their families in the event of illness, disability, retirement, special need, or death” (Const. Art. III 10);  
32 and

33        WHEREAS, 2016 Resolution 18-02A tasked the Board for National Mission to develop policies for assessing worker  
34 wellness and make recommendations for worker care; and

35        WHEREAS, A report was made to the 2019 Synod convention stating the progress of such policies, which includes a  
36 webpage on worker wellness on the Synod website; and

37        WHEREAS, Worker wellness and health—physically, spiritually, emotionally, and relationally—continues to be a  
38 significant issue for the church, especially following the COVID-19 pandemic, and in light of a March 2022 Barna report  
39 indicating that 42 percent of pastors considered quitting full-time ministry in the past year, and 46 percent of pastors under  
40 the age of 45 considered the same (Barna Group, [www.barna.com/research/pastors-well-being](http://www.barna.com/research/pastors-well-being), Nov. 16, 2021); and

41        WHEREAS, Such statistics indicate the need to continue to prioritize these Synod objectives indicated above; and

42        WHEREAS, A significant aspect of ecclesiastical supervision is “evangelical encouragement and support, care,  
43 protection, counsel . . .” (Bylaw 1.2.1 [j]), a responsibility intentionally given to district presidents to be administered more  
44 effectively on a local level; therefore be it

45        *Resolved*, That the Council of Presidents (COP) be commended for its work on attending to the wellness of church  
46 workers and their families; and be it further





1            *The Chief Financial Officer and LCMS Accounting and Financial Services staff, in consultation with*  
2            *the Finance Committee, project no cost of implementation for national Synod*  
3            *but note variable costs to districts would be entailed (estimate required by Bylaw 3.1.7 [g]).*

4            **To Promote and Commend the Synod’s Digital and Online Resources**

5            **RESOLUTION 1-08**

6            Overture 1-14 (CW, 263)

7            WHEREAS, The Lutheran Church—Missouri Synod (LCMS) and its entities have many wonderful online/digital  
8            resources for individual, group, and congregational study; and

9            WHEREAS, Many of these resources can be found at Lutheran Hour Ministries (*lhm.org*), LCMS School Ministry  
10           (*LuthEd.org*), LCMS Youth Ministry (*YouthESource.com*), Concordia Publishing House Faith Courses  
11           (*youtube.com/playlist?list=PLxogXfoRgsrh7J8EV4C2WGFwwmeqh4eBS*) and the Office of National Mission  
12           (*makingdisciples.lcms.org*); and

13           WHEREAS, Many of these resources have options to request a resource or topic; and

14           WHEREAS, Many of these resources have options to submit resources (including online videos, podcasts, etc.) or  
15           topics; and

16           WHEREAS, *Makingdisciples.lcms.org* provides doctrinal review for submitted resources; therefore be it

17           *Resolved*, That the Synod in convention commend these resources to its districts, congregations, church workers, and  
18           lay members for use; and be it further

19           *Resolved*, That we give thanks to God for the many ways that His Word continues to be spread.

## 2. INTERNATIONAL WITNESS

### To Commend, Strengthen, and Give Thanks for Alliance Missionary Program

#### RESOLUTION 2-01

Overture 2-02 (*CW*, 265–66)

WHEREAS, The Alliance Missionary Program of the Office of International Mission (OIM) is an initiative crossing decades of the Synod's recent history, under which church workers on rosters of the Synod's international Lutheran church partners are called and sent by their own church bodies into foreign mission areas of the Synod, with administrative and financial support and supervisory coordination provided by the OIM; and

WHEREAS, Over the past quadrennium, the Alliance Missionary Program notably has been expanding with respect to the number of church workers called, sent, and supported as they spread the Gospel, plant Lutheran churches, and show mercy in the foreign mission areas of the Synod; and

WHEREAS, The Alliance Missionary Program currently embraces active alliance missionaries called and sent from Lutheran church partners (located in Brazil, Kenya, Nigeria, Paraguay, Taiwan, and Venezuela), working in mission fields such as: Belize, Dominican Republic, Ethiopia, Guatemala, Jamaica, Macau, Panama, Peru, Puerto Rico, Republic of Congo, South Africa, Spain, Taiwan, Uganda, and Uruguay and proclaiming the Gospel in four languages (English, French, Mandarin, and Spanish); and

WHEREAS, Two of these currently-serving alliance missionaries began their work in 2003 and 2008; and

WHEREAS, The Alliance Missionary Program draws on long-held generational relationships between the Synod and partner churches, in which accumulated and mutually shared histories and experiences are directly applied to contemporary mission opportunities facing global Lutheranism; and

WHEREAS, The Alliance Missionary Program expands the capacity of the Synod as we jointly take the Gospel into foreign mission areas; and

WHEREAS, Alliance missionaries strongly complement and enrich the work of Synod-called or appointed missionaries; and

WHEREAS, The Alliance Missionary Program affords numerous opportunities for excellent stewardship of collective resources (i.e., funds, materials, manpower, administration) shared between the Synod and partner churches; therefore be it

*Resolved*, That the Synod commend OIM for its comprehensive work in continuing, developing, and expanding the Alliance Missionary Program and for its ongoing efforts to improve the same; and be it further

*Resolved*, That the Synod direct OIM, working under established policies and oversight provided by the Board for International Mission, to continue to identify and address new opportunities in the Synod's foreign mission areas where alliance missionaries might be appropriately called and deployed to carry out the Church's mission; and be it further

*Resolved*, That the Synod encourage congregations and districts to continue to support the Alliance Missionary Program with gifts, prayers, and coordinated efforts under the supervision of the OIM; and be it further

*Resolved*, That the Synod give thanks to God for the expansion of the Church's global mission resulting from the Alliance Missionary Program and for all of the Synod's partner churches involved in the Alliance Missionary Program to date; and be it finally

*Resolved*, That the Synod give special commendation and thanks to the *Igreja Evangélica Luterana do Brasil* (Evangelical Lutheran Church of Brazil) for its close partnership and engaged co-development and strengthening of the Alliance Missionary Program, including its committed investment in the calling, deployment, and continuing support of its pastors in the furtherance of the preaching of Christ Crucified.

**To Give Priority and Advocacy for Office of International Mission**

**RESOLUTION 2-02**

Overture 2-01 (CW, 265)

WHEREAS, The Office of International Mission (OIM) carries out its work under the trifold framework of spreading the Gospel, planting Lutheran churches, and showing mercy; and

WHEREAS, Since the 2019 convention, the Synod has been blessed with pleasing progress and outcomes realized by the OIM in close collaboration with the Synod’s partner churches, congregations and congregation members, contributors, districts, universities and seminaries, auxiliaries, recognized service organizations (RSO), and synodwide corporate entities, all working to advance key international mission initiatives both ongoing and new; and

WHEREAS, Such pleasing progress and outcomes with respect to these key international mission initiatives have been frequently recorded and joyously reported through various Synod publications; such as the founding of regional seminaries on three continents, establishing ongoing theological conferences worldwide, deaconess training in the Latin America and the Caribbean (LAC) and Eurasia regions, renewed church planting efforts through OIM in Romania, Bulgaria, Italy, Greece, and Moldavia; therefore be it

*Resolved*, That the Synod give thanks to God and commend and direct the Board for International Mission (BIM) and OIM over the coming triennium to continue to establish and refine policies, strategic and operational plans, and budgets and further develop, expand, and strengthen implementation of the Synod’s international mission work inclusive of, but not limited to, the following categories:

- pastoral and diaconal formation and continuing education;
- Lutheran church planting, including collaboration with partner churches;
- the Alliance Missionary Program, deploying pastors of the Lutheran Church—Missouri Synod (LCMS) church partners to LCMS mission fields, with OIM supervision and financial support;
- network supported missionary funding and other direct support for missionaries called or appointed by the BIM and deployed and supervised by the OIM;
- collaboration in partnership and engagement in international mission efforts with direct involvement of the Synod congregations, congregation members, and church workers (i.e., using the successful FORO model [forum] used initially within the OIM’s Latin America and the Caribbean Region);
- short-term volunteer mission teams;
- Ministry to the Armed Forces;
- mercy initiatives, including international disaster response, in close proximity to Word and Sacrament ministry; and
- missionary recruitment;

and be it further

*Resolved*, That district officers, leadership, and staff give intentional priority and advocacy for district support of the work of the OIM; and be it finally

*Resolved*, That the Synod encourage congregations and congregation members, contributors, Concordia University System, schools and seminaries, auxiliaries, RSOs, and synodwide corporate entities to give intentional priority and advocacy for their support of the OIM.

**To Strengthen Pastoral Care of Missionaries and Clarify Ecclesiastical Supervision**

**RESOLUTION 2-03**

Overture 2-03 (CW, 266–67)

WHEREAS, The Office of International Mission (OIM), as an expression of unity in Christ and His love, intentionally provides for pastoral and spiritual care and visitation to all Synod missionaries (that is, rostered Synod church workers and laypersons called or appointed and sent by the Board for International Mission [BIM]) by considering carefully their

1 placement and service in proximity to regularly available Word and Sacrament ministry, often through congregations of  
2 partner churches, or alternatively through locally available OIM chaplains; and

3 WHEREAS, The Synod’s missionaries face exceptional circumstances related to the nature of their unique work and  
4 the effects on their families in residing and working in locations far from their originating U.S.-based support; and

5 WHEREAS, It must be acknowledged that it is difficult for home congregations and pastors based in the U.S. to provide  
6 Word and Sacrament ministry, pastoral and spiritual care, and visitation to the Synod’s missionaries; and

7 WHEREAS, The OIM is thankful to God for the ongoing prayers and active expressions of love and visitation provided  
8 by home congregations, pastors, and districts based in the U.S. to the Synod’s missionaries; and

9 WHEREAS, The provision of ecclesiastical supervision to the Synod’s missionaries likewise presents practical  
10 challenges and ambiguities in roles and responsibilities; therefore be it

11 *Resolved*, That the Synod, reflecting a desire for expeditious and continuous improvement wherever feasible,  
12 encourage the BIM and OIM in collaboration and consultation with the Council of Presidents (COP) to identify and  
13 implement measures to improve the pastoral and spiritual care of the Synod’s missionaries working in the foreign mission  
14 areas of the Synod; and be it further

15 *Resolved*, That the Synod direct the BIM, working over the 2023–26 triennium in collaboration and consultation with  
16 the Chief Mission Officer, the OIM, and the COP, to assess and revise current policies, procedures, and practices pertaining  
17 to the Synod’s ecclesiastical supervision of the Synod’s missionaries who are called or appointed and deployed to work in  
18 foreign mission areas of the Synod.

## 19 **To Commend Synod Seminaries for Work in International Witness**

### 20 **RESOLUTION 2-04**

21 Report R1, R13.1–2 (*CW*, 1, 61–64); President’s Report, Part 2 (*TB*, 1:24)

22 WHEREAS, Many current opportunities to expand the reach of confessional Lutheranism has made this a time of great  
23 mission potential for The Lutheran Church—Missouri Synod (LCMS), as requests from Lutheran church bodies  
24 worldwide for seminaries and programs of theological education and pastoral formation continue to grow; and

25 WHEREAS, Concordia Seminary, St. Louis (CSL) and Concordia Theological Seminary (CTSFW) provide theological  
26 education not just to future pastors and deaconesses of the Synod, but also to pastors, theological educators, and other  
27 servants from LCMS partner churches and other emerging confessional Lutheran church bodies; and

28 WHEREAS, CSL and CTSFW work in foreign mission areas of the Synod is carried out in close coordination and  
29 collaboration with the LCMS Office of International Mission, LCMS Church Relations, and the Commission on Theology  
30 and Church Relations; and

31 WHEREAS, Synod President Matthew Harrison stated in his President’s Report, Part 1, “Without our strong faculties,  
32 confessional Lutheranism would be horribly crippled globally. Hundreds of students come to our seminaries and return to  
33 their home countries making vital contributions to their churches in doctrine and life. Our faculty travel the globe, bringing  
34 the solid biblical teaching of the LCMS and strengthening the mission of the Gospel exponentially” (2023 Convention  
35 Report R1, *Workbook*, 1); and

36 WHEREAS, CSL and CTSFW have current working relationships supporting theological education in Taiwan,  
37 Dominican Republic, Latvia, Kenya, Tanzania, South Africa, Brazil, Ethiopia, Norway, Finland, and, more generally,  
38 across all four of OIM’s global regions (Eurasia, Africa, Asia, Latin America, and the Caribbean); and

39 WHEREAS, CSL and CTSFW have graduate students from 25 different countries where the Synod has partner churches  
40 or emerging confessional Lutheran church bodies; and

41 WHEREAS, CSL has established, as one of the components of its current strategic plan, to “[r]esource international  
42 Lutheranism with clear biblical and confessional Lutheran teaching” (2023 Convention Report R13.1, *Workbook*, 62); and

43 WHEREAS, CTSFW has extensive experience in providing theological education worldwide, and has established an  
44 accredited extension site in Gothenburg, Sweden, which offers a Master of Sacred Theology for students from Scandinavia  
45 and Europe; therefore be it



1 WHEREAS, Some of these congregations have expressed interest in becoming members of the Synod with the intention  
2 of strengthening their confession, mission, and ministry while enjoying the privileges of membership in the Synod (ability  
3 to call rostered LCMS members, accessing the services of synodwide corporate entities, etc.); therefore be it

4 *Resolved*, That the Board for International Mission, in collaboration and consultation with the Council of Presidents,  
5 offer recommendations to the 2026 Synod convention for a mechanism to receive independent Lutheran congregations in  
6 foreign mission areas into membership in the Synod and together with the Commission on Handbook, provide necessary  
7 constitution/bylaw revisions.

## 8 **To Commend Use and Attendance of FOROs**

### 9 **RESOLUTION 2-07**

10 President’s Report, Part 2 (*TB*, 1:24)

11 WHEREAS, We are directed by the Lord Jesus to “Go therefore and make disciples of all nations, baptizing them in  
12 the name of the Father and of the Son and of the Holy Spirit, teaching them to observe all that I have commanded you  
13 (Matt. 28:19–20).” and in Acts 1:8, “... you will be my witnesses in Jerusalem and in all Judea and Samaria, and to the  
14 end of the earth”; and

15 WHEREAS, A FORO (forum) is a model the Office of International Mission (OIM) uses to plant Lutheran mission  
16 churches in foreign mission areas; and

17 WHEREAS, Districts and congregations support Synod’s partner churches through FOROs such as Chile, Mexico,  
18 Uruguay, and Venezuela and LCMS missions, such as Belize, Dominican Republic, Honduras, Jamaica, Panama, Peru,  
19 Puerto Rico, and Uganda; and

20 WHEREAS, A FORO invites districts and their congregations to participate and build partnerships through a FORO to  
21 support OIM with the planting of Lutheran mission churches through mission education, short-term teams, and financial  
22 opportunities; and

23 WHEREAS, These small Lutheran church plants are encouraged through the FORO visitation and are joyful to witness  
24 that the Church (the body of Christ) is larger than themselves in this place and time; and

25 WHEREAS, In these countries OIM supports FOROs and this furthers the mission; and

26 WHEREAS, Districts and congregations participating in these FOROs helps the district and their congregations to  
27 witness and support the spread of the Gospel of Christ crucified; and

28 WHEREAS, Church planting is furthered through FOROs, and districts and congregations are enlightened and  
29 strengthened through their visitation in supporting preaching Christ crucified; and

30 WHEREAS, The OIM aims to spread the Gospel, plant Lutheran churches, and show mercy to the ends of the earth;  
31 therefore be it

32 *Resolved*, That the OIM be commended for the FOROs established; and be it further

33 *Resolved*, That the OIM develop FOROs in other regions; and be it finally

34 *Resolved*, That districts and congregations be encouraged to participate and visit a FORO in order to strengthen  
35 themselves and others in the joy of “We Preach Christ Crucified” in all nations.

### 3. MERCY

#### To Encourage and Support More Fervent Teaching, Proclamation, and Efforts to Promote Culture of Life among God’s People

##### RESOLUTION 3-01

Overtures 3-01, 04 (CW, 269–70)

WHEREAS, All life is valuable to God especially the most vulnerable (John 3:16–17; Psalm 139:13–16; Jer. 1:5; Luke 1:41–44; Psalm 31:14–15; Job 10:9–12; Matt. 6:26; 18:10; Psalm 82:3–4; Small Catechism [SC] III, First Article); and

WHEREAS, God created us to care about other people and to help them in their times of need (SC I, Fifth Commandment); and

WHEREAS, Mothers, fathers, and children are a gift from God entrusted to each other’s care to form a family and serve Him through their love for each other (Gen. 1:27–28; Eph. 5:22–6:4; Psalm 127:3); and

WHEREAS, For the last 50 years the United States of America has dealt with the reality of legalized abortion, which is murder and transgresses God’s law in the Fifth Commandment which teaches that we are “not to hurt or harm our neighbor in his body, but help and support him in every physical need” (SC I 9–10); and

WHEREAS, The Lutheran Church—Missouri Synod (LCMS) has long worked to promote a culture of life; and

WHEREAS, A one-million dollar grant has been established by the LCMS available as matching funds for congregations to support local life issues; and

WHEREAS, There are many pro-life organizations which work to build a culture of life, such as Lutheran Family Service, A Place of Refuge, Redeeming Life Outreach Ministries, Lutherans for Life, and many others like these; and

WHEREAS, Establishing a culture of life begins in our churches and communities; therefore be it

*Resolved*, That LCMS Life Ministry continue to support congregations in establishing new mercy ministries that support a culture of life; and be it further

*Resolved*, That LCMS Life Ministry provide support and training materials for congregations, districts, and recognized service organizations (RSOs) to write grants and support their efforts; and be it further

*Resolved*, That the Synod continue to extend Life Ministry, support and training materials, including but not limited to resources for policy manuals, guidance to life ministry agencies, and encouragement to access grants from allied institutions; and be it further

*Resolved*, That the Synod leadership encourage congregational involvement with life ministry in ways such as education, advocacy, and human care efforts (e.g., forming a life team, participating in sidewalk counseling, contacting legislators); and be it further

*Resolved*, That the Synod, its congregations, districts, and RSOs work to provide care for those suffering from the effects of abortion and encourage God’s people to show mercy by providing options to abortion such as: adoption, pre- and post-natal care, housing support, etc.; and be it finally

*Resolved*, That the Synod encourage all pastors and congregations to teach and proclaim human life as sacred and, in word and deed, live out mercy, life and forgiveness in Jesus Christ our Savior (John 10:10).

#### To Increase Awareness among Synod Congregations of Human Trafficking

##### RESOLUTION 3-02

Overture 3-03 (CW, 269–70)

WHEREAS, God created all life and sent His Son Jesus to redeem all life, and He desires that all people come to the knowledge of Him, be saved (1 Tim. 2:4) and have abundant life in Him (John 10:10); and

WHEREAS, Trading in “bodies and souls of human beings” is specifically condemned by the Bible (Rev. 18:13), St. Paul called the church to repent of sexual immorality of all kinds (1 Cor. 5:1–2; 6:12–20), and God repeatedly worked



1 repentance in His people and saved them from physical and spiritual prostitution (Exodus 32; Deut. 23:18; Judges 2:17; 1  
2 Kings 11:5; Hosea 1–14; Ezekiel 16); and

3 WHEREAS, God is able to forgive and restore all who are in bondage to any slavery and sin (1 Sam. 7:4; 2 Sam. 11–  
4 12; Psalm 23:3; Psalm 51; Luke 8:1–2; John 8:1–11, 31–36; Heb. 11:32), and we by God’s grace are taught to repent of  
5 all sins of which we are aware and unaware (Small Catechism V 16); and

6 WHEREAS, God, the Father of mercies, has called us to comfort all with the comfort He gives us (2 Cor. 1:3–4) and to  
7 love our neighbor as ourselves (Matt. 19:19; Mark 12:31; Luke 10:29); and

8 WHEREAS, Human trafficking, including forced labor and sex trafficking, affects an estimated 24.9 million victims  
9 worldwide at any given time; and

10 WHEREAS, The Office of National Mission (ONM) and recognized service organizations (RSOs) have addressed  
11 human trafficking; and

12 WHEREAS, Many people in Synod congregations are unaware of the magnitude of this deplorable act against humanity;  
13 therefore be it

14 *Resolved*, That the Synod in convention direct ONM to research and share synodwide, through publications, social  
15 media, and other sources, churches, schools, and RSOs who are having an impact on their communities plagued by human  
16 trafficking, as a witness to the Synod of ministries for implementation; and be it further

17 *Resolved*, That the Synod encourage its church workers and lay people to become educated regarding this issue and  
18 be proactive in their response; and be it finally

19 *Resolved*, That the Synod in convention commit to pray that almighty God would by His power bless and direct all  
20 law enforcement agencies in their fight against human trafficking and that He would through His Church and other relief  
21 organizations provide healing, support, and ministry to the victims of human trafficking; and that He would bring an end  
22 to these deplorable acts.

## 23 **To Continue the Synod’s Efforts to Address Mental Health and Mental Illness**

### 24 **RESOLUTION 3-03**

25 Overture 3-05 (CW, 270–71)

#### 26 **Preamble**

27 Over the course of the 2019–23 quadrennium, Office of National Mission (ONM) staff reflected on how best to respond  
28 to the Synod’s ongoing desired goals, objectives, and possible beneficial actions pertaining to mental health and mental  
29 illness. Mental illness is considered the most severe yet diagnosable form of a mental health problem, with diagnosable  
30 mental illness affecting 20+ percent of the U.S. population in any given year. As the ONM leadership considered 2019  
31 Resolution 3-04A, “To Encourage Training of Our Pastors, Church Workers and Congregations to Recognize and Provide  
32 Pastoral Care for Those Suffering from Clinical Depression, Mental Illnesses, and Other Mental Disorders” (*Proceedings*,  
33 131), particularly its four resolves,

34 *Resolved*, That our seminaries, universities, and recognized service organizations be encouraged to  
35 continue to strive for improved training in mental illness, health, and wellness for those studying to be pastors  
36 and church workers; and be it further

37 *Resolved*, That we encourage the seminaries and universities to include continuing education opportunities  
38 and resources regarding the topic of mental illness; and be it further

39 *Resolved*, That The Lutheran Church—Missouri Synod districts work to provide additional training to all  
40 workers through partnerships with our seminaries, our Concordias, and other trusted experts in the field; and  
41 be it finally

42 *Resolved*, That we encourage our pastors, church workers, and congregations to actively advocate for  
43 mental health and wellness in their congregations, among their people, and provide Christ-centered  
44 compassion and ministerial supportive care to those in need through prayer, private confession and  
45 absolution, and the means of grace,

46 the ONM eventually determined to establish an ad hoc task force to undertake further study, immediately feasible actions,  
47 and the development of recommendations aimed at future Synod actions and initiatives to address mental health and mental

1 illness issues among both church workers and laity. The ONM is grateful for the direct participation of the following  
 2 individuals on the ad hoc task force, chaired by Rev. Steven Briel, D. Litt. (chair, LCMS Board for National Mission  
 3 [BNM]); Mr. Steve Gruenwald (Concordia Plan Services); Deaconess Dr. Tiffany Manor (ONM); Dr. Richard Marrs  
 4 (faculty member, Concordia Seminary); Ms. Jenna McMiller (ONM, task force secretary); Dr. Gerhard Munding (chair,  
 5 Concordia University System Board of Directors); Rev. Daniel Ognoskie (Zion Lutheran, Wilton, Iowa); Dr. Todd  
 6 Peperkorn (faculty member, Concordia Theological Seminary); Dr. Stephen Saunders (faculty member, Marquette  
 7 University); Ms. Martha Ulmer (Augsburg Lutheran, Shawnee, Kan.); Rev. Wayne Palmer (Concordia Publishing House).

8 Following the diminishment of the COVID-19 pandemic, over the past two years this ad hoc task force has subsequently  
 9 undertaken a number of considerations and actions, including but not limited to:

- 10 • preparation of various mental health and mental illness resources (textual and audiovisual)—most notably resources  
 11 aimed to assist in the recognition of mental illness—for distribution to the Synod’s church workers via print and  
 12 electronic means (commenced and continuing), i.e., those available at the Synod’s website:
  - 13 • [www.lcms.org/how-we-serve/mercy/church-worker-wellness](http://www.lcms.org/how-we-serve/mercy/church-worker-wellness)
  - 14 • [www.lcms.org/how-we-serve/mercy/health-ministry](http://www.lcms.org/how-we-serve/mercy/health-ministry)
- 15 • preparation of accessible reference tools pointing church workers, congregations, and congregation members to  
 16 additional useful resources pertaining to mental health and mental illness (commenced and continuing); and
- 17 • an issue of *The Lutheran Witness* (February 2023) devoted to the topic of mental health and mental illness.

### 18 **Proposed Action**

19 WHEREAS, Mental health issues are distressing, disabling, common, and costly; and

20 WHEREAS, Mental health issues include diagnosable mental illnesses and less severe but distressing and disabling  
 21 mental health problems; and

22 WHEREAS, Decades of research show that mental illness affects one in five persons of all ages in any given year; and

23 WHEREAS, Many persons experience mental health problems that are very distressing but are not serious enough to  
 24 warrant diagnosis of mental illness; and

25 WHEREAS, Families, spouses, siblings, children, and friends are impacted by mental health issues of loved ones; and

26 WHEREAS, Mental health issues are similar to physical and medical issues in that they affect Christians as well as any  
 27 other person; and

28 WHEREAS, Research clearly shows that persons with mental health issues are likely to seek help from their church;  
 29 and

30 WHEREAS, Research shows that persons with mental health issues have a preference to seek help from their church  
 31 rather than from a health professional; and

32 WHEREAS, Individuals seeking help from their pastor are likely to receive vital ongoing spiritual care and counsel;  
 33 and

34 WHEREAS, Jesus Christ commands His followers to show mercy to those in need and to carry one another’s burdens  
 35 (Gal. 6:2); and

36 WHEREAS, Members of the body of Christ throughout the Synod desire to use their personal and professional abilities  
 37 to identify and to serve the souls within our families and communities who have mental health needs; and

38 WHEREAS, Those wanting to provide such help should never take the place of mental health professionals but will  
 39 desire to assist through recognition of potential mental health problems, providing mercy *and spiritual care* at every  
 40 opportunity, and referral to mental health professionals as necessary and appropriate; and

41 WHEREAS, The Synod’s church workers, congregations, schools, and congregation members have limited capacity  
 42 and training to help for reasons related to inadequate awareness and understanding of mental health issues; therefore be it

43 *Resolved*, That the Synod give thanks to God and commend the ONM, in particular, for their efforts to date, forming  
 44 its ad hoc task force to address the broad spectrum of issues related to mental health and recognizing mental health needs  
 45 among the Synod’s church workers, as well as members of congregations and schools, and encouraging effective Christian  
 46 mental health education initiatives in service of those goals; and be it further



1        *Resolved*, That the Synod encourage its members to continue to support the mercy work of LCMS Disaster Response  
2 with prayer for all those who suffer from all manner of disasters, to participate in Lutheran Early Response Team training,  
3 to offer volunteer assistance when there is the opportunity and to provide financial resources to assist those in need, as we  
4 show Christ’s love through our acts of mercy.

5                                **To Recognize and Thank the Synod for Mercy Shown to God’s People**  
6    **through COVID-19 Pandemic**

7    **RESOLUTION 3-05**

8    Report R1.2.1 (*CW*, 10); Overtures 3-06–07 (*CW*, 271–72)

9        WHEREAS, The COVID-19 pandemic was catastrophic to all people in their vocations; and

10        WHEREAS, The COVID-19 pandemic temporarily ended in-person schooling in the middle of the school year,  
11 furloughed workers, caused them to pivot towards a digital presence for which they were unprepared, and created stress  
12 upon the financial well-being of many of their workers; and

13        WHEREAS, Many of our teachers and school workers were without the additional tuition or budget income needed to  
14 support the immediate response to the transition and additional regulations that were placed upon them; and

15        WHEREAS, Frontline workers, first responders, and healthcare workers went above and beyond their regular vocational  
16 obligations in serving those in need; and

17        WHEREAS, Congregations, church workers, and related organizations were challenged with providing spiritual care  
18 and the extension of mercy during this difficult time; and

19        WHEREAS, Many recognized service organizations (RSOs) of our Synod were also without the means to adapt to these  
20 additional burdens and struggled financially; and

21        WHEREAS, Many of our congregations and church workers bore a great financial burden in adapting to new realities  
22 and maintaining ongoing care for the members of our churches; and

23        WHEREAS, The need for compassionate support and financial assistance was great; and

24        WHEREAS, The districts of the Synod, the Office of National Mission (ONM), and the Lutheran Church Extension  
25 Fund worked together to identify funds for immediate assistance for all who served in Lutheran ministries; and

26        WHEREAS, Many of our church, school, and child development workers, rostered and non-rostered, benefited from  
27 this generous act of compassion; and

28        WHEREAS, In response to the pandemic, ONM provided the following grants of mercy and care: 221 Esther 4:14  
29 national grants totaling \$244,767 to congregations in 35 districts, \$1.5 million for clergy and commissioned minister “Take  
30 Heart!” respite retreats, 976 Soldiers of the Cross-Amplified grants in 28 districts totaling over \$1.6 million, and 15 district  
31 pandemic resiliency grants totaling \$29,000 in support of district-led pandemic care for non-clergy workers; therefore be  
32 it

33        *Resolved*, That the Synod in convention publicly give thanks to God for His mercy, faithfulness, and love to His  
34 people during the pandemic; and be it further

35        *Resolved*, That the Synod in convention thank the Lord for all of His people serving in their vocations during the  
36 pandemic, the congregations, districts, recognized service organizations (RSOs), and agencies of Synod for their works of  
37 mercy, and for the generosity of His people for supporting all who serve in our churches, schools, childcare centers, and  
38 RSOs.

## 4. LIFE TOGETHER

### To Commend and Encourage Continued Use of The *Koinonia* Project and Give Thanks to God for the Sainted Rev. Dr. Herbert C. Mueller, Jr.

#### RESOLUTION 4-01

Overture 4-14 (*CW*, 279)

WHEREAS, The Scriptures teach us to love one another and seek unity (1 Peter 1:3–8; Col. 3:12–14; Eph. 4:3); and

WHEREAS, Jesus said, “A new commandment I give to you, that you love one another: just as I have loved you, you also are to love one another. By this all people will know that you are my disciples, if you have love for one another” (John 13:34–35); and

WHEREAS, In a fractured society, where division and discord are sinfully celebrated and encouraged, the church has the privilege to give witness to Christ and His undeserved mercy and grace for all; and

WHEREAS, The members of the church, including the workers, are to be the light of Christ and the example of forgiveness, restoration, and love; and

WHEREAS, The *Koinonia* Project materials were written by the sainted Rev. Dr. Herbert C. Mueller, Jr., are available for review ([lcms.org/about/leadership/president/koinonia-project](http://lcms.org/about/leadership/president/koinonia-project)), and are currently used by the Synod’s Council of Presidents at each meeting; and

WHEREAS, The *Koinonia* Project provides members of God’s church with a means through which we pray God will give greater harmony in our Synod’s “Life Together” by showing where there is agreement and disagreement, and identifying how we as a church can move toward greater unity in teaching and practice; therefore be it

*Resolved*, That the Synod in convention encourages the continued use of The *Koinonia* Project among our professional church workers; and be it further

*Resolved*, That the Synod and district leadership encourage all professional church workers, lay leaders, and others across the Synod to gain competence in their ability to address conflict and promote biblical reconciliation for God’s purposes in congregations, schools, and families in our nation and the world; and be it finally

*Resolved*, That the Synod in convention gives thanks to God for the sainted Rev. Dr. Herbert C. Mueller, Jr., for his indefatigable service to the Synod as a pastor, district president, and Synod first vice-president and particularly for his work writing, producing, and implementing The *Koinonia* Project.

### To Affirm and Continue *Making Disciples for Life* as Mission and Ministry Emphasis for 2023–26 Triennium

#### RESOLUTION 4-02

Overture 4-01 (*CW*, 273)

WHEREAS, The Great Commission, “Go therefore and make disciples of all nations, baptizing them in the name of the Father and of the Son and of the Holy Spirit, teaching them to observe all that I have commanded you” (Matt. 28:19–20) is our Lord’s mandate and is at the center of the Church’s mission and ministry; and

WHEREAS, Disciples of Jesus are baptized repentant sinners who believe in Christ for salvation by faithfully receiving the Lord’s preaching, catechesis, and sacraments in the fellowship of the Christian congregation; trust in His Word for all aspects of human life; confess faith in Christ before the world; and live in Christ and His forgiveness in Christian vocation toward others; and

WHEREAS, The apostle Peter encourages the disciples of Christ to always be prepared to make a defense of their faith with gentleness and respect to anyone who asks of them about the hope they have in Christ (1 Peter 3:15); and

WHEREAS, The Small Catechism’s Table of Duties describes how being a disciple of Christ touches every station in which Christians find themselves, such as civil authorities and citizens, husbands and wives, fathers and mothers, children and youth, employers and workers; and

1 WHEREAS, *Making Disciples for Life* was first adopted in 2019 (Resolution 4-03A) as the triennial mission and  
2 ministry emphasis of The Lutheran Church—Missouri Synod (LCMS); and

3 WHEREAS, The current triennial mission and ministry emphasis *Making Disciples for Life*, established in 2019, has  
4 only just begun to serve our Synod and give direction to districts and congregations and to guide the policymaking work  
5 of mission and ministry through the Board for National Mission (BNM) and Board for International Mission (BIM); and

6 WHEREAS, The BNM and BIM under Bylaws 3.8.2.2 and 3.8.3.2 began conversations with the leadership of every  
7 district of the Synod to gather information and input to help facilitate the assessment and evaluation of the Synod’s triennial  
8 mission and ministry emphasis with the plan to continue ongoing fraternal communication with district presidents and  
9 staffs over the next triennium toward enhancing Synod *koinonia*, unity, and cooperation in the Synod’s mission and  
10 ministry; therefore be it

11 *Resolved*, That the Synod in convention affirm *Making Disciples for Life* as its mission and ministry emphasis for the  
12 2023–26 triennium; and be it further

13 *Resolved*, That the Synod in convention direct the Office of National Mission (ONM) and Office of International  
14 Mission (OIM), in response to fraternal discussions with the districts regarding their unique contexts, challenges, and  
15 opportunities, and consistent with policies established by the BNM and BIM, to support congregations, schools, circuits,  
16 and districts to:

- 17 • plant new congregations and schools;
- 18 • strengthen existing congregations and schools;
- 19 • evangelize the lost;
- 20 • retain the faithful;
- 21 • care for church workers;
- 22 • engage in international mission in partnership with the OIM; and
- 23 • engage in domestic mission with the support of the ONM through the district offices;

24 and be it further

25 *Resolved*, That the BNM and BIM increase opportunities for conversation and collaboration with the districts of the  
26 Synod toward greater “walking together” under the Synod’s triennial mission and ministry emphasis; and be it further

27 *Resolved*, That the Synod encourage all LCMS districts, congregations, and schools to ground their local mission and  
28 ministry upon the Synod’s emphasis of *Making Disciples for Life* to the glory of God and for the extension of Christ’s  
29 kingdom; and be it further

30 *Resolved*, That the Synod in convention directs the Synod’s mission boards, under Bylaws 3.8.2.2 and 3.8.3.2, to  
31 continue to assess, clarify, and further refine the process whereby a recommendation for the triennial mission and ministry  
32 emphasis is brought before the Synod in convention for consideration and adoption; and be it finally

33 *Resolved*, That the Synod’s mission boards, after fraternal discussions with districts and members of the Synod over  
34 the next triennium, recommend a new mission and ministry emphasis for consideration at the 2026 Synod convention  
35 (Bylaws 3.8.2.2 and 3.8.3.2).

## 36 To Affirm and Continue Mission Priorities for 2023–26 Triennium

### 37 RESOLUTION 4-03

38 Overture 4-05 (*CW*, 274–75)

#### 39 Preamble

40 The Board for National Mission (BNM) and the Board for International Mission (BIM) give thanks to God, the Father, the  
41 Son, and the Holy Spirit for the blessing of mutual conversation, encouragement, and insight shared between  
42 representatives of the BNM, the BIM, and the Synod’s 35 district presidents along with members of their respective staffs  
43 over this past quadrennium. This expression of walking together was a powerful reminder that the Synod must always  
44 continue to foster and strengthen its unity through face-to-face meetings, flowing out of a salutary commitment to  
45 “conserve and promote the unity of the true faith” (Constitution Article III 1). One of the main goals of these meetings

1 was to discuss and evaluate the current mission and ministry priorities of the Synod. From these and other considerations,  
 2 the BNM and BIM recommend affirming and continuing the Synod’s current seven mission priorities for continued  
 3 development and implementation into the Synod’s coming triennium (2023–26).

4 WHEREAS, Our commitment as The Lutheran Church—Missouri Synod congregations and workers is to walk together  
 5 with the Word of God as the only norm and guide for doctrine and practice; and

6 WHEREAS, Bylaws 3.8.2.2 (BNM) and 3.8.3.2 (BIM) direct the Synod’s mission boards “to gather pertinent and  
 7 sufficient information from the Synod’s members that will facilitate the boards’ assessment and evaluation of the  
 8 effectiveness of the Synod’s triennial mission and ministry emphases, and shall develop accordingly a joint overture to the  
 9 national convention for beneficial amendments thereto”; and

10 WHEREAS, Invaluable feedback was gathered from the Synod’s two mission boards’ meetings with the Synod’s 35  
 11 district presidents along with members of their respective staffs, which demonstrated a spirit of cooperation, coordination,  
 12 and collaboration; and

13 WHEREAS, Synod district presidents, along with members of their respective staffs, had a mixed reaction to the  
 14 Synod’s current mission priorities. Many recognized them as a self-evident description of the Bible’s theology and practice  
 15 of mission and ministry. Others indicated that, while faithful to the Scriptures and the Lutheran Confessions, the priorities  
 16 did not play a significant role in giving direction to their work at the district level; and

17 WHEREAS, The Synod’s Constitution states that we shall “1. Conserve and promote the unity of the true faith (Eph.  
 18 4:3–6; 1 Cor. 1:10) ...; 6. Aid congregations by providing a variety of resources and opportunities for recognizing,  
 19 promoting, expressing, conserving, and defending their confessional unity in the true faith; 7. Encourage congregations to  
 20 strive for uniformity in church practice, but also to develop an appreciation of a variety of responsible practices and  
 21 customs which are in harmony with our common profession of faith” (Const. Art. III); and

22 WHEREAS, The Synod’s current mission priorities are contemporary applications of the Synod’s Article III objectives;  
 23 and

24 WHEREAS, The Synod’s current mission priorities were previously affirmed at two preceding Synod conventions  
 25 (2016 Resolution 4-02A; 2019 Res. 4-03A); and

26 WHEREAS, The Synod and the baptized faithful were wearied and distracted by an exhausting worldwide pandemic  
 27 for over two years together with escalating threats of war, internal domestic violence, ongoing disasters brought by fire  
 28 and flood, and a growing left-hand kingdom divide, all of which combined to challenge our ability to further promote,  
 29 develop, and inculcate the Synod’s current mission priorities; and

30 WHEREAS, The Synod’s current mission priorities clearly uphold both the Great Commission of our Lord Jesus Christ  
 31 (Matthew 28) to make disciples of all nations as well as the Great Commands of our Lord Jesus Christ (Matthew 22) to  
 32 love the Lord our God and our neighbors; therefore be it

33 *Resolved*, That the Synod give thanks to each district president and staff who met with the BNM and BIM for such  
 34 collegial conversations; and be it further

35 *Resolved*, That the Synod reaffirm the Synod’s current seven mission priorities as they exemplify our fervor in being  
 36 faithful to the Lord and loving our neighbor, and also encourage their use to affirm our unity as Synod as lived out by  
 37 congregations, national servant-leaders, district servant-leaders, and circuit servant-leaders in accord with the Synod’s  
 38 current mission priorities:

- 39 • plant, sustain, and revitalize Lutheran churches;
- 40 • support and expand theological education;
- 41 • perform human care in close proximity to Word and Sacrament ministries;
- 42 • collaborate with the Synod’s members and partners to enhance mission effectiveness;
- 43 • promote and nurture the spiritual, emotional, financial, and physical well-being of pastors and professional church  
 44 workers;
- 45 • enhance early childhood education, elementary and secondary education, and youth ministry; and
- 46 • strengthen and support the Lutheran family in living out God’s design;

47 and be it further





## To Encourage Mutual Conversation and Consolation of Christian Brothers and Sisters

### RESOLUTION 4-05

Overtures 4-12–13 (*CW*, 278–79)

WHEREAS, We are called in Scripture to resolve our disputes and disagreements in a manner that is worthy of our new life in Christ; and

WHEREAS, James writes, "... let every person be quick to hear, slow to speak, slow to anger; for the anger of man does not produce the righteousness of God" (James 1:19–20); and

WHEREAS, Paul writes, that we ought to, "...[bear] with one another and, if one has a complaint against another, [forgive] each other; as the Lord has forgiven you, so you also must forgive" (Col. 3:13); and "Be angry and do not sin; do not let the sun go down on your anger, and give no opportunity to the devil" (Eph. 4:26–27); and

WHEREAS, Peter writes, "Finally, all of you, have unity of mind, sympathy, brotherly love, a tender heart, and humble mind. Do not repay evil for evil or reviling for reviling, but on the contrary, bless, for to this you were called, that you may obtain a blessing" (1 Peter 3:8–9); and

WHEREAS, The Small Catechism (SC) teaches us to "...not tell lies about our neighbor, betray him, slander him, or hurt his reputation, but defend him, speak well of him, and explain everything in the kindest way" (SC I, Eighth Commandment); and

WHEREAS, The Large Catechism (LC) exhorts us that "People are called slanderers who are not content with knowing a thing, but go on to assume jurisdiction. When they know about a slight offense committed by another person, they carry it into every corner. They are delighted and tickled that they can stir up another's displeasure, just as swine delight to roll themselves in the dirt and root in it with the snout" (LC I [Eighth Commandment] 267); therefore be it

*Resolved*, That the Synod in convention condemn every form of transgression against the Eighth Commandment, including that which makes use of social media and its various forms; and be it further

*Resolved*, That the Synod in convention encourage the members of Synod to live faithfully within the office and calling Christ has given them, and not to take upon themselves authority to judge where they have not been given the jurisdiction to do so; and be it further

*Resolved*, That the Synod in convention encourage its members to seek after peace and harmony among the brothers and sisters in Christ; and be it further

*Resolved*, That the Synod commend for study The Commission on Theology and Church Relations document, "Public Rebuke of Public Sin: Considerations in Light of the Large Catechism Explanation of the Eighth Commandment" (adopted 2006); and be it finally

*Resolved*, That when issues rise to a level of concern that cannot be resolved through "the mutual conversation and consolation of Christian brothers and sisters" (Smalcald Articles (SA) III IV [Kolb & Wengert], 319) that members of the Synod avail themselves of the dispute resolution process as the proper means to resolve disputes of doctrine and practice (Bylaw 1.10).

## To Encourage In-Person Corporate Worship

### RESOLUTION 4-06

Overtures 4-06–08 (*CW*, 275–77)

WHEREAS, God's people are called to "Remember the Sabbath day by keeping it holy" (Third Commandment; cf. Ex. 20:8); and

WHEREAS, Holy Scripture exhorts us: "... let us consider how to stir up one another to love and good works, not neglecting to meet together, as is the habit of some, but encouraging one another, and all the more as you see the Day drawing near" (Heb. 10:24–25); and

WHEREAS, Numerous epistles are written to the saints in certain places and were read publicly when they gathered together, for example, "To the church of God that is in Corinth, to those sanctified in Christ Jesus, called to be saints

1 together with all those who in every place call upon the name of our Lord Jesus Christ, both their Lord and ours” (1 Cor.  
2 1:2); and

3 WHEREAS, Paul exhorts Timothy to focus upon the public reading and teaching of God’s Word: “Until I come, devote  
4 yourself to the public reading of Scripture, to exhortation, to teaching. Do not neglect the gift you have, which was given  
5 you by prophecy when the council of elders laid their hands upon you. Practice these things, immerse yourself in them, so  
6 that all may see your progress. Keep a close watch on yourself and on the teaching. Persist in this, for by so doing you will  
7 save both yourself and your hearers” (1 Tim. 4:13–16); and

8 WHEREAS, Our Savior comes to us through his Word and Sacraments as means of grace to forgive, strengthen,  
9 comfort, and guide us as his people as he bids us to do in Matthew 11:28, “Come to me, all who labor and are heavy laden,  
10 and I will give you rest”; and

11 WHEREAS, The COVID-19 pandemic disrupted corporate worship; therefore be it

12 *Resolved*, That the Synod in convention urge its pastors and congregations to uphold the Third Commandment by  
13 gathering together weekly for worship in celebration of the Lord’s Day; and be it further

14 *Resolved*, That the members of the Synod be encouraged to prioritize in-person, embodied corporate worship, and  
15 membership in the local congregation; and be it finally

16 *Resolved*, That the Commission on Theology and Church Relations produce a study of the Third Commandment that  
17 addresses its understanding in the Old Testament, in the New Testament, and in the Lutheran Confessions, especially in  
18 Luther’s catechisms, as well as its application to Christian worship today, and includes a Bible study for congregational  
19 use.

20 *The Chief Financial Officer and LCMS Accounting and Financial Services staff, in consultation with*  
21 *the Finance Committee, project cost of implementation (for production of the Bible study) as \$10,000*  
22 *(estimate required by Bylaw 3.1.7 [g]).*

## 23 **To Give Thanks for Preservation of the Gospel in The Lutheran Church—Missouri Synod**

### 24 **RESOLUTION 4-07**

25 Overture 4-18 (*CW*, 280–81)

#### 26 **Preamble**

27 On Feb. 19, 1974, a schism in the life of the Synod culminated in what some refer to as the “Walkout” or “Exile” from  
28 Concordia Seminary, St. Louis. At the heart of the controversy was the authority and interpretation of Holy Scripture and  
29 the truthfulness and objectivity of the Gospel of Jesus Christ. The controversy divided families, congregations, and every  
30 institution of Synod. It impacted brotherly love and fraternal discourse. It resulted in the formation of Christ Seminary-  
31 Seminex (“Sem-in-Exile”) and the formation of the Association of Evangelical Lutheran Churches (AELC), which  
32 eventually helped form the Evangelical Lutheran Church in America (ELCA).

33 WHEREAS, The 50th anniversary of these events will be observed in the next triennium of the Synod, on Feb. 19, 2024;  
34 and

35 WHEREAS, At its 1973 convention, the Synod adopted *A Statement of Scriptural and Confessional Principles* (1972)  
36 as an official doctrinal statement to address the theological errors present at the time; and

37 WHEREAS, Concordia Historical Institute (CHI) and Concordia Publishing House (CPH) have initiated projects to  
38 advance the study and understanding of the historical and theological factors that culminated in the events of February  
39 1974, including *Seminex in Print* and *Rediscovering the Issues*, along with two forthcoming books: *Walkout or Exile?* and  
40 *The Bad Boll Conferences*; and

41 WHEREAS, The seminaries of Synod continue to produce resources and hold conferences to educate members of Synod  
42 about this controversy and its implications for our life together; and

43 WHEREAS, God, by His divine providence, has worked all things for good, richly blessing the Synod with light from  
44 above; and

45 WHEREAS, The controversy has continued to have effects upon relationships and our life together in Synod as brothers  
46 and sisters in Christ; and

1 WHEREAS, The call to repentance, doctrinal fidelity, and fraternal love remains necessary even today and will remain  
2 so until our Lord’s return; therefore be it

3 *Resolved*, That the Synod in convention give thanks for the preservation of the Gospel in our midst, “the faith that  
4 was once for all delivered to the saints” (Jude 1:3); and be it further

5 *Resolved*, That we give thanks for the faithful teaching and theological leadership of our seminaries; and be it further

6 *Resolved*, That we remain faithful to God’s Word, rejoicing with confidence that Christ is the Lord of the Church and  
7 the Lord of the world, and that He will accomplish His purposes; and be it further

8 *Resolved*, That members of Synod would study this period in our history and avail themselves of the resources made  
9 available for us by CHI, CPH, and the seminaries, as well as *A Statement of Scriptural and Confessional Principles*; and  
10 be it further

11 *Resolved*, That we “endure everything for the sake of the elect, that they also may obtain the salvation that is in Christ  
12 Jesus with eternal glory” (2 Tim. 2:10); and be it finally

13 *Resolved*, That we commit ourselves to a life of repentance “with all humility and gentleness, with patience, bearing  
14 with one another in love, eager to maintain the unity of the Spirit in the bond of peace” (Eph. 4:2–3).

## 15 **To Encourage House Blessings**

### 16 **RESOLUTION 4-08**

17 Overture 4-17 (*CW*, 280)

18 WHEREAS, Everything created by God is good and is to be received with thanksgiving, being sanctified by the Word  
19 of God and prayer (1 Tim. 4:4–5); and

20 WHEREAS, Holy Scripture speaks often about God’s blessings for the family and home (Psalms 127–128) gathered  
21 around His Word (Deut. 6:4–9); and

22 WHEREAS, Our Lord Himself (Luke 19:1–10; John 20:19–20) and the apostles He sent (Luke 10:1–7; Acts 16:34)  
23 have left us the example of visitation to homes and bringing the blessing of His peace; and

24 WHEREAS, Martin Luther’s Small Catechism presents the chief parts of the faith, “As the head of the family should  
25 teach them in a simple way to his household”; and

26 WHEREAS, The *Lutheran Service Book: Agenda and Pastoral Care Companion* includes forms for the blessing of a  
27 home for pastoral and congregational use; and

28 WHEREAS, The blessing of a home provides opportunity for congregational hospitality and pastoral visitation for those  
29 who may request it; therefore be it

30 *Resolved*, That the Synod in convention commend the practice of house blessings to congregations and pastors; and  
31 be it further

32 *Resolved*, That pastors, church workers, and congregations be encouraged to use house blessings as a means toward  
33 further visitation, catechetical instruction, and opportunities to model prayer and devotion in the Christian home; and be it  
34 further

35 *Resolved*, That the Office of National Mission in coordination with districts and Concordia Publishing House identify,  
36 develop, and promote practical and faithful resources to this end; and be it finally

37 *Resolved*, That the assembly rise to sing stanza 5 of “Oh, Blest the House” (*LSB* 862).

## 38 **To Encourage Meeting and Fellowship across Circuits and Districts**

### 39 **RESOLUTION 4-09**

40 Overture 4-15 (*CW*, 279–80)

41 WHEREAS, It was deemed expedient for the sake of good order to organize The Lutheran Church—Missouri Synod  
42 into districts and circuits, but this structure does not reflect a division of the fellowship we have together; and

1 WHEREAS, This structure sometimes separates churches, schools, and ordained and commissioned ministers which  
2 are close to one another and have good reason to communicate and work with one another; and

3 WHEREAS, Psalm 133:1 says, “Behold, how good and pleasant it is when brothers dwell in unity,” Proverbs 27:17  
4 says, “Iron sharpens iron, and one man sharpens another,” Paul says in Romans 14:19, “So then let us pursue what makes  
5 for peace and for mutual upbuilding,” and the apostles and leaders of the Early Church regularly met together to settle  
6 disputes and strengthen one another as shown in Acts and the epistles; and

7 WHEREAS, The Church benefits when congregations, schools, and church workers interact with one another and  
8 support and encourage one another in their mutual work for the kingdom of God; therefore be it

9 *Resolved*, That the districts, circuits, and church workers of the Synod be encouraged to seek opportunities to meet  
10 for joint conferences, circuit meetings, and other collaboration with one another.

## 11 **To Respectfully Decline Overtures**

### 12 **RESOLUTION 4-10**

13 Overture 4-10 (*CW*, 277–78)

14 WHEREAS, The floor committee has considered all overtures assigned to it and has concluded, for various reasons,  
15 that certain overtures should be declined; therefore be it

16 *Resolved*, That the following overtures be respectfully declined for the reasons given:

<u>Overture</u>	<u>Subject</u>	<u>Reason</u>
Ov. 4-10	To Use Only Sustainable Bible Translations	Overture does not accurately state current agreements with Crossway

## 5. THEOLOGY AND CHURCH RELATIONS

### To Recognize Altar and Pulpit Fellowship with the Evangelical Lutheran Church in South Sudan and Sudan

#### RESOLUTION 5-01

Report R12 (*CW*, 58); Overture 5-02 (*CW*, 284–85)

#### Preamble

The Evangelical Lutheran Church in South Sudan and Sudan (ELCSS/S) was established as an independent church body in 1993 in Juba, Sudan, under the leadership of a layman, Andrew Mbugo Elisa. Mr. Elisa had encountered Luther's Small Catechism and the Book of Concord through the efforts of the Lutheran Heritage Foundation (LHF). In 1999 Mr. Elisa was ordained as the church body's first pastor and later became its first bishop in 2006. Despite severe political instability, civil war, and economic turmoil, the ELCSS/S grew rapidly in the years after 1999 as it planted churches throughout South Sudan and Sudan. That same year a working agreement between the new church and The Lutheran Church—Missouri Synod (LCMS) was signed. LCMS assistance was instrumental in the planting of churches in war-torn areas of South Sudan, especially in the Nuba Mountains. A seminary for training pastors and other church workers was established in 2000. The seminary, Concordia Lutheran Institute for Holy Ministry (CLIHM), was established in Khartoum together with the headquarters for the ELCSS/S, which had relocated from Juba because of political turmoil. Various visiting LCMS professors and pastors have assisted in the preparation of the ELCSS/S church workers since the beginning of CLIHM.

After a promising first decade of history, the ELCSS/S suffered a serious blow in 2008, when Bishop Elisa was stricken with a number of health problems, including brain cancer. The Lord called him home on Dec. 31, 2008. An interim bishop was appointed in 2010, and in 2011 the church elected Rev. Wilson Noah Rule as bishop. Unfortunately, in subsequent years there was considerable internal controversy concerning the leadership and governance of the ELCSS/S.

Throughout the subsequent years, however, ELCSS/S and the LCMS continued to work together in educational and other ministry endeavors. Cooperation between the two churches and various Synod entities (such as LHF, LCMS mission personnel, and LCMS districts) stimulated numerous conversations about a formal recognition of fellowship between our church bodies. As early as 1999, Bishop Elisa wrote to ask the LCMS to consider fellowship. Bishop Elisa renewed that same request in 2005, and in 2013 the request was again extended by Bishop Rule. The Commission on Theology and Church Relations (CTCR) discussed this request in 2013 and requested further information from the ELCSS/S. A meeting between LCMS officials and ELCSS/S representatives took place in April of 2015, followed by consultation between CTCR committee members and Dr. Robert Rahn of LHF.

In 2016 Rev. Peter Anibati Abia was elected bishop. Bishop Abia renewed the ELCSS/S request for fellowship with the LCMS on Oct. 25, 2018. A visit by Bishop Abia to the US for meetings with LCMS personnel was proposed. Because of COVID-19 restrictions, however, the meeting was delayed until April 2021 when Bishop Abia met on the campus of Concordia Theological Seminary with the executive director of the CTCR, Dr. Joel Lehenbauer, and the chairman of the CTCR's church relations committee, Dr. Naomichi Masaki. The meeting included discussion of the ELCSS/S's constitution, faith statements, congregational practices, educational and mission endeavors and ecumenical relationships. Bishop Abia then met face to face with the CTCR and LCMS President Matthew Harrison in September 2021 for formal discussions regarding church fellowship.

At its December 2021 meeting, the CTCR unanimously adopted a motion recommending the recognition of altar and pulpit fellowship with the ELCSS/S. That recommendation was sent to President Harrison for his consideration and for consultation with the Praesidium. In a letter dated Aug. 28, 2022, President Harrison wrote: "I am very pleased to inform you ... that by virtue of the authority vested in the President of the Synod, I am in a position to declare recognition of altar and pulpit fellowship between our two churches. Praise God!" The President then invited Bishop Abia to participate in a celebration of fellowship during a joint Divine Service held by LCMS partner churches in Kisumu, Kenya. The joyful event was held on September 18, 2022, during the Divine Service with participation by President Harrison, Bishop Abia, and Rev. Joseph Ochola Omolo, Archbishop of the Evangelical Lutheran Church of Kenya.

WHEREAS, The Evangelical Lutheran Church in South Sudan and Sudan (ELCSS/S) was established in 1993 as a confessional Lutheran Church with significant assistance from the LHF, a recognized service organization; and

WHEREAS, Despite the challenges of civil war and great turmoil, the Holy Spirit enabled the ELCSS/S to evangelize effectively in South Sudan and Sudan, beginning some 150 congregations with over 150,000 members, establishing a

1 seminary and training school, ordaining 60 pastors, and preparing over 100 evangelists and other church workers—all in  
2 less than a decade under the leadership of the Rev. Andrew Mbugo Elisa; and

3 WHEREAS, Despite the untimely death of Bishop Elisa, internal dissension, and other challenges, the ELCSS/S  
4 weathered another decade of difficulties and emerged with a continuing firm commitment to the theology and practice of  
5 scriptural and confessional Lutheranism; and

6 WHEREAS, Throughout the history of the ELCSS/S, the LCMS in its various entities has continued to support, enable,  
7 and encourage the ELCSS/S to be and remain committed to theology and practice that is faithful to the Word of God and  
8 the Lutheran Confessions; and

9 WHEREAS, The ELCSS/S accepts all the canonical books of the sacred Scriptures of the Old and of the New  
10 Testaments as the inerrant, revealed Word of God; and

11 WHEREAS, The ELCSS/S accepts the symbolic books of the Evangelical Lutheran Church, compiled in the *Book of*  
12 *Concord* of 1580, as a correct exposition of the sacred Scriptures; and

13 WHEREAS, On October 25, 2018, Bishop Peter Anibati Abia, on behalf of the ELCSS/S, renewed a long-standing  
14 request for the LCMS to recognize fellowship between our churches; and

15 WHEREAS, Bylaw 3.9.5.2.2 (c) says, “When a small, formative, emerging confessional Lutheran church body  
16 (identified as such by the President of the Synod as chief ecumenical officer) requests recognition of altar and pulpit  
17 fellowship with the Synod, after consultation with the Praesidium and approval by the commission [CTCR], such  
18 recognition may be declared by the President of the Synod subject to the endorsement of the subsequent Synod  
19 convention”; and

20 WHEREAS, The CTCR has examined the pertinent documents of the ELCSS/S and found them to be faithful to  
21 Scripture and the Lutheran Confessions; and

22 WHEREAS, President Matthew C. Harrison declared the recognition of altar and pulpit fellowship between our two  
23 church bodies in a letter to Bishop Abia on Aug. 28, 2022; and

24 WHEREAS, The fellowship between our church bodies was publicly announced and celebrated in a joint service held  
25 on Sept. 18, 2022, in Kisumu, Kenya; therefore be it

26 *Resolved*, That we acknowledge with gratitude the unity of confession that has been given to our churches under the  
27 guidance of the Holy Spirit; and be it further

28 *Resolved*, That we give thanks that, despite violence, civil war, significant cultural and ecclesial challenges, God, by  
29 His grace, has equipped and prepared the ELCSS/S to give a faithful, confessional Lutheran witness in South Sudan and  
30 Sudan; and be it further

31 *Resolved*, That we give thanks to God that doctrinal discussions between official representatives of the LCMS and the  
32 ELCSS/S have resulted in recognition of complete concord and agreement; and be it further

33 *Resolved*, That this convention endorse the President of the Synod’s declaration of altar and pulpit fellowship between  
34 the LCMS and the ELCSS/S; and be it further

35 *Resolved*, That we encourage and walk with the ELCSS/S as they proclaim the saving Gospel of Jesus Christ in East  
36 Africa; and be it further

37 *Resolved*, That we pray for God’s blessings in the coming years on our agreement in the confession of the Gospel that  
38 we enjoy as partner churches, and for the blessing of the Lord upon the members and leaders of the ELCSS/S; and be it  
39 finally

40 *Resolved*, That in thanksgiving for this partnership in the Gospel, the convention assembly celebrate its approval by  
41 rising and singing the common doxology.

**To Recognize Altar and Pulpit Fellowship  
with the Evangelical Lutheran Mission Diocese of Finland**

**RESOLUTION 5-02**

Report R12 (*CW*, 57–58); Overture 5-01 (*CW*, 283–84)

**Preamble**

The Evangelical Lutheran Mission Diocese of Finland (ELMDF; in Finnish, *Suomen evankelisluterilainen lähetyshiippakunta*) was born from within the Evangelical Lutheran Church of Finland (ELCF), which is the national church of Finland. Unlike the ELCF, however, the ELMDF is unreservedly committed to maintaining and upholding the orthodox Lutheran faith and practice that had prevailed in Finland since the 16th century Reformation.

Over time, the ELCF experienced decreasing theological fidelity, accepting the results of historical critical views of Holy Scripture, unbiblical practices such as the ordination of women to the ministry, and an unwillingness to adhere fully and faithfully to the Lutheran Confessions. In response, the Luther Foundation was established in 1999 by individuals within the Finnish national church. The purpose of the Luther Foundation was to support confessional Lutheran pastors and congregations in teaching and practice that remained faithful to the Scriptures and Confessions.

In 2003, the Mission Province of Sweden was formed. Its purpose was to support confessional Lutheran pastors and congregations and to restore the possibility of ordination for future pastors who either could not be ordained or would not be properly supervised in the increasingly liberalized and radicalized Nordic national churches. In 2006, the Mission Province was expanded and renamed the Mission Province in Sweden and Finland. Eventually, in 2013, the ELMDF was formed as an independent church body. Formed by congregations under episcopal oversight, the ELMDF describes its purpose as follows: “We want to keep the legacy of the Reformation on display and lead people deeper into the scriptures and the Lutheran tradition” ([www.lhpk.fi](http://www.lhpk.fi)).

Thus, the Mission Diocese confesses the prophetic and apostolic Scriptures of the Old and New Testaments to be the inspired and infallible Word of God. It subscribes to the entire *Book of Concord* as a faithful exposition of the Word of God in all its articles. The ELMDF thereby holds that all doctrine, practice and life must be examined, carried out, and directed on the basis of God’s Word and the Lutheran Confessions.

The aim of the ELMDF is to proclaim the Gospel, to establish new congregations, to deepen the knowledge of the Christian faith, and to revitalize and support the devotional life of its members.

The member congregations of the ELMDF are the setting for its work. Each congregation is individually named and its members are organized according to a congregational constitution. Each congregation gathers for liturgical worship around the Word and the Sacraments, led by an ordained pastor called to serve that congregation. At the same time, the practical life of congregations relies heavily on the work of lay volunteers.

The pastors of the congregations and elected lay delegates together form a Diocesan Assembly. A Diocesan Council, elected by the Diocesan Assembly, then plans and executes the administration of the Diocese and the practical matters of its work.

The ELMDF upholds all the teachings of Scripture without fear or compromise. It willingly addresses controversial topics and allows no concession with unbiblical teachings. It has held fast to the Bible’s understandings of man and woman, marriage, the ordination of only qualified males to the ministry, and other matters. This steadfastness has also led the church to publish writings that defend the Bible’s teachings and encourage faithful conduct and life. The ELMDF’s willingness to promote biblical teachings about human sexuality resulted in charges of hate speech against the ELMDF’s Bishop Juhana Pohjola and Dr. Päivi Räsänen, the author of an ELMDF pamphlet on sexuality. Although the charges were initially dropped, threats of legal prosecution remain. Nevertheless, the ELMDF remains faithful to God’s Word.

The Augsburg Confession (AC), Article VII, defines the Church as the assembly of all believers among whom the Gospel is purely preached and the Holy Sacraments are administered according to the Gospel. By this measure, the ELMDF is a church that stands firm in the right teaching and administration of the means of grace.

Representatives of The Lutheran Church—Missouri Synod (LCMS) and ELMDF began formal correspondence and discussions concerning the possibility of fellowship between our two church bodies in 2017. In 2018, the ELMDF was accepted into the International Lutheran Council as a full member. At that same time, the ELMDF formally requested a recognition of fellowship with the LCMS.

As required by LCMS Bylaw 3.9.5.2.2, the LCMS Commission on Theology and Church Relations (CTCR) engaged in careful and thorough consideration of pertinent theological documents, reports on face-to-face discussions between LCMS

1 and ELMDF representatives, correspondence regarding specific theological and ecclesial issues, and a face-to-face  
 2 meeting with then-Bishop Risto Soramies in a February 2020 meeting of the entire commission. As a result, the CTCR  
 3 unanimously adopted a motion recommending the recognition of altar and pulpit fellowship with the ELMDF on Feb. 21,  
 4 2020. Having received that recommendation and after consulting with the LCMS Praesidium, President Matthew C.  
 5 Harrison wrote to Bishop Soramies on Oct. 5, 2020, declaring the “recognition of altar and pulpit fellowship between our  
 6 two churches.”

7 The ELMDF is a vibrant part of the Nordic and world-wide community of confessional Lutherans. The ELMDF is in altar  
 8 and pulpit fellowship with other biblical and confessional Lutheran churches such as the Lutheran Church—Canada  
 9 (LCC), the German Independent Evangelical Lutheran Church (SELK), and the Evangelical Lutheran Church of England  
 10 (ELCE). All three of these church bodies are also in altar and pulpit fellowship with the LCMS.

11 WHEREAS, The ELMDF is a confessional Lutheran church consisting of over 40 congregations in Finland; and

12 WHEREAS, The ELMDF emerged from the ELCF due to doctrinal disagreements and over ethical questions addressed  
 13 clearly in Scripture such as the ordination of women, same-sex marriage, and the ordination of practicing homosexuals;  
 14 and

15 WHEREAS, Pastors of the ELMDF have made public confessions of faith not only in churches, but also before “kings”  
 16 (governing authorities, see Psalm 119:46 and AC Preface), making a defense for their position on the Holy Scriptures and  
 17 the *Book of Concord*; and

18 WHEREAS, Many of these confessors of the faith were defrocked because of their faithful witness to Christ and His  
 19 Word; and

20 WHEREAS, The ELMDF bears witness to the Gospel of Jesus Christ in a country where about 2 percent of the  
 21 population attends church on a weekly basis; and

22 WHEREAS, The ELMDF accepts all the canonical books of the Sacred Scriptures of the Old and of the New Testaments  
 23 as the infallible, revealed Word of God and the symbolic books of the Evangelical Lutheran Church, compiled in the *Book*  
 24 *of Concord* of 1580, as a correct exposition of Holy Scripture; and

25 WHEREAS, The ELMDF is in altar and pulpit fellowship with several partner churches of the LCMS in Europe and  
 26 Canada; and

27 WHEREAS, The ELMDF has requested altar and pulpit fellowship with the LCMS; and

28 WHEREAS, Bylaw 3.9.5.2.2 (c) says:

29 When a small, formative, emerging confessional Lutheran church body (identified as such by the President  
 30 of the Synod as chief ecumenical officer) requests recognition of altar and pulpit fellowship with the Synod,  
 31 after consultation with the Praesidium and approval by the commission, such recognition may be declared  
 32 by the President of the Synod subject to the endorsement of the subsequent Synod convention;

33 and

34 WHEREAS, The CTCR has recommended the recognition of fellowship with the ELMDF as a faithful Lutheran church  
 35 body, after having carefully and thoroughly considered this matter by means of extensive correspondence, meetings with  
 36 ELMDF representatives, and the examination of pertinent documents that describe the doctrine and practice of the  
 37 ELMDF; and

38 WHEREAS, President Matthew C. Harrison, by virtue of the authority vested in him according to Bylaw 3.9.5.2.2 (c),  
 39 wrote to then-Bishop Risto Soramies on Oct. 5, 2020, stating: “I am able to declare recognition of altar and pulpit  
 40 fellowship between our two churches. Praise God!”; therefore be it

41 *Resolved*, That we acknowledge with gratitude the unity of confession that has been given to our church bodies under  
 42 the guidance of the Holy Spirit; and be it further

43 *Resolved*, That this convention formally endorse the recognition of altar and pulpit fellowship between the ELMDF  
 44 and the LCMS; and be it further

45 *Resolved*, That we give thanks to God for the faithful and courageous Lutheran witness the ELMDF provides within  
 46 its own country, to the Nordic world, and beyond; and be it further

47 *Resolved*, That we encourage and walk with the ELMDF as they proclaim the saving Gospel of Jesus Christ to a lost  
 48 world; and be it further





- 1       • all the symbolical books (confessional documents) of the Lutheran Church as a true and unadulterated statement and  
2       exposition of the Word of God.

3       Despite the many challenges it has faced as a young and growing church, God has richly blessed the LCU. The LCU has  
4       planted congregations in all four regions of the country, with a still-growing membership of over 50,000. The LCU has  
5       over 150 congregations organized under seven deaneries (regions or districts), served by around fifty pastors.  
6       Congregations meet mainly in rented halls, classrooms, members' homes, or under trees in the open country. There are  
7       also, of course, many needs—including a need for translation of theological literature and resources, as there are around  
8       42 spoken languages in Uganda (the LCU currently serves in 10 language areas), but most of the materials used by the  
9       LCU are in English.

10       In 2010 the LCU established a theological seminary to train men as pastors and to equip both laymen and laywomen in  
11       various vocations of church work. In addition, there are nine mission training centers operating in the seven deaneries of  
12       the LCU that seek to equip lay people for work in evangelism, mission, and human care. The LCU is engaged in a wide  
13       variety of human care efforts, including agricultural projects, provision of clean water and sanitation, health care initiatives,  
14       educational efforts, AIDS care and support, and provision of food to the hungry.

15       In September 2016, Bishop Charles Bameka of the LCU, writing on behalf of the entire church, requested altar and pulpit  
16       fellowship with the LCMS, stating that while “we are a small, emerging confessional Lutheran church body at the  
17       formative stage, without extensive structures or organizations,” we are “committed to the full authority of the Scriptures  
18       as the infallible Word of God and subscribe without reservation to the Book of Concord.” Bishop Bameka noted that  
19       during its entire existence the LCU has been served by missionaries from both the LCMS and the ELCG, and covets  
20       “support, encouragement and theological guidance from the LCMS, convinced it will help the Lutheran Church of Uganda  
21       in the proclamation of the Gospel and the administration of the Sacraments among the people of Uganda, as we together  
22       conserve and promote the unity of the true faith (Eph. 4:3–6; 1 Cor. 1:10) and provide a united defense against schism,  
23       sectarianism (Rom. 16:17) and heresy.” Bishop Bameka also indicated in his request that “we fully understand that Altar  
24       and Pulpit Fellowship is a relationship that has as its basis agreement ‘in Doctrine and all its Articles.’”

25       Various informal discussions took place over the years between LCU leaders and LCMS officials, including reports to the  
26       Commission on Theology and Church Relations (CTCR) about the theology, practice, and polity of the LCU and its  
27       organizational challenges and status. Finally, in October 2022, Bishop Bameka and several other key leaders of the LCU  
28       met face to face with the CTCR and LCMS President Matthew Harrison for formal discussions regarding church  
29       fellowship.

30       Following these discussions, and at this same meeting (October 2022), the CTCR unanimously adopted a motion  
31       recommending the recognition of altar and pulpit fellowship with the LCU in keeping with Bylaw 3.9.5.2.2 (b), which  
32       states:

33               When a church body applies for formal recognition of altar and pulpit fellowship with the Synod, such  
34               recognition shall be proposed at a convention of the Synod only after the approval of the commission  
35               (CTCR).

36       WHEREAS, The LCU (growing out of the LCMU, formed in 1995) was established in 2015 as a confessional Lutheran  
37       church with significant assistance and direct support from the ELCG and the LCMS; and

38       WHEREAS, Despite various internal and organizational challenges, the Holy Spirit enabled the LCU to evangelize  
39       effectively in Uganda, planting congregations in all four regions of the country with a still-growing membership of over  
40       50,000 in over 150 congregations, establishing a seminary and nine mission training centers, ordaining more than 50  
41       pastors, and preparing numerous laity for church work in various vocations; and

42       WHEREAS, Throughout the history of the LCU, the ELCG (a partner church of the LCMS) and the LCMS itself have  
43       provided direct assistance and support that has helped enable the LCU to be and remain committed to theology and practice  
44       that is fully faithful to the Word of God and the Lutheran Confessions; and

45       WHEREAS, The LCU accepts all the canonical books of the sacred Scriptures of the Old and New Testaments as the  
46       inerrant, revealed Word of God; and

47       WHEREAS, The LCU accepts the symbolic books of the Evangelical Lutheran Church, compiled in the Book of  
48       Concord of 1580, as a correct exposition of the sacred Scriptures; and

49       WHEREAS, On Sept. 21, 2016, Bishop Charles Bameka, on behalf of the LCU, formally requested altar and pulpit  
50       fellowship with the LCMS; and

1 WHEREAS, Bylaw 3.9.5.2.2 (b) says, “When a church body applies for formal recognition of altar and pulpit fellowship  
2 with the Synod, such recognition shall be proposed at a convention of the Synod only after the approval of the  
3 commission”; and

4 WHEREAS, In face-to-face discussions with Bishop Bameka and other key leaders of the LCU, the CTCR has examined  
5 the teachings and practices of the LCU and found them to be faithful to Scripture and the Lutheran Confessions, and has  
6 proposed the recognition of fellowship between the LCU and the LCMS; therefore be it

7 *Resolved*, That we acknowledge with gratitude the unity of confession that has been given to our church bodies under  
8 the guidance of the Holy Spirit; and be it further

9 *Resolved*, That we give thanks that despite various challenges, God, by His grace, has equipped and prepared the LCU  
10 to give a faithful, confessional Lutheran witness in Uganda; and be it further

11 *Resolved*, That we give thanks to God that doctrinal discussions between official representatives of the LCMS and the  
12 LCU have resulted in recognition of complete concord and agreement; and be it further

13 *Resolved*, That the Synod formally declare recognition of altar and pulpit fellowship between the LCU and the LCMS;  
14 and be it further

15 *Resolved*, That we encourage and walk with the LCU as it continues to proclaim the saving Gospel of Jesus Christ in  
16 Uganda; and be it further

17 *Resolved*, That we pray for God’s blessings in the coming years on our agreement in the confession of the Gospel that  
18 we enjoy as partner churches, and for the blessing of the Lord upon the members and leaders of the LCU; and be it finally

19 *Resolved*, That in thanksgiving for this partnership in the Gospel, the convention assembly celebrate its approval by  
20 rising and singing the common doxology.

## 21 **To Recognize Altar and Pulpit Fellowship with the Evangelical Lutheran Church of Ukraine**

### 22 **RESOLUTION 5-04**

23 Report R12 (*CW*, 52–60); Overture L5-51 (*TB*, 1:49–51)

#### 24 **Preamble**

25 The Evangelical Lutheran Church of Ukraine (ELCU) has its roots in the German Evangelical Lutheran Church of Ukraine  
26 (GELCU). Lutheranism had come to Ukraine near the end of the eighteenth century, with a mass migration of German  
27 farmers and craftsmen invited by the Russian Czar to help develop Ukraine. Because many of these immigrants were  
28 Lutherans, congregations were formed, and churches built. In the twentieth century, with the Russian Revolution and the  
29 rise of atheistic communism (especially under Stalin in the 1930s), Lutheranism was nearly wiped out. But after the  
30 collapse of the Union of Soviet Socialist Republics (USSR) beginning with the fall of the Berlin Wall in 1989, a new era  
31 began, and Lutheranism had an opportunity to re-emerge.

32 The GELCU was established by 1992, even as many ethnic Germans living in the former USSR were allowed to repatriate  
33 back to Germany. Nonetheless, from 1992–2014, GELCU continued to be led by German bishops and was supported  
34 financially by partner German churches affiliated with the state church of Germany, namely, the *Evangelische Kirche in*  
35 *Deutschland* (EKD, Evangelical Church in Germany). It was also supported at that time by the Lutheran World Federation  
36 (LWF). Before Rev. Serge Maschewski was installed as the bishop of GELCU, the bishop of GELCU was also a member  
37 of the Evangelical Lutheran Church of Russia (ELCROS) Bishops’ Council (also affiliated with LWF).

38 Rev. Maschewski (who is Ukrainian and German but was raised in Kazakhstan) was elected as Bishop of GELCU in 2013  
39 and took office in 2014. He was allowed to repatriate to Germany in the 1990s and was able to enroll in the Russian Project  
40 of Concordia Theological Seminary (CTSFW), where he was introduced to historic confessional Lutheran theology. After  
41 returning to Germany, he was viewed as an ideal candidate in the continuation of the German line of bishops of GELCU.  
42 He was also the first bishop of GELCU who was not only a German speaker, but also fluent in Russian (from his upbringing  
43 in Kazakhstan) and in Ukrainian.

44 With his newly found confessional Lutheran convictions, however, Rev. Maschewski and GELCU soon came into conflict  
45 with the theology of GELCU’s sponsors from Germany and the LWF. When directed to receive ordained women pastors  
46 to work within GELCU, for example, Bishop Maschewski refused to allow it, as did his synod in convention. The same  
47 was true when GELCU was pressured to embrace the LGBTQ agenda in the church’s life in Ukraine.

1 The conflict escalated to the point that, in 2015, GELCU severed its fellowship with its heretofore German partner  
 2 churches, dropped its membership in the LWF, and left the ELCROS Bishops' Council, leaving GELCU alone and  
 3 isolated. With newly-found confessional Lutheran friends from the CTSFW Russian Project and elsewhere, GELCU  
 4 reached out to The Lutheran Church—Missouri Synod (LCMS). By 2016 the process of seeking to formalize church  
 5 fellowship with the LCMS began. At the same time, some of the more liberal-oriented members of GELCU left the church  
 6 and sought support from the old partners, calling themselves GELCU as well. To avoid confusion, it became necessary for  
 7 the church body to change its name from GELCU to ELCU (dropping the *G*, for *German*). During the years 2015–2017 a  
 8 new liturgy in Ukrainian and Russian was developed and approved (previously there was an Agenda only in German). The  
 9 Liturgical Commission continues to work on a new hymnal.

10 The ELCU was officially established by convention on Sept. 20, 2019, but the new name was not officially recognized by  
 11 the Ukrainian state until Feb. 11, 2021. This was due partly to a slow governmental bureaucracy, the COVID-19 pandemic,  
 12 and political machinations surrounding the church's severance from the EKD and LWF.

13 Beginning in 2017, the LCMS Office of International Mission (OIM) in Eurasia began mission work with this newly  
 14 emerging Lutheran church body. Monthly week-long seminars on a variety of theological topics were offered to the  
 15 Ukrainian clergy by OIM missionary theological educators as well as by regional partner churches from Europe, Russia,  
 16 Kazakhstan, and the Baltic states. An LCMS missionary couple moved to Odessa as English as a Second Language  
 17 teachers, especially for Ukrainian pastors, in order to broaden their access to important Lutheran literature, which was not  
 18 available in Russian or Ukrainian. An LCMS pastor and his family was called to live and work in Ukraine with the pastors  
 19 of the ELCU. Unfortunately, much of this work, as well as plans for formal discussions pursuing the recognition of church  
 20 fellowship with the LCMS, were either stalled or postponed due to the outbreak of COVID-19 and then by the Russian  
 21 war against Ukraine, when all missionaries had to be recalled from fields in Russia and Ukraine. OIM Eurasia plans to  
 22 resume this work as soon as the war ends, and the LCMS can re-enter Ukraine.

23 Despite these challenging circumstances, in October of 2022 various leaders of the LCMS—including President Matthew  
 24 Harrison, the Rev. Dr. Jonathan Shaw (Director of Church Relations—Assistant to the President) and Rev. James Krikava  
 25 (then OIM Regional Director for Eurasia)—were able to meet with Bishop Maschewski in Freising, Germany for a second  
 26 live round of formal discussions regarding church fellowship with the LCMS. At that time, plans were already in place for  
 27 Bishop Maschewski to travel to St. Louis and meet with the Commission on Theology and Church Relations (CTCR) to  
 28 continue those discussions, but ongoing fighting in the war between Ukraine and Russia prevented him from traveling. A  
 29 thorough report on the October discussions, however, was presented to the CTCR by Dr. Shaw and Rev. Krikava at the  
 30 CTCR's December 2022 meeting.

31 Finally, in February of 2023, Bishop Maschewski was able to travel to St. Louis to meet with the CTCR, together with an  
 32 ELCU lay leader (Mr. Alex Gerzhik). Following a presentation by Bishop Maschewski to the CTCR, and extensive  
 33 discussion with a CTCR subcommittee charged with evaluating church relations requests, the CTCR (at its Feb. 16–18,  
 34 2023, meeting) unanimously approved a motion to memorialize the 2023 convention to recognize fellowship with the  
 35 ELCU in keeping with Bylaw 3.9.5.2.2 (b):

36       When a church body applies for formal recognition of altar and pulpit fellowship with the Synod, such  
 37       recognition shall be proposed at a convention of the Synod only after the approval of the commission  
 38       [CTCR].

39       WHEREAS, The ELCU, in the face of severe trials (including the Russian-Ukrainian war) and intense opposition and  
 40       persecution, has established itself as an independent and self-supporting church body that is firmly committed to the Holy  
 41       Scriptures and the Lutheran Confessions; and

42       WHEREAS, The ELCU has sought and received support and assistance from the LCMS over the years through its  
 43       participation in the Russian Project of CTSFW and through the work of OIM in Eurasia, which has helped enable the  
 44       ELCU to be and remain committed to theology and practice that is fully faithful to the Word of God and the Lutheran  
 45       Confessions; and

46       WHEREAS, The ELCU accepts all the canonical books of the sacred Scriptures of the Old and New Testaments as the  
 47       inerrant, revealed Word of God; and

48       WHEREAS, The ELCU accepts without qualification all of the symbolic books of the Evangelical Lutheran Church,  
 49       compiled in the Book of Concord of 1580, as a correct exposition of the sacred Scriptures; and

50       WHEREAS, On March 27, 2019, Bishop Serge Maschewski, on behalf of the ELCU, formally requested altar and pulpit  
 51       fellowship with the LCMS; and

1 WHEREAS, Bylaw 3.9.5.2.2 (b) says, “When a church body applies for formal recognition of altar and pulpit fellowship  
2 with the Synod, such recognition shall be proposed at a convention of the Synod only after the approval of the commission  
3 [CTCR]”; and

4 WHEREAS, In face-to-face discussions with Bishop Maschewski, the CTCR has examined the official documents,  
5 teachings, and practices of the ELCU and found them to be faithful to Scripture and the Lutheran Confessions, and has  
6 proposed the recognition of fellowship between the ELCU and the LCMS; therefore be it

7 *Resolved*, That we acknowledge with gratitude the unity of confession that has been given to our churches under the  
8 guidance of the Holy Spirit; and be it further

9 *Resolved*, That we give thanks that despite serious challenges, obstacles, and opposition, God, by His grace, has  
10 equipped, preserved, and strengthened the ELCU to give a faithful, confessional Lutheran witness in Ukraine and beyond;  
11 and be it further

12 *Resolved*, That we give thanks to God that doctrinal discussions between official representatives of the LCMS and the  
13 ELCU have resulted in recognition of complete concord and agreement; and be it further

14 *Resolved*, That the Synod formally declare recognition of altar and pulpit fellowship between the ELCU and the  
15 LCMS; and be it further

16 *Resolved*, That we encourage and walk with the ELCU as it continues to proclaim the saving Gospel of Jesus Christ  
17 in Ukraine; and be it further

18 *Resolved*, That we pray for God’s blessings in the coming years on our agreement in the confession of the Gospel that  
19 we enjoy as partner churches, and for the blessing of the Lord upon the members and leaders of the Lutheran Church of  
20 Ukraine; and be it finally

21 *Resolved*, That in thanksgiving for this partnership in the Gospel, the convention assembly celebrate its approval by  
22 rising and singing the common doxology.

## 23 **To Recognize the Ceylon Evangelical Lutheran Church in Sri Lanka** 24 **as a Self-Governing Partner Church**

### 25 **RESOLUTION 5-05**

26 Overture 5-04 (*CW*, 287–88)

27 WHEREAS, The Ceylon Evangelical Lutheran Church in Sri Lanka (CELC) traces its origin to the efforts of The  
28 Lutheran Church—Missouri Synod (LCMS) missionaries; and

29 WHEREAS, The CELC has committed itself to be faithful to the inerrant Scriptures and subscribes without reservation  
30 to the writings of the *Book of Concord*; and

31 WHEREAS, The CELC seeks in every way to be and remain a scripturally faithful, confessional Lutheran church body;  
32 and

33 WHEREAS, The CELC is established as an independent Lutheran church in Sri Lanka and has shared its constitution  
34 and other governing documents with the LCMS leadership; and

35 WHEREAS, The CELC, at its convening convention in September 2022, recognized altar and pulpit fellowship with  
36 the LCMS; and

37 WHEREAS, The CELC governing church council delivered a letter to President Matthew Harrison dated Feb. 8, 2023,  
38 formally requesting the LCMS recognize altar and pulpit fellowship with the CELC; and

39 WHEREAS, Appropriate protocol documents guiding interactions between the LCMS and the CELC have been  
40 developed and are currently being updated; and

41 WHEREAS, In the current year 2023, the CELC has applied for full membership in the International Lutheran Council;  
42 and

43 WHEREAS, Bylaw 3.9.5.2.2 (d) states that “When a mission of the Synod applies for formal recognition as a self-  
44 governing partner church, such recognition shall be proposed at convention of the Synod by the Board for International  
45 Mission with the approval of the [Commission on Theology and Church Relations]”; and

1 WHEREAS, In compliance with Bylaw 3.9.5.2.2 (d), the Board for International Mission has requested and received  
2 the approval of the Commission on Theology and Church Relations (CTCR) to propose to the 2023 Synod convention that  
3 the CELC in Sri Lanka be recognized as a self-governing partner church; therefore be it

4 *Resolved*, That the Synod give thanks to God for the efforts of its missionaries and Sri Lankan national pastors of the  
5 CELC, that God, by His grace, has equipped and prepared the members of the CELC to give a faithful confessional  
6 Lutheran witness in Sri Lanka; and be it further

7 *Resolved*, That the Synod acknowledge with gratitude that His saints have been blessed by the growth of this “daughter  
8 church” of the LCMS and its establishment as a self-governing Lutheran church body; and be it further

9 *Resolved*, That the Synod acknowledge with gratitude the unity of confession that has been given to our churches  
10 under the guidance of the Holy Spirit; and be it further

11 *Resolved*, That the Synod declare its recognition of the CELC as a self-governing partner church with which the  
12 LCMS enjoys altar and pulpit fellowship; and be it further

13 *Resolved*, That we pray for God’s blessings in the coming years on this agreement in the confession of the Gospel,  
14 which we enjoy as partner churches, and for the power and blessing of the Lord upon the members and leaders of the  
15 CELC; and be it finally

16 *Resolved*, That in thanksgiving for this partnership in the Gospel, the convention assembly celebrate its approval by  
17 rising and singing the common doxology.

## 18 To Clarify and Simplify Bylaws regarding Routes to Altar and Pulpit Fellowship

### 19 RESOLUTION 5-06

20 Overture 5-08 (CW, 290–91)

#### 21 **Rationale**

22 The Commission on Theology and Church Relations (CTCR) has reviewed Bylaw 3.9.5.2.2 and proposed consolidation  
23 and clarification of the language dealing with its role in recognition of altar and pulpit fellowship. Presently routes to  
24 fellowship are presented in four cases (b–e), which are stated in terms of certain presumptions (e.g., that all fellowship  
25 requests originate from potential partners and not in the other direction), redundancies (e.g., in each of [b–e], there exists  
26 a relatively uniform statement that the convention must approve; [e] seems, furthermore, to be redundant with [b–d]), and  
27 potential unclarity. CTCR submitted its proposal to the Commission on Handbook, which consulted with the Commission  
28 on Constitutional Matters (CCM Op. 22-3001, Minutes of Nov. 4–5, 2022) and now presents the proposal for adoption. It  
29 understands the change to be *non-substantive*, in that it should allow the same scope of actions under new bylaw language,  
30 but *substantial* enough a change of language regarding a critical function of the Synod that it should be presented for the  
31 convention’s consideration and for its more prominent historical record.

32 By way of explanation, existing paragraphs (b–d) are subsumed under a new summary heading as (b)(1–3) and (e) is  
33 deleted; situations formerly falling under (e) will be handled under the new (b)(1–3) as appropriate.

34 Therefore be it

35 *Resolved*, That Bylaw 3.9.5.2.2 be amended as follows:

#### 36 ~~PRESENT~~/PROPOSED WORDING

#### 37 ***Commission on Theology and Church Relations***

38 ...

39 3.9.5.2.2 The Commission on Theology and Church Relations shall assist the President of the Synod at his request in  
40 discharging his constitutional responsibilities for maintaining doctrinal integrity as he relates to other church  
41 bodies.

42 (a) It shall address itself to and evaluate existing fellowship relations for the purpose of mutual  
43 admonition and encouragement.

44 (b) It shall address itself to potential fellowship and/or partner church relations as follows:

45 ~~(b1) When a church body applies for formal~~ Formal recognition of altar and pulpit fellowship  
46 ~~with~~ between the Synod and another church body, ~~such recognition~~ shall be proposed at a convention  
47 of the Synod only after the approval of the commission.

(e2) ~~When a Formal recognition of altar and pulpit fellowship between the Synod and a small, formative, emerging confessional Lutheran church body (identified as such by the President of the Synod as chief ecumenical officer) requests recognition of altar and pulpit fellowship with the Synod may be declared by the Synod President only after the approval of the commission and, after consultation with the Praesidium and approval by the commission, such. Such recognition may be declared by the President of the Synod shall be subject to the endorsement of the subsequent Synod convention.~~

(d3) ~~When a Formal recognition of a mission of the Synod applies for formal recognition as a self-governing partner church, such recognition shall be proposed at convention of the Synod by the Board for International Mission with after the approval of the commission.~~

(e) ~~When an entity (e.g., a district, mission, group of congregations, etc.) of a self-governing partner church is established as an independent church body in altar and pulpit fellowship with that partner church body, and subsequently requests recognition of altar and pulpit fellowship with Synod, such recognition may be declared by the President of Synod, after consultation with the Praesidium and approval by the commission, subject to the endorsement of the subsequent Synod convention.~~

## To Recognize that the Synod is Not in Altar and Pulpit Fellowship with the Japan Lutheran Church

### RESOLUTION 5-07

Overtures 5-05–06 (*CW*, 288–90)

#### Preamble

The Japan Lutheran Church (JLC) grew out of The Lutheran Church—Missouri Synod (LCMS) mission work that began in 1948. The JLC was organized as an autonomous church body in 1968 and became an LCMS partner church in 1971. Over the years, our two church bodies have recognized and given thanks to God for the gift of altar and pulpit fellowship. In recent years, however, questions and tensions about the differing positions of our two church bodies on the ordination of women to the pastoral office have made it necessary for the LCMS to ask whether the scriptural basis for altar and pulpit fellowship—complete agreement “in the doctrine and all its articles” (Formula of Concord Solid Declaration X 31)—continues to exist between our two churches.

In 2008, LCMS President Rev. Dr. Gerald Kieschnick became aware of a proposal introduced at the JLC’s May 2008 convention to consider altering the JLC’s bylaws to permit the ordination of women to the pastoral office. He immediately extended an offer for the leaders of our two churches to meet and discuss this issue, cautioning that “a decision to ordain women would have serious implications for a relationship that our two churches have enjoyed for so many years.” Official representatives of the JLC and the LCMS met face-to-face four times between February 2009 and August 2010 for formal discussions of this and related issues on the basis of the teachings of Scripture and the Lutheran Confessions. Topics included the authority of Scripture, scriptural hermeneutics, the service of women in the Church, the Office of the Holy Ministry, and the nature and implications of church fellowship.

Early on in these discussions, the LCMS representatives learned—much to their surprise and dismay—that from the very beginning of the JLC’s history there was a lack of clarity about its position on the ordination of women. In 1966, even before it became a partner church of the LCMS, the JLC had declared altar and pulpit fellowship with the Japan Evangelical Lutheran Church (JELC), which would start to ordain women in 1971. Also in 1966, the JLC and the JELC agreed to train pastors together at a joint seminary in Tokyo. In 1970 some pastors and congregations of the JLC called on it to publicly protest the JELC’s position on this issue. The JLC eventually resolved at its 1974 convention not to protest the JELC’s position by accepting President Kosaku Nao’s theological opinion that Scripture does not prohibit women to preach, and that the ordination of women must be treated as an issue of “adiaphoron,” that is, a practice not clearly commanded or forbidden by Scripture.

Sadly, and for reasons that are still not entirely clear, the LCMS was not fully aware of nor sufficiently attentive to the position taken by the JLC on this issue at its 1974 convention. (This was, of course, a turbulent time for the LCMS also, internally and theologically.) Due to this lack of awareness and/or attentiveness to developments within the JLC, the LCMS did not engage in fraternal dialog with the JLC on this issue in these early years, as it surely should have. In retrospect, this is deeply regrettable and is a failure for which the LCMS itself must take a large measure of responsibility. At the same time, from its inception until its 2021 convention, the JLC continued to ordain only men, as its constitution and bylaws included the word “male” as a necessary qualification for called and ordained pastors.

1 During the years of 1974–2002, there were some JLC pastors who continued to advocate for the ordination of women. For  
 2 example, at the Hokkaido District convention in October 2001, Rev. Tatsuomi Yoshida (current JLC President) presented  
 3 a paper which took the position that Scripture allows female pastors. At the conventions of 2002, 2005, and 2008, the  
 4 attempt was made to move toward the ordination of women, but the motions were tabled each time. This was the immediate  
 5 context that prompted the LCMS under President Kieschnick to hold face-to-face meetings with the JLC leadership as  
 6 described above. However, one important fact is to be noted. At the national convention of 2002, the JLC did establish an  
 7 office of deacon—as an ordained office—open to both male and female. Hence, the JLC had de facto opened the door for  
 8 women’s ordination at that time. As a result, in 2006, the first female was ordained as a deacon in the JLC.

9 As the formal discussions that took place in 2009 and 2010 drew to a close, the LCMS representatives were hopeful for a  
 10 positive outcome—one in which the leadership of the JLC and the JLC as a whole would be led to affirm unequivocally  
 11 the position of Scripture on the issue of the ordination of women to the pastoral office: namely, that this position and  
 12 practice is not an adiaphoron. Very late in the process, however, it became clear that the leadership of the JLC was still  
 13 inclined toward recommending a change in the JLC’s official position which would result in the ordination of women as  
 14 pastors.

15 In 2010, newly-elected LCMS President Rev. Dr. Matthew C. Harrison, even before he was formally installed into office,  
 16 wrote to JLC President Yukata Kumei and the members of the JLC expressing his deep “sadness” at the news that the JLC  
 17 was still considering changing its position on this issue and acknowledging the past failures of the LCMS to bear witness  
 18 as fully and faithfully as it should have to the position of the Scriptures on this issue. Then, in June 2011, the major  
 19 earthquake and tsunami that devastated Japan in March of the same year brought President Harrison and his team to Japan  
 20 to bring a love gift of the LCMS to the JLC.

21 This visit opened the door for LCMS Church Relations to hold a series of conversations with the JLC leadership, starting  
 22 in April 2013 and continuing through June 2019. Although another attempt was made to propose the ordination of women  
 23 at the JLC’s national convention in 2011, no such motion was made at the 2014 or 2017 conventions. This was not an  
 24 indication of a change in their position, however. Over time, it became clear that the JLC’s official interpretation of the  
 25 result of the official face-to-face meetings in 2009–2010 had been that as long as no women were placed into the office of  
 26 “pastor,” they were keeping their promise to the LCMS not to ordain women into the pastoral office. Their apparent  
 27 understanding was that the LCMS would not object to female clergy in the JLC as long as the nomenclature of “pastor”  
 28 was not applied. (As noted above, they first ordained a female deacon in 2006.)

29 Throughout the time between 2010 and 2021, the JLC continued to pursue the goal of allowing women to serve in the  
 30 pastoral office proper. They also maintained the practice of open communion and did not question their altar and pulpit  
 31 fellowship with the JELC.

32 LCMS Church Relations was fully aware of the JLC’s position and practice in these matters. Recognizing how difficult it  
 33 would be for the JLC to change its official position on this issue, LCMS Church Relations focused its attempt during 2014–  
 34 2019 on assisting the JLC leadership in obtaining further resources for understanding the problem theologically. As in  
 35 many Lutheran churches around the world, a lack of sound and substantive theological teaching and understanding in the  
 36 JLC was a major challenge. Efforts were made to obtain opportunities for the teachings of Scripture and the Lutheran  
 37 Confessions on this and other issues to be presented and heard.

38 No less than four meetings took place in Japan from 2017–2019 between LCMS and JLC leaders in an effort to continue  
 39 theological discussions (August 2017, January 2018, October 2018, and June 2019). During these meetings, plans were  
 40 contemplated, and it was proposed to hold a series of discussions on foundational theological issues such as the authority  
 41 and interpretation of Scripture, Christology and justification, questions related to the doctrines of church and ministry, the  
 42 Lutheran understanding of church fellowship (including fellowship at the Lord’s Table), scriptural approaches to missions  
 43 and evangelism, and faithful worship and liturgical practices. The list above reflects the fact that the meetings and  
 44 discussions that took place between 2009 and 2019 revealed other differences in doctrine and practice between the LCMS  
 45 and the JLC, such as the JLC practice of open communion, differing understandings and practices of church fellowship,  
 46 and differing understandings of proper principles for interpreting Holy Scripture that had implications for the  
 47 understanding of the authority of Scripture. Although many of these issues had been discussed previously, it was hoped  
 48 that careful and fraternal examination and discussion of Scripture and the Lutheran Confessions on foundational and  
 49 intersectional issues such as these might lead to increasing consensus on the issue of women’s service in the church.

50 Unfortunately, plans for these discussions did not fully materialize, and little or no further progress was made in this regard  
 51 following the last effort of LCMS Church Relations in June 2019. On June 4, 2021, President Harrison received a letter  
 52 from newly-elected JLC President Tatsuomi Yoshida informing that at its April 2021 national convention the JLC had  
 53 officially changed its position on the ordination of women by amending its bylaws to remove the word “male” from the  
 54 section on the qualifications for called and ordained pastors. By contradicting the clear teaching of Scripture that women  
 55 may not be called and ordained into the pastoral office, the JLC’s 2021 convention thus endorsed false doctrine. Calling



1 and ordaining women into the pastoral office is not an adiaphoron, a matter on which the Scriptures are silent. Rather, it  
2 is a doctrinal matter which, where clear disagreement exists, is divisive of fellowship.

3 In a letter dated July 9, 2021, President Harrison responded with a “heavy heart,” indicating that “the JLC’s changed  
4 confession of faith ... has broken the God-given unity of the faith once celebrated by our church bodies.” “I pray for your  
5 repentance and your return to fellowship in Christ in the truth of His Word,” wrote President Harrison. Should this not  
6 occur, stated President Harrison, “I will inform the members of the Synod and the Synod’s partner churches of ... the need  
7 to place this matter before the Synod in convention.” Sadly, subsequent correspondence from President Yoshida, as well  
8 as a face-to-face meeting between President Yoshida and the LCMS Director of Church Relations—Assistant to the  
9 President at an International Lutheran Council (ILC) meeting in Kisumu, Kenya on Sept. 16, 2022, have made it clear that  
10 the JLC has no intention of changing its current position on this issue or amending its current practice of allowing women  
11 to be ordained as pastors and to carry out the duties of the pastoral office. Sadly, this assessment is confirmed by the fact  
12 that the JLC ordained a second woman into the office of deacon in 2021, as well as by official records of the JLC’s April  
13 29, 2021, convention which indicate that there was overwhelming support among convention delegates for approving the  
14 ordination of women pastors.

15 WHEREAS, Holy Scripture clearly teaches that women are not to be called and ordained into the pastoral office; and

16 WHEREAS, The JLC officially approves of and practices the calling and ordaining of women into the pastoral office;  
17 and

18 WHEREAS, The LCMS recognizes with deep sadness and regret that differences in doctrine and practice exist between  
19 the LCMS and the JLC, not only on the issue of the ordination of women to the pastoral office but also on other issues  
20 identified in the foregoing preamble (e.g., differing hermeneutical principles and approaches that have ramifications for  
21 scriptural authority; the scriptural understanding of church fellowship; the doctrine and practice of close[d] communion);  
22 and

23 WHEREAS, Ten years of formal and informal doctrinal discussions between the LCMS and the JLC have neither  
24 resolved the existing doctrinal differences nor offered any basis for assuming that they will be resolved in the foreseeable  
25 future; and

26 WHEREAS, The LCMS understands altar and pulpit fellowship to be a gift of God that exists by His grace on the basis  
27 of complete agreement in doctrine and practice; therefore be it

28 *Resolved*, That the LCMS with deep sorrow and regret declares that it can no longer recognize altar and pulpit  
29 fellowship with the JLC; and be it further

30 *Resolved*, That the LCMS acknowledges and deeply regrets its own shortcomings and failures in not giving adequate  
31 attention to these theological concerns, especially early on in its relationship with the JLC; and be it finally

32 *Resolved*, That the LCMS herewith commit itself open and eager to pursuing further doctrinal discussions with the  
33 JLC should the JLC at any time be open to such discussions, in the hope that by God’s grace our church bodies might once  
34 again attain complete agreement in doctrine and practice and once again enjoy the gift of God-given and God-pleasing  
35 altar and pulpit fellowship.

## 36 **To Affirm In-Person Communion**

### 37 **RESOLUTION 5-08**

38 Overtures 5-11–20 (*CW*, 293–300)

39 WHEREAS, In the wake of the pandemic, congregations throughout the Synod sought to provide spiritual care to their  
40 congregations when public health measures prohibited gathering for corporate worship services; and

41 WHEREAS, The Lord Jesus, with words and actions spoken and carried out by him in the direct and physical presence  
42 of His disciples, instituted Holy Communion as a communal meal through which His body and blood are distributed under  
43 the bread and wine for the forgiveness of sins, life, and salvation (Matt. 26:26–28); and

44 WHEREAS, In speaking of the Lord’s Supper, Holy Scripture does not endorse a spiritual or virtual fellowship, but  
45 rather a physical, communal gathering as the apostle Paul describes when he writes to the church in Corinth, “So then, my  
46 brothers, when you come together to eat, wait for one another—if anyone is hungry, let him eat at home—so that when  
47 you come together it will not be for your judgment” (1 Cor. 11:33–34a); and

1 WHEREAS, The Epistle to the Hebrews states, “And let us consider how to stir up one another to love and good works,  
2 not neglecting to meet together, as is the habit of some, but encouraging one another, and all the more as you see the Day  
3 drawing near” (Heb. 10:24–25); and

4 WHEREAS, The Augsburg Confession describes the administration of the Lord’s Supper in the context of a physically  
5 gathered assembly (Augsburg Confession [AC] VII 1; XXIV 36–39); and

6 WHEREAS, The Commission on Theology and Church Relations (CTCR) and the systematic theology departments of  
7 both seminaries issued opinions that unequivocally and unanimously argued against the practice of online or virtual  
8 Communion and affirmed the administration of Holy Communion in person by the pastor; and

9 WHEREAS, The Lutheran Confessions (Formula of Concord [FC] Solid Declaration [SD] VII) indicate that the proper  
10 use of the Sacrament includes a unified consecration, distribution, and reception, none of which are to be severed from the  
11 other, yet the practice of online or virtual Communion would interject a spatial, temporal, and technological gap between  
12 the consecration and the distribution and reception; and

13 WHEREAS, The pastoral office is responsible for oversight of the administration of the Sacrament in accordance with  
14 the keys conferred upon the pastor by virtue of his call (AC XIV; *Walther’s Theses on the Ministry V and VII*); and

15 WHEREAS, The Sacrament of the Altar has been established by our Lord according to his Words of Institution,  
16 commanding literally “This keep on doing” (Luke 22:19; 1 Cor. 11:24–25), which indicates that this use of the Sacrament  
17 should be kept according to his institution, and that “nothing is a sacrament without the appointed use” as set forth by  
18 those same Words of Institution (FC SD VII 73) and these texts (and all related) require serious study by the church; and

19 WHEREAS, No theological justification for the novel practice of online or virtual Communion has existed within the  
20 Synod or in the Lutheran tradition nor has been advanced in the circles advocating for it on the basis of the principally  
21 relevant texts (*sedes doctrinae*) of Holy Scripture or of the Lutheran Confessions; and

22 WHEREAS, The Synod has historically recognized the need for collegial debate, collaborative decision-making, and  
23 consensus building, enshrining “[t]he example of the apostolic church (Acts 15:1–31)” in the Preamble of its Constitution  
24 and by adopting a process whereby those principles may be observed with respect to the adoption of doctrinal statements  
25 in Bylaw 1.6.2 (b); and

26 WHEREAS, The practice of online Communion has created confusion and concern whether such observance of Holy  
27 Communion is pleasing to God and in accordance with His Word; and

28 WHEREAS, The uniformity in practice from the foundation of the Synod has long been considered desirable (1847  
29 Constitution Articles I 3, II 4, IV 5, V 14) and remains an endeavor toward which congregations are encouraged to strive  
30 (Const. Art. II 7); therefore be it

31 *Resolved*, That we commend the desires of faithful pastors to care for their flocks in a time of pandemic, granting  
32 charity and latitude to our brothers in the office due to the emergency nature of the situation confronting us all; and be it  
33 further

34 *Resolved*, That the Synod’s district presidents and those who assist them be counseled and urged to instruct our pastors  
35 and congregations on the basis of Holy Scripture’s exhortation to gather in person to celebrate the Lord’s Supper and on  
36 the basis of the examples of the Augsburg Confession Articles VII and XXIV, to refrain from the practice of online  
37 Communion, ensuring that those pastors and congregations who continue to practice online Communion after due fraternal  
38 admonition be subject to appropriate ecclesiastical counsel, instruction, and discipline; and be it further

39 *Resolved*, That the congregations of the Synod be encouraged to clearly and unequivocally reject and condemn the  
40 practice of virtual (online) Communion by teaching members of the specific challenges; and be it finally

41 *Resolved*, That those who are hindered for a time from bodily participation in Holy Communion be encouraged to  
42 content themselves with the power of the Word and the exercise of faith in the Lord Jesus Christ.

## 43 **To Review Guidance on Admission to the Lord’s Supper**

### 44 **RESOLUTION 5-09**

45 Overtures 5-09–10 (*CW*, 291–93)

46 WHEREAS, 1967 Resolution 2-19, “To Take a Position with Reference to Communing Lutherans of Other Synods,”  
47 was adopted stating:

1 WHEREAS, Clarification regarding the administration and reception of Holy Communion has been  
2 requested, with particular reference to Lutherans of other synods not now in fellowship with us; and

3 WHEREAS, The principle of “close Communion” requires that only those who are in altar fellowship  
4 celebrate and partake of the Lord’s Supper with each other; and

5 WHEREAS, The celebration and reception of Holy Communion not only implies but is a confession of the  
6 unity of faith; therefore be it

7 *Resolved*, That pastors and congregations of The Lutheran Church—Missouri Synod, except in situations  
8 of emergency and in special cases of pastoral care, commune individuals of only those Lutheran synods  
9 which are now in fellowship with us; (1967 *Proceedings*, 93)

10 and

11 WHEREAS, 1981 Res. 3-01, “To Declare LCMS Not in Altar and Pulpit Fellowship with ALC,” was adopted stating:

12 WHEREAS, The LCMS has long encouraged its congregations and pastors in extraordinary circumstances  
13 to provide responsible pastoral care, including the administration of Holy Communion to Christians who are  
14 members of denominations not in fellowship with the LCMS; therefore be it (1981 *Proceedings*, 154–155)

15 and

16 WHEREAS, 1986 Res. 3-08, “To Maintain Practice of Close Communion,” was adopted stating:

17 *Resolved*, That the pastors and congregations of The Lutheran Church—Missouri Synod continue to abide  
18 by the practice of close communion, which includes the necessity of exercising responsible pastoral care in  
19 extraordinary situations and circumstances; and be it further

20 *Resolved*, That the convention commend the CTCR’s report “Theology and Practice of the Lord’s Supper”  
21 to the pastors and congregations of the Synod for continued reference and guidance (1986 *Proceedings*, 143);

22 and

23 WHEREAS, The 1983 Commission on Theology and Church Relations (CTCR) Report “Theology and Practice of the  
24 Lord’s Supper” states:

25 Since fellowship at the Lord’s Table is also confession of a common faith, it would not be truthful for those  
26 who affirm the Real Presence and those who deny it to join one another. Their common Communion would  
27 indicate to the non-Christian community that the last will and testament of Christ could be interpreted in  
28 contradictory ways. Indeed, the non-Christian might rightly ask whether it was Jesus’s word which  
29 determined the church’s position and practice or simply a human consensus (LCMS CTCR, *Theology and*  
30 *Practice of the Lord’s Supper* [adopted 1983], 21).

31 ...

32 Close Communion seeks to prevent a profession of confessional unity in faith where there is, in fact, disunity  
33 and disagreement. It would be neither faithful to the Scriptural requirements for admission to Holy  
34 Communion (1 Cor. 11:27 ff.; cf. 10:16-17) nor helpful to fallen humanity if the Christian church welcomes  
35 to its altars those who deny or question clear Scriptural teachings (LCMS CTCR, *Theology and Practice of*  
36 *the Lord’s Supper* [adopted 1983], 22).

37 ...

38 In keeping with the principle that the celebration and reception of the Lord’s Supper is a confession of the  
39 unity of faith, while at the same time recognizing that there will be instances when sensitive pastoral care  
40 needs to be exercised, the Synod has established an official practice requiring “that pastors and congregations  
41 of The Lutheran Church—Missouri Synod, except in situations of emergency and in special cases of pastoral  
42 care, commune individuals of only those synods which are now in fellowship with us. [28]” (LCMS CTCR,  
43 *Theology and Practice of the Lord’s Supper* [adopted 1983], 22–23).

44 ...

45 [28] 1967 Res. 2-19. See also 1969 Res. 3-18 and 1981 Res. 3-01. Cf. Francis Pieper, *Christian Dogmatics*,  
46 III, p. 381. Pieper begins his discussion concerning who is to be admitted to the Lord’s Supper by stating:  
47 “Christian congregations, and their public servants, are only the administrators and not lords of the Sacrament.  
48 ... On the one hand, they are not permitted to introduce ‘Open Communion’: on the other hand, they must

1 guard against denying the Sacrament to those Christians for whom Christ has appointed it.” To be sure, a  
 2 heavy responsibility rests on pastors in making decisions as they evaluate those exceptional cases of pastoral  
 3 care where persons who are members of denominations not in fellowship with the LCMS desire to receive  
 4 the Lord’s Supper. However, part of the pastor’s responsibility in such situations involves informing  
 5 individuals desiring Communion also of their responsibility regarding an action which identifies them with  
 6 the confessional position of the church body to which the host congregation belongs and their willingness to  
 7 place themselves under the spiritual care of the pastor in that place (LCMS CTCR, *Theology and Practice of*  
 8 *the Lord’s Supper* [adopted 1983], 41);

9 and

10 WHEREAS, 1995 Res. 3-08, “To Reaffirm the Practice of Close[d] Communion,” was adopted and reaffirmed 1967  
 11 Res. 2-19 and 1986 Res. 3-08 and stated:

12 *Resolved*, That because we are “eager to maintain the unity of the Spirit in the bond of peace” (Eph. 4:3),  
 13 any members of the Synod who advocate a different practice of Holy Communion be fraternally reminded  
 14 of the commitment all the members of the Synod make to one another by subscribing to the Constitution of  
 15 the Synod to honor and uphold its doctrine and practice and, where there is disagreement, to follow the  
 16 proper channels of dissent as outlined in synodical Bylaw 2.39 c. (1995 *Proceedings*, 122);

17 and

18 WHEREAS, 2007 Res. 3-09, “To Address Administration of the Lord’s Supper,” was adopted, commending the 1999  
 19 CTCR report, “Admission to the Lord’s Supper,” and reinforcing the LCMS position and practice regarding close(d)  
 20 Communion; and

21 WHEREAS, 2013 Res. 4-10 “To Encourage Proper Oversight in the Administration of the Lord’s Supper by Visitation  
 22 from Ecclesiastical Supervisors” was adopted and resolved; and

23 WHEREAS, 2016 Res. 5-15, “To Address Questions re the Sacrament of the Altar,” was adopted and resolved “That  
 24 the LCMS reaffirm that its statements and resolutions with regard to close(d) Communion ... are faithful to Scripture and  
 25 the Confessions”; and

26 WHEREAS, 2019 Res. 4-11A, “To Encourage the Study of the Doctrine of Close(d) Communion and Faithful Practice  
 27 in All Congregations,” was adopted and resolved “That Synod in convention encourage the study of God’s Word and the  
 28 Lutheran Confessions by all members of Synod with an eye to teaching and upholding our confession and practice  
 29 regarding the administration of the Lord’s Supper,” and “That all pastors and members of the LCMS recognize the  
 30 Scriptural and practical necessity of adhering publicly to both a professed and functional close(d) Communion practice”  
 31 (2019 *Proceedings*, 145); and

32 WHEREAS, Eighty-three percent of the delegates in 2016 and 78 percent of the delegates in 2019 supported resolutions  
 33 about close(d) Communion, thus revealing a lack of unanimity; therefore be it

34 *Resolved*, That the Synod in convention recognize the scriptural necessity of adhering publicly to both the professed  
 35 doctrine and practice of close(d) Communion (recognizing the terms “close” and “closed” as synonymous) as adopted by  
 36 previous conventions of the LCMS; and be it further

37 *Resolved*, That the Synod President and the Council of Presidents in consultation with our Synod’s seminary faculties  
 38 re-evaluate the specific language of earlier Communion resolutions regarding extraordinary circumstances, providing case  
 39 studies and examples for study and discussion to be shared within our districts.

## 40 **To Articulate Theology and Philosophy of Lutheran Education**

### 41 **RESOLUTION 5-10**

42 Reports R1, R1.2.1, R14 (*CW*, 1–3, 14, 64–69)

43 WHEREAS, Our Lutheran schools at every level face constant challenges in a world of competing philosophies; and

44 WHEREAS, Our Synod would benefit from a clearly articulated theology and philosophy of Lutheran education that  
 45 considers sound principles from the doctrine of justification, biblical creation, first article gifts, right and left kingdom  
 46 perspectives, and Lutheran anthropology, to analyze the strengths and weaknesses of various educational philosophies;  
 47 and

1 WHEREAS, A clear, concise, and readable theology and philosophy of Lutheran education could help guide our  
2 workers, lay-leaders, and families from pre-school, grade school, high school, and secondary education as they make  
3 curriculum, discipline, and other decisions on a daily basis; therefore be it

4 *Resolved*, That the Commission on Theology and Church Relations—in consultation with representatives from  
5 Concordia University System, universities, the Synod education executives, and others—develop principles of Lutheran  
6 education rooted in Lutheran doctrine; and be it further

7 *Resolved*, That a pamphlet be produced for written and electronic distribution to help guide congregations, schools,  
8 workers, and parents in the task of faithfully leading students in their education.

9 *The Chief Financial Officer and LCMS Accounting and Financial Services staff, in consultation with*  
10 *the Finance Committee, project cost of implementation (printing and mailing of pamphlets) as \$10,000*  
11 *(estimate required by Bylaw 3.1.7 [g]).*

## 12 **To Reaffirm Synod’s Biblical Positions on Marriage and Sexuality**

### 13 **RESOLUTION 5-11**

14 Overtures 5-35–38 (*CW*, 307–11)

15 WHEREAS, Scripture declares that God in the beginning created humanity as male and female (Gen. 1:27; Matt. 19:4),  
16 and that he has instituted marriage to be an indissoluble union between man and woman (Gen. 2:24) for the purposes of  
17 companionship (Gen 2:18, 20–23) and procreation (Gen. 1:28); and

18 WHEREAS, Scripture clearly teaches that marriage reflects the relationship between Christ and his bride, the church,  
19 whereby husbands and wives carry out their distinct roles harmoniously for good order and mutual edification in the faith  
20 and in daily living (Eph. 5:22–33; 1 Peter 2:13–3:7); and

21 WHEREAS, Scripture also reserves all sexual activity for the marital union between man and woman (Ex. 20:14; Deut.  
22 5:18; Num. 5:11–31; Matt. 5:27–30) and expressly prohibits all sexual activity between persons of the same sex (Lev.  
23 18:22, 24; 20:13; Rom. 1:26–27; 1 Cor. 6:8; 1 Tim. 1:10; Jude 7); and

24 WHEREAS, Anti-scriptural views regarding marriage and sexuality continue to proliferate in American society, such  
25 as same-sex intercourse and marriage, gender fluidity, pedophilia, acceptance of cohabitation, use of pornography, and  
26 other deviations from biblical truth; and

27 WHEREAS, The Commission on Theology and Church Relations (CTCR), at the direction of 2016 Resolution 14-03A  
28 and 2019 Res. 11-03A, has produced a new report on marriage and sexuality, *A Chaste and Decent Life: An Update to*  
29 *Human Sexuality (1981)* (Commission on Theology and Church Relations [St. Louis: The Lutheran Church—Missouri  
30 Synod, 2022]), that seeks to challenge these new cultural assumptions on the basis of biblical truth; and

31 WHEREAS, The CTCR report states that “attitudes toward gender identity and dysphoria, homosexuality and  
32 homosexual marriage, and societal pressures regarding sexuality, among others, have changed markedly in the last forty  
33 years,” yet maintains that “God’s intention for human sexuality does not change” (*A Chaste and Decent Life*, 37); and

34 WHEREAS, Synod in convention has repeatedly addressed these errors through resolutions confessing scriptural  
35 positions on marriage and sexuality (including, most recently, 2019 Res. 3-04A, 2016 Res. 14-03A, and 2013 Res. 2-07A);  
36 therefore be it

37 *Resolved*, That Synod in convention reaffirm the Scriptural teaching on marriage and sexuality; and be it further

38 *Resolved*, That Synod in convention commend the CTCR’s *A Chaste and Decent Life* as a resource for pastors to  
39 familiarize themselves with the current errors present in society, in addition to other recent resources the CTCR has  
40 provided on these topics, such as *The Order of Creation: Theology, History, Definition* (Commission on Theology and  
41 Church Relations [St. Louis: The Lutheran Church—Missouri Synod, 2022]), *Marriage between Church and State: A*  
42 *Report on Clergy Serving as “Agents of the State”* (Commission on Theology and Church Relations [St. Louis: The  
43 Lutheran Church—Missouri Synod, 2021]), and *Gender Identity Disorder and Gender Dysphoria in Christian Perspective*  
44 (Commission on Theology and Church Relations [St. Louis: The Lutheran Church—Missouri Synod, 2014]); and be it  
45 finally

46 *Resolved*, That Synod in convention urge its pastors to preach and teach God’s counsel regarding the biblical design  
47 for marriage and sexuality with courage, as well as to exercise compassionate pastoral care to those struggling with sexual  
48 sin and misunderstanding.

1                   **To Address Lutheran Theological Principles of Mission and Ministry**  
2                   **in Post-Christian Context**

3                   **RESOLUTION 5-12**

4   President’s Report, Part 2 (*TB*, 1:24)

5       WHEREAS, The Church faces many cultural challenges and lives in an environment increasingly opposed to  
6   Christianity; therefore be it

7       *Resolved*, That the Synod in convention ask the Commission on Theology and Church Relations to prepare a document  
8   on the present challenges to Christianity in the North American context to equip pastors and congregations for faithful  
9   ministry and outreach in a post-Christian world.

10                   **To Address Uses of Online Technology**

11                   **RESOLUTION 5-13**

12   Overtures 5-20, 28–29 (*CW*, 299–300, 304)

13       WHEREAS, The use of online technology in various formats (i.e., livestreamed and recorded worship, online Bible  
14   studies, etc.) has been a great help in keeping congregations united through the hearing of God’s Word and communicating  
15   information and a benefit in proclaiming the Word to untold multitudes in the tradition of the Lutheran Hour; and

16       WHEREAS, The use of online technology also has its negative aspects, such as inadvertently permitting members not  
17   to gather physically as encouraged in Scripture (Acts 2:42; Heb. 10:25) and creating confusion and even conflict with  
18   Confession and Absolution, Communion, voting practices, church membership, and more, as to what is proper and  
19   beneficial and what should not be practiced “virtually”; and

20       WHEREAS, These technologies and platforms for “virtual” worship did not exist and were not practiced until recent  
21   times and thus have not been specifically addressed by the historical Lutheran church in terms of best practices; and

22       WHEREAS, Such practice of “virtual” worship, including virtual or online Communion, has not been discussed by  
23   Synod as a whole, much less considered and commended by it on a scriptural and confessional basis; and

24       WHEREAS, The Synod has historically recognized the need for collegial debate, collaborative decision-making, and  
25   consensus building, enshrining “[t]he example of the apostolic church (Acts 15:1–31)” in the Preamble of its Constitution  
26   and by adopting a process whereby those principles may be observed with respect to the adoption of doctrinal statements  
27   in Bylaw 1.6.2 (b); and

28       WHEREAS, The witness of Scripture and the early Christian Church was that “after there had been much debate” (Acts  
29   15:7) on the controverted matter regarding the circumcision of Gentile converts a decision was made; and

30       WHEREAS, There is great benefit from the debate and discussion as described in Acts 15:7 as πολλῆς (*pollēs*)—much,  
31   multitudinous, plenteous, numerous, a great amount on significant and controverted matters; therefore be it

32       *Resolved*, That the Council of Presidents (COP), in conjunction with the Commission on Theology and Church  
33   Relations (CTCR), establish a process as described in Acts 15 of not less than a year that allows for much fraternal  
34   discussion and edification with respect to a theology of technology, including practices of “virtual” worship, Bible studies,  
35   and other online ministries, as well as church membership; and be it further

36       *Resolved*, That the COP, in conjunction with the CTCR, produce a joint document which clearly states points of  
37   agreement as well as any unresolved matters along with the Scriptural and confessional rationale for each position,  
38   presented in a manner that allows for appropriate theological reflection and study and provides practical guidance to the  
39   questions of online technology; and be it finally

40       *Resolved*, That this process would preferably involve face-to-face discussions within circuits and regionally between  
41   leaders that reflect the divergent and diverse positions with the process and the participants to be determined by a two-  
42   thirds vote of the COP.

**To Address Release and Use of *Luther’s Large Catechism*  
with Annotations and Contemporary Applications**

**RESOLUTION 5-14**

Overtures 5-30–33 (*CW*, 304–6)

WHEREAS, 2013 Resolution 3-13A, “To Update the Synod’s Catechetical Materials,” asked the Commission on Theology and Church Relations (CTCR), in collaboration with the office of the President and Concordia Publishing House (CPH), to produce a catechetical compendium that would be “more comprehensive and apologetic in scope”; and

WHEREAS, 2016 Res. 5-12, “To Commend and Encourage Use of Luther’s Catechisms,” requested that the CTCR, in collaboration with the office of the President and both seminary faculties, “explore the creation of an annotated and expanded edition of the Large Catechism for widespread use and study in the church”; and

WHEREAS, The CTCR completed this assignment and, in January 2023, published through CPH a volume of over 700 pages that included 70 contributors and extensive introductions and annotations to the text of the Large Catechism, accompanied by over 70 essays dedicated to addressing contemporary questions related to the Large Catechism; and

WHEREAS, The volume underwent review by the CTCR and was certified by The Lutheran Church—Missouri Synod (LCMS) doctrinal review process; and

WHEREAS, The President of Synod helped oversee the project and included his endorsement by way of an introduction praising the volume; and

WHEREAS, Controversy over this volume has evoked expressions of anger and dissension, some of which did not reflect the charity enjoined upon us by the Scriptures for theological discussion, debate, and churchmanship (John 13:35); and

WHEREAS, The text of the Large Catechism to which we subscribe remains entirely unchanged in this volume while the essays attempt to engage contemporary questions concerning challenging and complex issues that elicit a variety of responses; therefore be it

*Resolved*, That the Synod in convention thank the LCMS laity and rostered church workers who contributed to this volume for their faithful service and commitment to the Scriptures, the Lutheran Confessions, and the doctrinal position of the Synod; and be it further

*Resolved*, That the Synod in convention express its thanks and ongoing support for the LCMS entities responsible for producing this volume, including the CTCR, CPH, and the Office of the President; and be it further

*Resolved*, That all members of the Synod be reminded to use, when necessary and appropriate, the established procedure for voicing a challenge to the doctrinal review certification of a publication by the Synod as outlined in Bylaw 3.9.3.2.2; and be it further

*Resolved*, That all people of the Synod commit themselves to Christian collegiality in theological dialogue and debate in order that such interactions within our beloved Synod be characterized by charity, clarity, a serious attempt at understanding, and a fraternal spirit befitting the Church of Christ (Eph. 4:3–6); and be it further

*Resolved*, That the Synod in convention encourage CPH to include the CTCR statement on page 232 of the 2023 *Workbook* with each copy and online; and be it further

*Resolved*, That the pastors, commissioned ministers, teachers, students, congregations, schools, and laity of the Synod be encouraged to use this resource for study and discussion; and be it finally

*Resolved*, That people of the Synod express any feedback to the CTCR and to the office of the President in the spirit of Christian love with the aim of concord of theology and witness, and that such suggestions be taken into consideration.

**To Uphold Proper Elements and Reverential Administration of the Lord’s Supper**

**RESOLUTION 5-15**

President’s Report, Part 2 (*TB*, 1:24)

WHEREAS, Our Lord Jesus Christ with words and actions instituted His Holy Supper as a communal meal in the context of the Passover celebration through which His body and blood are distributed in, with, and under bread and wine

1 for the forgiveness of sins, life and salvation (Matt. 26:26–28; Mark 14:22–24; Luke 22:19–20; 1 Cor. 10:16–17; 1 Cor.  
2 11:23–26); and

3 WHEREAS, The Lutheran Confessions (Formula of Concord [FC] Solid Declaration [SD] VII 86) indicate that the  
4 proper use of the Sacrament includes unified consecration, distribution, and reception; and

5 WHEREAS, The Lord’s Supper has been established by our Lord according to His Words of Institution commanding  
6 literally “This keep on doing” (Luke 22:19; 1 Cor. 11:24–25), which indicates that this use of the Sacrament should be  
7 kept according to His institution, and that “nothing is a sacrament without the appointed use” as set forth by those same  
8 Words of Institution (FC SD VII 73–74); and

9 WHEREAS, The Sacrament of the Altar serves to strengthen faith against all doubts (Augsburg Confession [AC] XIII)  
10 and is “given for a daily pasture and sustenance, that faith may refresh and strengthen itself so as not to fall back into  
11 doubt, but become ever stronger and stronger” (Large Catechism [LC] V 24) while it is incumbent on all faithful ministers  
12 of the Gospel to remove all obstacles that create doubt regarding what Christ offers in this Sacrament or detracts from it  
13 (1 Cor. 4:1–2); and

14 WHEREAS, Concerns have been raised about the regular use of pre-filled communion cup and wafer sets in corporate  
15 worship; and

16 WHEREAS, Concerns have been raised about the use of non-wheat hosts and/or grape juice; therefore be it

17 *Resolved*, That our pastors and congregations give careful consideration to the reverential treatment of the elements  
18 in the administration of the Lord’s Supper; and be it further

19 *Resolved*, That this convention reaffirms 2001 Resolution 3-16, “To Encourage Use of Only Wine in Administration  
20 of Lord’s Supper”; and be it finally

21 *Resolved*, That the Commission on Theology and Church Relations be instructed to take up these concerns.

22 **To Respectfully Decline Overtures**

23 **RESOLUTION 5-16**

24 Overture 5-47 (*CW*, 316)

25 WHEREAS, The floor committee has considered all overtures assigned to it and has concluded, for various reasons,  
26 that certain overtures should be declined; therefore be it

27 *Resolved*, That the following overtures be respectfully declined for the reasons given:

<u>Overture</u>	<u>Subject</u>	<u>Reason</u>
Ov. 5-47	To Recognize the Organization 1517 as Heterodox Tract and Mission Society	Synod has no authority over this organization.



## 6. PASTORAL MINISTRY AND SEMINARIES

### To Affirm and Strengthen *Set Apart to Serve* in Word and Action

#### RESOLUTION 6-01

Overtures 6-01–02 (*CW*, 321–22)

WHEREAS, Jesus said, “The harvest is plentiful, but the laborers are few; therefore pray earnestly to the Lord of the harvest to send out laborers into his harvest” (Matt. 9:37–38); and

WHEREAS, Laborers are few and needed in every generation to the present for the millions of people, both domestic and international, who do not yet believe in Jesus Christ and confess Him as Lord and Savior, for new church starts in domestic communities, for the identified need for over 100 new international Lutheran Church—Missouri Synod (LCMS) missionaries within the next several years, and for the need for capable theological educators both here in the U.S. and abroad; and

WHEREAS, The 2019 Synod convention adopted Resolution 6-01, “To Support and Participate in the Comprehensive Church Worker Recruitment Initiative,” to:

... commend, financially support, and directly participate in this comprehensive, multi-year church worker recruitment initiative with (but not limited to) the following objectives:

- identifying, catechizing, encouraging, and supporting young boys and girls for church worker vocations;
- instilling church worker vocations as sacred and joyful, a “calling from God,” vocations of integrity and fulfillment, grounded in Christ and baptismal salvation;
- developing the “whole person” throughout this formation process: spiritually, in character, confessionally, physically, emotionally, synodically, and intellectually;
- supporting, encouraging, and caring for existing church workers for the welfare of the workers, for the proclamation and witness of the Gospel, and for workers to be healthy advocates of next generation church workers (*Proceedings*, 158);

and

WHEREAS, This initiative is known as *Set Apart to Serve* (*SAS*) and encompasses the initial youth phase (infant baptism–12th grade) and a second phase focusing on individuals who may be considering professional church work vocations as a second career; and

WHEREAS, *SAS* is being developed through the collaboration of key stakeholders, including the two LCMS seminaries (including their *Vocatio* and Christ Academy programs), Concordia university institutions, LCMS Youth Ministry, LCMS School Ministry, LCMS Mission Advancement, LCMS Communications, Concordia Publishing House (CPH), Concordia Plan Services (CPS), The Lutheran Church—Missouri Synod Foundation, all 35 LCMS districts and district presidents, 36 pilot program participants, Higher Things, Wittenberg Academy, Lutheran Church Extension Fund (LCEF), National Lutheran Outdoors Ministry Association (NLOMA), Lutheran Education Association, Association of Lutheran Secondary Schools, and the St. Louis, Mo.-based marketing and communications firm, Standing Partnership, as well as others; and

WHEREAS, *SAS* has received the active attention of beloved Synod contributors who are firmly committed to and engaged in supporting the *SAS* pilot project, CPH curriculum, the second-career phase, and sustaining a long-term culture of church work formation and recruitment in the Synod; and

WHEREAS, *SAS* is currently in the midst of its pilot program involving a congregation and/or school from all 35 districts and one NLOMA camp, testing *SAS* church work recruitment strategies and resources, which will be made freely available synodwide by the end of calendar year 2023; and

WHEREAS, CPH, in partnership with *SAS*, is developing a four-part church work recruitment curriculum for all ages, which all Synod schools, missionaries, districts, universities, seminaries, and others will receive at no charge through the generosity of LCEF and our Concordia universities; and

WHEREAS, *SAS* is collaborating with the Office of National Mission, CPS, Concordia universities and seminaries, districts and congregations, Standing Partnership, and other key partners to address church worker wellness, which includes student debt, compensation and benefits, care and encouragement of church workers, worker appreciation, and spiritual, physical and emotional well-being; therefore be it



1 WHEREAS, According to Bylaw 4.1.1, “The Synod is not merely an advisory body in relation to a district, but  
2 establishes districts in order more effectively to achieve its objectives and carry on its activities,” and Bylaw 4.1.1.1, “A  
3 district is the Synod itself performing the functions of the Synod. Resolutions of the Synod are binding upon the districts.”;  
4 and

5 WHEREAS, “It is inconsistent with the LCMS Constitution and Bylaws for an LCMS district to develop and/or promote  
6 new or amended routes to ministry apart from the procedures and approvals to which the Synod—in its bylaws, policies,  
7 and resolutions—has previously committed itself” (Report R60, *CW*, 126; see also Bylaws 3.10.4–3.10.4.5); and

8 WHEREAS, “Over the course of the Synod’s history, the LCMS has continually developed and refined its residential  
9 and nonresidential routes to ordination in order to address the needs of the church as they have arisen and dynamically  
10 changed through time” (Report R60, *CW*, 162); and

11 WHEREAS, The Master of Divinity route to call, examination, and ordination into the Office of the Holy Ministry is  
12 the most robust route in terms of academics and additional means of pastoral formation when compared to other approved  
13 routes in The Lutheran Church—Missouri Synod and is considered “the most complete means of preparing a man for the  
14 general responsibilities of the pastoral office” (2016 Resolution 6-03, *Proceedings*, 168), and “the preferred option for the  
15 preparation of men for pastoral ministry” (2019 Res. 6-02, *Proceedings*, 159); therefore be it

16 *Resolved*, That the Synod give thanks to the Lord for His provision to the Church of the Office of the Holy Ministry  
17 and commit itself to full and faithful preparation of men for this office; and be it further

18 *Resolved*, That we give thanks to God for the blessings He gives to His Church through the men He has raised up to  
19 serve in the Office of the Holy Ministry; and be it further

20 *Resolved*, That we affirm the necessity and fruitfulness of the various paths developed through our seminaries for  
21 pastoral preparation in specific ministry settings (Specific Ministry Pastor program, Ethnic Immigrant Institute of  
22 Theology, Center for Hispanic Studies, Specific Ministry Pastor-Español/English Program, Cross-cultural Ministry  
23 Center); and be it further

24 *Resolved*, “That the district presidents and seminaries be strongly encouraged to direct men to residential pastoral  
25 ministry routes [at our Synod’s seminaries] as the preferred option” (2019 Res. 6-02, *Proceedings*, 159); and be it finally

26 *Resolved*, That districts and members of the Synod honor, use, and promote Synod approved programs, and not create  
27 independent programs of pastoral preparation or direct men to pastoral preparation programs outside of our Synod’s  
28 seminaries. Such efforts subvert our shared efforts towards pastoral formation, they erode our Synod’s harmony, and they  
29 are not in accord with the Constitution and Bylaws of the Synod.

30 **To Affirm and Strengthen the Synod’s Commitment**  
31 **to Well-Formed Clergy for the Sake of the Gospel**

32 **RESOLUTION 6-03**

33 Overtures 6-03–07, 13–21, 24, 28, 40 (*CW*, 322–25, 327–32, 334, 337, 344)

34 WHEREAS, “The Office of the Holy Ministry has been instituted by Christ Himself as a gift to His Church (John 20:19–  
35 23; Eph. 4:11–16). Through the Christian congregation, as the holder of all churchly authority, God calls qualified men to  
36 fill this divinely established office and sends them as His ministers to proclaim the Gospel of Jesus Christ and to administer  
37 the Sacraments publicly in the stead of Christ and by His command...” (*Lutheran Service Book Agenda*, 155); and

38 WHEREAS, We confess, “So that we may obtain this [justifying, saving] faith, the ministry [*das Predigtamt* or  
39 *preaching office*] of teaching the Gospel and administering Sacraments was instituted” (Augsburg Confession [AC] V 1),  
40 and “our churches teach that no one should publicly teach in the Church, or administer the Sacraments, without a rightly  
41 ordered call” (AC XIV; 2016 Resolution 6-02); and

42 WHEREAS, The Synod is committed to a robust program of formation and education for those preparing for the sacred  
43 Office of the Holy Ministry, to which they are held accountable to God (1 Cor. 4:1–5; Heb. 13:17); and

44 WHEREAS, The Master of Divinity (M.Div.) route to call, examination, and ordination into the Office of the Holy  
45 Ministry is the most robust route in terms of academics and additional means of pastoral formation when compared to  
46 other approved routes in the Synod and is considered “the most complete means of preparing a man for the general  
47 responsibilities of the pastoral office” (2016 Res. 6-03, *Proceedings*, 168), and “the preferred option for the preparation of  
48 men for pastoral ministry” (2019 Res. 6-02, *Proc.*, 159); and

1 WHEREAS, Candidates for the Office of the Holy Ministry declared qualified for first calls are those who “will have  
2 satisfactorily completed the prescribed courses of studies and will have received diplomas from their respective educational  
3 institutions of the Synod or have fulfilled the requisites of a colloquy or other approved education program of the Synod  
4 (Bylaws 2.7.2 and 2.7.3)” (Bylaw 2.8.1 [a]); and

5 WHEREAS, Despite intervening efforts to address ambiguities in the Specific Ministry Pastor (SMP) program route to  
6 ordination and Synod membership status, there remains apparent “confusion regarding the definition of ‘*specific* ministry”  
7 (2013 Res. 5-04B, *Proc.*, 139–40) among members of Synod; and

8 WHEREAS, The 2007 Synod convention established the SMP program at both seminaries to develop pastors for  
9 “specific ministries” which “include such categories as church planter, staff pastor, and others as needs arise” (2007 Res.  
10 5-01B, *Proc.*, 133–38). 2013 Res. 5-04B went on to clarify that “the authority over admission to and administration of the  
11 SMP program remains with the seminaries while the respective district president remains responsible for determining the  
12 appropriateness of the specific ministry.” This resolution also resolved “[t]hat district presidents not approve specific  
13 ministry sites which could reasonably be expected to support a general pastor or sites where a minister of religion—  
14 commissioned could fulfill the duties”; and

15 WHEREAS, Candidates for the SMP program do not apply for the program in isolation, but are raised up by  
16 congregations for service. As such, there must be an identified specific ministry identified before the application is  
17 submitted. The applying congregation that intends to call the SMP applicant once he is certified should formally indicate  
18 its desire to do so (a congregation vote is recommended). A mentor and a vicarage supervisor must be identified and agree  
19 to fill these roles for the application to be processed. Finally, the district president in whose district the applicant will serve  
20 must endorse the applicant for the specific ministry where he will serve; and

21 WHEREAS, It is the desire of the Council of Presidents (COP) that the LCMS Office of Pastoral Education, Concordia  
22 Theological Seminary, Concordia Seminary, and the COP agree on the specific ministry contexts which district presidents  
23 are to use in approving SMP applicants; and

24 WHEREAS, New, non-approved routes to ministerial service in the Synod and the performance of the distinctive  
25 functions of the Office of the Holy Ministry are in various instances being encouraged, conceived, developed, and offered  
26 to individuals who sincerely desire to serve the church; and

27 WHEREAS, The 2019 Synod convention adopted resolutions (Res. 6-02, 03A, *Proc.*, 158–60) that assigned certain  
28 tasks to the Pastoral Formation Committee (as described in Bylaw 3.10.4) concerning routes to ordination; therefore be it

29 *Resolved*, That the residential Master of Divinity (M.Div.) route at our Synod seminaries continue to be positioned  
30 and understood as the Synod’s strongly preferred route to ordination, supplying Synod congregations with well-formed,  
31 highly educated pastors who as members of the Synod (ministers of religion—ordained, Bylaw 2.6.1) are prepared to  
32 preach, teach, and care for souls over a lifetime of faithful ministry in any and every context into which the Lord calls  
33 them into service; and be it further

34 *Resolved*, That fiscally sound actions be undertaken over the 2023–26 triennium by the Synod’s residential seminaries  
35 to maintain guaranteed tuition support for all students enrolled in the residential M.Div. programs; and be it further

36 *Resolved*, That the SMP route be utilized only for its intended purposes (2007 Res. 5-01B; Bylaw 2.13.1) and  
37 strengthened under the following principles and boundaries:

- 38 1. SMP pastors and their ministries are valid, appropriate to the current needs of Christ’s body in certain  
39 circumstances, fruitful, and treasured by all, even as the Synod gives thanks to God for such men prepared, called,  
40 and placed into the Office of the Holy Ministry under this particular Synod route to ordination;
- 41 2. the SMP route be understood and positioned as according to its admission standard and uses and positioned as the  
42 “exception” and not become the “principal rule” with respect to the Synod’s available routes for the preparation  
43 and ordination of her pastors;
- 44 3. that there be no change to the timing of SMP vicarage and ordination as currently practiced in the Synod and that  
45 biblical languages not become a mandatory part of SMP pastoral formation;
- 46 4. SMP students be consistently addressed as “vicar” in the first two years of study and not be addressed as “pastor”  
47 until after ordination; and
- 48 5. seminaries, districts, congregations, and pastors consistently encourage and strive to make provisions for  
49 prospective SMP students to consider entering instead into an M.Div. or Residential Alternate Route (RAR/AR)  
50 program;

51 and be it further

1 *Resolved*, That each approved non-residential route to ordination in the Synod remain independent from the other and  
2 not consolidated under the SMP program; and be it further

3 *Resolved*, That those involved in the planning and implementation of *Set Apart to Serve*, the Synod’s church work  
4 recruitment initiative, in collaboration with recruitment officers from the Synod’s two residential seminaries, explore,  
5 develop, and implement means to encourage and assist men “from every nation, from all tribes and peoples and languages”  
6 (Rev. 7:9) toward residential pastoral formation through the M.Div. program; and be it further

7 *Resolved*, That the Pastoral Formation Committee be assigned the following tasks, to be completed during the 2023–  
8 26 triennium, for inclusion in the 2026 *Convention Workbook*:

- 9 1. to prepare a report that analyzes and assesses ministerial or pastoral formation programs that have emerged within  
10 the Synod over the past several years, especially those preparing persons to perform the distinctive functions of the  
11 Office of the Holy Ministry, which lack approval of the Synod under its current Constitution and Bylaws and are  
12 not included in the current list (i.e., M.Div., RAR/AR, Specific Ministry Pastor to General Pastor Certification,  
13 SMP, Specific Ministry Pastor-Español/English Program, Ethnic Immigrant Institute of Theology, Center for  
14 Hispanic Studies, Cross-Cultural Ministry Center) of Synod-approved routes to ordination;
- 15 2. to prepare a report that examines and compares approaches and outcomes of residential (i.e., in-person) and non-  
16 residential (i.e., distance learning) routes to ordination as these relate to the Synod’s commitment to a well-formed  
17 clergy for the sake of the Gospel of Jesus Christ; and
- 18 3. to identify and evaluate options and rationales and prepare a report to the 2026 Synod convention, which proposes  
19 a beneficial, clear, and concise definition of appropriate contexts for the ministry of SMP pastors; and
- 20 4. to develop and present a comprehensive, uniform, synodwide Specific Ministry Supervision Plan.

21 and be it finally

22 *Resolved*, That all pastors be encouraged and expected to engage in continuing education throughout their pastoral  
23 ministry, beginning with their participation in Post-Seminary Applied Learning and Support, and self-report all continuing  
24 education experiences on their Self Evaluation Tool.

## 25 **To Affirm and Provide Guidance for the Service of Laity**

### 26 **RESOLUTION 6-04**

27 Overtures 6-25–27, 30–33 (*CW*, 334–37, 338–40)

28 WHEREAS, “But you are a chosen race, a royal priesthood, a holy nation, a people for his own possession, that you  
29 may proclaim the excellencies of him who called you out of darkness into his marvelous light” (1 Peter 2:9); and

30 WHEREAS, The 2018 Commission on Theology and Church Relations report (*The Royal Priesthood: Identity and*  
31 *Mission*, 38–39) reminds us of the blessings of the Priesthood of all Believers:

- 32 1. The Royal Priesthood is a biblical way to identify, teach and confess the “one, holy, catholic (Christian), and  
33 apostolic Church.” That is to say, the royal priesthood is all believers, “from every tribe and language and people  
34 and nation” whom God has made a kingdom and priests (Rev. 5:9–10) by working in them faith in Christ by the  
35 power of the Holy Spirit.
- 36 2. Individuals become priests of the royal priesthood, the Church, by the saving promises of Baptism into Christ,  
37 where we receive the washing of rebirth, the forgiveness of sins and the gift of the Holy Spirit (John 3:5; Acts  
38 2:38–39; Titus 3:5).
- 39 3. The royal priesthood finds its identity only in Christ, the Great High Priest and only mediator between God and  
40 man. Royal priests are in turn called to lives of priestly mediation between God and the world. They offer living  
41 sacrifices of thanksgiving—not sacrifices of merit or atonement. In prayer they intercede on behalf of all people.  
42 They make known the excellencies of God in Christ—sharing His Word, gifts and blessings with all nations. (See  
43 1 Tim. 2:5; Rom. 12:1; Phil. 4:6; 1 Peter 2:9.)
- 44 4. As the people of God, both corporately and individually, we mediate God’s truth of salvation and life to the world  
45 around us. Every individual believer is called to confess the faith to others since the mission of the whole church,  
46 that is, the entire royal priesthood, is to make disciples of all nations (Matt. 28:19–20). Members of the royal  
47 priesthood share in that calling as they give a defense for the hope that is within them in their daily lives (1 Peter  
48 3:15).



1 3.10.2.4 The LCMS laymen and commissioned ministers who ~~receive a Master of Divinity or equivalent degree from~~  
 2 ~~a non LCMS seminary may seek certification for call and placement in the Synod by participating in the~~  
 3 ~~Residential Alternate Route program of one of the seminaries of the Synod, if otherwise eligible for~~  
 4 ~~admission to the seminary~~ complete a program of study leading to ordination or its equivalent at a non-LCMS  
 5 seminary are not eligible for colloquy on that basis.

6 **To Support and Participate in Post-Seminary Applied Learning**  
 7 **and Support and *Preach the Word***

8 **RESOLUTION 6-06**

9 Overture 6-38 (*CW*, 342)

10 WHEREAS, The members of the Synod have agreed to and adopted the Synod’s Constitution and Bylaws that order  
 11 our life together in service of the Gospel; and

12 WHEREAS, “A district is the Synod itself performing the functions of the Synod” (Bylaw 4.1.1.1), as set forth in:

- 13 • Bylaw 1.3.2, “The Synod divides itself into districts and authorizes its districts to create circuits. The criteria for the  
 14 creation of districts and circuits are determined by the Synod in convention. Districts and circuits are included among  
 15 the component parts of the Synod.”
- 16 • Bylaw 1.3.4.1, “Members agree to uphold the confessional position of the Synod (Constitution Art. II) and to assist  
 17 in carrying out the objectives of the Synod (Constitution Art. III), which are objectives of the members themselves.”
- 18 • Bylaw 4.1.1, “The Synod is not merely an advisory body in relation to a district, but establishes districts in order  
 19 more effectively to achieve its objectives and carry on its activities.”
- 20 • Bylaw 4.1.1.1, “Resolutions of the Synod are binding upon the districts”; and

21 WHEREAS, District presidents shall represent the Synod in the district in which he was elected, as detailed in:

- 22 • LCMS Constitution Article XII 9 a, “[The district presidents] shall see to it that all resolutions of the Synod which  
 23 concern the districts are made known to the districts and are carried out by them.”
- 24 • Bylaw 4.4.2 (a), “He shall cause the resolutions of the Synod to be implemented in the district, encouraging the  
 25 congregations and schools to embrace the mission and ministry emphases adopted by the national convention for  
 26 the triennium.”
- 27 • Bylaw 4.4.4 (b), “In his official visits [the district president] shall seek to bring about to the greatest possible degree  
 28 the achievement of the Synod’s objectives as expressed in Article III of its Constitution.”
- 29 • Bylaw 5.2.3 (g), “[The circuit visitor] shall assist in the development and attainment of Synod-wide mission and  
 30 ministry emphases”; and

31 WHEREAS, Congregations and members of Synod commit themselves to the Constitution and Bylaws of Synod in our  
 32 life together as stated in:

- 33 • Bylaw 1.1.1, “Committed to a common confession and mission, congregations of The Lutheran Church—Missouri  
 34 Synod join with one another in the Synod to support one another and to work together in carrying out their commonly  
 35 adopted objectives.”
- 36 • Bylaw 1.3.1, “Individual Christians are joined together in a worshiping and serving community, the congregation.  
 37 Congregations, the basic units of the Synod, have joined together to form the Synod and relate to one another through  
 38 it.”
- 39 • Bylaw 1.3.4, “Congregations together establish the requirements of membership in the Synod (Constitution Art.  
 40 VI). In joining the Synod, congregations and other members obligate themselves to fulfill such requirements and to  
 41 diligently and earnestly promote the purposes of the Synod by word and deed.”
- 42 • Bylaw 1.3.4.1, “While congregations of the Synod are self-governing (Constitution Art. VII), they, and also  
 43 individual members, commit themselves as members of the Synod to act in accordance with the Constitution and  
 44 Bylaws of the Synod under which they have agreed to live and work together and which the congregations alone  
 45 have the authority to adopt or amend through conventions”; and

1 WHEREAS, Synod in convention has adopted resolutions that call for the encouragement, support, endorsement, and  
2 intentional, consistent usage of the following Synod initiatives and programs:

- 3 • Post-Seminary Applied Learning and Support (PALS). PALS helps a pastor and his wife transition from seminary  
4 into the first three years of his call (*lcms.org/how-we-serve/education/pastoral/post-seminary-applied-learning-*  
5 *and-support*)—in the Lutheran Church—Missouri Synod (LCMS) conventions taking place in 1998, 2013, 2016  
6 and 2019; and
- 7 • *Preach the Word. Preach the Word* helps pastors work together to improve their preaching through video modules  
8 with accompanying resources and by interacting with seminary professors and fellow preachers  
9 (*resources.lcms.org/preach-the-word/*)—in LCMS conventions taking place in 2016 and 2019;

10 therefore be it

11 *Resolved*, That all districts and district presidents carry out and implement PALS and *Preach the Word* in each  
12 respective district of the Synod and not replace these programs and initiatives with district substitutes; and be it further

13 *Resolved*, That all the Synod congregations and church workers be encouraged to support and participate in PALS  
14 and *Preach the Word* in our life together in service of the Gospel of Jesus Christ.

## 15 **To Recommend and Implement Rigorous Program of Study in Circuit *Winkels***

### 16 **RESOLUTION 6-07**

17 Overture 6-39 (*CW*, 343–44)

18 WHEREAS, The 67th Regular Convention of The Lutheran Church—Missouri Synod on July 24, 2019, adopted  
19 Resolution 6-04, “To Support, Encourage, and Expect Continuing Education for all Lutheran Church—Missouri Synod  
20 Pastors,” nearly unanimously and by voice vote (*Proceedings*, 160); and

21 WHEREAS, In the press of pastoral life, pastors often find it difficult to maintain a robust study of God’s Word and the  
22 teachings of Scripture—along with the necessary tools for that study—and the use of the biblical languages; and

23 WHEREAS, In the traditional Synod conference, the pastoral *Winkels* provided for:

- 24 • the regular, formal study of the Scriptures, led by pastors for pastors;
- 25 • the regular, formal study of the Lutheran Confessions and the Lutheran dogmatic tradition, led by pastors for pastors;
- 26 • the regular, formal study of illuminating historical issues and contemporary threats to the teaching of God’s Word  
27 and our blessed Lutheran Confessions, led by pastors for pastors;
- 28 • the regular, formal critique of the teaching and proclamation of the pastors in the *Winkel*;

29 and

30 WHEREAS, The traditional Synod conference *Winkel* model generates *koinonia* around the only thing that in Christ’s  
31 Church can create it—His Holy Word and our blessed Lutheran Confessions—but the absence of serious study of that  
32 Word and our Lutheran Confessions leads to the rupture of *koinonia*; therefore be it

33 *Resolved*, That the district presidents provide to all circuit visitors and pastors a template for monthly *Winkels* which  
34 provides significant time for:

- 35 • the regular, formal study of God’s Word in the original languages led by a circuit pastor;
- 36 • the regular, formal study of our blessed Lutheran Confessions and/or the Lutheran dogmatic tradition led by a circuit  
37 pastor;
- 38 • the regular, formal study of an historical, pastoral-theological, or polemical topic led by a circuit pastor;
- 39 • regular, formal pastor-led critique of the *Winkel* preacher’s sermon;

40 and be it further

41 *Resolved*, That the pastors of the district be encouraged to embrace the traditional Synod conference *Winkel* model  
42 and readily, gladly, and energetically to participate in it, for their own theological growth, to maintain the tools of theology  
43 in their midst, and to foster *koinonia* in their midst; and be it finally





## 7. UNIVERSITY EDUCATION

### To Recognize and Give Thanks for Work at Concordia College—New York

#### RESOLUTION 7-01

Overtures 7-24–25 (*CW*, 361–62)

WHEREAS, Concordia College—New York (CCNY) was founded in 1881 in what was the Eastern District and is now the Atlantic District when The Evangelical Lutheran Church and School of St. Matthew in Manhattan established a *Sexta* and *Quinta* at St. Matthew Academy, thereby beginning what would be called the “New York *Progymnasium*”; and

WHEREAS, CCNY (referred to as the “*Progymnasium*,” “Concordia *Progymnasium*,” and “Concordia Lutheran Collegiate Institute” before being known universally as “Concordia College”) relocated to the hamlet of Hawthorne, N.Y. on Buttermilk Hill before moving to its current location in the village of Bronxville, N.Y.; and

WHEREAS, CCNY not only has served the East Coast of the United States but people throughout the nation and around the world for over 140 years by giving all people access to quality Christian education and rigorous opportunities to pursue studies in the liberal arts whereby countless young people have been sent out to live their vocations in the name of Jesus; and

WHEREAS, CCNY has been a place for Lutherans and for others to gather for conventions, meetings, concerts, art events, sports events, and other activities for over a century; and

WHEREAS, There is a time for all endeavors of man, which blossom one day and wither the next like the flowers of the field, but the Word of the Lord and His work of salvation endure forever (Ecclesiastes 3; Isaiah 40; James 1); and

WHEREAS, CCNY ceased all academic operations at the end of the 2020–21 academic year but will continue to have great impact upon the Church through all who attended the college; and

WHEREAS, The closure of CCNY has left an enormous hole in the hearts of alumni, faculty, staff, friends, and the Atlantic District; therefore be it

*Resolved*, That we recognize, remember, and give thanks to God for the good and godly work the many alumni of CCNY have done and will continue to do in our congregations and communities; and be it further

*Resolved*, That we recognize, remember, and give thanks to God for all who provided care and support to the faculty and staff members of CCNY who were losing jobs due to the closure of the school; and be it finally

*Resolved*, That we give voice to our thanks and praise to God for working through CCNY, and pray His continued guidance, as we rise and sing the common doxology.

### To Honor and Give Thanks for Ministry of Concordia University, Portland

#### RESOLUTION 7-02

Overture 7-26 (*CW*, 362)

WHEREAS, Concordia University, Portland (CUP) served the mission of the Gospel in the Pacific Northwest for 115 years (1905–2020); and

WHEREAS, Many ministries across this nation and the world have been impacted by graduates from CUP and many individuals grew spiritually in conversion and/or renewal in faith toward Christ during their time at CUP; and

WHEREAS, The students benefited greatly from the dedicated faculty and staff who served them at the university; and

WHEREAS, CUP became a place where many people were introduced to the Gospel for the first time; therefore be it

*Resolved*, That the Synod in convention give thanks to God for the ministry of CUP—for the faculty and staff who gave of themselves to this ministry over the years; and be it further

*Resolved*, That the Synod in convention gratefully acknowledge the blessing that CUP was to our church and the spread of the Gospel of Jesus Christ; and be it further



- 1 • Bylaw 3.3.4.10 authorizes the Synod Board of Directors to obtain from any agency of the Synod all records and  
2 other information relative to the property of the Synod and to matters over which the Board of Directors has general  
3 oversight.
- 4 • That every board and every university of the Synod is an “agency” of the Synod as defined in Bylaw 1.2.1 (a).
- 5 • That every agency of the Synod is bound by the Constitution, Bylaws, and Resolutions of the Synod (Bylaw 1.4.5)  
6 and therefore any action taken by an agency which contradicts the Constitution, Bylaws, or resolutions of the Synod  
7 is null and void.
- 8 • That a Synod university which wishes to change its articles of incorporation or its bylaws is required to receive  
9 advance approval from the CCM under Bylaw 3.9.2.2.3 (a) and failure to do so makes any such change null and  
10 void and unable to be put into practice.
- 11 • That the boards of regents and individual members of the CUS universities have a fiduciary duty to the Synod under  
12 Bylaw 3.10.6.4 (i).
- 13 • That a board of regents of a CUS university does not have authority to unilaterally change its governance model  
14 from that described in Synod Bylaws or to unilaterally amend its articles or bylaws without prior approval.
- 15 • That any purported change to the bylaws or articles of incorporation of a CUS university made without the approval  
16 of the CCM is “null and void.”
- 17 • That individual members of a CUS university board of regents each have a duty to comply with the Synod  
18 Constitution Bylaws, and resolutions.

19 and

20 WHEREAS, Bylaw 3.9.2.2 (c) states that an opinion rendered by the CCM “shall be binding on the question decided  
21 unless and until it is overruled by a convention of the Synod”; and

22 WHEREAS, On April 4, 2023, the CTX BOR took action to affirm its illegitimate and wrongful purported separation;  
23 and

24 WHEREAS, Following the issuance of CCM Op. 23-3006, in a letter dated May 9, 2023, the Synod BOD, pursuant to  
25 its authority under Bylaw 3.3.4.10, as referenced in the CCM Opinion, requested information from the CTX BOR relating  
26 to the Synod BOD oversight responsibility; and

27 WHEREAS, In a letter from its chairman dated May 17, 2023, the CTX BOR refused to provide the information  
28 requested by the Synod BOD, asserting that CTX is not subject to the Bylaws; and

29 WHEREAS, The CTX BOR, the CTX president and certain CTX administrators have steadfastly refused to accept the  
30 advice and admonition of the President of the Synod, Synod BOD, and CUS BOD, and have overtly and directly defied  
31 the final and binding CCM Op. 23-3006; and

32 WHEREAS, Neither the CTX BOR nor any of its members nor the CTX president and administration have sought to  
33 overrule CCM Op. 23-3006; therefore be it

34 *Resolved*, That the Synod in convention affirm CCM Op. 23-3006 in its entirety; and be it further

35 *Resolved*, That the Synod in convention affirmatively conclude that the CTX BOR members who voted in favor of  
36 the April 4, 2023 action that affirmed the CTX BOR’s purported separation have acted in direct conflict with the  
37 Constitution and Bylaws, as well as CCM Op. 23-3006; and be it further

38 *Resolved*, That the Synod in convention affirmatively conclude that the CTX president and those CTX administrators  
39 who have advocated for and supported the purported separation have acted in direct conflict with the Constitution and  
40 Bylaws; and be it further

41 *Resolved*, That the Synod in convention encourage the appropriate ecclesiastical supervisors to investigate and to  
42 determine any appropriate disciplinary action that should be taken against the CTX president and any member of the CTX  
43 BOR who is a rostered church worker; and be it further

44 *Resolved*, That the Synod in convention encourage the President of the Synod, LCMS BOD, the CUS and its board,  
45 and the appropriate district presidents to take all appropriate actions to address this situation; and be it further



were ceased, to keep all of its institutions economically viable (institutions in Selma, Ala., Portland, Ore., and Bronxville, N.Y. having been lost to the Synod in the last five years) or to take on the scale of liabilities that could be expected to arise in connection with colleges and universities experiencing severe financial straits. Nor has the Synod the power to insulate them from the theological drift characteristic of religious colleges and universities across the country or from increasing uncertainties about viability of American colleges and universities, generally. Nor, finally, does the Synod have the flow of church vocation and other interested member congregation students or faculty to fill them at anything approximating their current scale. Their survival, flourishing, and usefulness to the church depend on the utmost performance by highly skilled and qualified governing bodies and administrations, committed to the institutions' purpose within the mission of the Synod.

- The uniqueness of our Concordias in an otherwise lost-at-sea higher education landscape, however, has radically increased. Gone are days when public schools advocated basic Judeo-Christian morality and moral principles, and secular society willingly supported Christian churches and schools and maintained Christian pro-life and sexuality standards. Today, churches and schools are left to contend with government and society increasingly antagonistic to Christianity, and the church's universities exist not only in competition with each other or with similar regional institutions but with the unique and valuable opportunity to offer a robust and compelling Christian *contrast* to their secular or *legacy* "Christian" counterparts. In a very real sense, what is "right" is also what "could work." That is to say, the viability and prospering, the "marketable brand" of each university is, in the long view, tied to its performance of a mission that is unique in the field of higher education—as a university that believes, teaches, and confesses the Word of God and the Lutheran Confessions.
- There is an opportunity—recognizing that our Concordias are not "legacy institutions" but are *institutions of the Church* devoted to faithfully serving the Church and their students as institutions of the Church in their new reality as somewhere between "critical mass" institutions, having enough Lutheran Church—Missouri Synod (LCMS) presence to largely serve the faithful while inviting others seeking what they provide to be immersed in that environment, and "mission" institutions, drawing faculty and staff to the extent possible from Synod and focusing more on delivering education to unchurched students than to the faithful and on intentionally engaging all students with the Gospel of Jesus Christ and its application to their vocations in family, church, and state. These simple facts have implications and shifting from a "broader" institution to a "narrower" one is an extremely challenging prospect. At the same time, a broader institution may be capable of having a broader mission impact if it can chart the challenging course of such an institution well.

This proposal aims to orient the Synod to continue vigorously in common confession and mission with her colleges and universities, providing opportunities for members of the Synod's congregations to attend and hold before the world high-quality and attractive schools that, both in teaching and campus life, faithfully adhere to and advocate the Holy Scripture and the doctrine and practice of the Synod (Constitution Article II). The crucial roles of boards of regents and university presidents are restated clearly, along with appropriate safeguards, and realistic lines of accountability are drawn. These roles will be equipped, empowered, and expected to exercise their duty to the congregations of the Synod (Const. Art. IV; Bylaws 1.2.1 [a], 1.4.5), as the governing bodies corporate of the several institutions (existing Bylaw 3.10.6.4 [i][1, 6]) and their executives, to do the work for which Synod has established the schools, including training professional church workers (Const. Art. III 3) and laity for service in the Evangelical Lutheran Church (Articles of Incorporation II d), and thoroughly educating and nurturing "others desiring a Christian liberal arts education" (Bylaw 3.6.6.1). At the same time, the complexity and sophistication of the individual schools is recognized, reducing administrative overhead and favoring coordinative and collaborative work that comes "from within" as a means of strengthening the individual institutions while extending their witness and collective influence.

Simply put, the proposal aims to continue thereby the Synod's efforts to uphold the relationship of the schools with its congregations and commending them to their students, while guiding the schools to build on the strength that differentiates them from every other university—the full and pure confession of a Jesus who is never "in the way" but in every sense is "the Way." The institutions will be guided to thrive, not just in any way, but in precisely that way that will sustain and increase their unique and indispensable contributions to the common mission of the Synod.

This proposal desires to build upon the hard and forward-looking work of the Concordia presidents in good standing, boards of regents, CUS Board, Synod Board of Directors (BOD), and 7-03 Committee, centered in the following shared convictions:

1. There is great promise and possibility in the Concordias, individually and collectively, maintaining a close two-way relationship and connection with the Synod through a formal governance structure; supporting the mission and goals of the Synod; strengthening Lutheran identity; accommodating as many congregation member students as possible; equipping *all* who attend with a Lutheran higher education that prepares them to be a blessing to

1 families, churches, communities, and workplaces; and starting to build a bridge between such students and the life  
2 of the Church.

- 3 2. There is also great promise and possibility in each of the Concordias working—each with unique influence and  
4 impact—in concert, called together by a Synod convener to seek cooperative and collaborative efforts and to  
5 support one another, aiming for a shared path forward with collective influence that expands rather than shrinks.
- 6 3. The viability and prospering of each university is, in the long view, tied to its performance of a mission that is  
7 unique in the field of higher education—as a university that believes, teaches, and confesses the Word of God and  
8 the Lutheran Confessions. As Dr. Luther wrote, “I greatly fear that the universities, unless they teach the Holy  
9 Scriptures diligently and impress them on the young students, are wide gates to hell” (“To the Christian Nobility  
10 of the German Nation concerning the Reform of the Christian Estate,” *Luther’s Works* 44:206–7; WA 6:462). This  
11 makes Synod visitation and ecclesiastical supervision—a formal expression of the rich visitation heritage of the  
12 Church—invaluable to each institution. As such, each of the Concordias shares a commitment, and welcomes  
13 support and accountability, in providing a higher education where the Scriptures are present and prevalent,  
14 offering to those within the church and beyond a compelling alternative to secular higher education.

15 The following proposed amendments to the CUS, reflecting these realities and hopes, have emerged from a series of recent  
16 Synod convention actions (2013 Res. 5-01A; 2016 Res. 7-02B; and 2019 Res. 7-03). The culminating 2019 convention  
17 action directed the Synod’s BOD—with active involvement of the President of the Synod; the CUS board, advisory  
18 council, and president; the institutions’ boards of regents; and others as needed—to propose a new governance plan for  
19 consideration and adoption by the 2023 convention. The process directed by 2019 Res. 7-03 required the concurrence of  
20 the CUS advisory council and the CUS BOD and a period of review and comment by the entire Synod, which took place  
21 between March and September 2021. The following plan—significantly revised by the university presidents and drafting  
22 committee while the *Workbook* was going to print—is presented in pursuit of a realistic, sustainable, and transparent  
23 framework, satisfying and acting upon the following objectives of the aforementioned resolutions, as summarized in 2019  
24 Res. 7-03, as summarized at the outset.

25 Each of the following seven sections (A–G) of the proposed governance plan is prefaced by a *rationale* section briefly  
26 relating the proposed changes to the above objectives. In response especially to the thrice-expressed (2013 Res. 5-01A;  
27 2016 Res. 7-02B; 2019 Res. 7-03) desire of the convention for materially *strengthened* connections with the Synod’s  
28 colleges and universities, detailed bylaws refocus the CUS on providing concrete mechanisms for continued evaluation  
29 and enhancement where the Synod’s strength most lies and where it most matters: confessional Lutheran identity and  
30 mission focus. At the same time, responding to the rationale for 2019 Res. 7-03, to the collective desire expressed by the  
31 several boards of regents, and to practical necessity, the following proposal aims, so far as an appropriate governance  
32 structure can, to foster and facilitate the coordination and collaboration that will help the institutions to succeed,  
33 individually and together—as schools committed to the church and her mission—in an increasingly challenging higher  
34 education environment.

### 35 A. TO REFOCUS CONCORDIA UNIVERSITY SYSTEM 36 AS ECCLESIASTICAL VISITOR

#### 37 Rationale

38 In keeping with the charge of 2019 Res. 7-03 to “review the overall governance of CUS and the boards of regents of the  
39 CUS institutions,” the interaction of the Synod, its President, BOD, CUS, and the various boards of regents was examined  
40 from the perspective of the “two kingdoms” in an attempt to be clear about who is responsible for which aspects of the  
41 schools’ governance and in what manner.

42 It is relatively easy to *distinguish* right-hand (doctrine, practice, ecclesial mission) and left-hand (business, property, legal)  
43 aspects of a university’s operation and to understand their different realms of Synod supervision and oversight. The two  
44 “hands” can hardly be *separated*, however, especially in the work of a board of regents. Of concern have been recent  
45 situations in which “left-hand” realities have overwhelmed the right hand’s ability to continue the mission, or “left-hand”  
46 powers and supposed obligations have distracted a board of regents from its right-hand obligations. To be sure, regents  
47 are responsible to keep the ship of their institution afloat (in a business, property, and legal sense)—but their work hardly  
48 ends there; they are charged much more to *steer* their ship in the direction of the church’s mission (doctrine, practice,  
49 ecclesial mission). A ship afloat but rudderless is as useless to the church as is a well-charted course for a sunken ship.  
50 Thus, as a Christian lives *in two* kingdoms but *as one* subject—entrusted at once with material gifts and human  
51 relationships, on the one hand, but also with the Word of God, on the other—so these two spheres meet in the board of  
52 regents of a Synod university. Subject to the Constitution and Bylaws of the Synod, the ultimate responsibility and  
53 independence in operating the institution lie with these regents (2019 Bylaw 3.10.6.4 [i][6]; 3.10.6.5).

1 Helping the ships of our schools successfully navigate the challenging seas, these days, for universities of any stripe except  
 2 those with massive endowments while maintaining their freedom to maneuver on the church's charted course is a grand  
 3 challenge for each board of regents. They need agility to marshal their institutions' material resources for mission. They  
 4 need to be accountable to the Synod in two distinct ways: first, that they chart, in doctrinal, practical, and mission terms,  
 5 the right course; second, that they marshal their material resources properly to perform that task, without undue worldly  
 6 entanglements, and in the long term. Consideration of the "right-hand" realm and "left hand" realm are both absolutely  
 7 necessary but each calls for different gifts and approaches.

8 Proposed is moderate and focused change to CUS, *not* to introduce or enhance mechanisms by which it directs the  
 9 universities or to involve it in their kingdom-of-the-left business decisions, but to *focus and enhance* the Synod's effort in  
 10 the guidance, encouragement, and provision of accountability for the schools' accomplishment of their churchly purpose.  
 11 "Left-hand" responsibility of Synod's BOD under Constitution Article XI E 2 remains (see Section C below). The BOD  
 12 has in its members, in its Chief Financial Officer, and in other experts available for its use, the requisite gifts and expertise  
 13 to carry out its responsibilities relative to "property of the Synod." Mechanisms for what were always the chief aims of  
 14 CUS must be sustained and strengthened, namely, to set forth and realize a vision for the schools' role in the mission of  
 15 the Synod, in pursuit of which CUS has worked with them to establish Lutheran Identity Standards for CUS Institutions  
 16 (2016 Res. 7-01A, *Proceedings*, 171–72) and to advocate the schools' provision of church workers and preeminently and  
 17 pervasively *Lutheran* higher education programs and campuses.

18 Section B, below, elaborates the process of visitation and affirmation by which, chiefly, CUS will guide institutions in the  
 19 way of expressing *Lutheran identity* in all spheres of university life and accomplishing the Synod's *mission outcomes*,  
 20 including bold confession (Const. Art. III 1–2), quality Christian education (Const. Art. III 5), and preparation of church  
 21 workers (Const. Art. III 3) and others (Art. Inc. II d) for exemplary service in family, church, and state. This process falls  
 22 squarely within the churchly tradition of *visitation and ecclesiastical supervision* (cf. Bylaws 1.2.1 [j]; 3.3.1.1.1; 3.3.1.2;  
 23 Const. Art. XII 7) as a means of accountability of the Synod's colleges and universities, under the Scriptures and Lutheran  
 24 Confessions, to the whole Synod. CUS, acting in concert with the existing Committee for Convention Nominations, will  
 25 also have an active role in commending highly qualified potential regents for election and appointment to these boards.  
 26 The boards of regents themselves are dealt with in Section D, further below.

27 The function of CUS has changed and will further change to one of Synod theological oversight and coordination. Business  
 28 and property roles will largely cease and the corporate structure of CUS as a synodwide corporate entity is simplified.

## 29 **Proposed Action**

30 Therefore be it

31 *Resolved*, That existing Bylaws 3.6.6.4–8, regarding the CUS, be deleted, their content being superseded by the  
 32 following new bylaws; and be it further

33 *Resolved*, That Bylaws 3.6.6 and following, regarding the CUS, be revised as follows:

### 34 PRESENT/PROPOSED WORDING

#### 35 ***Concordia University System***

36 3.6.6 Concordia University System, as a nonprofit corporation under the laws of the State of Missouri, ~~is operated~~  
 37 ~~by its members and board of directors in accordance with~~ is incorporated as provided in its Articles of  
 38 Incorporation and corporate Bylaws to facilitate ecclesiastical visitation and affirmation of the Synod's  
 39 colleges and universities (Bylaw 3.10.6 and following) and to assist with their cooperation and coordination  
 40 ~~further the objectives of higher education within the Synod. Any amendments to these Articles of~~  
 41 ~~Incorporation shall be subject to approval by the members. It shall seek to assist them with effective and~~  
 42 accountable:

- 43 • preparation of commissioned ministers for service in the Synod and of pre-seminary students for  
 44 study at a Synod seminary;
- 45 • raising up of Lutheran laypersons for life-long, faithful service to Christ and the neighbor; and
- 46 • robust, intentional engagement of all students with the faith taught and practiced, with application to  
 47 their vocations in family, church, and state.

48 3.6.6.1 ~~The Board of Directors of the Concordia University System has authority with respect to the Synod's colleges~~  
 49 ~~and universities. It shall have the overall responsibility to provide for the education of pre-seminary students,~~  
 50 ~~ministers of religion—commissioned, and others desiring a Christian liberal arts education by facilitating~~  
 51 ~~prior approval as set forth in Bylaw 3.10.6.7.3 for theology appointments to college/university faculties and~~



1 by coordinating the activities of the Synod's colleges and universities as a unified system of the Synod  
2 through their respective boards of regents.

3 ~~3.6.6.2~~ The members of Concordia University System shall consist of the Synod and the colleges and universities of  
4 the Synod. The Board of Directors of the Synod and the Council of Presidents of the Synod each shall appoint  
5 delegates representing the Synod. The boards of regents of the colleges and universities of the Synod shall  
6 appoint delegates representing the colleges and universities. The numbers of delegates appointed by the  
7 Board of Directors of the Synod, the Council of Presidents, and the boards of regents shall be established by  
8 the Articles of Incorporation and Bylaws of Concordia University System.

9 3.6.6.1 The Concordia University System Board of Directors shall:

10 (a) define, after input from the Institution Advisory Council, and adopt the Lutheran Identity and  
11 Mission Outcomes Standards ("Standards," Bylaw 3.6.6.4), which shall be the basis of Synod visitation  
12 of Synod colleges and universities, including each of their church worker preparation programs; and  
13 maintain policies governing, and supervise the performance of, such Synod visitation (Bylaws 3.6.6.4  
14 and following), which shall focus on support and accountability for maintaining and strengthening  
15 Lutheran identity. Consistent with the Standards, the Concordia University System shall ensure that each  
16 institution receives:

17 (1) regular ecclesiastical and fraternal counsel and encouragement through annual, informal  
18 visitation that involves free exchange among peers;

19 (2) in-depth ecclesiastical formal visitation and reporting (including affirmation, commendations,  
20 cautions, and recommendations for improvement; Bylaw 3.6.6.4) at least once every three years;

21 (b) review and approve new implementations of and discontinuance, whether actual or constructive, of  
22 programs of study leading to professional church work in the interest of the institution(s) and the Synod;

23 (c) facilitate, together with respective boards of regents, the processes of president selection (Bylaw  
24 3.10.6.8.2) and prior approval for appointments to theology faculties of Synod colleges and universities  
25 (Bylaw 3.10.6.9.2); [bylaws as renumbered pursuant to amendments that follow]

26 (d) create and maintain a *Model Operating Procedures Manual for Faculty and Administration*  
27 *Complaints and Appeal of Termination: Colleges and Universities*, subject to approval by the  
28 Commission on Constitutional Matters, regarding the handling of faculty and staff complaints and  
29 dispute resolution by college/university boards of regents, to include notification of any relevant  
30 ecclesiastical supervisor, and monitor compliance with such;

31 (e) monitor, inquire into, and report to the President of the Synod regarding the ongoing faithfulness of  
32 Synod's colleges and universities to the doctrine, practice, and objectives of the Constitution of the  
33 Synod (Const. Art. II and III);

34 (f) monitor—after input from the Office of National Mission; the Department of Rosters, Statistics, and  
35 Research Services; the Council of Presidents; and the Synod's seminaries—and report to the Synod on  
36 the enrollment, graduation, placement, and retention rates in programs leading to candidacy for  
37 commissioned ministry or to seminary enrollment and advise the schools on the Synod's worker needs  
38 and opportunities for coordination;

39 (g) receive, revise, and recommend to conventions of the Synod for approval any proposals for creating,  
40 essentially revising, or renaming programs of study and certification for commissioned ministry;

41 (h) in addition to providing its own report, review and respond in each Synod convention *Workbook* to  
42 a detailed triennial strategic report prepared by the Institution Advisory Council, summarizing the state  
43 of and outlook for church worker preparation and confessional Lutheran lay education, campus and  
44 ethos;

45 *Assistive and coordinative roles:*

46 (i) assist the Synod and its colleges and universities in articulating and advancing the schools' unified  
47 public confession and application of the church's doctrine and practice, and, in coordination with the  
48 Board of Directors of the Synod, assist in advancing the common defense of their rights to the free  
49 exercise of our confession under the Constitution of the United States and other applicable laws;

50 (j) develop and administer, on behalf of the Synod and subject to policies of the Board of Directors of  
51 the Synod, financial resources designated to assist the schools in their pursuit of the Standards, in  
52 strengthening of churchly identity and in their achievement of mission outcomes;

53 (k) regularly convene the college and university presidents and, as needed, other leadership to facilitate  
54 the schools' coordination, cooperation, and consolidation of operations, in part or in whole, wherever  
55 prudent and practically feasible, while not itself assuming any operational or financial responsibility for  
56 such efforts;

(l) after input from the President and Secretary of the Synod, the Institution Advisory Council, and the boards of regents of Synod colleges and universities, serve as a resource for the recruitment of highly and variously qualified potential regents, offering in nomination (e.g., as in Bylaw 3.12.3.4 [c]) and suggesting for appointment those suitably qualified;

(m) serve as a resource for regents' development of and mandatory training in governance skills, especially as they relate to the carrying out of the mission of the Synod's colleges and universities within the mission of the church, and foster regents' growth in aspects of governance related to the expectations of the Standards;

(n) serve as a resource for the development of lists of potential teaching and administrative personnel;

(o) together with districts, congregations, local boards of regents, and national efforts, promote student recruitment for both professional church work and lay higher education; and

(p) participate with the Board of Directors, Council of Presidents, and respective board(s) of regents, in determinations to consolidate, relocate, separate, or divest a college or university (Bylaw 3.10.6.5).

3.6.6.32 The Board of Directors of the Concordia University System shall be composed of ~~nineteen~~ voting members and ~~five~~<sup>six</sup> nonvoting members (no more than two members elected by the Synod shall be from the same district, ~~and no executive, faculty member, or staff member from a Lutheran institution of higher education may serve on the Board of Directors of Concordia University System as a voting member and no voting member shall be a regent, executive, faculty member, as defined in Bylaw 1.5.1.1, of a Synod college or university~~):

*Voting Members:*

1. Two ministers of religion—ordained elected by the Synod
2. One minister of religion—commissioned elected by the Synod
3. Two laypersons elected by the Synod
4. ~~Three~~<sup>Four</sup> laypersons appointed by the ~~delegates of the members of Concordia University System~~ elected members listed above, after consultation with the President of the Synod and the Institution Advisory Council; at least two of the four must have background experience in higher education administration or accreditation
5. The President of the Synod or his representative

*Nonvoting Advisory Members:*

1. ~~A~~<sup>One</sup> district president appointed by the Council of Presidents
2. ~~Up to two persons appointed by~~ One representative designated by the Board of Directors of the Synod
3. One representative designated by the Commission on Theology and Church Relations
4. ~~The~~ Chief Mission Officer of the Synod or his representative
5. One university president appointed by the Concordia University System Advisory Council who is designated by, and is a member of, the Institution Advisory Council, and whose institution is in good standing, as defined in Bylaw 3.6.6.4.1 (e)
6. One university board of regents chair who is designated by the Institution Advisory Council and whose institution is a college or university presently in good standing, as defined in Bylaw 3.6.6.4.1 e).

The advisory university president and university board of regents chair shall be drawn from different institutions. Neither the advisory university president nor the advisory board of regents chair shall participate in the work or the sessions of the board as they relate to the ecclesiastical visitation of any individual college or university.

3.6.6.2.1 Persons elected or appointed to the Concordia University System Board of Directors should have demonstrated familiarity with and support of ~~the institutions—Synod colleges and universities, and~~ shall strongly and demonstrably articulate and support the confession and doctrinal positions of the Synod, and shall ~~possess~~ have demonstrated a high degree of two or more of the following qualifications or background experiences: theological acumen, an advanced degree, experience in higher education administration, higher education accreditation, professional church worker education, administration of or legal counsel to complex organizations, finance, religious non-profit law, higher education law, investments, technology, human resources, facilities management, or fund development or the strengthening of the mission of the Synod's congregations and schools. The ~~Chief Administrative Officer—~~President of the Synod (or a designee) and the Secretary of the Synod (or a designee) shall review and verify that nominees are qualified to serve as stated above.

3.6.6.3 The presidents (including interim presidents) of Synod's colleges and universities in good standing shall, along with two non-voting members designated by the Concordia University System Board of Directors,

1 comprise the Concordia University System Institution Advisory Council. The Institution Advisory Council  
 2 shall, as specified elsewhere in these bylaws and upon request, provide advice, consultation and access to  
 3 information as necessary to facilitate Concordia University System ecclesiastical review, on the Synod's  
 4 behalf, of the schools' Lutheran identity and mission outcomes under the Standards (Bylaw 3.6.6.1). It shall  
 5 also, as bylaws elsewhere specify and upon request, advise Concordia University System in its  
 6 responsibilities as they relate to programs leading to candidacy for commissioned ministry and to seminary  
 7 enrollment.

8 and be it further

9 *Resolved*, That Bylaws 3.12.3.5 (e–f) and 3.12.3.7 (c) be amended as follows:

10 PRESENT/PROPOSED WORDING

11 3.12.3.5 The first meeting of the Committee for Convention Nominations shall be at the call of the Secretary of the  
 12 Synod at least six months prior to the convention of the Synod.

13 ...

14 (e) In the case of the boards of regents of educational institutions of the Synod, the committee shall  
 15 consult with the President of the Synod, the Board of Directors of the Synod ~~or~~ the Board of Directors  
 16 of Concordia University System, and the presidents and chairs of the institutions' boards of regents and  
 17 receive their input for the committee's consideration. The President of Concordia University System (or  
 18 a designee) and the Secretary of the Synod (or a designee) shall review and verify that nominees are  
 19 qualified as stated in Bylaw 3.10.6.2 (8). Only those nominees whose qualifications have been verified  
 20 as described in Bylaw 3.10.6.2.1 shall be considered to be eligible for selection as candidates for  
 21 subsequent election.

22 (f) ~~The Committee for Convention Nominations Secretary of the Synod~~ shall establish and maintain a  
 23 procedure to generate and publish in advance of the convention ~~a~~ lists of names from all who have been  
 24 nominated for Synod boards and commissions who meet the qualifications (as certified under Bylaws  
 25 3.10.6.2-~~8~~1 and 3.6.6-~~3~~2.1) to serve (1) on a ~~Concordia University System~~ board of regents of a Synod  
 26 college or university or (2) on the Concordia University System Board of Directors. Information on such  
 27 nominees shall be shared with the Concordia University System Board of Directors for use throughout  
 28 the following triennium as it appoints further members and assists the districts and Synod colleges and  
 29 universities, respectively, in identifying potential regents for election and appointment.

30 ...

31 3.12.3.7 The chairman of the Committee for Convention Nominations shall submit the committee's report in person  
 32 to the convention at one of its earliest sessions and shall facilitate the amendment of the slate from the floor.

33 ...

34 (c) Such floor nominations may only be made from the list of names which have previously been offered  
 35 to the Committee for Convention Nominations prior to the final deadline for the submission of  
 36 nominations, unless the convention shall otherwise order by a simple majority vote. ~~The President of~~  
 37 ~~Concordia University System (or a designee) and the Secretary of the Synod (or a designee) shall verify~~  
 38 ~~that all floor nominees to serve as a member of a Concordia University System board of regents possess~~  
 39 ~~qualifications as stated in Bylaw 3.10.6.2 (8). The qualifications of floor nominees for boards of regents~~  
 40 of Synod colleges and universities shall be verified as provided in Bylaw 3.10.6.2.1. The Chief  
 41 ~~Administrative Officer~~ President of the Synod (or a designee) and the Secretary of the Synod (or a  
 42 designee) shall review and verify that all floor nominees to serve as a member of the Concordia  
 43 University System Board of Directors possess qualifications as stated in Bylaw 3.6.6-~~3~~2.1.

44 ...

45 and be it further

46 *Resolved*, That the Secretary of the Synod, in consultation with the Standing Committee on Nominations, the CUS  
 47 BOD and Institution Advisory Council, and Synod BOD, be directed to prepare specific forms for nomination of regents  
 48 and CUS directors, whether elected or appointed, that require detailed elaboration of subject matter qualifications as  
 49 indicated in Bylaws 3.6.6.2.1 and 3.10.6.2.1, which forms shall be used in each election or appointment process; and be it  
 50 further

51 *Resolved*, That the CUS BOD, in consultation with legal counsel, draft new governing documents for CUS to bring it  
 52 into compliance with the above and with all other applicable bylaws and present them, as soon as practically feasible and  
 53 in the interest of the Synod, for adoption subject to Bylaw 3.6.1.7; and be it finally



## PRESENT/PROPOSED WORDING

Lutheran Identity and Mission Outcomes Standards, Ecclesiastical Visitation

3.6.6.4 The Concordia University System Board of Directors shall, after input from its Institution Advisory Council, define and adopt the Lutheran Identity and Mission Outcomes Standards (“Standards”), a regularly published policy document containing standards for ecclesiastical visitation and affirmation of institutions and of programs leading to candidacy for commissioned ministry or to preparedness for seminary study.

(a) The Standards shall express the Synod’s expectations for its college or university, including fidelity of campus curriculum and culture intended to propagate the faith, strong theology and campus ministry programs having positive and intentional interaction with the entire faculty and student population and with all curricular programs, and success in preparation of church workers for the Synod and of Lutheran laypeople for distinctively faithful lives of service to church and neighbor and in conveying to all students a clear understanding of the essentials of the faith, generally and in specific relation to their particular vocations.

(b) The Standards shall be elaborated to support both formative and summative functions. They shall engender local development and provide for outside monitoring of formative processes, engaging all institutions fully in intentional and measurable programs intended to advance their expression of Lutheran identity and accomplishment of mission outcomes. They shall also enable the drawing of summative conclusions, concretely identifying strengths and weaknesses in institutions and programs, ultimately to provide clear rationale for decisions about continuation or termination of affirmation.

(c) In addition to the standards with institution-wide applicability, the Concordia University System shall develop and maintain supplemental program standards specific to each type of program intended to result in candidacy for one of the Synod’s categories of commissioned ministry or in preparedness for seminary study. Such program standards shall specify, for example, the instructional and practical curricular requirements expected to be satisfactorily completed prior to qualification for first call or for granting of credit by a seminary for pre-seminary studies. The Concordia University System shall develop pre-seminary curricular standards after input from the seminaries of the Synod.

(d) The Standards shall be made publicly available on the Synod’s website and as otherwise determined by Concordia University System.

3.6.6.4.1 Synod colleges and universities shall undergo Synod visitation with respect to the Lutheran Identity and Mission Outcomes Standards, both comprehensively as institutions and with regard to the specific requirements of each implemented program intended to result in candidacy for one of the Synod’s categories of commissioned ministry or in preparedness for seminary study.

(a) Ordinarily each college or university shall receive a formal institutional and program visitation at least once in each Synod national convention cycle. These regular, formal visitations shall attend to both formative and summative elements, evaluating present performance relative to the Standards but also fostering, monitoring, and advancing initiatives in pursuit of the Standards. A focused review of a specific alleged breach of the Standards, however, may be initiated by Concordia University System at any time.

(b) Concordia University System may, if a regular or focused review finds that an institution or program is at risk of not fulfilling the Standards, place the institution or program under a notice of concern, which may, at Concordia University System’s option, be made public. Concordia University System may lift the notice at any time it determines the risk has been satisfactorily addressed.

(c) Concordia University System may, upon finding an institution to be in breach of the Standards, either on the basis of a regular visitation report or a focused review, place the institution on probation for up to a two-year period. If Concordia University System determines that substantial progress has been made and that verifiable plans and resources are in place to bring the institution into compliance, then Concordia University System may extend probation once for two years and once for one year, but to no more than five years total. Concordia University System may lift the probation earlier if the institution is brought into compliance. An institution not in compliance at the conclusion of the probationary period is no longer affirmed by the Synod, can no longer declare graduates qualified for placement, and is no longer commended by Concordia University System to the church.

(d) Concordia University System may, upon finding a church work preparation program to be in breach of the Standards, either on the basis of a regular visitation report or of a focused review, place the program on probation for up to a one-year period. If Concordia University System determines that substantial progress has been made and that verifiable plans and resources are in place to bring the program into compliance, then Concordia University System may extend probation twice, each

1 extension by up to one year, but to no more than three years total. Concordia University System may lift  
 2 probation earlier if the program is brought into compliance. A program not in compliance at the  
 3 conclusion of the probationary period is no longer affirmed by the Synod and therefore its graduates  
 4 cannot be declared as qualified for initial placement and the program cannot be commended or  
 5 acknowledged as a suitable program of pre-seminary preparation.

6 (e) An institution or program under probationary affirmation is not “in good standing with the Synod”  
 7 for purposes of these Bylaws.

8 3.6.6.4.2 After input from its Institution Advisory Council, the Concordia University System Board of Directors shall  
 9 implement and maintain policies governing, and shall supervise, the process of formal visitation for the  
 10 Synod’s colleges and universities on the basis of the Lutheran Identity and Mission Outcomes Standards.

11 (a) In preparation for visitation and affirmation review, each institution and church work program shall  
 12 provide, on the basis of a thorough self-study, a written report evidencing compliance with the criteria  
 13 and core components of the Standards, as evaluated by the stated measurable factors, as well as  
 14 indicating any relevant explanatory factors and initiated or planned efforts to improve specific aspects  
 15 of performance relative to the Standards. It shall especially address any issues noted in previous reviews  
 16 or specifically requested by Concordia University System. The self-study shall be delivered to and  
 17 reviewed by Concordia University System.

18 (b) A visitation team, assembled by Concordia University System upon review of the self-study report  
 19 or recommendation of its Institution Advisory Council, shall itself review the self-study report and then  
 20 visit the institution, interacting with its board of regents, administration, faculty, campus ministry staff,  
 21 and students. An effective visitation, with broad and unimpeded access to campus program information,  
 22 policies, and personnel, shall be facilitated by the institution. Each implemented or proposed church  
 23 work and pre-seminary program shall receive specific attention.

24 (c) The visitation team shall prepare a report of its visit and associated findings, which it shall provide  
 25 to Concordia University System and the institution within 60 days of the conclusion of the visit. After  
 26 allowing 60 days for the institution to respond in writing to the team’s report, Concordia University  
 27 System shall, with regard to the institution and each of its implemented or proposed church work  
 28 programs: (1) affirm without concerns; or (2) affirm with concerns (notice); or (3) place the institution  
 29 or program on probation; or (4) disaffirm, in the case of an initial application, or initiate withdrawal of  
 30 affirmation; or (5) initiate further investigation, with the same or a new visitation team.

31 (d) The institution reviewed may within 30 days of being notified of Concordia University System’s  
 32 visitation determination(s) submit a written appeal and/or response to Concordia University System’s  
 33 determination. Once Concordia University System has, within 30 days of its receipt, considered and  
 34 acted upon any such appeal, its determination is final and not subject to further appeal.

35 (e) Within the above 30-day period for request of an appeal or within seven days of receipt of Concordia  
 36 University System’s negative action on a requested appeal, an institution may state a corrective action  
 37 plan and request Concordia University System, acting in its sole discretion, to grant a delay of up to six  
 38 months in the publication of a negative visitation result to allow initiation of the plan. Concordia  
 39 University System may at its option require a summary of the action plan, composed by the institution  
 40 and approved by Concordia University System, to be published with any revised visitation outcome.

41 (f) At the conclusion of the above, the visitation status of each institution and its programs, together  
 42 with summary reports of visitation reviews, any imposition(s) of notice or probation, and any  
 43 withdrawal(s) of affirmation, shall be timely made available to the Synod through a publicly accessible  
 44 website. The information presented shall be of a depth and character that would allow members of the  
 45 Synod to evaluate the churchly character, relative value, and mission effectiveness of each institution  
 46 and program, and to understand concretely the steps being taken to improve the same.

47 (g) Visitation teams, composed of members of member congregations of the Synod and assembled and  
 48 organized by Concordia University System, shall include representation from peer boards of regents,  
 49 administrations, and faculties, and a district president having ecclesiastical supervision of peer institution  
 50 faculty, all with demonstrated excellence in advancing and achieving the Standards. It shall also include  
 51 representation drawn from the member congregations and ministerium of the Synod and representative  
 52 of their interests in the institutions. The Institution Advisory Council, the Council of Presidents, the  
 53 Board for National Mission, the Synod Board of Directors, members of the Concordia University System  
 54 Board of Directors, and President of the Synod may nominate visitors.

55 (h) An institution receiving a visitation team shall be notified in advance of the membership of the team.  
 56 Either the institution or any member of such a team may challenge the participation of any member on  
 57 the basis of actual partiality or the appearance thereof. Concordia University System shall have in place

1 a procedure for responding to any such challenge within 30 days. A finding by Concordia University  
 2 System of actual partiality or the appearance thereof shall disqualify the member from participating in  
 3 the visitation. Concordia University System may at its option replace any member so disqualified or  
 4 continue with the reduced visitation team.

5 (i) Concordia University System, with the assistance of its Institution Advisory Council, shall provide  
 6 training for members of visitation teams, according to policies established by Concordia University  
 7 System.

8 (j) Direct costs of the visitation process shall be borne by the institution visited, regulated according to  
 9 a schedule devised, after input from the Institution Advisory Council, and published triennially by  
 10 Concordia University System.

11 and be it further

12 *Resolved*, That Bylaws 3.3.1.1.1 (c) and 3.3.1.2 (a) be amended to clarify the relationship of the President's official  
 13 visitation with that of CUS as follows:

14 **PRESENT/PROPOSED WORDING**

15 *Powers and Duties – Ecclesiastical*

16 3.3.1.1 As the chief ecclesiastical officer of the Synod, the President shall supervise the doctrine taught and practiced  
 17 in the Synod, including all synodwide corporate entities.

18 3.3.1.1.1 The President of the Synod has ecclesiastical supervision of all officers of the Synod and its agencies, the  
 19 individual districts of the Synod, and all district presidents.

20 ...

21 (c) He shall at regular intervals officially visit or cause to be visited all the educational institutions of  
 22 the Synod to exercise supervision over the doctrine taught and practiced in those institutions.

23 (1) With regard to Synod's colleges and universities, regular visitation shall be conducted through  
 24 the Concordia University System as described in Bylaw 3.6.6.4 and following.

25 (2) He may in addition and at any time specially visit or cause to be visited any educational  
 26 institution of the Synod to exercise his ecclesiastical supervision.

27 (3) He shall call up for review any action by the respective board of regents, administration, faculty,  
 28 or institution that, in his view, may be contrary to the doctrine and practice of the Synod and, if he  
 29 deems appropriate, he shall request that such action be altered or reversed.

30 ...

31 *Powers and Duties – Administrative*

32 3.3.1.2 The President shall oversee the activities of all officers, executives, and agencies of the Synod to see to it  
 33 that they are acting in accordance with the Constitution, Bylaws, and resolutions of the Synod.

34 (a) He shall at regular intervals officially visit or cause to be visited all the educational institutions of  
 35 the Synod and thereby exercise oversight over their administration as it relates to adherence to the  
 36 Constitution, Bylaws, and resolutions of the Synod.

37 (1) With regard to Synod's colleges and universities, regular visitation shall be conducted through  
 38 the Concordia University System as described in Bylaw 3.6.6.4 and following.

39 (2) He may in addition and at any time specially visit or cause to be visited any educational  
 40 institution of the Synod to exercise his ecclesiastical supervision.

41 ...

42 and be it further

43 *Resolved*, That CUS shall, no later than Sept. 1, 2024, on the basis of the Lutheran Identity Statement adopted in in  
 44 2016 Res. 7-01A and draft materials presented to the convention (see Report LR69, *TB*, 1:40–47) and after input from its  
 45 Institution Advisory Council, release the first operational edition of the institutional Lutheran Identity and Mission  
 46 Outcomes Standards; and be it further

47 *Resolved*, That CUS shall, no later than Sept. 1, 2024, after input from its Institution Advisory Council, release the  
 48 first edition of uniform standards for the commissioned ministry and pre-seminary programs offered by Synod colleges  
 49 and universities; and be it further

50 *Resolved*, That Synod affirmation be granted herewith to the Concordia universities and their presently-approved  
 51 ministry programs, with a summary of the report of the first visitation and reaffirmation process for each institution and  
 52 program to be prepared and available to the Synod not later than 20 weeks prior to its 2026 convention; and be it further

1        *Resolved*, That the CUS and its universities be instructed to make every effort to complete the process of development,  
2 reaffirmation, and reporting as scheduled, with the understanding that the initial implementation is the first step in a  
3 developmental process; and be it further

4        *Resolved*, That in order to account for the possibility that a school or church work program could be disaffirmed as  
5 the result of a negative visitation, Bylaws 2.8.1–2 be amended as follows to become Bylaws 2.8.1–4 (including the division  
6 of existing Bylaw 2.8.2 into Bylaws 2.8.2–2.8.3 and the addition of Bylaw 2.8.4) to clarify that only LCMS faculty of  
7 colleges and universities currently affirmed by the Synod have the authority to declare church workers qualified for  
8 rostered service within the Synod, and then only within programs so affirmed by the Synod:

9        ~~PRESENT~~/PROPOSED WORDING

10    2.8.1        Candidates shall be declared qualified for first calls.

11                (a) They are those who before the effective date of the first calls will have satisfactorily completed the  
12 prescribed courses of studies and will have received diplomas from their respective ~~educational~~  
13 ~~institutions-seminaries~~ of the Synod or in Synod-affirmed programs of colleges or universities of the  
14 Synod, or have fulfilled the requisites of a colloquy or other approved education program of the Synod  
15 (Bylaws 2.7.2 and 2.7.3).

16                ...

17    2.8.2        It shall be the responsibility of the Synod’s colloquy committees or, subject to the policies of the Colloquy  
18 Committee for Commissioned Ministry and within programs for which their respective institutions are  
19 currently affirmed by the Synod, the faculties of ~~educational institutions of the Synod~~ Synod colleges and  
20 universities to declare colloquy candidates qualified for first calls.

21    2.8.3        For purposes of declaring candidates qualified for placement and recommending them for membership in the  
22 Synod, the Synod considers ~~the such a “faculty” of an educational institution~~ to be defined as follows:

23                (a) Seminaries: all full-time faculty members who are in good standing on the Synod’s roster of ordained  
24 ministers.

25                (b) Colleges and universities: all full-time faculty members who are in good standing as individual  
26 members of the Synod or are members in good standing of a member congregation of The Lutheran  
27 Church—Missouri Synod.

28    2.8.4        Only faculties of such Synod colleges and universities as are currently affirmed by the Concordia University  
29 System may declare qualified and recommend candidates for first calls, and each of these, only with regard  
30 to programs leading to candidacy for commissioned ministry (Bylaw 2.6.1.1) for which it is specifically and  
31 currently affirmed by Concordia University System.

32    2.8.4.1      A graduate of such a program that was affirmed by Concordia University System at the time of matriculation  
33 but no longer affirmed at the time of qualification for a first call may apply to the Colloquy Committee for  
34 Commissioned Ministry for examination, any necessary remediation, and certification. The institution  
35 offering such a program shall share records with the Colloquy Committee as necessary to assess the  
36 candidate’s preparation and fitness for commissioned ministry.

37 and be it further

38        *Resolved*, That Bylaw 2.9.1 be amended as follows (subparagraphs [a] and [b] remaining unchanged):

39        ~~PRESENT~~/PROPOSED WORDING

40    2.9.1        The Council of Presidents, acting as the Board of Assignments, shall regularly assign to qualified graduates  
41 of ~~educational institutions of the Synod~~ seminaries and Synod-affirmed programs of Synod colleges and  
42 universities, and to workers available from colloquy programs, as “first calls” those calls that have been duly  
43 extended to fill active member positions as identified in Bylaw 2.11.1 for ordained and commissioned  
44 ministers if positions for which candidates are qualified are available.

45                ...

46 and be it finally

47        *Resolved*, That Bylaws 3.10.3.1–2, establishing the membership and function of the Colloquy Committee for  
48 Commissioned Ministry, be amended as follows, and Bylaw 3.10.3.3 be added as follows, to reflect the new relation of  
49 the Synod and the schools:

50        ~~PRESENT~~/PROPOSED WORDING

51    3.10.3.1      The Colloquy Committee for Commissioned Ministry shall consist of the First Vice-President of the Synod  
52 as chairman, a representative of Concordia University System, and two ~~college/university~~ presidents of



1 ~~affirmed colleges or universities of the Synod that operate a program or programs that are affirmed by the~~  
 2 ~~Synod to qualify graduates for commissioned ministry appointed by the President of the Synod, two~~  
 3 ~~Concordia University System and three faculty members of the same, who are involved in colloquy and~~  
 4 ~~appointed by the president of Concordia University System, and one representative from CUEnet.~~

5 3.10.3.2 The committee shall direct the Synod's activity in matters of colloquies for commissioned ministers.

6 (a) The committee shall ~~oversee~~ maintain policies specifying, for each category of commissioned  
 7 ministry ~~at each college and university of the Synod~~, the prerequisites for colloquy application, required  
 8 courses of study, and internship expectations.

9 (b) The committee shall also establish and monitor academic and theological standards for each of the  
 10 colloquy programs. The committee shall consult the ~~directors of the programs at the Synod's colleges~~  
 11 ~~and universities~~ Concordia University System and its Institution Advisory Council when establishing or  
 12 reviewing the standards.

13 (c) The committee shall render a report on the commissioned ministry colloquy activities to each  
 14 convention of the Synod.

15 3.10.3.3 The committee shall additionally facilitate the examination, remediation, and qualification for first call of  
 16 suitable candidates from disaffirmed programs applying under Bylaw 2.8.4.1.

## 17 C. TO CLARIFY RELATIONSHIP OF THE SYNOD'S BOARD OF DIRECTORS TO 18 THE CONCORDIA UNIVERSITY BOARDS OF REGENTS

### 19 Rationale

20 CUS has struggled to give attention both to ecclesial and to financial oversight of the institutions, owing in large measure  
 21 to a lack of personnel with expertise and time to devote to left-hand kingdom matters. The BOD of the Synod is the "legal  
 22 representative and custodian of all the property of [the Synod], either directly or by its delegation of such authority to an  
 23 agency of the Synod" (Const. Art. XI E 2). The BOD is the proper body to oversee boards of regents' stewardship of  
 24 property of the Synod held or otherwise administered by the colleges and universities of the Synod. It has authority to and  
 25 has delegated certain authorities (BOD Policy 6.3.3), under limits and subject to provisions which can be changed from  
 26 time to time by the BOD (Bylaw 3.3.4.7 [b-c]). The removal of business and property responsibilities from the CUS means  
 27 that the oversight of Synod property (Bylaw 1.2.1 [r]) held by or for the universities will henceforth rest fully on the BOD,  
 28 which is charged and equipped (for example, with a Chief Financial Officer and Audit Committee) to handle such matters.

29 Proposed is that the BOD exercise its oversight of the financial condition and operations of the Synod's colleges and  
 30 universities. It is anticipated this will include the BOD working with the boards and administrations of the institutions to  
 31 develop appropriate instruments for regular monitoring as well as to address specific challenges that may arise. The Board  
 32 also is charged to undertake a process, in the current triennium, to ensure that each college and university of the Synod  
 33 make any and all changes to its governing documents necessary to comply with the Synod Constitution, Bylaws, and  
 34 resolutions. The boards of regents and administrations of each college and university are directed to cooperate in this  
 35 process.

### 36 Proposed Action

37 Therefore be it

38 *Resolved*, That Bylaw 3.3.4.10.1 be added as follows:

### 39 PRESENT/PROPOSED WORDING

40 3.3.4.10 To carry out its obligations under Article XI E of the Constitution and these Bylaws, the Board of Directors  
 41 may obtain from any agency of the Synod all records and other information (a) relating to property of the  
 42 Synod, and (b) pertaining to matters for which the Board of Directors has oversight responsibility under the  
 43 Constitution and other provisions of these Bylaws, including financial records, records of operations, and  
 44 information regarding legal affairs of such agency of the Synod. Notwithstanding the foregoing, an agency  
 45 of the Synod shall not be required to deliver: (i) records or information that an agency of the Synod is legally  
 46 prohibited from disclosing under applicable federal or state law; and (ii) personally identifiable information  
 47 pertaining to employees, donors, students, beneficiaries, investors, borrowers, and participating employers  
 48 and plan members of Concordia Plan Services. If any of the records or information requested by the Board  
 49 of Directors are subject to a confidentiality agreement, the Board of Directors shall maintain such  
 50 confidentiality. The goal of this bylaw is to permit delivery of records and information to the Board of  
 51 Directors to the greatest extent possible, subject to clauses (i) and (ii) above. All agencies of the Synod shall  
 52 cooperate fully with the Board of Directors when responding to requests to provide records and information.

1 3.3.4.10.1 Although the Board of Directors does not have supervisory authority over the Synod’s colleges and  
 2 universities and therefore cannot control or direct the management, administration, and governance decisions  
 3 of the Synod’s colleges and universities, it does have oversight responsibilities (Const. Art. XI E 2) over each  
 4 Synod college and university and their subordinate parts. In carrying out its responsibility to the Synod under  
 5 Constitution Article XI E 2, the Board of Directors shall give particular consideration to the financial  
 6 condition and operations of the institutions individually and collectively to evaluate both short-term and long-  
 7 term effectiveness and viability in satisfying the Synod Constitution, Bylaws, and resolutions, including the  
 8 applicable objectives under Article III of the Constitution. The Board of Directors may bring to the attention  
 9 of a college or university president and/or board of regents any matters that, in its judgment, exhibit  
 10 deficiencies and may suggest corrective action. The Board of Directors may also report the same to the Synod  
 11 in convention. The Board of Directors may appoint a committee, consisting of board members or others, to  
 12 assist in carrying out this responsibility.

13 and be it further

14 *Resolved*, That the BOD, after input from the Commission on Constitutional Matters, review within the upcoming  
 15 triennium the governing documents and governance practices of all higher education institutions of the Synod, and all  
 16 boards of regents and boards of associated foundations be directed to correct any identified noncompliance with the Synod  
 17 Constitution, Bylaws, and resolutions; and be it further

18 *Resolved*, That the BOD of the Synod be authorized to develop, consistent with Bylaw 3.3.4.7 and its constitutional  
 19 authority and responsibility as “legal representative and custodian of all the property of [the Synod]” (Const. Art. XI E 2),  
 20 written agreements with each university of the Synod and other legal instruments and policies appropriate to ensure that  
 21 all Concordia universities bring their governing documents, policies, and practices into full compliance with the Synod  
 22 Constitution, Bylaws, and resolutions; and be it further

23 *Resolved*, That the boards of regents of the Concordia universities and the boards of their foundations be directed to  
 24 consent to said agreements and instruments and to adhere to said policies as in the interest of the Synod; and be it further

25 *Resolved*, That each university of the CUS shall acknowledge in a written agreement, facilitated by the BOD of the  
 26 Synod, the paramount right, title, and interest of the Synod in the name *Concordia*, its value having been established and  
 27 built through the decades-long contributions of the Synod and its association be inextricable from the Synod, agreeing that  
 28 in the case of separation or divestiture it shall immediately cease to represent itself as a college or university in any sense  
 29 associated with the Synod and shall within one year permanently cease using, and transfer and assign to the Synod any  
 30 rights involving, any name including the word Concordia or any derivation thereof; and be it finally

31 *Resolved*, That the BOD report to the subsequent Synod convention its progress in achieving the foregoing and any  
 32 proposed bylaw changes or other action needed to more faithfully steward resources for higher education in the Synod.

### 33 **D. TO REVISE BYLAWS GOVERNING CONCORDIA UNIVERSITY BOARDS OF REGENTS**

#### 34 **Rationale**

35 In keeping with the charge of 2019 Res. 7-03 to “review the composition, size, and selection of boards of regents” and to  
 36 “review the financial models for the institutions,” the committee reviewed the composition and charge of boards of regents.  
 37 Existing bylaws dictate excessive governance and even management details for the boards of regents, some of which are  
 38 severely outdated. New bylaws clarify the relationship between the Synod and the schools, maintaining the essential  
 39 features of both the regents’ authority as “governing bodies corporate” and their duty to the Synod to govern their  
 40 respective institutions *in the interest of the confession and objectives of all the congregations of the Synod* (Const. Art. II  
 41 and III).

42 While a variety of approaches have been proposed for restructuring the boards of regents, the present structure of the  
 43 boards, with strong representation elected by the congregational members of the Synod but also the flexibility to appoint  
 44 needed educational governance expertise, supports boards’ ability to carry out this authority and this duty. While it was  
 45 generally affirmed that the present election/appointment model provides a helpful diversity of impressions and of gifts on  
 46 the boards of regents, it was also generally acknowledged that the model is certainly not uniformly effective or efficient.  
 47 Despite a great deal of discussion, no alternative model achieved broad support.

48 In addition to continuing the screening of regents for basic qualifications, proposed bylaws add specific training regarding  
 49 responsibilities to the Synod and the task of governance.

#### 50 **Proposed Action**

51 Therefore be it

1 *Resolved*, that Bylaws 3.10.6–3.10.6.3 be revised, Bylaw 3.10.6.4 be replaced, Bylaw 3.10.6.5 be renumbered, and  
2 bylaws be added as follows:

3 PRESENT/PROPOSED WORDING

4 ***F. Concordia University System Boards of Regents***

5 3.10.6 Each college and university of the Synod, with its president and faculty, shall be governed by a board of  
6 regents, ~~subject to general policies set by the Synod, including those established by the Concordia University~~  
7 ~~System. The board of regents governs the institution consistent with the institution’s mission, which~~  
8 ~~expressly incorporates the institution’s commitment to conduct all of its affairs according to the Constitution,~~  
9 ~~Bylaws, and resolutions of the Synod and policies of the Synod’s Board of Directors. The board of regents~~  
10 ~~shall have no authority to and shall never exercise any power contrary to the Constitution, Bylaws, or~~  
11 ~~resolutions of the Synod.~~

12 3.10.6.1 ~~In exercising its relationship to the Synod and to the Concordia University System as set forth elsewhere~~  
13 ~~under Bylaw 3.6.6 and following, the board of regents of each institution shall consider as one of its primary~~  
14 ~~duties the defining and fulfilling of the mission of the institution within the broad assignment of the Synod. In~~  
15 ~~fulfilling its commonly understood fiduciary duties owed to the institution, and its governance~~  
16 ~~responsibilities, the board of regents shall:~~

17 (a) ~~serve as the governing body corporate of the institution, vested with all powers its members may~~  
18 ~~exercise either as directors, trustees, or members of the body corporate;~~

19 (b) ~~govern the institution at all times according to the commitment of the institution, in its mission and~~  
20 ~~otherwise, to carry out its affairs as part of the Concordia University System and in accordance with the~~  
21 ~~Constitution, Bylaws, and resolutions of the Synod;~~

22 (c) ~~govern the institution with consistent attention to specific ways that the institution is confessing~~  
23 ~~Jesus Christ in full accord with the doctrinal position of the LCMS (Constitution Art. II) and fulfilling~~  
24 ~~His mission in our world as proper to a college or university of the Synod under its objectives~~  
25 ~~(Constitution Art. III), intentionally seeking continual growth as a board in such governance;~~

26 (d) ~~as a whole and as individual members, as stewards of the institution on behalf of the congregations~~  
27 ~~of the Synod, embrace and advance with administration, faculty, staff, and students the institution’s~~  
28 ~~fundamental purpose as inculcating the faith, as taught in the Scriptures and Lutheran Confessions~~  
29 ~~(Constitution Article II), preparing students to live in this faith toward God and by this faith, in their~~  
30 ~~various vocations, in love toward the neighbor;~~

31 (e) ~~ensure that all faculty receive appropriate formal, ongoing training in the doctrines of Holy Scripture~~  
32 ~~as rightly taught in the Lutheran Confessions as they relate to their academic disciplines, to enable~~  
33 ~~faculty to engage in responsible exercise of their academic freedom within the confession of the~~  
34 ~~institution and the Synod (Constitution Art. II);~~

35 (f) ~~actively encourage and expect curricula and policies for student life and behavior consistent with the~~  
36 ~~doctrine and practice of the Synod, and commit the institution to the principles of Christian discipline,~~  
37 ~~an evangelical manner, and good order;~~

38 (g) ~~maintain and approve an institutional master plan, any modifications to which shall be submitted to~~  
39 ~~the Synod Board of Directors for its approval (Bylaw 3.3.4.5 [e]);~~

40 (h) ~~ensure the communication of institutional planning to the Concordia University System Institution~~  
41 ~~Advisory Council;~~

42 (i) ~~review and approve academic programs recommended by the administration and faculty, giving due~~  
43 ~~consideration to the Lutheran Identity and Mission Outcomes Standards and coordination with other~~  
44 ~~Synod colleges and universities;~~

45 (j) ~~participate fully in the procedures for the selection and regular review of the president, and approve~~  
46 ~~the appointment of faculty members;~~

47 (k) ~~ensure that its institution and constituent parts strive to excel in the Lutheran Identity and Mission~~  
48 ~~Outcomes Standards, and to cooperate fully with processes for ecclesiastical visitation by the Concordia~~  
49 ~~University System and for appointment of the institution’s president;~~

50 (l) ~~ensure that its institution and constituent parts support the proper authorities of the Synod in their~~  
51 ~~roles of ecclesiastical supervision of called workers, placement of graduates, and doctrinal review status~~  
52 ~~appeals, and submit to the Synod’s expectations for handling of faculty complaints and dispute~~  
53 ~~resolution, insofar as they apply;~~

54 (m) ~~duly consider the common confession, mission, interest, and cooperative strength of the Synod,~~  
55 ~~with its congregations, agencies, and other institutions, as it makes decisions with impact beyond its~~

campus, especially as it plans new programs, discontinues existing programs, cooperates and consolidates operations with other Synod schools, operates in a worldwide online marketplace, cooperates with the Synod Board of Directors in the legal defense of the right to the free exercise of our confession, and interacts with the ministries and partner churches of the LCMS, domestically and internationally, in harmony with its programs and consistent with its protocol agreements;

(n) govern transparently, including, without limitation, providing to Concordia University System in a timely manner minutes of board meetings and board and institution policies adopted or modified, and to both Concordia University System and the Synod Board of Directors proposed revisions of institutional governing documents and policies prior to their adoption, and responsively, understanding inquiries and suggestions offered by Concordia University System and the Synod Board of Directors to be offered on behalf of the congregations of the Synod, to which the board is ultimately responsible;

(o) maintain effective internal controls and operate with financial transparency, annually providing, within 30 days of audit completion, audited financial statements and other information as specified in the policies of the Synod Board of Directors and to congregations of the Synod upon request;

(p) execute or cause to be executed with the Synod Board of Directors a contractual agreement that safeguards adherence of the university and its board and administration to the Constitution, Bylaws, and resolutions of the Synod, such as are in force and may from time to time be adopted;

(q) maintain policies and procedures for handling faculty complaints and dispute resolution under an operating procedures manual approved by the Concordia University System Board of Directors;

(r) exercise its exclusive duty of institutional governance in the interest of the Synod without abdicating its authority to, or commingling its authority with, that of others;

(s) ensure that all governing and other legal documents and policies of the institution conform to and are consistent with the Constitution, Bylaws, and resolutions of the Synod, and modify institutional governing documents only after proposed modifications have been approved by the Commission on Constitutional Matters and with at least 30 days advance notice to the Synod Board of Directors as custodian of Synod's property;

(t) safeguard present and future assets of the institution, making every effort to ensure designation of gifts, whether to the university itself or to any associated foundation, so that they will continue to be available to higher education within the Synod in the event of the closure, divestiture, or separation of the institution;

(u) initiate a performance review of the institution's president upon identification of significant operational deficiencies;

(v) effect the removal from office of the institution's president upon a finding, under the procedure of Bylaw 3.10.6.8.3, that he is not in good standing;

(w) annually certify the institution's viability to the Synod Board of Directors or to a committee designated by the Synod Board of Directors, providing all supporting documentation, and ensuring timely response to all their requests for financial and business records (Bylaws 3.3.4.10–3.3.4.10.1);

(x) effectively and intentionally govern the institution and its president so that administration and faculty carry out their management and educational responsibilities in a manner consistent with the foregoing; and

(y) It shall participate fully in the procedures for the selection and regular review of the president of the institution and of the major administrators; approve of the appointment of faculty members who meet the qualifications of their positions; approve sabbatical and study leaves; and encourage faculty development and research.

3.10.6.2 The board of regents of each college and university shall consist of no more than 18 members, all voting.

1. One ordained minister, one commissioned minister, and two laypersons shall be elected by the conventions of the Synod.

2. One ordained minister, one commissioned minister, and two laypersons shall be elected by the geographical district in which the institution is located. If any board is required by its governing documents to include one or more persons holding residence or church membership in a specific locality, the institution is responsible for ensuring (including by appointment, if necessary) that individual(s) meeting such requirements are included among those persons serving on such board, and no such geographic restriction shall apply to Synod-elected regents.

3. No fewer than four and no more than eight members shall be appointed as members by the board of regents according to a process determined by the individual institution. An appointed member shall not vote on his or her own reappointment.

4. The president of the district in which the college or university is located or a district vice-president as his standing representative shall serve as an *ex officio* member.

5. One member, who may be an ordained minister, a commissioned minister, or a layperson, shall be appointed by the Praesidium of the Synod after consultation with the President of the respective institution and the Board of Directors of the Synod.

6. College and university board of regents members may be elected or appointed to serve a maximum of three consecutive three-year terms and must hold membership in a member congregation of the Synod.

7. Not more than two of the elected members shall be members of the same congregation.

3.10.6.2.1 ~~8.~~ Persons elected or appointed to a board of regents should be knowledgeable regarding the institution and the region in which the institution is located and shall demonstrate familiarity and support for the doctrinal positions of the Synod and possess two or more of the following qualifications or background experiences: theological acumen, an advanced academic degree, ~~experience in~~ higher education administration, administration of complex organizations, finance, law, investments, technology, human resources, facilities management, ~~or~~ fund development, or a specific instructional or operational domain designated by the college or university (e.g., “health care” or “marketing”). Demonstrated familiarity with and willingness to advocate for and financially support ~~of the institution is a~~ desired quality ~~qualities~~ in the candidate. ~~When regents are elected at the national convention of the Synod or appointed by the board of regents, qualifications shall be reviewed and verified by the Secretary of Synod (or designee) and the President of the CUS (or designee). When regents are elected at district conventions, qualifications of all nominees, including floor nominees, shall be reviewed and verified by the chair and secretary of the district board of directors or their designees.~~

(a) Qualification of all nominees for appointment or election as regents, according to the standard indicated above, shall be reviewed and verified by the Concordia University System, which duty may be delegated to a committee composed of its members or others.

(b) Concordia University System shall also ensure that it is prepared to review and verify qualifications of floor nominees at each district and Synod convention, as well as those of regents appointed by a board or in the case of a vacancy, in a timely manner.

(c) Assessment of qualification for service shall be performed on the basis of information submitted by nominees on a regular instrument maintained by the Secretary of the Synod for this purpose.

(d) The Concordia University System and Synod Board of Directors shall provide for training of all regents concerning their responsibility to advance the Synod’s confession and mission objectives and their responsibilities under the Synod Constitution, Bylaws, and resolutions. The training shall consist of an initial training as described in 3.10.6.2.2 and ongoing training.

(e) Approximately 18 months prior to each convention of the Synod, Concordia University System shall consult with the President and Secretary of the Synod and the chairs of the boards of regents of Synod colleges and universities regarding its application of the qualification standards, and upon this consultation review and revise its related policies and procedures.

(f) Concordia University System shall after input from the Institution Advisory Council develop and maintain in its public policies a rubric for consistent evaluation of qualification for regent service.

3.10.6.2.2 Persons elected or appointed to a board of regents shall undergo training for such service.

(a) The Concordia University System and Synod Board of Directors shall provide for training of elected and appointed regents concerning their responsibilities under the Synod Constitution, Bylaws, and resolutions, to advance the Synod’s confession and mission objectives and to advance their respective institutions in service of the church through the Concordia University System visitation program.

(b) The chair of each board of regents shall, subject to guidelines prepared by the Concordia University System Institution Advisory Council after input from Concordia University System, provide training of elected and appointed regents in the task of governance and in their business and legal duties as regents.

(c) The training under (a) and (b) above shall be provided within one year after each Synod convention and regularly between Synod conventions.

(d) Failure to complete the initial training within the first year after the first Synod convention after a regent is elected or appointed renders the regent ineligible to continue in office. Upon such failure, the respective board of regents shall declare the position vacant.

(e) Training programs, initial and continuing, may allow for electronic or remote participation.

(f) Concordia University System, in collaboration with its Institution Advisory Council and the Synod Board of Directors, shall prepare and make available a summary of the demands and expectations of

1 service as a college or university regent, including their responsibilities under the Synod Constitution,  
 2 Bylaws, and resolutions. This summary shall be reviewed and confirmed by nominees as a condition to  
 3 being eligible to serve if elected or appointed.

4 (g) The cost of the development of the regent training by CUS and Synod Board of Directors shall be  
 5 funded by the CUS; the cost of regent participation in the training shall be funded per capita by the  
 6 institutions.

7 3.10.6.3.3 Vacancies that occur on a board of regents shall be filled in the following manner:

8 ...

9 ~~3.10.6.4~~ The board of regents of each institution shall become familiar with and develop an understanding of pertinent  
 10 policies, standards, and guidelines of the Synod and the Board of Directors of Concordia University System.

11 ~~(a) It shall develop detailed policies and procedures for governance of the institution, including but not~~  
 12 ~~limited to~~

13 ~~(1) attention to specific ways that the institution is confessing Jesus Christ in full accord with the~~  
 14 ~~doctrinal position of the LCMS (Constitution Art. II) and fulfilling His mission in our world;~~

15 ~~(2) ensuring that all faculty receive appropriate formal, ongoing training in the doctrines of Holy~~  
 16 ~~Scripture as rightly taught in the Lutheran Confessions as they relate to their academic disciplines,~~  
 17 ~~consistent with the CUS Lutheran Identity Statement, to enable faculty to engage in responsible~~  
 18 ~~exercise of their academic freedom under the CUS Academic Freedom Policy in effect from time~~  
 19 ~~to time;~~

20 ~~(3) annual certification of the institution's financial viability;~~

21 ~~(4) creation, modification, and abolition of administrative positions;~~

22 ~~(5) processes for filling and vacating administrative positions;~~

23 ~~(6) a clear plan for succession of administration to ensure that the institution continues to function~~  
 24 ~~effectively in the case of incapacity or lengthy absence of the president and other executive officers;~~

25 ~~(7) handling faculty complaints and dispute resolution under an operating procedures manual~~  
 26 ~~approved by the Concordia University System Board; and~~

27 ~~(8) all subject matters for which Concordia University System requires policies to be developed~~  
 28 ~~(Bylaw 3.6.6.7).~~

29 ~~(b) It shall coordinate institutional planning with other Concordia University System schools and~~  
 30 ~~approve master plans for its college or university.~~

31 ~~(c) It shall review and approve academic programs recommended by the administration and faculty after~~  
 32 ~~assessment of system policies in accordance with Concordia University System standards and guidelines~~  
 33 ~~and institutional interests and capacities.~~

34 ~~(d) It shall review and approve the institutional budget.~~

35 ~~(e) It shall approve institutional fiscal arrangements, develop the financial resources necessary to~~  
 36 ~~operate the institution, and participate in its financial support.~~

37 ~~(1) Only the board of regents is authorized to establish a line of credit or to borrow for operating~~  
 38 ~~needs, subject to the policies of the Board of Directors of Concordia University System and the~~  
 39 ~~Board of Directors of the Synod.~~

40 ~~(2) All surplus institutional funds above an adequate working balance shall be deposited with the~~  
 41 ~~Concordia University System for investment. Earnings from such investments shall be credited to~~  
 42 ~~the depositing institution.~~

43 ~~(f) It shall establish appropriate policies for institutional student aid.~~

44 ~~(g) It shall participate fully in the procedures for the selection and regular review of the president of the~~  
 45 ~~institution and of the major administrators; approve of the appointment of faculty members who meet~~  
 46 ~~the qualifications of their positions; approve sabbatical and study leaves; and encourage faculty~~  
 47 ~~development and research.~~

48 ~~(h) It shall take the leadership in assuring the preservation and improvement of the assets of the~~  
 49 ~~institution and see to the acquisition, management, use, and disposal of the properties and equipment of~~  
 50 ~~the institution within the guidelines set by the Board of Directors of The Lutheran Church—Missouri~~  
 51 ~~Synod.~~

52 ~~(i) It shall operate and manage the institution as the agent of the Synod, in which ownership is primarily~~  
 53 ~~vested and which exercises its ownership through the Board of Directors as custodian of the Synod's~~

property, the Board of Directors of Concordia University System, and the respective board of regents as the local governing body. Included in the operation and management are such responsibilities as these:

- ~~(1) Carefully exercising its fiduciary duties to the Synod.~~
- ~~(2) Determining that the charter, articles of incorporation, constitution, and bylaws of the institution conform to and are consistent with those of the Synod.~~
- ~~(3) Carrying out efficient business management through a financial officer appointed on recommendation of the president of the institution and responsible to him.~~
- ~~(4) Receiving of all gifts by deed, will, or otherwise made to the institution and managing the same, in accordance with the terms of the instrument creating such gift and in accordance with the policies of the board of regents.~~
- ~~(5) Demonstrating concern for the general welfare of the institutional staff members and other employees, adoption of regulations governing off campus activities, development of policies regarding salary and wage scales, tenure, promotion, vacations, health examinations, dismissal, retirement, pension, and other employee welfare benefit provisions.~~
- ~~(6) Serving as the governing body corporate of the institution vested with all powers which its members may exercise in law either as directors, trustees, or members of the body corporate, unless in conflict with the laws of the domicile of the institution or its Articles of Incorporation. In such event the board of regents shall have power to perform such acts as may be required by law to effect the corporate existence of the institution.~~
- ~~(7) Establishing and placing a priority on the capital needs of the institution and determining the plans for the maintenance and renovation of the buildings and property and purchase of needed equipment, but having no power, without the prior consent of the Board of Directors of the Concordia University System and the Board of Directors of the Synod, to close the institution or to sell all or any part of the property which constitutes the main campus, except that the Board of Regents may close the institution in the event of legal insolvency necessitating immediate closure after consultation with the Board of Directors of the Synod and the Board of Directors of the Concordia University System.~~
- ~~(8) Recognizing that the authority of the board of regents resides in the board as a whole and delegating the application of its policies and execution of its resolutions to the president of the institution as its executive officer.~~
- ~~(9) Establishing a comprehensive policy statement regarding student life and behavior that is consistent with the doctrine and practice of the Synod and that commits the institution to the principles of Christian discipline, an evangelical manner, and good order.~~
- ~~(10) Promoting the public relations of the institution and developing the understanding and cooperation of its constituency.~~
- ~~(11) Requiring regular reports from the president of the institution as the executive officer of the board and through him from other officers and staff members in order to make certain that the work of the institution is carried out effectively.~~

3.10.6.3 Recognizing its fiduciary duty as a board, as well as the requirements of accrediting bodies that an institution's governing board be clearly defined and have ultimate authority and independence in the operation of the institution subject to appropriate pre-established policies and rules (e.g., Synod Bylaws), under no circumstances shall a board delegate its authority to, nor commingle its authority with, any other body that includes non-board members. Boards of regents may meet as a "committee of the whole" with advisory groups (e.g., a foundation board; the CUS board) to seek input, but no votes shall be taken at such meetings.

3.10.6.4 The board of regents shall be authorized to close the institution or to sell all or any part of the real property that constitutes the campus only after receiving the prior written consent of the Concordia University System Board of Directors and the Synod Board of Directors, except that the board of regents may close or finally divest the institution in the event of legal insolvency necessitating closure or final divestiture after consultation with the Synod Board of Directors and the Concordia University System Board of Directors.

3.10.6.5 The board of regents shall be authorized to relocate, separate, or divest the institution if and only if such has been approved under the following procedure, except in the case of a final divestiture as a result of legal insolvency (Bylaw 3.10.6.4):

- (1) A proposal of relocation, separation, or divestiture is presented to the Synod Board of Directors that specifies why the proposal is in the interest of the Synod. The proposal can be made by a board of

1 regents, a committee of the Synod Board of Directors, or by the Concordia University System Board of  
 2 Directors.

3 (2) Upon such proposal, the Synod Board of Directors shall require the proposal be developed  
 4 adequately to allow determination whether the action proposed is in the interest of the Synod, for which  
 5 the board of regents, the Concordia University System Board of Directors, and other agencies of the  
 6 Synod shall in a timely manner supply all information the Board of Directors deems necessary.

7 (3) The Synod Board of Directors shall consult with the involved board of regents, the Concordia  
 8 University System Board of Directors, the Institution Advisory Council, and the Council of Presidents.

9 (4) The Synod Board of Directors may negotiate terms that are in the interest of the Synod and the  
 10 general furtherance of its higher education mission.

11 (5) The action is approved by the Synod Board of Directors by its two-thirds vote and by one of the  
 12 following by its two-thirds vote: either by the board of regents of the institution being relocated,  
 13 separated, or divested or by the Concordia University System Board of Directors.

14 3.10.6.5.1 Two or more Synod colleges or universities shall be authorized to consolidate the institutions if and only if  
 15 such has been approved under the following procedure:

16 (1) The boards of regents of the consolidating schools shall present a detailed consolidation plan to the  
 17 Concordia University System Board of Directors and the Synod Board of Directors. The plan shall be  
 18 consistent with the requirements of these Bylaws for a Synod college or university, except that it may  
 19 involve a consolidated board of regents deviating from the composition specified in Bylaw 3.10.6.2,  
 20 provided that the ratio of elected to appointed regents is not decreased and that all members of the  
 21 resulting board of regents are members of member congregations of the Synod. Such plan must indicate  
 22 a definite plan of no more than six years' duration to bring the composition of the board of regents of  
 23 the institution into compliance with Bylaw 3.10.6.2, and continued affirmation shall be contingent on  
 24 execution of said plan.

25 (2) The plan is approved by the Concordia University System Board of Directors and the Synod Board  
 26 of Directors.

27 (3) The consolidated college or university shall be regarded as a Concordia University System college  
 28 or university.

29 3.10.6.5.2 The board of regents shall be authorized to consolidate a non-Synod school into the institution if and only if  
 30 a detailed plan of consolidation that is consistent with Synod Constitution, Bylaws, and resolutions has first  
 31 been approved by the Synod Board of Directors by its two-thirds vote and by the Concordia University  
 32 System Board of Directors, by its two-thirds vote.

33 3.10.6.6 A college or university that is not a Concordia University System institution may request to join the  
 34 Concordia University System. After having consulted with its Institution Advisory Council, the Concordia  
 35 University System Board of Directors may, by its two-thirds vote, recommend that the college or university  
 36 join the Concordia University System. The Concordia University System recommendation must be submitted  
 37 either to the convention of the Synod, which by a majority vote, or the Synod Board of Directors, which by  
 38 a two-thirds vote, may grant membership in Concordia University System. The Concordia University System  
 39 recommendations and subsequent approval shall be subject to all the requirements and privileges that apply  
 40 to a Concordia University System institution, including compliance with the Synod Constitution, Bylaws,  
 41 and resolutions, except that the initial composition of the board of regents may deviate from that specified in  
 42 Bylaw 3.10.6.2. Such proposal must specify a definite plan of no more than six years' duration to bring the  
 43 composition of the board of regents of the institution into compliance with Bylaw 3.10.6.2, and continued  
 44 affirmation shall be contingent on execution of said plan.

## 45 **E. TO REVISE BYLAWS GOVERNING CONCORDIA UNIVERSITY PRESIDENTS**

### 46 **Rationale**

47 In keeping with the charge of 2019 Res. 7-03 to “review the process for selecting presidents of institutions” and to “review  
 48 the financial models for the institutions,” the following bylaws are revised. As with bylaws dealing with the boards of  
 49 regents, existing bylaws dealing with institution presidents call for simplification and updating. The absolutely essential  
 50 role of the president as spiritual head of the university is emphasized, along with his responsibility and accountability  
 51 through his board of regents to CUS but also to the Synod. New mechanisms are put in place for Synod to demand, for  
 52 reasons of doctrine and practice, or to advise, for fiscal reasons, a board of regents to remove a university president.

53 After a significant amount of input from boards of regents, the 2019 Synod convention already made significant changes  
 54 to the presidential selection process, moving the work of Synod’s prior approval panel earlier in the process to allow for



1 more effective communication of the panel with the board of regents and to reduce opportunities for disappointment or  
 2 misunderstanding formerly associated with the process. These changes have aided presidential appointment processes  
 3 conducted since and remain in place in the following.

#### 4 **Proposed Action**

5 Therefore be it

6 *Resolved*, that Bylaws 3.10.6.6–3.10.6.6.2 be renumbered and revised as follows:

#### 7 PRESENT/PROPOSED WORDING

8 *Concordia University System College and University Presidents*

9 3.10.6.68 The president of the institution shall be the executive officer of the board of regents. He shall as his foremost  
 10 duty serve as the spiritual, academic, and administrative head of the institution- ~~and, in addition to this and~~  
 11 to the customary executive management exercised by a college or university president, carry out the  
 12 following responsibilities:

13 (a) He shall represent the institution in its relations to the Synod and its officers and boards.

14 (b) He shall in the interest of the Synod supervise, direct, and administer the affairs of the institution  
 15 and all its departments, pursuant to the ~~rules and regulations of the Synod and its boards and agencies~~  
 16 Constitution, Bylaws, and resolutions of the Synod and the policies of its Board of Directors, and  
 17 pursuant to the policies of the board of regents.

18 (c) ~~He shall bring to the attention of the board of regents matters that require consideration or decision~~  
 19 ~~and make pertinent recommendations.~~

20 (d) He shall be the academic head of the faculty, ~~preside at its meetings,~~ and be an *ex officio* member  
 21 of all standing committees of the faculty and its colleges and departments ~~with the exception of the~~  
 22 ~~standing hearings committee or of another standing committee to which the functions of such a~~  
 23 ~~committee have been assigned.~~

24 (e) He shall periodically visit or cause to be visited the classes of professors and instructors, ensure  
 25 ongoing development and training of professors and instructors, and in general secure conformity in  
 26 teaching efficiency and subject matter to the standards and policies prescribed by the board of regents  
 27 ~~and by the Synod through the Board of Directors of Concordia University System in pursuit of the~~  
 28 Lutheran Identity and Mission Outcomes Standards and to the doctrine and practice of the Synod.

29 (f) He shall ~~advise and admonish in a fraternal spirit any member of the faculty found dilatory,~~  
 30 ~~neglectful, or exhibiting problems in his teaching. Should this action prove ineffective, he shall request~~  
 31 ~~selected members of the faculty privately to engage their colleague in further fraternal discussion. If this~~  
 32 ~~results in failure to correct or improve the situation, the president shall report the matter to the board of~~  
 33 ~~regents with his recommendation for action.~~

34 (g) He shall ~~delegate or reassign one or more of his functions to a member of the faculty or staff,~~  
 35 ~~although standing administrative assignments shall be made by the board of regents upon his~~  
 36 ~~recommendation.~~

37 (h) He shall be responsible for the provision of spiritual care and nurture for, and, to the extent possible  
 38 through each mode of instruction, the spiritual formation of, every student.

39 (i) He shall ~~carefully watch over the spiritual welfare, personal life, conduct, educational progress, and~~  
 40 ~~physical condition of the students, and shall in general~~ exercise such Christian discipline, instruction,  
 41 and supervision as may be expected at a Lutheran~~Christian~~ educational institution.

42 (f) He shall diligently manage the institution subject to, and effectively support the exercise of, the  
 43 governance of the institution by the board of regents, consistent with the expectations of Bylaw 3.10.6.1.

44 (j) He shall ~~be responsible for the employment, direction, and supervision of all employees of the~~  
 45 ~~institution.~~

46 (k) He shall ~~be responsible for the business management of the school and for the proper operation and~~  
 47 ~~maintenance of grounds, buildings, and equipment.~~

48 (l) He shall ~~make periodic and special financial reports to the board of regents.~~

49 (m) He shall represent the institution on the Concordia University System Institution Advisory  
 50 Council.

51 3.10.6.68.1 The president of each college or university shall serve a five-year renewable term of office under the terms  
 52 set forth herewith under Bylaw 3.10.6.68.1 (c), beginning with the date of his assumption of his  
 53 responsibilities as president.

1 (a) Each president shall relinquish academic tenure upon assumption of the presidency, and shall not be  
2 granted academic tenure during the time of presidential service.

3 (b) The president and board of regents shall develop mutually agreed upon institutional goals and  
4 priorities that give direction to the individual as he carries out the duties of the office of the presidency.  
5 The board of regents ~~will~~shall annually evaluate presidential effectiveness based on these goals and  
6 priorities.

7 (c) Nine months prior to the end of each five-year term, the board of regents ~~will~~shall conduct a formal  
8 review of the president's effectiveness in the current term of office, evaluating his leadership, both of  
9 the administration of the institution and of the institution's advancement of Synod's confession and  
10 pursuit of Synod's mission objectives. The president shall then be eligible for another five year term by  
11 majority action of the board of regents, voting with a ballot containing only the current president's name.  
12 Upon completion of the review and using a ballot containing only the current president's name, the board  
13 of regents shall vote, the majority action of the board of regents being required to extend the president's  
14 term for an additional five years.

15 (1) In addition to considering the evaluation report, the board of regents shall as part of its review  
16 consult with the President of the Synod and the chairman of the Board of Directors of Concordia  
17 University System.

18 (2) The regents may consult with other boards, commissions, and councils of the Synod as they  
19 deem wise.

20 (d) In the event that a president's term is not renewed, the office of the president shall be considered  
21 vacant as of the end of the term of the incumbent.

22 (e) A president who is on a roster of the Synod is under the ecclesiastical supervision of the Synod. In  
23 the event a member is removed from membership in the Synod pursuant to procedure established in  
24 these Bylaws, then that member is also considered removed from the position held and shall be  
25 terminated forthwith by the board of regents.

26 (f) A president who is not on the roster of the Synod shall be a member of a member congregation of  
27 the Synod. He shall be subject to ecclesiastical supervision as to doctrine, life, and administration of  
28 office, by the respective geographic district president. He shall, for actions contrary to the confession of  
29 Constitution Art. II or persistence in offensive conduct, after previous futile admonition, be subject to  
30 the process of Bylaw section 2.14 as if he were a member of the Synod. Should he be suspended and not  
31 contest the suspension, or the suspension be upheld by a hearing panel and/or final hearing panel, he  
32 shall be considered removed from the position held and shall be terminated forthwith by the board of  
33 regents.

34 3.10.6.68.2 The following process shall govern the selection of a college/university president.

35 (a) When a vacancy or an impending vacancy in the office of president is known, the board of regents  
36 shall inform the campus constituencies, the Board of Directors of Concordia University System, the  
37 President of the Synod, an official periodical of the Synod, and other parties as appropriate. If a vacancy  
38 in a presidency occurs, the board of regents shall appoint an interim president, who shall meet the  
39 qualifications established for the office of president. He shall bear the title "interim president" and may  
40 not serve more than eighteen (18) months without the concurrence of the President of the Synod. Such  
41 interim appointee shall be ineligible to serve on a permanent basis without the concurrence of the  
42 President of the Synod.

43 (21) ~~The board of regents shall request initiate that the Board of Directors of Concordia University~~  
44 ~~System schedule a transition review of the campus, which shall include consultation with Concordia~~  
45 ~~University System on the basis of the Lutheran Identity and Mission Outcomes Standards and the~~  
46 ~~institution's most recent affirmation review. The review is to provide a report on the state of the~~  
47 ~~campus for use by the search committee, the board of regents, and the candidates.~~

48 (12) ~~The board of regents shall request that the Board of Directors of Concordia University System~~  
49 ~~authorize the institution to, on the basis of the above consultation, compose and, with the~~  
50 ~~concurrence of CUS, publish a request for nominations for the position of president.~~

51 ...

52 3.10.6.8.3 The president, in his service as spiritual head of the college or university, shall be ecclesiastically reviewed  
53 by the Concordia University System.

54 (a) The Concordia University System Board of Directors may call up for formal review any action or  
55 inaction of the president that, in its view, may be in violation of the doctrine or practice of the Synod  
56 (Constitution Art. II) or caused the institution to be not in good standing with the Synod (Bylaw 3.6.6.4.1

[e)]. Such review may be requested of the president himself or of the president and the respective board of regents.

(b) Should the action or inaction prove, to the satisfaction of the Concordia University System Board of Directors and with the concurrence of the President of the Synod, to violate the doctrine and practice of the Synod (Constitution Art. II) or caused the institution to be not in good standing with the Synod (Bylaw 3.6.6.4.1 [e]), the Concordia University System Board of Directors and President of the Synod shall admonish the president to take appropriate action consistent with the doctrine and practice of the Synod (Constitution Art. II), and shall invite the respective board of regents and the district president thereon to join in said admonishment.

(c) Should repeated admonition prove futile, the Concordia University System Board of Directors may, by an affirmative vote of two-thirds of its current members, resolve that the president is unfit to serve as spiritual head of the college or university and so inform the respective board of regents, which shall remove him from office forthwith.

## F. TO REVISE BYLAWS GOVERNING CONCORDIA UNIVERSITY FACULTIES

### Rationale

In keeping with the charge of 2019 Res. 7-03 to “strengthen all CUS institutions’ connection to the Synod” and in light of other changes made above, minor revisions to bylaws dealing with the college and university faculties are required. Changes in higher education and in the role of the faculties in the broader work of the Synod have reduced the degree to which the Bylaws of the Synod should or can direct specifics of what are ordinarily internal personnel matters of colleges and universities. In keeping with the general philosophy of the proposal, detailed specifications have been eliminated in favor of allowing boards of regents more flexibility while maintaining Synod’s specific interests through the CUS oversight and visitation.

### Proposed Action

Therefore be it

*Resolved*, that Bylaws 3.10.6.7–3.10.6.7.5.2 be renumbered and revised as follows:

#### PRESENT/PROPOSED WORDING

##### *Concordia University System Faculties*

3.10.6.7~~9~~ The faculty of each college or university of the Synod shall consist of the president, the full-time faculty and the part-time faculty.

(a) Part-time or temporary faculty members are distinguished by an appropriate title.

(b) Part-time or temporary faculty members shall hold nonvoting membership on the faculty.

(c) Only the voting or full-time faculty who are in good standing as individual members of the Synod or are members in good standing of a member congregation of the Synod shall participate in faculty decisions regarding the qualification of graduates or colloquy program participants for rostered service.

~~3.10.6.7.1 The Concordia University System Board of Directors shall maintain in its policies a list of subject matters that each educational institution must address in its own policies and procedures, to include faculty appointments, employment contracts, contract renewal, contract termination, faculty organization, modified service, sabbaticals, and dispute resolution.~~

3.10.6.7-~~29~~1 Except as otherwise provided in these bylaws, the board of regents on recommendation of the president of the institution shall appoint all full-time members of the faculty. The terms and conditions of every appointment shall be stated in writing and be in the possession of both the institution and the prospective faculty member before the appointment is consummated. Limitations of academic freedom because of the religious and confessional nature and aims of the institution shall be stated in writing at the time of the appointment and conveyed to the person being appointed. Faculty members, full- and part-time, shall pledge to perform their duties in harmony with the Holy Scriptures as the inspired Word of God, the Lutheran Confessions, and the Synod’s doctrinal statements.

3.10.6.7-~~39~~2 All initial appointments to persons serving on theology faculties, or teaching classes in or cross-listed with the theology department, shall require prior approval by a majority vote of the President of the Synod (or his designee), the chairman of the Council of Presidents (or his designee), and a member of the Concordia University System board selected by the chair, and shall include a thorough theological review. The three voters shall be ordained. The process shall be facilitated by the president of Concordia University System. Initial appointment refers to the initial engagement of any person to teach one or more theology courses,

- 1                   regardless of assigned academic department, other than faculty who teach theology courses no more than one  
2                   academic year in any three-year period.
- 3   3.10.6.7.49.3 A formal procedure shall be in place to carry out performance reviews for all faculty on a regular basis.
- 4   3.10.6.7.59.4 Other than honorable retirement, termination of faculty employment may only be the result of the following:
- 5                   (a) professional incompetency;
- 6                   (b) incapacity for the performance of duty;
- 7                   (c) insubordination;
- 8                   (d) neglect of or refusal to perform duties of office;
- 9                   (e) conduct unbecoming a Christian;
- 10                  (f) advocacy of false doctrine (Constitution Art. II) or failure to honor and uphold the doctrinal position  
11                  of the Synod as defined further in Bylaw 1.6.2 (b);
- 12                  (g) discontinuance of an entire program (e.g., social work, business);
- 13                  (h) discontinuance of an entire division or department (e.g., modern foreign language) or college (e.g.,  
14                  college of business) of a college or university;
- 15                  (i) reduction of the size of staff in order to maintain financial viability ~~in compliance with policies~~  
16                  ~~concerning fiscal viability;~~
- 17                  (j) discontinuance, merger, or consolidation of an entire college or university operation;
- 18                  (k) expiration of the term of a contract of employment; and
- 19                  (l) for those whose position requires membership in a Synod congregation, if the person ceases to be a  
20                  member of a Synod congregation.
- 21   3.10.6.7.5.19.5 A faculty or staff member who is on a roster of the Synod is under the ecclesiastical supervision of the  
22                  Synod. In the event a member is removed from membership in the Synod pursuant to procedure established  
23                  in these Bylaws, then that member is also considered removed from the position held and shall be terminated  
24                  forthwith by the board of regents.
- 25   3.10.6.7.5.29.6 An appeal process consistent with the *Model Operating Procedure Manual for Faculty and*  
26                  *Administration Complaints and Appeal of Termination: Colleges and Universities* (~~developed by the~~  
27                  ~~Commission on Constitutional Matters in consultation with the Concordia University System~~ Bylaw 3.6.6.1  
28                  [d]) shall be in place for use by faculty members who wish to challenge a termination decision.  
29                  Notwithstanding the provisions of any such policy, any person connected with an institution who is a member  
30                  of Synod shall also remain under the ecclesiastical supervision of the Synod, and nothing in any such CUS  
31                  institution policy shall be construed to limit or constrain any action that may be taken, or the rights or  
32                  responsibilities of any party, pursuant to the Synod’s *Handbook* with respect to a member of Synod.

33                                   **G. TO ENCOURAGE AND FACILITATE SYNOD COLLEGES AND UNIVERSITIES’**  
34                                   **BUSINESS CONSULTATION AND EFFICIENT COORDINATION AND COLLABORATION**  
35                                   **IN SHARED PROGRAMS AND SERVICES**

36   **Rationale**

37   In the impression of the 2019 Res. 7-03 committee, the CUS institutions’ success in the present environment—certainly  
38   their thriving, as tuition-dependent schools with relatively limited endowments—requires not only the sort of shared values  
39   advanced by the visitation and affirmation review program developed above but also efficient coordination and  
40   collaboration or organic consolidation. To address this issue, the first *whereas* of 2019 Res. 7-03 acknowledged the college  
41   and university presidents’ conclusion that “greater integration and collaboration would strengthen the individual  
42   institutions and the system as a whole.” Given the natural inertia and independence of every individual human institution,  
43   however, broad success in such synergetic efforts will likely require strong leadership.

44   CUS has in the past facilitated some common efforts of the colleges and universities, including the employment of staff  
45   and the maintenance of finances, principally in the area of information technology, accounting software, and common  
46   efforts toward distance education in support of commissioned minister colloquy. It will no more be charged with such  
47   business coordination. Its focus must be on confession and mission rather than on administration and operations, areas that  
48   demand, instead, the focused attention of the several boards of regents and their executives. Mechanisms the schools devise  
49   together to lend efficiency to their operations simply must be immediately responsive and clearly accountable to the  
50   institutions served. In recognition of the value such shared endeavors may have in preserving and extending the schools’  
51   mission capacity, the Synod BOD is to be permitted to extend to them the same benefits available to the several schools.

1 **Proposed Action**

2 Therefore be it

3 *Resolved*, That the Synod in convention implore the boards of regents and presidents of Synod colleges and  
4 universities that, being mindful of their common confession and mission, of the Synod’s vast historical investment in and  
5 present and future reliance on the schools, and of the great responsibility incumbent on them as wise stewards—for the  
6 church’s sake—of limited resources, they seek diligently and urgently opportunities for coordination, cooperation, and  
7 consolidation of operations, in part or in whole, that will reduce unnecessary duplication, share best-in-class resources and  
8 leadership, strengthen the institutions’ ability to weather challenges, and enhance their ability together to deliver effectively  
9 on their mission objectives; and be it further

10 *Resolved*, That Bylaws 3.10.6.7–7.2 be added as follows:

11 **PRESENT/PROPOSED WORDING**

12 *Concordia University System Coordination and Collaboration*

13 3.10.6.7 Colleges and universities of the Synod are urged to conduct themselves materially in accordance with “our  
14 Lord’s will that the diversities of gifts should be for the common profit (1 Cor. 12:4–31; Constitution  
15 Preface),” strengthening one another through coordination, collaboration, consultation, and efficient  
16 consolidation of operations, wherever prudent and practically feasible.

17 3.10.6.7.1 Colleges and universities of the Synod are free and are encouraged to pursue among themselves efficient  
18 collaboration; sharing of administrative and educational resources; and consolidation of operations, academic  
19 programs, or institutions, as opportunities present themselves to their respective boards of regents and after  
20 input from the Concordia University System Board of Directors.

21 *The Chief Financial Officer and LCMS Accounting and Financial Services staff, in consultation with the Finance*  
22 *Committee, note that increased staffing and meeting costs for Concordia University System necessary to carry out the*  
23 *proposal will likely amount to \$250,000 annually, with approximately \$150,000 in additional initial costs for training*  
24 *and process development, a total of \$900,000 over the triennium, most likely to fall upon the unrestricted budget of*  
25 *national Synod (estimate required by Bylaw 3.1.7 [g]). Costs to the universities for regent training*  
26 *and for the direct costs of visitations are not included in this estimate.*

27 **To Bring Accountability to Concordia Boards of Regents**  
28 **and to Improve Doctrinal Fidelity and Amenability to Ecclesiastical Supervision**

29 **RESOLUTION 7-05**

30 Overtures 7-10–15 (CW, 355–58)

31 WHEREAS, Our Concordia universities have long been and continue to be precious gifts to the world and to the Church,  
32 especially when they clearly confess Christ Jesus as Lord and Savior according to Holy Scripture and our Lutheran  
33 Confessions; and

34 WHEREAS, The board of regents at each of our Concordia universities is vital to offering to its students, the world, and  
35 the Church a clear confession of what we in The Lutheran Church—Missouri Synod (LCMS) believe, teach, and confess;  
36 and

37 WHEREAS, While each of our Concordia universities has expanded its academic offerings to include other God  
38 pleasing vocations, and at the same time our Concordia universities continue to be the primary training ground in preparing  
39 future ordained and commissioned ministers for the LCMS; and

40 WHEREAS, While each Concordia University Board of Regents is to hold its members accountable to the Sacred  
41 Scriptures, the Lutheran Confessions, and the Bylaws of the LCMS; there is currently no sufficient process in the Synod  
42 Bylaws for the church at large to deal with regents, including laity, who fail to faithfully adhere to the doctrine and practice  
43 of the church; and

44 WHEREAS, Neither the Synod President nor the geographic district president in whose district the Concordia  
45 University resides has any ecclesiastical authority over the elected or appointed lay regents; therefore be it

46 *Resolved*, That upon approval of the 2023 Synod convention this action be applied immediately to any and all board  
47 of regents members across the Concordia University System regardless of their time of appointment of election; and be it  
48 further

1 *Resolved*, That Bylaw 3.10.6.2 be amended as follows (with references to Bylaws 3.10.6.2.1 and 3.10.6.2.2 [f] to  
2 bylaws as would be revised by adoption of Res. 7-04):

3 ~~PRESENT/PROPOSED~~ WORDING

4 ***F. Concordia University System Boards of Regents***

5 ...

6 3.10.6.2 The board of regents of each college and university shall consist of no more than 18 members, all voting.

7 1. One ordained minister, one commissioned minister, and two laypersons shall be elected by the  
8 conventions of the Synod.

9 2. One ordained minister, one commissioned minister, and two laypersons shall be elected by the  
10 geographical district in which the institution is located. If any board is required by its governing  
11 documents to include one or more persons holding residence or church membership in a specific locality,  
12 the institution is responsible for ensuring (including by appointment, if necessary) that individual(s)  
13 meeting such requirements are included among those persons serving on such board, and no such  
14 geographic restriction shall apply to Synod-elected regents.

15 3. No fewer than four and no more than eight members shall be appointed as members by the board of  
16 regents according to ~~a the following process determined by the individual institution:~~

17 (a) Appointed members may not vote on the appointment of members of the board.

18 (b) The board of regents nominations committee shall seek input from the board of regents  
19 members, the President of the institution, the Synod President, the CUS President, and Synod Board  
20 of Directors regarding qualified and suitable candidates for appointment.

21 (c) The board of regents nominations committee shall properly vet all candidates to ensure the  
22 candidates possess the qualifications specified in 3.10.6.2.1 with particular  
23 attention given to the needs of the institution.

24 (d) The board of regents nominations committee shall not nominate for appointment any person  
25 who fails meet the qualifications required under Bylaw 3.10.6.2.2 (f).

26 (e) The appointment shall be made by those board of regents members eligible to vote.

27 ...

28 5. One member, who may be an ordained minister, a commissioned minister, or a layperson, shall be  
29 appointed by the Praesidium of the Synod after consultation with the President the Chair of the board of  
30 regents of the respective institution and the Board of Directors of the Synod.

31 ...

32 and be it finally

33 *Resolved*, That Bylaw 1.5.7.1 be amended as follows:

34 ~~PRESENT/PROPOSED~~ WORDING

35 1.5.7.1 Unless otherwise specified in these Bylaws, the procedure for removal of a member of a commission, agency  
36 board, or the LCMS Board of Directors (BOD), except for those persons subject to Bylaw sections 2.15 and  
37 2.16, shall be as follows:

38 ...

39 (f) If a Concordia University System (CUS) college or university board of regents fails to take action  
40 within 90 days after receiving a written notice alleging cause for removal pursuant to Bylaw 1.5.7 (2),  
41 (8), and (9), or declines to recommend removal, the President of the Synod shall establish a three-person  
42 panel consisting of the First Vice-President of Synod, the chairman of the CUS board, and a member of  
43 the Council of Presidents (selected by blind draw and who has no affiliation with the institution in  
44 question). This panel shall hear evidence, evaluate, and make a recommendation to the BOD regarding  
45 the removal.

## To Support Colleges and Universities of the Concordia University System

### RESOLUTION 7-06

Overture 7-20 (*CW*, 360)

WHEREAS, Colleges and universities of the Concordia University System (CUS) have been serving The Lutheran Church—Missouri Synod (LCMS) and her congregations since 1864 by providing faithful, high-quality, Lutheran higher education to many tens of thousands of people throughout the nation and around the world; and

WHEREAS, Each of the colleges and universities within the CUS is committed to grounding all academic pursuits in the Gospel of Jesus Christ; and

WHEREAS, The colleges and universities of the CUS have afforded theologically sound liberal arts education and professional formation to thousands of students who serve in various vocations in the family, the Church, and civil society; and

WHEREAS, Countless students of the colleges and universities of the CUS have heard the saving Gospel of Jesus Christ proclaimed and expounded, through which many such students have come to faith and many faithful students have been strengthened in the Word; and

WHEREAS, God has provided priceless benefits to untold numbers of the faithful through professional church workers who were educated and formed at colleges and universities of the CUS; therefore be it

*Resolved*, That the colleges and universities of the CUS be commended for their God-pleasing work; and be it further

*Resolved*, That the congregations of the LCMS and their members encourage enrollment in the colleges and universities of the CUS, especially in programs that train workers for the Church; and be it further

*Resolved*, That the congregations of the LCMS be encouraged to provide spiritual and financial support for their congregants who enroll in a college or university of the CUS; and be it further

*Resolved*, That each district of the LCMS be encouraged to create and fund scholarships for members of that district's congregations to attend a college or university of the CUS; and be it finally

*Resolved*, That members of LCMS congregations be encouraged to support the colleges and universities of the CUS generously and regularly with their prayers, time, talents, and financial resources, all to the glory and praise of Almighty God—Father, Son, and Holy Spirit.

## To Respectfully Decline Overtures

### RESOLUTION 7-07

Overtures 7-16, 21 (*CW*, 358, 360)

WHEREAS, The floor committee has considered all overtures assigned to it and has concluded, for various reasons, that certain overtures should be declined; therefore be it

*Resolved*, That the following overtures be respectfully declined for the reasons given:

<u>Overture</u>	<u>Subject</u>	<u>Reason</u>
Ov. 7-16	To Address Concordia University Wisconsin/Ann Arbor Board of Regents Representation	Precluded by Bylaws
Ov. 7-21	To Reinstate the Rev. Dr. Gregory Schulz	Presently in process of ecclesiastical supervision

**8. FINANCE**

**To Respectfully Decline Overtures**

**RESOLUTION 8-01**

1  
2  
3  
4  
5  
6  
7

Overtures 8-01–02 (*CW*, 363)

WHEREAS, The floor committee has considered all overtures assigned to it and has concluded, for various reasons, that certain overtures should be declined; therefore be it

*Resolved*, That the following overtures be respectfully declined for the reasons given:

<u>Overture</u>	<u>Subject</u>	<u>Reason</u>
Ov. 8-01	To Request Expanded Permissions for 1986 <i>Small Catechism</i> Translation	The Synod Board of Directors approved a resolution in November 2013 reaffirming the right of LCMS congregations and individuals to use the 1986 translation of the <i>Enchiridion</i> for noncommercial personal, congregational, or classroom use under permission policies set forth by Concordia Publishing House.
Ov. 8-02	To Form Synodical Technology “Help Desk”	The creation of a central, Synod-level technology “help desk” for congregations was determined to be impractical as well as too expensive.



## 9. STRUCTURE AND ADMINISTRATION

### To Amend Bylaws to Provide Clarity for Cross-Circuit and Cross-District Multi-Congregation Parishes

#### RESOLUTION 9-01

Overture 9-01 (*CW*, 365–66)

#### Preamble

The 2019 Synod convention labored significantly to clarify the representation of multi-congregation parishes in Resolution 9-05, “To Amend the Constitution to Address Individual Membership and Advisory Representation”; Res. 9-08, “To Amend Bylaws to Clarify Multi-congregation Parish Representation at the Circuit Forum”; and Res. 9-12, “To Clarify the Meaning of Parish as it Relates to Congregational Representation at District Conventions and Election of the Synod President, and to Distinguish Assisting Capacity Pastoral Calls.” These resolutions had the following principal relevant effects:

- The multi-congregation parish now has a clear definition and clear and consistent representational expectations: “The total number of congregations regularly cared for (served) by a pastor or pastors constitutes a parish as it applies to bylaws dealing with representation at circuit forums (Bylaws 3.1.2.1 [c]; 5.3.2) and district conventions (Bylaw 4.2.2; Constitution Article XII 10 A), and in voting for the Synod President (Bylaw 3.12.2.3).” (Bylaw 2.5.5)
- Congregations of a multi-congregation parish other than the one supplying the district convention voting lay delegate may send an advisory/non-voting lay delegate to the district convention.
- Multi-congregation parishes are now represented at circuit forums by one pastor and one voting lay representative (lay representatives of congregations other than the one supplying the voting lay delegate are possible, but advisory/non-voting). Previously each congregation got a voting lay delegate.

The convention’s new bylaws did not, however, provide clarity about which district conventions and circuits these representatives and delegates attend when multi-congregation parishes cross circuit and/or district lines. While the several congregations of a multi-congregation parish reside ideally within one visitation circuit, this is not necessarily the case. Congregations of one parish may belong to distinct visitation/electoral circuits and even different districts. As of March 5, 2021, records appear to indicate 13 parishes involving congregations from more than one district:

- four established cross-district parishes involving a non-geographic district and a geographic one;
- seven established cross-district parishes involving two geographic districts; and
- two apparent but not recorded cross-district parishes involving two geographic districts.

In addition, there appear to be 63 additional parishes (all of the above, of course, naturally involve multiple circuits and are not included in the counts below) that involve congregations from more than one visitation circuit:

- 38 established parishes (including two triples and a quad) involving two visitation circuits each; and
- 12 apparent but not recorded parishes involving two visitation circuits.

Bylaws are presently silent as to how congregations involved in such situations are to be represented at district conventions and electoral and visitation circuit meetings. The Commission on Constitutional Matters (CCM) has from time to time been called upon to opine on questions of representation for such parishes and has reached a variety of conclusions on the basis of various principles and inferences. Of these, the following are held at present:

- No parish divided across circuit or district lines is entitled to additional representation on account of the division (i.e., each parish gets one pastoral and one lay vote and garners no additional votes in the “other” circuits or districts in which it may be involved).
- No pastor, due to a multi-congregation parish involving multiple districts, votes in the convention of a district in which he himself is not a member (CCM Op. 11-2618, “Congregation Representation at District Conventions”) (But cf. Bylaws 2.12.1–2 and following).

In CCM Op. 11-2618, the commission opined: “When a parish crosses district lines, it is nonetheless entitled to representation at district conventions by one pastor and one lay member. The pastor is a voting delegate to the convention

1 of the district of which he is a member. The lay vote is shared by the congregations as in any other parish, presumably in  
2 a manner that is fair and equitable. The district membership of the congregation of the lay delegate determines the district  
3 convention that he/she will attend as a voting delegate.” (Previously, in Ag. 1959 [Oct. 16, 1993], the commission had  
4 ruled: “Because two districts would be involved in the circumstances described, because the congregation cannot be  
5 deprived of its vote, and because the matters under consideration vary from district to district [including also elections],  
6 each congregation would have a lay vote in the respective district in which the congregation holds membership.” Before  
7 that, Apr. 23–24, 1970, the commission in an unnumbered opinion indicated that the lay delegate of such a parish would  
8 vote in the same district as the pastor, even if the congregation to which he belongs is of the other district.)

9 The Commission on Handbook has proposed the following bylaw amendments (Item 19-019), consistent with the above  
10 guidance from currently standing CCM opinions, which will make clear how cross-circuit and cross-district multi-  
11 congregation parishes are to be represented at circuit forums and district conventions. These will provide clarity, with  
12 regard to important representational processes, to the not insignificant and increasing number of member congregations,  
13 circuits, and districts involved in such situations, without reference to CCM opinions external to the *Handbook*.

14 **A. WITH REGARD TO DISTRICT CONVENTIONS**

15 **Rationale**

16 At the district level, the sense of existing CCM Op. 11-2618 may simply be implemented in the bylaw treating accreditation  
17 of delegates, which already mentions a “multi-congregation parish.”

18 Therefore be it

19 *Resolved*, That Bylaw 4.2.2 be amended as follows:

20 ~~PRESENT~~/PROPOSED WORDING

21 **4.2 District Conventions**

22 ...

23 4.2.2 The delegates of a voting congregation or multi-congregation parish to a district convention shall be  
24 accredited.

25 (a) To be entitled to vote, delegates shall return the proper credentials provided by the district secretary  
26 and signed by two of the congregation’s officers, either by mailing them to the district office at a date  
27 determined by the district or by presenting them to the district secretary at the opening of the convention.

28 (b) All duly elected voting delegates shall attend all sessions of the convention regularly until the close  
29 of the convention.

30 (c) Should a multi-congregation parish involve congregations having membership in different districts,  
31 the pastoral delegate shall be accredited in the convention of the district in which he holds membership  
32 and lay delegates, voting and advisory, shall be accredited in the convention of the district in which each  
33 delegate’s respective congregation holds membership. No multi-congregation parish is entitled to more  
34 than one pastoral and one lay voting delegate because of its inclusion of congregations from different  
35 districts.

36 **B. WITH REGARD TO VISITATION CIRCUITS**

37 **Rationale**

38 While any number of arbitrary rules could be applied, the following seemed to the commission the simplest, most readily  
39 applicable, and most aligned with the role of the circuit visitor as assistant and representative of a particular district  
40 president (Bylaws 5.2.3–5.2.3.1): At the visitation circuit level, lay representatives attend the circuit of which their  
41 respective congregations are members; the pastor attends that circuit (of those to which belong the congregations he serves,  
42 and within his own district only) to which he is assigned by his district president.

43 Therefore be it

44 *Resolved*, That Bylaw 5.3.2 be amended as follows:

45 ~~PRESENT~~/PROPOSED WORDING

46 **5.3 Circuit Forums**

47 ...

1 5.3.2 The circuit forum consists of one pastor and one layperson from each member congregation or multi-  
 2 congregation parish designated by the congregation or parish. Congregations of a multi-congregation parish  
 3 not contributing a lay voter may send an advisory lay representative, with voice but no vote.

4 (a) Depending on each circuit's adopted objectives, the circuit may provide for additional representation  
 5 from each congregation. Such additional representatives have no vote in matters assigned to the circuit  
 6 forum by the Bylaws of the Synod.

7 (b) The circuit visitor and any other officers shall have the primary responsibility of preparing the  
 8 agenda for the circuit forum.

9 (c) The circuit visitor shall ordinarily serve as chairman of the circuit forum.

10 (d) Should a multi-congregation parish involve congregations having membership in different visitation  
 11 circuits, each lay representative, voting and advisory, shall attend the forum of the circuit of which the  
 12 representative's congregation is a member. The pastoral representative shall attend the forum of that  
 13 circuit, within which he serves a congregation and within the district in which he holds membership, to  
 14 which he is assigned by his district president. No multi-congregation parish is entitled to more than one  
 15 pastoral and one lay voting representative because of its inclusion of congregations from different  
 16 visitation circuits.

### 17 C. WITH REGARD TO ELECTORAL CIRCUITS

#### 18 Rationale

19 At the electoral circuit level, the same rule is proposed (with regard to the pastor, his assignment to a visitation circuit will  
 20 dictate his assignment to an electoral circuit). It is important to note that this impacts his eligibility to serve as circuit  
 21 delegate.

22 Therefore be it

23 *Resolved*, That Bylaw 3.1.2.1 be amended as follows:

#### 24 PRESENT/PROPOSED WORDING

#### 25 *Voting Delegates*

26 ...

27 3.1.2.1 Elections of voting delegates shall take place in accordance with established policy and procedure.

28 (a) Each electoral circuit shall meet at the call of the circuit visitor(s) to elect its delegates not later than  
 29 nine months prior to the opening day of the convention. When in-person meetings are burdensome (e.g.,  
 30 geographically large circuits), a circuit may select another manner of meeting (e.g., e-meeting  
 31 technologies) that is suitable and made available to all participants, taking into consideration the need to  
 32 provide for an open and fair exchange of ideas and secure, private, and confidential voting.

33 (b) Each electoral circuit may adopt procedures and methods that will insure efficiency and accuracy,  
 34 including the use of mechanical, electronic, or other methods of casting, recording, or tabulating votes.

35 (c) The privilege of voting shall be exercised by one pastor and one layperson from each member  
 36 congregation or multi-congregation parish of the circuit, both of whom shall have been elected in the  
 37 manner prescribed by the congregation or parish. Congregations of a multi-congregation parish not  
 38 contributing a lay voter may send an advisory lay representative, with voice but no vote. A pastor serving  
 39 a congregation in an assisting capacity (Bylaw 2.5.6) is not eligible to cast that congregation's pastoral  
 40 vote.

41 (d) Should a multi-congregation parish involve congregations having membership in different electoral  
 42 circuits, each lay representative, voting and advisory, shall attend the forum of that circuit of which the  
 43 representative's congregation is a member. The pastoral delegate shall attend the forum of the circuit,  
 44 within which he serves a congregation and within the district in which he holds membership, to which  
 45 he is assigned by his district president. His eligibility for election as circuit delegate shall be within that  
 46 circuit only. No multi-congregation parish is entitled to more than one pastoral and one lay voting  
 47 representative because of its inclusion of congregations from different electoral circuits. No circuit shall  
 48 elect as a lay delegate or alternate a member of any congregation that is served (in other than an assisting  
 49 capacity) by a pastor elected as delegate or alternate.

50 (~~d~~) ... (subsequent subparagraphs re-lettered similarly)

## To Amend Various Bylaws to Provide Clarity or to Address Practical Considerations

### RESOLUTION 9-02

Overture 9-02 (CW, 366–71)

#### Preamble

The Commission on Handbook (COH) “responds to requests from agencies of the Synod to propose new provisions to address specific *Handbook*-related issues that surface between conventions” (Bylaw 3.9.4.2 [e]). Where it finds that these changes may be of a substantive nature, it proposes them to the Synod convention for adoption. This omnibus contains a variety of more minor changes, which are severable by a floor committee or by the convention but otherwise not likely to merit individual convention consideration. As a result of its work in the 2019–2023 “triennium,” in consultation with the noted officers and agencies, COH has proposed the following for adoption:

#### A. ELECTION OF EDUCATIONAL INSTITUTION ADVISORY REPRESENTATIVES

##### Rationale

The Commission on Constitutional Matters (CCM) in its Opinion 22-3000 (Minutes, Nov. 4–5, 2021), in response to a request from a university faculty member for an opinion to clarify, in Bylaw 3.1.4.1, who participates in election of faculty representatives and who could serve in that capacity, ultimately found that if an inference had to be drawn from Bylaw section 3.1.3, it would be sensible for those members of the faculty included in the ratio calculation to be those who do the electing of, and who are eligible to be elected as, the advisory representatives. The opinion continues:

However, this is clearly an inference and, since Bylaw 3.1.4.1 (a) does not address the issue of how the advisory representative of an educational institution is to be selected, the commission must conclude that Bylaw 3.1.4.1 (a) does not provide a definitive answer to the question as asked.

The commission notes that the present questions reflect the reality that the essential content of these provisions has remained static while the makeup of Concordia college and university faculties has changed substantially over time. This commission therefore recommends that the Commission on Handbook consider this matter and provide language that clarifies—if the above inference is to be made normative—that the representative is to be selected by those individuals being represented, which would be consistent, regarding those eligible to make the selection, with Bylaw section 3.1.3.

The commission therefore offers the following proposal to the convention to make Bylaw 3.1.4.1 more precise, specifying who does the electing of, and who is to be elected as, the advisory representatives of Synod educational institutions.

Therefore be it

*Resolved*, That Bylaw 3.1.4.2 be amended as follows:

##### ~~PRESENT~~/PROPOSED WORDING

##### *Other Advisory Representatives*

...

3.1.4.2 Each educational institution of the Synod shall be represented at conventions of the Synod.

(a) Educational institutions of the Synod shall be represented by one board member in addition to the district president, by their presidents, and by one faculty member for every 30 full-time faculty members who are members of the Synod, elected from among and by the same.

(b) Fractional groupings shall be disregarded except that each institution having any full-time faculty members on the roster of the Synod shall be entitled to at least one faculty representative.

#### B. ELECTION OF SYNOD CONVENTION ADVISORY DELEGATES

##### Rationale

The CCM in its Opinion 22-2999 (Minutes, Nov. 4–5, 2021), in response to a request for opinion from a district secretary, interpreted Bylaws 3.1.3–3.1.3.1, regarding the election of Synod convention advisory delegates. While its interpretation did not challenge current practice, it did note unclarities that should be remedied, some of which resulted from or were exacerbated by features of 2019 Resolution 9-05. The proposal removes the first sentence of Bylaw 3.1.3, which relates to district conventions instead of the Synod conventions treated here. It is also redundant with Bylaw 4.2.3 and Constitutional

1 Article XII 10 b. It also treats uniformly the two reasons an individual might be excluded from the advisory delegate pool:  
2 either potential for election as circuit delegate or for selection as an advisory representative. Finally, the bylaw is updated  
3 to take into account those who may be serving in only an assisting capacity (cf. Bylaw 2.5.6), a feature not previously  
4 made explicit.

5 Therefore be it

6 *Resolved*, That Bylaws 3.1.3–3.1.3.1 be amended as follows:

7 **PRESENT/PROPOSED WORDING**

8 ***Nonvoting Advisory Delegates***

9 3.1.3 ~~The advisory delegates of a district convention shall consist, unless they present a valid excuse, of all~~  
10 ~~individual members of the Synod within the district, except those pastors representing member congregations~~  
11 ~~as voting delegates.~~ In a convention of the Synod, all commissioned ministers and those ordained ministers  
12 not eligible for election as a voting delegate under Bylaw 3.1.2.1 (d) and who are not eligible to represent  
13 other entities or offices in the Synod as advisory representatives in any category under Bylaw 3.1.4 shall be  
14 represented as follows:

15 3.1.3.1 ~~Each~~ Within each district ~~shall select~~ one advisory delegate shall be selected for every 60 ~~such~~ advisory  
16 ~~ordained ministers and specific ministry pastors,~~ and one advisory delegate shall be selected for every 60  
17 such commissioned ministers ~~on the roster of the Synod~~. Fractional groupings shall be disregarded except  
18 that each district shall be entitled to at least one advisory delegate in each category.

19 (a) Selection of district advisory delegates to conventions of the Synod shall be made by the respective  
20 groups meeting at the call of the district secretary, ~~either~~ during the district convention ~~or~~, at official  
21 district conferences of ordained and/or commissioned ministers, or via electronic means according to  
22 Board of Directors policy (Bylaw 1.5.3). The district secretary may assist the groups by facilitating the  
23 elections.

24 (b) Such selections must be completed at least nine months prior to the opening day of the convention.

25 (c) ~~Individuals~~ Ordained ministers who are eligible for election as a voting delegate under Bylaw 3.1.2.1  
26 (d) (that is, all parish pastors except specific ministry pastors and those serving only in an assisting  
27 capacity) and all individuals who are eligible for selection in any category under Bylaw 3.1.4 shall not  
28 be counted in determining the number of advisory delegates from each district, shall not be eligible to  
29 be selected as delegates from the groups defined in this bylaw, and shall not participate in the election  
30 process.

31 3.1.3.2 All district voting and nonvoting advisory delegates and representatives and their alternates shall be certified  
32 before attending a convention of the Synod.

33 (a) The names and addresses of all voting and nonvoting advisory delegates and representatives and  
34 their alternates shall be forwarded by the district secretary before the announced registration deadline to  
35 the Secretary of the Synod on registration forms provided by the latter.

36 (b) This procedure shall constitute certification.

37 **C. COMMISSION ON THEOLOGY AND CHURCH RELATIONS, STAFF REPRESENTATION AT SYNOD**  
38 **CONVENTIONS**

39 **Rationale**

40 The Commission on Theology and Church Relations (CTCR) requested attention to Bylaw 3.1.4.1, which fixes the default  
41 advisory representation of the Synod's commissions at Synod conventions, for CTCR, providing for a single "principal  
42 staff person" (Bylaw 3.1.4.1 [a]) to participate unless the Board of Directors (BOD) makes an exception prior to each  
43 convention. CTCR has two executive staff members (not just one "principal staff person"), of whom it desires to make  
44 maximal use at the convention and during prior floor committee work. The BOD has regularly granted an exception to  
45 allow this, but CTCR desires not to have to make this a standing request. Bylaw 3.1.4.1 (a) was amended in 2016 (Res.  
46 11-17) to include the executive directors of the Office of National Mission and Office of International Mission. The CTCR  
47 staff issue was left unaddressed. The CTCR is the only commission with executive staff. The COH has proposed the  
48 following (Item 19-022).

49 Therefore be it

50 *Resolved*, That Bylaw 3.1.4.1 (b) be amended as follows:

1 ~~PRESENT/PROPOSED~~ WORDING

2 ***Other Advisory Representatives***

3 3.1.4.1 Each board and commission of the Synod shall be represented at conventions of the Synod.

4 (a) Each board or commission shall be represented by its chairman or another board or commission  
5 member and by its principal staff person. The boards for National and International Mission shall also  
6 be represented by the executive directors of the Offices of National and International Mission,  
7 respectively.

8 (b) Standing exceptions shall be the Board of Directors, the Commission on Constitutional Matters, the  
9 Commission on Handbook, and the Commission on Theology and Church Relations, who may be  
10 represented by as many of their membership and executive staff as they deem necessary.

11 (c) Other exceptions must have the approval of the Board of Directors of the Synod prior to each  
12 convention.

13 **D. LUTHERAN CHURCH EXTENSION FUND DISTRICT MEMBERSHIP FORMULA**

14 **Rationale**

15 The formula by which the corporate membership of The Lutheran Church Extension Fund—Missouri Synod (LCEF) is  
16 calculated is stated in the Bylaws of LCEF and was also copied into the Synod Bylaws pursuant to 1983 Res. 4-03  
17 (*Proceedings*, 166), presently as Bylaw 3.6.4.2.2. (Typographical errors in the formula, present in the printed 2016 and  
18 2019 *Handbooks*, have already been corrected by the COH.)

19 While the formula itself has remained unchanged, the LCEF Bylaws were amended in November 1990 to limit the total  
20 number of district members to a maximum of 135, so that the formula was used thereafter on a *pro rata* basis, to compute  
21 the *fraction* of the total 135 district members to be assigned to each district, rather than to compute a raw number of  
22 members per district, which would have allowed the membership to grow without bound. The formula has been applied  
23 in this manner ever since.

24 No corresponding change has, however, been made to Synod Bylaws to indicate explicitly that the formula is to be applied  
25 on a *pro rata* basis. Noting that this is not a change to the formula, but a clarification of how the formula has historically  
26 been applied, it is proposed to revise Bylaw 3.6.4.2.2 as follows to reflect more clearly what is the established and ongoing  
27 practice. The proposal leaves the definite number of delegates to be prescribed in LCEF Bylaws, where, subject to approval  
28 by the Synod's CCM and BOD, as well as by the LCEF membership (Bylaws 3.6.1.7, 8 [c]), the cap may someday be  
29 adjusted in the interest of efficient and effective membership meetings. The COH has proposed the following (Item 19-  
30 021).

31 Therefore be it

32 *Resolved*, That Bylaw 3.6.4.2.2 be amended as follows:

33 ~~PRESENT/PROPOSED~~ WORDING

34 ***The Lutheran Church Extension Fund—Missouri Synod***

35 ...

36 3.6.4.2 As established by its bylaws, the members of the Lutheran Church Extension Fund—Missouri Synod are  
37 divided into two classes.

38 3.6.4.2.1 One class of members consists of the President of the Synod or his representative, the Chief Financial Officer  
39 of the Synod, and such additional members appointed by the Board of Directors of The Lutheran Church—  
40 Missouri Synod as shall equal one for each ten members of the other class of members.

41 3.6.4.2.2 The second class of members consists of representatives of participating districts, ~~the number determined~~  
42 ~~according to the following formula, with any fraction rounded to the nearest whole number of a total number~~  
43 set by the bylaws of The Lutheran Church Extension Fund—Missouri Synod, with representation allotted  
44 proportionally to the districts according to the following formula, except that at least one representative shall  
45 be allotted to each district:

$$46 \frac{\text{Baptized Members}}{50,000} + \frac{\text{Investments}}{\$10,000,000} + \frac{\text{Investments}}{\text{Baptized Members}} \times 0.015 +$$

$$47 + \frac{\text{Fund Balance}}{\$100,000} \times 0.010 = \text{Number of Members per District}$$

48

## E. SEMINARY AND UNIVERSITY “SURPLUS FUNDS”

### Rationale

Bylaws 3.10.5.5 (e)(2) and 3.10.6.4 lack a clear definition of “surplus institutional funds.” The BOD Governance Committee (Minutes of the BOD, November 15–16, 2018, and May 21–22, 2021) has addressed itself to the requirement that such be deposited with the Chief Financial Officer of the Synod (seminaries) or Concordia University System (universities) for investment, the earnings being credited to the depositing institution. It may be noted that: (1) the requirement of Bylaw 3.10.6.4 (e)(2), dealing with the Synod’s universities, is proposed for removal in the 2019 Res. 7-03 proposal on university governance, as presently conceived; (2) LCEF is today principally managing lines of credit and deposits of surplus funds, rather than doing so through the Concordia University System as an intermediary; (3) that the seminaries and universities have developed capacity for other investment approaches. In its meeting of April 28, 2021, the BOD Governance Committee recommended simply striking both passages, a proposal with which the COH concurs in its Item 19-004.

Therefore be it

*Resolved*, That Bylaw 3.10.5.5 (e) be amended as follows:

### PRESENT/PROPOSED WORDING

#### *E. Seminary Boards of Regents*

...

3.10.5.5 The board of regents of each theological seminary shall become familiar with and develop an understanding of pertinent policies, standards, and guidelines of the Synod.

...

(e) It shall approve institutional fiscal arrangements, develop the financial resources necessary to operate the seminary, and participate in its support program.

~~(1) Only the board of regents is authorized to establish a line of credit or to borrow for operating needs, subject to the policies of the Board of Directors of the Synod.~~

~~(2) All surplus institutional funds above an adequate working balance shall be deemed to be surplus and shall be deposited with the Chief Financial Officer of the Synod for investment. Earnings from such investments shall be credited to the depositing seminary.~~

...

and be it further

*Resolved*, That Bylaw 3.10.6.4 (e) be amended as follows:

### PRESENT/PROPOSED WORDING

#### *F. Concordia University System Boards of Regents*

...

3.10.6.4 The board of regents of each institution shall become familiar with and develop an understanding of pertinent policies, standards, and guidelines of the Synod and the Board of Directors of Concordia University System.

...

(e) It shall approve institutional fiscal arrangements, develop the financial resources necessary to operate the institution, and participate in its financial support.

~~(1) Only the board of regents is authorized to establish a line of credit or to borrow for operating needs, subject to the policies of the Board of Directors of Concordia University System and the Board of Directors of the Synod.~~

~~(2) All surplus institutional funds above an adequate working balance shall be deposited with the Concordia University System for investment. Earnings from such investments shall be credited to the depositing institution.~~

...

## F. REGISTRATION PROCEDURE FOR PRESIDENTIAL VOTERS

### Rationale

Bylaw 3.12.2.3 governs the registration of presidential voters by the congregations-and-parishes of the Synod. This process involves the collection of name, address, e-mail address, phone, and a “security question” for the pastoral and lay voters

1 to be registered. Handwriting of this information on a form and subsequent data entry have proven very error-prone and  
 2 time-consuming. Especially the important e-mail address has been a challenge. Improperly completed or signed forms take  
 3 a long time to detect and correct, with the consequence that some congregations have difficulty completing the process in  
 4 time.

5 The Office of the Secretary implemented an online registration process in preparation for this convention to address the  
 6 above issues and to allow for districts to be involved in reminding congregations to register their voters, as required by  
 7 2019 Res. 9-16 and its amendment of Bylaw 3.12.2.3 (d). This required an interpretation of the CCM (CCM Op. 20-2930)  
 8 to understand an online interface to be within the definition of “form” and the “signatures” required to be satisfied by  
 9 “verifiable attestations, by some commonly understood means of physical or electronic signature.”

10 Proposed is to adapt the language of the Bylaw to be similar to the “secure and verifiable method” used elsewhere, so as  
 11 to clarify requirements without seeming to imply use of an unwieldy paper process.

12 Therefore be it

13 *Resolved*, That Bylaw 3.12.2.3 be amended as follows:

14 **PRESENT/PROPOSED WORDING**

15 ***Elections of President and First Vice-President***

16 ...

17 3.12.2.3 The Secretary of the Synod shall compile and maintain the voters list for the election of the President of the  
 18 Synod. This list and any of its parts shall not be disseminated.

19 (a) This voters list shall include:

20 (1) the pastor of each member congregation or multi-congregation parish (assisting pastors are not  
 21 eligible)

22 (2) a lay person from the congregation or parish

23 (b) ~~The congregation or parish shall present to the Secretary of Synod 90 days prior to the election a~~  
 24 ~~proper credentials form provided, via a secure and verifiable method provided by the Secretary, the~~  
 25 ~~voter(s) selected by the congregation or parish, signed as well as an attestation by two of the~~  
 26 ~~congregation’s officers that the voter(s) are properly authorized by the congregation to vote on its behalf.~~  
 27 If a congregation or parish has more than one pastor eligible to vote, the congregation shall designate ~~on~~  
 28 ~~the credentials form~~ which pastor will cast a vote on behalf of the congregation.

29 (c) If one or both voters are unavailable, congregations shall be provided opportunity to select substitute  
 30 voters up to a deadline designated by the Secretary.

31 (d) The registration status of congregations shall be made available to respective district presidents for  
 32 the sole purpose of their encouraging registration for greater congregational participation. The  
 33 registration status of congregations shall not be further disseminated.

34 **G. NOMINATION PROCEDURE FOR REGIONAL VICE-PRESIDENTS**

35 **Rationale**

36 The Office of the Secretary implemented for the first time, in connection with the 2023 convention, “a secure and  
 37 verifiable” online method for submission of congregational nominations for President, First Vice-President, and regional  
 38 vice-presidents of the Synod. The use of a “secure and verifiable” (possibly electronic) method was enabled by 2010 Res.  
 39 3.12.2.4, to which this language in Bylaw 3.12.2 (b–c) is due. The same convention made the second and following vice-  
 40 presidents regional (2010 Res. 8-14A) but copied over the *old* procedure used for pre-convention nomination of the  
 41 President and First Vice-President (paper ballots, signed by two officers) rather than adopting the new “secure and  
 42 verifiable method” language. At the request of the Office of the Secretary, the CCM found in its Op. 20-2930 (Minutes,  
 43 April 24, 2020) that:

44 [In addition to 2010 Res. 8-14A, which provided for vice-presidents after the first to be elected regionally]  
 45 [t]he 2010 Synod convention also adopted Resolution 4-07, which made a large number of bylaw changes  
 46 pertaining to the preparations for conventions of the Synod. One of these bylaw changes altered how the  
 47 President and *all vice-presidents* of the Synod were to be nominated. The 2010 change to then-Bylaw 3.12.1  
 48 eliminated the requirement of 3.12.1 (b) that all nominating ballots be signed by the president and secretary  
 49 of the nominating congregation, replacing it instead with a provision directing the Secretary of the Synod to  
 50 provide “a secure and verifiable method that will offer opportunity to every congregation of the Synod to



1 submit nominations.” This change was not, however, incorporated into the 2010 *Handbook* with regard to  
2 the nomination of regional vice-presidents.

3 ...

4 Since the procedure for nomination by the congregations today applies only to the offices of President of the  
5 Synod, First Vice-President, and the five regional vice-presidents [and no longer to regional Board of  
6 Directors or mission board offices, which used a parallel paper process in the 2013 and 2016 conventions],  
7 it is the opinion of the commission that Resolution 4-07, adopted by the 2010 convention, can be followed  
8 in its original intention to allow the Secretary of the Synod to provide “a secure and verifiable method that  
9 will offer opportunity to every congregation of the Synod to submit nominations,” not only for the President  
10 of the Synod and the First Vice-President, but also for the five regional vice-presidents as well, without  
11 requiring the signature of the president and secretary of nominating congregations.

12 In its Item 19-014B, the COH has proposed “finishing the work” of 2010 Res. 4-07 and amending the language of Bylaw  
13 3.12.2.7 to allow explicitly for the use of a “secure and verifiable” (possibly electronic) method for the election of the  
14 regional vice-presidents, to parallel exactly the language used for President and First Vice-President. While it found the  
15 change would only make explicit the sense of Bylaw 3.12.3.7 already determined by the CCM, it found the change  
16 important enough to be presented to the convention for adoption.

17 Therefore be it

18 *Resolved*, That Bylaw 3.12.2.7 be amended as follows:

19 **PRESENT/PROPOSED WORDING**

20 ***Nominations and Elections of Regional Vice-Presidents***

21 3.12.2.7 After the results of the first-vice-presidential election have been announced, the convention shall elect five  
22 regional vice-presidents according to the following nominations and elections process.

23 (a) Each member congregation of a region (including any non-geographic-district congregations in that  
24 region) shall have been given opportunity, through a secure and verifiable method provided by the  
25 Secretary of the Synod, to nominate two ministers of religion—ordained from the clergy roster of the  
26 Synod with residence in its designated region as candidates for regional vice-president.

27 ~~(b) The Secretary of the Synod shall receive such nominations (signed by the president and secretary of~~  
28 ~~the nominating congregation).~~

29 ~~(eb)~~ The names of the five ministers of religion—ordained residing within the boundaries of each  
30 geographic region who receive the most nominating votes shall form the slate from which the Synod  
31 convention shall select by majority vote each regional vice-president.

32 ~~(ec)~~ ... (subsequent subparagraphs re-lettered similarly)

33 **H. ELECTION OF DISTRICT PRESIDENT AND VICE-PRESIDENTS**

34 **Rationale**

35 In CCM Opinion 22-2987, a review of district bylaws, the commission noted that Bylaw 4.7.3 specifies a procedure for  
36 successive balloting for offices of the districts *other than* president and the vice-presidents. It is customarily understood  
37 that the proper procedure for president and vice-presidents is, should a ballot not produce a majority election, to produce  
38 a successive ballot by removing the candidate who received the fewest votes, repeating until an election occurs (cf. Bylaw  
39 3.12.2.6 [b] but ctr. Bylaws 3.12.2.4 and 3.12.2.7 [e–f]). The variety of approaches available for President and regional  
40 vice-presidents of the Synod—both of which, to be sure, have unique election mechanisms not likely to be reproduced  
41 exactly on the district level—leads to a question, especially given Bylaw 4.7.1, which allows for district election  
42 regulations, provided that “these do not conflict with the Bylaws of the Synod,” of what is the proper procedure for use by  
43 the districts (Const. Art. XII 5).

44 In its Item 19-024, COH proposed that the common understanding be implemented clearly and explicitly in the Bylaws.

45 Therefore be it

46 *Resolved*, That Bylaw 4.7.3 be amended as follows:

1 ~~PRESENT/PROPOSED~~ WORDING2 **4.7 District Nominations, Elections, and Appointments**

3 4.7.1 Each district may adopt regulations for the nomination and election of its president; the nomination, selection,  
4 election, ranking, and succession in case of vacancies of its vice-presidents; and the nomination or selection  
5 of any regional officers or regional board of directors members, as long as these provisions do not conflict  
6 with the Bylaws of the Synod.

7 4.7.2 A nominating committee of each district shall be elected by the district convention. Nominating committees  
8 may not be employed in the election of the president and vice-presidents.

9 4.7.3 A majority of all votes cast by a district convention shall be required in every election to all elective offices  
10 and elective board positions. ~~Except in the election of the president and the vice-presidents, the~~ The following  
11 regulations shall apply:

12 (a) Candidates receiving a majority on the first ballot shall be declared elected.

13 (b) In the election of the president and the vice-presidents, when a second or succeeding ballot is  
14 required for a majority, the candidate receiving the fewest votes shall be dropped from the ballot.

15 ~~(bc) When~~ In other elections, when a second or succeeding ballot is required for a majority, the candidate  
16 receiving the fewest votes and all candidates receiving less than 15 percent of the votes cast shall be  
17 dropped from the ballot, unless fewer than two candidates receive 15 percent or more of the votes cast,  
18 in which case the three highest candidates shall constitute the ballot.

19 (ed) In every election balloting shall continue until every position has been filled by majority vote.

20 **I. SUGGESTION OF NOMINEES FOR CIRCUIT VISITOR**21 **Rationale**

22 When the 2010 convention amended the process for election of a circuit visitor, an amendment made in the course of the  
23 convention adopted, instead of the initially proposed language (that “nominations for circuit [visitor] may be submitted by  
24 a voting congregation of the circuit *and by the district president, in consultation with the praesidium of the district*”) the  
25 practice that “the district president be provided opportunity to [instead of *nominate*, as initially proposed] *suggest* eligible  
26 candidates from within the circuit.” The fact that the convention made this evident distinction between *nominating* and  
27 *suggesting a nomination* has led to triennial guidance of circuit visitors by the Office of the Secretary as follows:

28 “Nominations for candidates for the office of circuit visitor may be submitted by a voting congregation of  
29 the circuit and suggested by the district president, in consultation with the praesidium of the district” (Bylaw  
30 5.2.2 [b]). Unlike names *suggested* by district presidents, which names may be added to the slate of  
31 candidates at the meeting by majority vote of the assembly, the names *submitted* by congregations must  
32 appear on the ballot for circuit visitor. All suggested or submitted names of pastors, whether serving  
33 congregations or emeriti, should be accompanied by pertinent information regarding each nominee (Bylaws  
34 5.2.2 [d][1] and 3.12.3.6 [c]). All nominations must be received by the circuit visitor before the day of the  
35 circuit forum (Bylaw 5.2.2 [b]).

36 In its item 19-018, the COH, at the suggestion of the Secretary, proposed the following change that would make this  
37 practice, with regard to suggested nominations, an explicit part of the *Handbook*.

38 Therefore be it

39 *Resolved*, That Bylaw 5.2.2 be amended as follows:

40 ~~PRESENT/PROPOSED~~ WORDING41 **5.2 Circuit Visitors**

42 ...

43 5.2.2 The circuit visitor shall hold his position by virtue of his selection by the circuit forum and ratification by the  
44 district convention.

45 (a) Circuit forums shall meet at the call of their circuit visitors to select their circuit visitors no later than  
46 the time established by the district. When in-person meetings are burdensome (e.g., geographically large  
47 circuits), a circuit may select another manner of meeting (e.g., e-meeting technologies) that is suitable  
48 and made available to all participants, taking into consideration the need to provide for an open and fair  
49 exchange of ideas and secure, private, and confidential voting.

(b) Prior to the day of the circuit forum, nominations for candidates for the office of circuit visitor may be submitted by a voting congregation of the circuit and suggested by the district president, in consultation with the praesidium of the district. Names suggested by the district president may, during the circuit forum, be received into nomination by a majority vote of the assembly.

(c) Each circuit may adopt procedures and methods that will insure efficiency and accuracy, including the use of mechanical, electronic, or other methods of casting, recording, or tabulating votes. The privilege of voting shall be exercised by the representatives from each member congregation of the circuit, who shall have been selected in the manner prescribed by the congregation (Bylaw 5.3.2).

...

## To Clarify Bylaws Regarding Appointment of Synodwide Corporate Entity Chief Executive

### RESOLUTION 9-03

Overture 9-03 (CW, 371–72)

#### Rationale

The Commission on Constitutional Matters (CCM) in its Opinion 21-2970 (Minutes, Dec. 3–4, 2021), in response to a request for clarification from a member of a synodwide corporate entity board, interpreted Bylaw 3.6.1.5 (a) to envision—instead of a process whereby the board would present nominees to the President of the Synod for him to strike unacceptable names, leaving the remainder as the board’s appointment slate—a “continued dialogue by which the board and President jointly construct—by a process not specified in further detail in the bylaw—a slate of candidates in which they can mutually concur.” CCM referred the matter to the Commission on Handbook for clarification of the bylaw language; the latter commission now presents the following proposal, which recasts the appointment process, including any interim, in chronological order and more precisely describes its various steps.

Therefore be it

*Resolved*, That Bylaw 3.6.1.5 be amended as follows:

PRESENT/PROPOSED WORDING

### 3.6 Synodwide Corporate Entities

#### General Principles

...

3.6.1.5 Synodwide corporate entities may create chief executive positions (who may be designated as an officer of the corporation) pursuant to Bylaw 1.2.1, and fill them in accordance with the Bylaws of the Synod and the human resources policies adopted pursuant to Bylaw 1.5.5.

(a) The chief executive shall serve at the pleasure of the governing board be appointed by the governing board according to the following process.

~~(1) The slate of candidates for the initial appointment of the chief executive shall be selected by the governing board in consultation with and with the mutual concurrence of the President of the Synod.~~

~~(2) In the event of a vacancy, the appropriate governing board and the President of the Synod shall act expeditiously to fill the vacancy. This governing board shall present its list of candidates to the President.~~

(2) Any appointment of an interim chief executive shall be made by the governing board in consultation with and the concurrence of the President of the Synod. Interim service shall last no more than 18 months, unless renewed by the governing board with the concurrence of the President of the Synod.

(3) Nominations shall be gathered by a process that includes solicitation, in an official publication of the Synod, of nominations from agencies and officers of the Synod and the congregational and individual members of the Synod, along with lay persons of the congregations of the Synod.

(4) The governing board shall from the nominees gathered, in consultation with and ultimately with the concurrence of the President of the Synod, select the slate (consisting of one or more candidates), from which the governing board shall attempt to select a chief executive for appointment.

(5) In the event of a failure to appoint or a declination, the governing board may as necessary repeat stages of nomination gathering, candidate selection, and appointment, but may only select an appointee from a slate established as described above.

(b) The chief executive shall serve at the pleasure of the governing board.

(31) The governing board shall conduct an annual review of its chief executive and, before the expiration of five years, conduct a comprehensive review.

(42) At the conclusion of each five-year period, the appointment shall terminate unless the governing board takes specific action to continue the person in the office, each subsequent term not to exceed five years.

~~(b) Any interim appointment of a chief executive shall follow a process similar to the initial appointment of a chief executive.~~

~~(1) Such interim appointees must be approved by the President of the Synod, and may not serve more than 18 months without the concurrence of the President of the Synod.~~

~~(2) Such interim appointees shall be ineligible to serve on a permanent basis without the concurrence of the President of the Synod.~~

(c) The chief executives shall normally attend all meetings of their board except when their own positions are being considered.

**To Establish Mission Board Responsibilities  
Regarding Mission Office Strategic Plan and Annual Budget Proposal**

**RESOLUTION 9-04**

Overtures 9-48 (CW, 397)

WHEREAS, Bylaw 1.2.1 (n) defines the duties of a mission board of the Synod; and

WHEREAS, Bylaw 1.2.1 (n) states that the mission boards of the Synod are charged with developing and determining policies that establish boundaries, parameters, and principals that guide the respective mission offices in determining present and future activities and programs; and

WHEREAS, Bylaw 1.2.1 (n) states “the mission board shall have oversight of the implementation of these policies”; and

WHEREAS, Bylaws 3.8.2 (Board for National Mission [BNM]) and 3.8.3 (Board for International Mission [BIM]) do not specify how each of the mission boards are to monitor and provide oversight of the implementation of mission board established policies; and

WHEREAS, The BNM and the BIM have thoughtfully reviewed the processes currently in place and recommend that, in order to carry out their duties of monitoring and oversight effectively, Bylaws 3.8.2 and 3.8.3 be amended to include a process for review and endorsement of the strategic plan and review and input on budget on an annual basis prior to the submission of the budget proposal to the Synod Board of Directors; therefore be it

*Resolved*, That Bylaw 3.8.2 be amended as follows:

~~PRESENT/PROPOSED~~ WORDING

***Board for National Mission***

3.8.2 ...

3.8.2.1 The Board for National Mission shall have oversight of the implementation of policies adopted by the board and implemented by the Office of National Mission for the coordination of and in support of district ministries which support congregations and schools. The board shall annually review and endorse the Office of National Mission strategic plan and review and provide input on the Office of National Mission annual budget proposal prior to its submission for approval by the Board of Directors. The board shall be under the ecclesiastical supervision of the President of the Synod regarding doctrine and administration consistent with the President’s responsibility under Constitution Art. XI B 1–4 (also Constitution Art. XI B 7; Bylaws 3.3.1.1–3.3.1.3) between conventions of the Synod and ultimately shall be responsible to the Synod in convention (Constitution Art. XI A 1–2).

3.8.2.2 ...

and be it further



1 (1) Each voter may write in the name of two of the remaining lay nominees on the initial ballot.  
 2 The three laypersons (or more, in case of a tie vote) who received the highest number of votes in  
 3 this preliminary ballot shall be placed on the next ballot.

4 (2) Each voter shall now vote for only one candidate. Balloting shall continue with the lowest  
 5 candidate being removed from each succeeding ballot until one layperson shall have received a  
 6 simple majority of all votes cast, whereupon he/she shall be declared the lay delegate.

7 (3) The congregation from which the lay delegate has been elected shall then be removed from  
 8 consideration for supplying any alternates to that particular convention.

9 ~~(f) All other pastors who received votes in the initial write in ballot, except those who were eliminated  
 10 through the election of the lay delegate, shall be eligible for election as the alternate.~~

11 ~~(1) Each voter shall now vote for only one candidate.~~

12 ~~(2) Balloting shall continue with the lowest candidate being removed from each succeeding ballot  
 13 until one pastor shall have received a simple majority of all votes cast, whereupon he shall be  
 14 declared the alternate pastoral delegate.~~

15 ~~(3) The congregation or congregations served by him shall be removed from consideration for  
 16 supplying the remaining lay alternate.~~

17 ~~(g) All lay nominees except those who have been disqualified through the procedures listed above shall  
 18 be eligible for election as the alternate lay delegate. The election of the alternate shall follow the same  
 19 procedure as in paragraph (f) above.~~

20 ~~(hd) All four persons elected shall come from four different member congregations. (No lay delegate or  
 21 alternate shall come from a congregation served by the pastoral delegate or alternate.)~~

22 (e) Prior to the meeting of the electoral circuit, each congregation may nominate one layperson (i.e., not  
 23 a commissioned or ordained minister), either from its congregation or from the circuit. These names  
 24 must be submitted to the circuit visitor prior to the day of the circuit meeting and shall constitute the  
 25 slate of candidates.

26 (1) Each voter shall now vote for only one candidate. Candidates receiving zero votes and the  
 27 candidate receiving the lowest number of votes shall be removed from each succeeding ballot until  
 28 one layperson shall have received a simple majority of all votes cast, whereupon he/she shall be  
 29 declared the lay delegate.

30 (2) The congregation from which the lay delegate has been elected shall then be removed from  
 31 consideration for supplying any other voting delegate or alternates to that particular convention.

32 (f) Each pastor who is called and installed to a congregation of the circuit in non-assisting capacity and  
 33 not a specific ministry pastor shall be eligible for election and their names shall constitute the ballot.

34 (1) Each voter shall vote for only one candidate. Candidates receiving zero votes and the candidate  
 35 receiving the lowest number of votes shall be removed from each succeeding ballot until one pastor  
 36 shall have received a simple majority of all votes cast, whereupon he shall be declared the pastoral  
 37 delegate.

38 (2) The congregation or congregations served (in other than an assisting capacity) by the elected  
 39 pastoral delegate shall be removed from consideration for supplying any other voting delegate or  
 40 alternate for that particular convention.

41 (g) All lay nominees except those who have been disqualified through the procedures listed above shall  
 42 be eligible for election as the alternate lay delegate.

43 (1) Each voter shall vote for only one candidate. Candidates receiving zero votes and the candidate  
 44 receiving the lowest number of votes shall be removed from each succeeding ballot until one  
 45 candidate shall have received a simple majority of all votes cast, whereupon he/she shall be declared  
 46 the alternate lay delegate.

47 (h) All other eligible pastors, except those who were eliminated through the procedures listed above,  
 48 shall be eligible for election as the alternate.

49 (1) Each voter shall vote for only one candidate. Candidates receiving zero votes and the candidate  
 50 receiving the lowest number of votes shall be removed from each succeeding ballot until one pastor  
 51 shall have received a simple majority of all votes cast whereupon he shall be declared the alternate  
 52 pastoral delegate.

53 (i) The visitor(s) shall report the results of the election to the secretary of the district in writing  
 54 immediately after said election.

1 (j) If neither the delegate nor the alternate (pastoral or lay) can serve, the district president, in  
 2 consultation with the respective circuit visitor(s), shall appoint a delegate to fill the vacancy. ~~shall be~~  
 3 ~~filled by the district president in consultation with the respective circuit visitor(s).~~

4 (k) If the circuit fails to elect a delegate or alternate, the circuit is permitted to meet again prior to the  
 5 deadline (Bylaw 3.1.2.1 [a]) to elect the delegate or alternate in accordance with this election procedure.

## 6 To Appoint Task Force to Evaluate Current Electoral Circuit Parameters

### 7 RESOLUTION 9-06

8 Overtures 9-11-17 (CW, 375-80)

#### 9 **Rationale: The Principle of Franchise in the Synod**

10 The basic principle of franchise in the Synod at the time of its formation in 1847 involved two essential components. The  
 11 first essential component was that the Synod consisted of equal (*Pfarrgemeinde*) (pastor-congregation), no matter their  
 12 numerical size, and it was these *Pfarrgemeinde* (pastor-congregations) that held the franchise. The second essential  
 13 component was the maintaining of a “balance of power” in the conventions of the Synod between the clergy and the laity.  
 14 To accomplish this principle of franchise, the 1847 Constitution of the Synod assigned the franchise to each member  
 15 *Pfarrgemeinde* of the Synod, with each *Pfarrgemeinde* to receive two votes, one to be cast by its pastor and the other, by  
 16 the lay delegate accredited by the congregation.

17 The German term used was *Pfarrgemeinde*, and it was defined in a footnote to the 1847 Constitution as  
 18 “either one single congregation or the sum of the individual congregations which the pastor serves (*bedient*),  
 19 as, in Germany, the territory in which he serves is called *Kirchspiel* or *Kirchensprengel*. The pastor may  
 20 serve 3 or 4 or more congregations, locally separated; they are in relation to him essentially only one  
 21 congregation.”

22 In 1924, when the Constitution was translated into English from German, the term “parish” was used in reference to  
 23 situations in which a pastor served more than one individual congregation and the term “congregation” was used to  
 24 reference situations in which a pastor served only one congregation. Thus, each congregation or parish (in this specific  
 25 limited sense) was entitled to two votes, one by its pastor, and the other by its accredited lay delegate. Today the term  
 26 “parish” has been replaced with “multi-congregation parish” (Constitution Article XII 10 a).

#### 27 **A. The Historic Practice of Franchise at the Conventions of the Synod**

28 At the time of its inception every congregation or parish was entitled to send its pastor and a lay delegate to the conventions  
 29 of the Synod. When the Synod divided into districts this did not change. Each congregation or parish sent two delegates  
 30 to both the conventions of the Synod and the district. The entire Synod would meet in convention every three years and  
 31 the districts would meet in convention annually.

32 Originally conventions were held in one of the congregations of the Synod. As a result of the growth of the Synod, it was  
 33 becoming difficult to find host congregations large enough to provide the necessary housing for all the delegates.  
 34 Therefore, it was proposed to the 1864 convention to begin to hold delegate conventions. However, the congregations in  
 35 Fort Wayne, Ind. and St. Louis, Mo. assured the convention that they would have no problem serving as hosts, so no  
 36 changes were adopted (1864 *Proceedings*, 3). However, by 1869 this assurance proved to be unrealistic, and C.F.W.  
 37 Walther suggested establishing delegate conventions. Professor George Schick was given the responsibility to develop a  
 38 plan. This tentative plan was for two or more congregations to select one pastor and one lay delegate. When the plan was  
 39 adopted in 1872 it was specified that the pastor and lay delegate should be selected from between two to seven  
 40 congregations (1872 *Proceedings*, 96-97). Presumably, small congregations would form large groupings and large  
 41 congregations would form small groupings. While the convention was originally scheduled for 1875, the first delegate  
 42 convention was convened a year earlier in 1874.

43 The suggestion for a delegate convention, proposed in 1869, was actually the second grouping of congregations within the  
 44 Synod. Prior to this formation of electoral circuits, visitation circuits had been established by the Synod at its 1866  
 45 convention. While the two existed side by side, they were created for completely different purposes. Electoral circuits  
 46 functioned only for the purpose of selecting delegates to conventions of the Synod. However, the concept behind the  
 47 establishment of visitation circuits was to address a concern considered crucial from the very beginning of the Synod,  
 48 which was to ensure and retain the unity of doctrine and commitment to the Scriptures and Lutheran Confessions within  
 49 the Synod.

1 At the founding of the Synod in 1847 the responsibility for visitation to ensure unity and faithfulness to the Scriptures and  
 2 Lutheran Confessions was assigned to the President of the Synod. When the Synod divided into districts in 1854, one of  
 3 the major concerns was maintaining this unity within the Synod, and it was resolved by giving the responsibility of  
 4 visitation not only to the president of each district of the Synod, but also to the President of the Synod as well. However,  
 5 with the rapid growth of the number of congregations in the Synod, it became impossible for the President of the Synod  
 6 to carry out this duty of visitation. Therefore, the 1864 convention removed the duties of visitation from the general  
 7 President and essentially entrusted all duties of visitation of the congregations and individual members of the Synod to the  
 8 district president. The one exception specified was that if the President of the Synod was convinced that a district president  
 9 had erred in his dealing with a congregation or individual member, the President of the Synod himself was authorized to  
 10 investigate personally (1864 *Proceedings*, 4; 1873 *Handbook*, 89).

11 Again, due to the growth of the Synod, these visitation responsibilities quickly proved to be too great for a district president  
 12 alone to carry out. Therefore, the 1866 convention adopted a resolution establishing visitation circuits of two to seven  
 13 congregations in order to help the district presidents carry out their visitation responsibilities (1866 *Proceedings*, 85).

14 When the decision to have delegate conventions was adopted at the 1872 convention, while the guidelines were also set at  
 15 two to seven congregations being given one pastor and one lay delegate, which was the same numbers as used for visitation  
 16 circuits, there does not seem to have been any effort to have these two types of circuits coincide, or even an indication that  
 17 they should. In both cases, districts were free to group them as they pleased.

18 In the ensuing years a significant variation in the size of electoral circuits developed among the various districts, with  
 19 many districts having electoral circuits of two or three congregations. In an effort to reduce the number of delegates at  
 20 Synod conventions, the 1893 Synod convention adopted a resolution calling for circuits to number between five to seven  
 21 congregations (1893 *Proceedings*, 125). However, there was no change in Article III “Membership” as the 1899 edition  
 22 of the *Synodical Handbook* does not reflect this continuing to read: “The power of this corporation shall be lodged with  
 23 the accredited clerical and lay delegates of the congregations in actual membership with this synod. Not less than two and  
 24 not more than seven congregations being entitled to one clerical and one lay representative in this organization at the  
 25 option of said congregations, and only such delegates shall be entitled to a vote at the meetings of this Synod” (1899  
 26 *Handbook*, Fourth Edition, 54).

27 Synod President Dr. Ludwig Fuerbringer reported to the 1908 convention of the Synod that 77 of the 245 electoral circuits  
 28 did not conform to this rule adopted by the 1899 convention, and he recommended enlarging electoral circuits to at least  
 29 ten congregations. However, no action was taken until the 1917 convention, which would then become effective with the  
 30 1920 convention. This convention also adopted a resolution indicating that visitation and electoral circuits should coincide  
 31 as much as possible (1917 *Proceedings*, 108–9). The following resolution is noteworthy as it explains the reasoning for  
 32 the change.

### 33 **Reducing Number of Delegates**

34 On the past scale of representation in the Delegate Convention, Synod has become too large a body, both for  
 35 effective dispatch of business and even more so with respect to the quartering of delegates. After considering  
 36 various propositions, Synod

37 *Resolved*, 1. That henceforth from five to ten congregations shall combine to form an electoral circuit, with  
 38 the understanding that the relative size of congregations shall determine how many shall constitute a circuit,  
 39 provided, however, that no circuit comprise less than five nor more than ten congregations; each circuit, as  
 40 heretofore, to be represented by a clerical and a lay delegate.

41 ... (1917 *Proceedings*, English, 52)

42 These parameters remained in effect until the 1944 convention when a change was made, again prompted by the perception  
 43 that the conventions were becoming too large. Note the reasons specified in the resolution adopted:

### 44 **ACTION**

45 The following resolutions submitted by Committee 6 were adopted:

46 WHEREAS, The number of delegates to synodical conventions is steadily growing larger; and

47 WHEREAS, This causes great difficulty in providing proper housing; and

48 WHEREAS, An equal reduction of delegates will not infringe upon the representation rights of any  
 49 congregation; therefore be it



1        *Resolved*, That Art. IV, A, page 19 of the *Synodical Handbook* be revised to read: “Every ten to fifteen  
2        member congregations shall form an electoral circuit, which shall elect one pastor and one layman and their  
3        alternates to represent them at the conventions of Synod”; ... (1944 *Proceedings*, 207)

4        The Synodical Survey Commission Report, written by Dr. August Suelflow in 1959 indicated that in nine of the districts,  
5        the electoral and visitation circuits were usually identical. The other two thirds of the districts used a system which treated  
6        the two types of circuits independently in one degree or another. The report concluded that it is legitimate to question the  
7        degree to which the districts followed the encouragement of the 1917 resolution. Note the following from the 1960  
8        *Handbook*, which sets the parameters, but makes no specific connection between electoral and visitation circuits:

### 9        **1.51 Electoral Circuits of Member Congregations**

10        An electoral circuit shall comprise from 10 to 15 member congregations. Each electoral circuit shall be  
11        represented by one pastor and one layman. Large congregations shall form small circuits, and small  
12        congregations shall form large circuits. A fractional portion remaining after the circuits have been formed  
13        shall be entitled to the same representation as a complete circuit (1960 *Handbook*).

14        The 1967 convention proposed a manner of electing delegates to conventions in a way which would ensure that there was  
15        some kind of an ongoing relationship between the congregations involved in the electoral circuits. It did this by both  
16        changing the parameters of an electoral circuit and tying visitation circuits to electoral circuits. It also proposed a means  
17        by which an electoral circuit, which did not meet the parameters, could request an exemption from the Office of the  
18        President. Note the following sections from the overture proposed in the 1967 *Workbook* (pp. 124–25):

### 19        **To Revise *Handbook* Regulations Regarding Convention Delegates**

20        Considerable confusion and dissatisfaction exist with reference to the election of delegates to the convention  
21        of the Synod and their accountability. For example:

22        1. *Electoral Circuits* (1.51). These have often been artificially created entities, with little cohesiveness,  
23        hindering effective postconvention action in implementing resolutions and even in transmitting information.  
24        We propose that representation be on the basis of the regular, permanent *visitation* circuits.

25        2. *Number of Congregations* (1.51). Present requirement: from 10 to 15 member congregations shall form  
26        an electoral circuit. Some visitation circuits have fewer than 10 congregations. If two visitation circuits are  
27        combined (we are proposing that provision be made for that possibility), the electoral circuit may well  
28        number more than 15 congregations. Furthermore, many have felt that representation should be based not on  
29        the number of congregations but on the number of communicant members involved. We propose a method  
30        based on both number of congregations and number of communicants, with a wide enough spread between  
31        minimum and maximum requirements in each category to take care of most situations and with a prescribed  
32        procedure which permits the President of the Synod to deal with those cases which still prove to be  
33        exceptional.

34        ...

35        4. *Functions of the Delegate*. What does the delegate do? Presumably he attends the convention, studies,  
36        listens, dialogs, makes judgments, votes. And then, according to the present paragraph 1.55, he reports to the  
37        circuit the action of the Synod. And this is all? This delegate has just had the experience of a lifetime. He has  
38        been caught up in a great cause. He has gained fresh insights. He has grown tremendously in the faith. A  
39        fresh love for his Synod and for his Savior lives in his heart. And then he goes home. To what? We are of  
40        the opinion that the Synod should dignify this position and therefore recommend that the delegate be elected  
41        for a 2-year term, to serve until the next convention of the Synod. What a source of power this man can be  
42        for the mission of the church!

### 43        **PROPOSED WORDING**

#### 44        **1.51 Voting Delegates**

45        Voting delegates shall consist of one pastor and one layman from each electoral circuit. An electoral circuit  
46        shall consist either of one or of two adjacent visitation circuits, as shall be determined by each district, on the  
47        basis of the following requirements: each pair of delegates shall represent from 7 to 20 member  
48        congregations, involving an aggregate communicant membership ranging from 1,500 to 10,000. Exceptions  
49        to these requirements and limitations can be made only by the President of the Synod upon the request of a  
50        district board of directors. Voting delegates shall serve a 2-year term, beginning with the convention; after  
51        the convention they shall function as resource persons in their circuit and assist in the dissemination and  
52        implementation of the synodical resolutions in their area.

1           ...

2     The convention adopted the proposed wording for electoral circuits (1967 *Proceedings*, 121–22). The 2019 *Handbook*  
3     retains essentially the same wording with a slight change in structure and wording (Bylaw 3.1.2 [a–d]).

#### 4     **B. Current Trends**

5     Due to demographic changes over the past several convention cycles, it has become necessary for more and more visitation  
6     circuits either to request an exemption from the President of the Synod or to be combined in order to qualify to meet the  
7     parameters for an electoral circuit. The result has been a gradual decrease in the number of electoral circuits within the  
8     Synod and the number of delegates attending conventions.

9     The following table is compiled on the basis of the *Proceedings* from the various convention years and *The Lutheran*  
10    *Annual*. (Note the figures for 1967, 1969, and 1986 included the three Canadian districts and the Argentina/Brazil District\*,  
11    which have since formed their own church body.) The 1967 convention was held prior to the adoption of the current  
12    parameters. The percentage in parenthesis for 1986, 2007, 2016, and 2019 states the percentage of visitation circuits which  
13    were also electoral circuits. The number of exemptions is unknown.

Year	Electoral Circuits	Delegates	Visitation Circuits	Congregations
1967	424 (441)*	882	?	5,904
1969	478 (503)*	1,006	?	5,765
1986	558 (580)* (89%)	1,160	624	5,933 (6,150)*
2007	639 (99%)	1,278	643	6,168
2016	568 (89%)	1,136	633	5,968
2019	551 (86%)	1,102	636	5,875
2023	532 (87%)	1,049	608	5,777

14    The current estimate for the 2023 convention is that approximately 20 percent of the visitation circuits currently do not  
15    qualify as electoral circuits, which would be about 125 of the 625 visitation circuits. This in turn would mean that if no  
16    exemptions to the parameters were granted by the President of the Synod, there would be about 500 electoral circuits  
17    sending delegates to the 2023 Synod convention and about 1,000 voting delegates.

18    What is unknown in the above table is the number of exceptions granted for each convention to visitation circuits that did  
19    not qualify as an electoral circuit and the number of visitation circuits that were joined together to form an electoral circuit.

20    These numbers indicate that a growing number of visitation circuits, because of demographic reasons, no longer qualify  
21    as electoral circuits. In addition, the current Bylaws provide no guidelines to the President of the Synod for determining  
22    whether or not to grant an exception, or the basis on which exemptions are to be considered. This ambiguity could result  
23    in questions being raised regarding why one visitation circuit is granted an exception while another is not. Another  
24    complicating factor involving circuits and voting, not covered by the Bylaws, is the fact that there are currently 13 multi-  
25    congregation parishes which cross district lines, as well as an additional 50 multi-congregation parishes within districts  
26    which are in different visitation circuits. This generates confusion in these situations regarding voting for a circuit visitor,  
27    eligibility to represent an electoral circuit, and voting at district conventions.

28    All of this points to the advisability for the Synod, due to demographic changes, to again consider the parameters for the  
29    electoral circuits which select delegates to conventions of the Synod to determine if they are adequate as they are or should  
30    be changed. In addition, it would be helpful for the Synod to clarify some of the ambiguity in the Bylaws regarding multi-  
31    congregation parishes which cross district or circuit lines.

32    Therefore be it

33           *Resolved*, That the Synod in convention establish a task force to consider the parameters for visitation circuits and  
34    electoral circuits and report with an overture six months before the 2026 Synod convention; and be it further

35           *Resolved*, That the task force consist of the Secretary of Synod, the Commission on Constitutional Matters, the  
36    Commission on Handbook, and three district presidents chosen by the Council of Presidents.

37                   *The Chief Financial Officer and LCMS Accounting and Financial Services staff, in consultation with*  
38                   *the Finance Committee, project cost of implementation for a typical task force at between \$10,000 and \$50,000,*  
39                   *depending on its nature, composition, and scope of work (estimate required by Bylaw 3.1.7 [g]).*

## To Provide for Continuity of Service in Regional Positions

### RESOLUTION 9-07

Overture 9-38 (*CW*, 391)

WHEREAS, Various boards for The Lutheran Church—Missouri Synod require candidates elected by the Synod convention for some or all positions to be residents of specified regions of the Synod to be eligible for election and continued service; and

WHEREAS, Currently, if a board member elected to a position from a given region relocates outside that region, the seat held by such board member becomes vacant and must be filled by appointment between conventions, which has resulted in an increasing number of vacancies for such positions that are then filled by appointment; and

WHEREAS, The Committee for Convention Nominations for the 2023 Synod convention believes that, ideally, positions elected from the Synod convention should be filled by the persons elected by the Synod convention insofar as possible, for purposes of continuity of service on the related board and the benefit of the related expertise thereby provided to such board, and thus that it is appropriate to allow a person elected from a region to continue to serve until the elected term expires even if such person relocates residence; therefore be it

*Resolved*, That Bylaw 3.12.2.8 be amended as follows:

**PRESENT/PROPOSED WORDING**

#### ***Nominations and Elections of Regional Positions—Board of Directors and Mission Boards***

3.12.2.8 The convention shall elect the regional positions for the Synod’s Board of Directors and Mission Boards according to the following nominations and elections process.

...

(j) Persons elected to regional positions under this bylaw who subsequently take residence outside of the region may remain serving in their regional positions for the remainder of their current elected terms, so long as they retain membership in a congregation of the Synod.

## To Strengthen Nonvoting Advisory Delegate Participation at Conventions

### RESOLUTION 9-08

Report R62 (*CW*, 159–68); Overtures 9-20–26 (*CW*, 381–84)

#### **Rationale**

The Synod is comprised of parishes—that divinely established unity of the office of the one given to proclaim the Word of God and administer His Sacraments together with the one given to receive this grace thus administered through these means. As the Synod meets, each parish has been given equal voting status to be exercised by those without which there is no parish—the office of proclaiming and the office of receiving. This proclaiming office is identified in the Lutheran Confessions (Augsburg Confession [AC] V) and in the official theological position of the Synod (C.F.W. Walther, *Kirche und Amt*, Thesis VIII) as the called pastor of the parish.

In addition to the voting parishes of the Synod, individuals rostered as ministers of religion—ordained and ministers of religion—commissioned all hold a non-voting, advisory status (Constitution Article V B). In recent history, these advisory delegates have been underutilized within our district and Synod conventions. Recent efforts have included polling advisory delegates prior to delegate voting, but in addition to violating the established rules of order (Henry Martyn Roberts, *Robert’s Rules of Order* [Berkley Publishing Corporation, 1998] 45:72), such polling reduces the advice and counsel given to a single word—either “Yes” or “No”. The counsel these advisors can bring is much more nuanced and valuable than merely a single word. The 2019 Resolution 9-17 Report included in the 2023 Convention Workbook concludes, “...one of the best existing opportunities is to encourage more participation of commissioned ministers on floor committees” (2023 Convention Report R62, “2019 Res. 9-17 Report: Study of Voting Privilege in the LCMS (CCM),” Secretary of Synod, *Workbook*, 167). The Bylaws have always contemplated, and it is made explicitly clear in the revisions made at the 1981 Convention, that advisory members of floor committees have full voice and vote on the floor committees (Bylaw 4.2.3 [a]). Some have suggested extending the full franchise to some or all advisory delegates, but there is no way to accomplish this without fundamentally changing the structural and theological underpinnings of the Synod and redrafting the entirety of the Constitution and Bylaws.

1 Therefore be it

2 *Resolved*, That we reaffirm the historical and theological position of the Synod from its foundation, that every parish  
3 is represented by one who holds the preaching office and one who holds the hearing office; and be it further

4 *Resolved*, That we encourage the conventions of the Synod and its districts to include more robust representation of  
5 advisory delegates, especially ministers of religion—commissioned, on the floor committees of their respective  
6 conventions.

## 7 **To Appoint Task Force to Consider Implications of Adopting Four-Year Convention Cycle**

### 8 **RESOLUTION 9-09**

9 Overtures 9-06–10 (*CW*, 373–75)

#### 10 **Preamble**

11 There were a number of overtures from districts and district boards of directors calling for a four-year cycle, especially to  
12 save in the financial costs of conventions. The savings would be realized primarily through congregational assessments, a  
13 savings of one less assessment over 12 years.

14 WHEREAS, A move from a three-year cycle to a four-year cycle would have major implications for election cycles,  
15 terms of office, staggering of terms, and many other unforeseen issues that would arise for districts and the Synod; therefore  
16 be it

17 *Resolved*, That the Synod in convention establish a task force to consider the implications of adopting a four-year  
18 convention cycle; and be it further

19 *Resolved*, That the task force prepare an overture or overtures to implement a four-year convention cycle, including  
20 necessary Constitution and Bylaw changes; and be it further

21 *Resolved*, That the task force be composed of the Secretary of Synod, two representatives from the Council of  
22 Presidents, the Commission on Handbook, and the Commission on Constitutional Matters; and be it finally

23 *Resolved*, That the task force issue its report, including overture or overtures, 18 months before the next Synod  
24 convention.

25 *The Chief Financial Officer and LCMS Accounting and Financial Services staff, in consultation with the Finance*  
26 *Committee, project cost of implementation for a typical task force at between \$10,000 and \$50,000, depending on its*  
27 *nature, composition, and scope of work (estimate required by Bylaw 3.1.7 [g]).*

## 28 **To Amend Bylaws 3.6.4 and 3.6.4.4.1 to Clarify Use of Lutheran Church Extension Fund** 29 **Financial Resources and Related Services**

### 30 **RESOLUTION 9-10**

31 Report LR68 (*TB*, 1:27–30); Overture L9-50 (*TB*, 1:76–77)

#### 32 **Preamble**

33 The Lutheran Church Extension Fund—Missouri Synod (LCEF) was “formed to provide financial resources and related  
34 services for ministry, witness, and outreach of The Lutheran Church—Missouri Synod” (Bylaw 3.6.4). This is  
35 accomplished by providing financial resources and related services to support rostered church workers, congregations,  
36 schools, recognized service organizations, auxiliaries, districts, colleges, universities, and synodwide corporate entities  
37 (“traditional support”).

38 Two recent opinions of the Synod’s Commission on Constitutional Matters (CCM Op. 23-3003, “Scope of Board of  
39 Directors Authority to Approve Usage of Lutheran Church Extension Fund Assets under Bylaw 3.6.4.4.1”; CCM Op. 23-  
40 3005, “Lutheran Church Extension Fund Canada Corporation”), issued in response to questions raised by LCEF, clarify  
41 that LCEF under current Synod Bylaws may not provide support to church bodies with which the Synod is in altar and  
42 pulpit fellowship (partner churches) or other church bodies working cooperatively with the Synod (“outreach support”).  
43 Specifically, one opinion constrains the authority of LCEF to provide financial resources and related services to be only  
44 “within the Synod” (Bylaw 3.6.4), thus prohibiting LCEF from providing financial resources and related services to

1 support activities outside of the Synod itself, even if such activities were determined by the Synod Board of Directors  
 2 (BOD) to be within the strategic and operational scope of the Synod’s ministry, witness, and outreach. The second opinion  
 3 goes further, stating that although Lutheran church bodies in Brazil, Argentina, and Canada were once a part of Synod,  
 4 they are now established, independent partner churches, no longer “within the Synod” (Bylaw 3.6.4), and are, therefore,  
 5 not eligible for the support of the financial resources and related services that might be provided by LCEF. The effect of  
 6 the opinion is that LCEF may not make its financial resources and related services available to partner churches, even were  
 7 the Synod BOD to determine that making such LCEF financial resources and related services available would  
 8 advantageously support the Synod’s ministry, witness, and outreach.

## 9 **Rationale**

10 LCEF believes that the full exercise of its capacity and expertise in the provision of financial resources and related  
 11 services—not only for “traditional support” but also to support partner churches—is essential to accomplish the ministry,  
 12 witness, and outreach of the Synod. In certain exceptional cases, when directed by the Synod President, the Chief Mission  
 13 Officer, and the Board for International or National Mission, this same strategic rationale likewise pertains to outreach  
 14 support. As a result, LCEF is proposing the following amendments to Bylaws 3.6.4 and 3.6.4.4.1 to clarify that the LCEF  
 15 Board of Directors may make financial resources and related services available to partner churches and for outreach  
 16 support, provided that in each such instance the provision of such financial resources and related services is approved by  
 17 the Synod BOD.

18 Therefore be it

19 *Resolved*, That Bylaws 3.6.4 and 3.6.4.4.1 be amended as follows:

### 20 PRESENT/PROPOSED WORDING

#### 21 ***The Lutheran Church Extension Fund—Missouri Synod***

22 3.6.4 The Lutheran Church Extension Fund—Missouri Synod, as established on June 15, 1978, as a corporate  
 23 entity under the laws of the State of Missouri, is operated by its members and Board of Directors, in  
 24 accordance with its Articles of Incorporation and corporate Bylaws, to further the objectives and duties of  
 25 the church extension fund by providing financial resources and related services for ministry, witness, and  
 26 outreach within the Synod and, as approved by the Synod Board of Directors, beyond the Synod. ~~It is formed~~  
 27 ~~to provide financial resources and related services for ministry, witness, and outreach of The Lutheran~~  
 28 ~~Church—Missouri Synod.~~

29 (a) Any amendment to the Articles of Incorporation and the corporate Bylaws of the Lutheran Church  
 30 Extension Fund—Missouri Synod as heretofore adopted shall be made by a two-thirds vote of the  
 31 members of the Lutheran Church Extension Fund—Missouri Synod as set forth in its Articles of  
 32 Incorporation and Bylaws.

33 (b) Amendments shall be reported to the next convention of the Synod.

34 ...

35 3.6.4.4 The Lutheran Church Extension Fund—Missouri Synod shall raise funds primarily through the issuance of  
 36 corporate notes and other debt instruments.

37 3.6.4.4.1 The assets of the Lutheran Church Extension Fund—Missouri Synod shall be used exclusively to provide  
 38 financing and services for the acquisition of sites, for the construction of facilities, for the purchase of  
 39 buildings and equipment, for operating expenses, for professional church worker education, for the  
 40 residential housing needs of professional church workers, for promoting strategic ministry planning and  
 41 assisting in capital campaigns; and for other purposes approved by its governing board and the Synod Board  
 42 of Directors, which purposes shall be consistent with the ministry and mission of the Synod ~~under policies~~  
 43 ~~approved by the Board of Directors of the Synod.~~

44 3.6.4.4.2 The assets of the Lutheran Church Extension Fund—Missouri Synod shall also be used exclusively to  
 45 provide financing for its own operations and for distribution of operating results to its member districts,  
 46 congregations, and corporate Synod, as determined by its governing board.

## To Elect Synod President at Convention

### RESOLUTION 9-11

Overtures 9-34–36 (CW, 388–91)

WHEREAS, The voting process for President of Synod was shifted away from the Synod’s highest legislative authority, that is the Synod in convention, to the congregations of the Synod; and

WHEREAS, For most of the Synod’s history, the President of Synod was elected by the convention body; and

WHEREAS, Under the current bylaws the President is elected directly by the congregations of the Synod using electronic voting; and

WHEREAS, The entrusted Synod convention delegates currently elect other Synod officers at the convention; and

WHEREAS, Electing the President at the convention is a simpler and cost-saving process for casting ballots; and

WHEREAS, Part of the original intent of 2010 Resolution 8-17 (and reaffirmed by 2016 Res. 11-03A) was to make it possible for every congregation to directly participate in the election of the Synod President; and

WHEREAS, The Secretary of Synod reported to the 2019 Synod convention that the parish participation rate declined under the 2010 mechanism for electing the Synod President (2019 *Today’s Business*, 2:240–45); therefore be it

*Resolved*, That the election of the Synod President be conducted by delegates to the Synod convention; and be it further

*Resolved*, That Bylaw 3.12.2.1–3.12.2.6 be amended as follows:

#### PRESENT/PROPOSED WORDING

##### *Elections of President and First Vice-President*

3.12.2.1 The candidates for the office of President shall be the five ordained ministers who received the highest number of votes in the nominating process and who consent to serve if elected. The candidates for the office of First Vice-President shall be the 20 ordained ministers receiving the highest number of votes in the nominating process. ~~No opportunity shall be provided for additional nominations.~~

(a) The Secretary of the Synod shall notify each candidate and shall secure his approval in writing within ten days after receiving the results of the ballots for the inclusion of his name on the ballot.

(b) In the event of the death, declination, or unavailability of any candidate, the nominee having the next highest number of votes shall become a candidate. In the event of a tie for the final candidate position, all names involved in the tie shall be included as candidates.

...

~~3.12.2.3 The Secretary of the Synod shall compile and maintain the voters list for the election of the President of the Synod. This list and any of its parts shall not be disseminated.~~

~~(a) This voters list shall include:~~

~~(1) the pastor of each member congregation or multi-congregation parish (assisting pastors are not eligible)~~

~~(2) a lay person from the congregation or parish~~

~~(b) The congregation shall present to the Secretary of Synod 90 days prior to the election a proper credentials form provided by the Secretary, signed by two of the congregation’s officers. If a congregation or parish has more than one pastor eligible to vote, the congregation shall designate on the credentials form which pastor will cast a vote on behalf of the congregation.~~

~~(c) If one or both voters are unavailable, congregations shall be provided opportunity to select substitute voters up to a deadline designated by the Secretary.~~

~~(d) The registration status of congregations shall be made available to respective district presidents for the sole purpose of their encouraging registration for greater congregational participation. The registration status of congregations shall not be further disseminated.~~

~~3.12.2.4 Six weeks prior to the national convention, the Secretary of the Synod shall provide, via a secure and verifiable method, opportunity for two voting delegates from each congregation, as determined according to Bylaw 3.12.2.3, to vote for one of the candidates for President. The Secretary shall, with the approval of the Board of Directors of the Synod, obtain the assistance necessary to accomplish this task. If no candidate~~

receives a majority of the votes cast, a second or succeeding ballots are required for a majority; the candidate receiving the fewest votes and all candidates receiving less than 15 percent of the votes cast shall be dropped from the ballot, unless only one candidate receives 15 percent or more of the votes cast, in which case the three highest candidates shall constitute the ballot, and another vote shall be taken in the same manner.

3.12.2.5 Following the completion of the election and at least two weeks prior to the convention, the Secretary shall notify the candidates of the results of the ballot(s). He shall thereafter also make the results known to the public. The candidate receiving a majority of the votes cast shall be declared elected.

3.12.2.3 The convention shall have the right to add to the slate for President at the proper time by amendment.

(a) The amendment procedure shall include merely a motion, a second, and a vote on the amendment, deliberately excluding verbal characterizations and discussion of the motion (except for the chair to ascertain that the requirements have been met as to eligibility, consent, and the filing of the biographical form).

(b) Delegates making nominations from the floor shall have secured prior written consent of the candidates they wish to nominate.

(c) Such delegates shall immediately submit to the Secretary of the Synod this document and written pertinent information concerning their nominee(s) as detailed in Bylaw 3.12.2.2.

(d) After all such amendments have been voted on, the convention shall ratify the slate of candidates prior to each election.

3.12.2.4 Each voting delegate shall be entitled to vote for one of the candidates for President. The candidate receiving a majority of the votes cast shall be declared elected.

(a) If no candidate receives a majority of the votes cast, the four candidates receiving the highest number of votes shall be retained on the ballot, and another vote shall be taken.

(b) Thereafter, the candidate receiving the smallest number of votes shall be eliminated on each subsequent ballot until one candidate receives a majority of the votes cast.

3.12.2.65 Prior to all other elections, the convention shall elect the President and the First Vice-President.

(a) The newly elected President-elect shall select from the list of 20 nominees for the Office of First Vice-President five nominees who have consented to serve if elected, at least two of whom shall be taken from the top five nominees.

(b) Balloting will proceed with the candidate receiving the smallest number of votes eliminated from consideration until one candidate receives a majority of the votes cast, who shall be declared elected.

and be it finally

*Resolved*, That Bylaw 3.12.4.2 (a) be amended as follows:

~~PRESENT~~/PROPOSED WORDING

3.12.4.2 The President shall determine and announce a period of time during the convention for the election of the members of all elective boards and commissions.

(a) After the election of the President and the First Vice-President and the other vice-presidents in that order, the election by ballot of the Secretary shall next be conducted.

...

*The Chief Financial Officer and LCMS Accounting and Financial Services staff, in consultation with the Finance Committee and the Secretary, project a savings, including staff time, of approximately \$30,000 if the pre-convention election of the President is replaced with in-convention election (estimate required by Bylaw 3.1.7 [g]).*

## **To Amend Bylaw 3.12.2.4 to Change How Subsequent Ballots are Determined in Election of Synod President**

### **RESOLUTION 9-12**

Overture 9-36 (CW, 390–91)

WHEREAS, There are five candidates for President of Synod (Bylaw 3.12.2.1); and

WHEREAS, The number of candidates was changed from three to five at the previous Synod convention in 2019 Resolution 9-07, “To Amend Synod Bylaws 3.12.2.1 and 3.12.2.2” (*Proceedings*, 194); and

1 WHEREAS, Current bylaws provide that “if no candidate receives a majority of the votes cast ... the candidate receiving  
 2 the fewest votes and all candidates receiving less than 15 percent of the votes cast shall be dropped from the ballot” (Bylaw  
 3 3.12.2.4); and

4 WHEREAS, This practice has the potential to unnecessarily restrict the choice of credentialed voters from selecting a  
 5 consensus candidate in the event of multiple rounds of balloting; therefore be it

6 *Resolved*, That Bylaw 3.12.2.4 be amended as follows:

7 ~~PRESENT~~/PROPOSED WORDING

8 ***Elections of President and First Vice-President***

9 3.12.2.4 Six weeks prior to the national convention, the Secretary of the Synod shall provide, via a secure and  
 10 verifiable method, opportunity for two voting delegates from each congregation, as determined according to  
 11 Bylaw 3.12.2.3, to vote for one of the candidates for President. The Secretary shall, with the approval of the  
 12 Board of Directors of the Synod, obtain the assistance necessary to accomplish this task. If no candidate  
 13 receives a majority of the votes cast, a second or succeeding ballots are required for a majority; the candidate  
 14 receiving the fewest votes ~~and all candidates receiving less than 15 percent of the votes cast shall be dropped~~  
 15 ~~from the ballot, unless only one candidate receives 15 percent or more of the votes cast, in which case the~~  
 16 ~~three highest candidates shall constitute the ballot, and another vote shall be taken in the same manner.~~

17 **To Respectfully Decline Overtures**

18 **RESOLUTION 9-13**

19 Overtures 9-05, 31–32, 37, 39–47, 49 (*CW*, 372–73, 386–88, 391–97)

20 WHEREAS, The floor committee has considered all overtures assigned to it and has concluded, for various reasons,  
 21 that certain overtures should be declined; therefore be it

22 *Resolved*, That the following overtures be respectfully declined for the reasons given:

<u>Overture</u>	<u>Subject</u>	<u>Reason</u>
Ov. 9-05	To Create a Restructuring Task Force to Consider Transfer of Synod Congregations, Ministries, and Assets	Goes beyond the authority of the Synod (transfer of congregations)
Ov. 9-31	To Restore Direct Voting by Congregations to All Changes in, and Amendments to, the Synod’s Constitution and Bylaws	Constitution delegates bylaw changes to convention; proposed procedure would provide no opportunity for debate
Ov. 9-32	To Require Ratification of Commission on Constitutional Matters Opinions	Convention can already take action on Commission on Constitutional Matters decisions
Ov. 9-37	To Expedite Ranking of Regional Vice-Presidents	Direct involvement of delegates in each selection outweighs savings of time
Ov. 9-39	To Have Synod Regional Representation Determined by Regional Constituency	Regional positions are agents of Synod, not of the region, and must be elected by the full convention
Ov. 9-40	To Implement Term Limits for Synod President and First Vice-President	To place a limit upon the Synod President that does not apply to his representative district presidents is a policy inconsistency. The tenure is limited by the office being up for election each convention.
Ov. 9-41	To Establish Term Limits for Elected Officers of Synod	<i>see above</i>
Ov. 9-42	To Amend Synod Bylaw 3.2.4.1 to Limit Terms of Office for President, First Vice-President, Regional Vice-Presidents, and Secretary	<i>see above</i>



<u>Overture</u>	<u>Subject</u>	<u>Reason</u>
Ov. 9-43	To Establish Term Limits for Elected Officers in the Synod and Districts	<i>see above</i>
Ov. 9-44	To Amend Bylaws regarding Permanency of District and Synod Presidents to Better Reflect Confessional Principles on Authority	<i>see above</i>
Ov. 9-45	To Amend Constitution to Grant Lay Vote to Every Congregation	Changes balance of voters between lay and clergy
Ov. 9-46	To Consider Realignment of Constitution Article III Objectives 1 and 2	Makes no change to the content of the Constitution
Ov. 9-47	To Create True Synod-Wide Dialogue and Study with Respect to Controverted Matters	Creates a top-down procedure and goes beyond the authority of the Council of Presidents
Ov. 9-49	To Amend Bylaw 4.1.1.4 regarding Transfer of Congregations between Districts	The requested change removes all discretion by the district boards of directors, which would eliminate the need for Bylaw 4.1.1.4 altogether. There are remedies to perceived arbitrariness already in place in Bylaw 1.10 and in appealing to the district or Synod convention (see CCM Op. 17-2856). No additional action is needed.

# 10. ECCLESIASTICAL SUPERVISION AND DISPUTE RESOLUTION

## To Amend Dispute Resolution and Expulsion Bylaws to Address Practical Considerations and Clarity

### RESOLUTION 10-01

Overture 10-01 (CW, 399–401)

#### Preamble

The Commission on Handbook (COH) has, in keeping with its responsibility to “respond to requests ... to propose new provisions to address specific *Handbook*-related issues that surface between conventions” (Bylaw 3.9.4.2 [e]), responded to suggestions for bylaw changes in the dispute resolution and expulsion bylaws of the Synod with the following. Areas for work and potential solutions were proposed by the Secretary of the Synod, assembled from his consultation with the Council of Presidents, the Commission on Constitutional Matters, and Ambassadors of Reconciliation, which provides training for Synod’s official roster of reconcilers and hearing facilitators. These fall in the following areas:

#### A. CLARIFY THAT HEARING FACILITATOR SERVICE SURVIVES DISTRICT TRANSFER (COH 19-009A)

#### Rationale

Hearing facilitators are drawn from the pool of district-based, trained reconcilers, onto a separate roster at the Synod level. A question has arisen about the sense of language in Bylaw 1.10.12 (a), which refers, nonetheless, to movement of hearing facilitators from district to district. The commission determined that the language should be clarified by incorporating the sense of existing Bylaw 1.10.12.2 into 1.10.12 (a).

Therefore be it

*Resolved*, That Bylaw 1.10.12 be amended as follows:

#### ~~PRESENT~~/PROPOSED WORDING

#### *Hearing Facilitators*

1.10.12 After the training of the reconcilers and in consultation with the appropriate district presidents, the Secretary of the Synod shall maintain a roster of 25 hearing facilitators selected from the roster of trained reconcilers. They may be ordained ministers, commissioned ministers, or laypersons and shall exhibit skills in the proper conduct of a fair and impartial hearing. They shall receive training for such purpose.

(a) Their term of service, monitored by the Secretary of the Synod, shall be six years, renewable without limit. Once appointed, the district membership of hearing facilitators no longer pertains to their eligibility for service in this position. Within three months after even-numbered conventions of the Synod (e.g., 64th in 2010, 66th in 2016, 68th in 2023, etc.), the Secretary of the Synod shall contact all hearing facilitators to learn of their availability and willingness to continue for an additional term. Resulting vacancies on the roster of hearing facilitators shall be filled by the Secretary of the Synod from the Synod roster of reconcilers after consultation with the appropriate district presidents in time for resulting vacancies on district rosters of reconcilers to be filled by appointment by district boards of directors.

(b) Any vacancy in an unexpired term shall be filled in the same manner as described above.

1.10.12.1 Limitations on holding multiple offices do not apply to hearing facilitators.

~~1.10.12.2 If a hearing facilitator moves from the district where nominated, such hearing facilitator may remain on the Synod’s roster of hearing facilitators.~~

1.10.12.32 A hearing facilitator shall not serve as a reconciler or as a voting member of a panel.

## B. TIMING, APPOINTMENT OF RECONCILERS AND HEARING FACILITATORS (COH 19-003)

### Rationale

2016 Resolution 12-09 adjusted the schedule and procedure for appointment of dispute resolution reconcilers and hearing facilitators, allowing district boards of directors to make such appointments before, rather than after, the Synod convention (after which terms of service begin). Reconcilers are trained once appointed but cannot serve without training.

Training occurs within six months following a national Synod convention (Bylaw 1.10.10). At that training it is determined which of the new reconcilers might be useful as hearing facilitators (Bylaw 1.10.12), and those, after consultation, are appointed such, as vacancies on the roster of hearing facilitators require. At that point, it is impossible for vacancies on the district rosters of reconcilers to be filled (meaningfully) as the training has already occurred and will not occur for another three years (Bylaw 1.10.10). The last portion of Res. 1.10.12 (a), added in 2016, is therefore problematic—unless one is to bar the present year’s trainees from becoming hearing facilitators, which would pose a practical problem.

It may be possible to fill some of the hearing facilitator vacancies with previously trained reconcilers—but not if the vacancies are only addressed three months after the Synod convention, with training being provided within the six months after the convention.

Therefore be it

*Resolved*, That Bylaw 1.10.12 be amended as follows:

### PRESENT/PROPOSED WORDING

#### *Hearing Facilitators*

1.10.12 After the training of the reconcilers and in consultation with the appropriate district presidents, the Secretary of the Synod shall maintain a roster of 25 hearing facilitators selected from the roster of trained reconcilers. They may be ordained ministers, commissioned ministers, or laypersons and shall exhibit skills in the proper conduct of a fair and impartial hearing. They shall receive training for such purpose.

(a) Their term of service, monitored by the Secretary of the Synod, shall be six years, renewable without limit. ~~Within three months after~~ Beginning six months before even-numbered conventions of the Synod (e.g., 64th in 2010, 66th in 2016, 68th in 2023, etc.), the Secretary of the Synod shall contact all hearing facilitators to learn of their availability and willingness to continue for an additional term. Resulting vacancies on the roster of hearing facilitators shall be filled by the Secretary of the Synod from the Synod roster of reconcilers (whether already serving, before the convention, or, being newly appointed, after their post-convention training) after consultation with the appropriate district presidents. ~~in time for resulting vacancies on district rosters of reconcilers to be filled by appointment by district boards of directors.~~

(b) Any vacancy in an unexpired term shall be filled in the same manner as described above.

## C. REMOVAL OF HEARING FACILITATORS FOR CAUSE (COH 19-003)

### Rationale

Bylaw 1.10.10.4, added by 2013 Res. 7-12A (part E) at the request of the COH and the Secretary of the Synod, who administers the dispute resolution process, allows for reconcilers to be removed for cause, should the need arise. As that resolution noted, “Strict adherence by reconcilers to the instructions provided in the Bylaws and Standard Operating Procedures Manual is essential for uniformity and good order as reconcilers do their important work.” This is equally true for the work of hearing facilitators, who are to exhibit specific skills “in the proper conduct of a fair and impartial hearing” (Bylaw 1.10.12). No provision currently exists for the removal for cause of a hearing facilitator. In the impression of the process administrator and commission, this is a need that could conceivably arise, and that should be provided for in the Bylaws.

Therefore be it

*Resolved*, That Bylaw 1.10.12.4 be amended as follows:

1 ~~PRESENT/PROPOSED~~ WORDING

2 **Hearing Facilitators**

3 1.10.12.4 A hearing facilitator may be removed for cause according to the Bylaws and the Standard Operating  
4 Procedures Manual from Synod’s roster of hearing facilitators by Synod’s Board of Directors upon report  
5 of the administrator of the dispute resolution process after consultation with the President of the Synod.

6 and be it further

7 *Resolved*, That Bylaw 1.10.10.4 be amended as follows:

8 ~~PRESENT/PROPOSED~~ WORDING

9 **District Reconcilers**

10 1.10.10.4 A reconciler may be removed for cause according to the Bylaws and the Standard Operating Procedures  
11 Manual from a district’s roster of reconcilers by that district’s board of directors upon report of the  
12 administrator of the dispute resolution process after consultation with the president of the district.

13 **D. APPEAL PANEL DETERMINATIONS (COH 19-009C)**

14 **Rationale**

15 In Bylaw sections 2.14–2.17, dealing with formal process for expulsion from the roster of the Synod, a suspended member  
16 (individual or congregation) may request a hearing of the matter by a Hearing Panel (Bylaw 2.14.7). Upon the issuance of  
17 a decision by that panel, the suspended member, suspending ecclesiastical supervisor or, in some circumstances, the  
18 President of the Synod may request an appeal (Bylaw 2.14.8). The appeal request is considered by an Appeal Panel, which  
19 determines on the basis of specific criteria (Bylaw 2.14.8 [d]) whether the decision of the Hearing Panel will stand, or  
20 whether the matter will be forwarded to a Final Hearing Panel. The language of Bylaws 2.14.8 (e), 2.15.8 (e), and 2.17.8  
21 (e) seems to suggest only an appeal by the suspended member of a decision to uphold the suspension. This language should  
22 be clarified.

23 Therefore be it

24 *Resolved*, That Bylaw 2.14.8 (e) be amended as follows:

25 ~~PRESENT/PROPOSED~~ WORDING

26 **Appeal Panel**

27 2.14.8 The decision of the Hearing Panel may be appealed by the accused (if an active participant in the hearing  
28 before the Hearing Panel), by the suspending ecclesiastical supervisor, or by the President of the Synod if a  
29 question of doctrine or practice is involved (Constitution Art. XI B 1–3) within 15 days after receiving the  
30 decision. Such request for an appeal shall be submitted to the Secretary of the Synod with copies provided  
31 to the district president(s) of the accuser and the accused, the hearing facilitator of the Hearing Panel, the  
32 accuser, and the President of the Synod, and shall be accompanied by a written memorandum stating the  
33 basis for the request.

34 ...

35 (e) Within 30 days after its formation, the Appeal Panel shall issue its written decision in response to  
36 the request for reconsideration. If the Appeal Panel denies the request for reconsideration of the decision  
37 of the Hearing Panel ~~and upholds the suspension of the ecclesiastical supervisor~~, the decision of the  
38 Hearing Panel shall be regarded as final and shall

- 39 (1) be binding upon the parties to the matter and not be subject to further appeal;
- 40 (2) have no precedential value;
- 41 (3) be carried out by the district president or the President of the Synod; and
- 42 (4) shall be publicized as deemed appropriate under the circumstances by the district president or
- 43 the President of the Synod.

44 ...

45 and be it further

46 *Resolved*, That Bylaw 2.15.8 (e) be amended as follows:

**PRESENT/PROPOSED WORDING*****Appeal Panel***

2.15.8 The decision of the Hearing Panel may be appealed by the accused (if an active participant in the hearing before the Hearing Panel), or by the President of the Synod if a question of doctrine or practice is involved (Constitution Art. XI B 1–3) within 15 days after receiving the decision. Such request for an appeal shall be submitted to the Secretary of the Synod with copies provided to the district president(s) of the accuser and the accused, the chairman of the Hearing Panel, the accuser, and the President of the Synod, and shall be accompanied by a written memorandum stating the basis for the request.

...

(e) Within 30 days after its formation, the Appeal Panel shall issue its written decision in response to the request for reconsideration. If the Appeal Panel denies the request for reconsideration of the decision of the Hearing Panel ~~and upholds the suspension of the ecclesiastical supervisor~~, the decision of the Hearing Panel shall be regarded as final and shall

- (1) be binding upon the parties to the matter and not be subject to further appeal;
- (2) have no precedential value;
- (3) be carried out by the district president or the President of the Synod; and
- (4) shall be publicized as deemed appropriate under the circumstances by the district president or the President of the Synod.

...

and be it finally

*Resolved*, That Bylaw 2.17.8 (e) be amended as follows:

**PRESENT/PROPOSED WORDING*****Appeal Panel***

2.17.8 The decision of the Hearing Panel may be appealed by the accused (if an active participant in the hearing before the Hearing Panel), by the suspending ecclesiastical supervisor, or by the President of the Synod if a question of doctrine or practice is involved (Constitution Art. XI B 1–3) within 15 days after receiving the decision. Such request for an appeal shall be submitted to the Secretary of the Synod with copies provided to the district president(s) of the accuser and the accused, the chairman of the Hearing Panel, the accuser, and the President of the Synod, and shall be accompanied by a written memorandum stating the basis for the request.

...

(e) Within 30 days after its formation, the Appeal Panel shall issue its written decision in response to the request for reconsideration. If the Appeal Panel denies the request for reconsideration of the decision of the Hearing Panel ~~and upholds the suspension of the ecclesiastical supervisor~~, the decision of the Hearing Panel shall be regarded as final and shall

- (1) be binding upon the parties to the matter and not be subject to further appeal;
- (2) have no precedential value;
- (3) be carried out by the district president or the President of the Synod; and
- (4) be publicized as deemed appropriate under the circumstances by the district president or the President of the Synod.

(f) If the Appeal Panel grants the request for reconsideration of the decision of the Hearing Panel, a Final Hearing Panel shall be selected by the Secretary of the Synod.

**To Amend Bylaws to Clarify Application of Pre-Call Consultation  
and *Call and Be Served By* (Bylaws 2.5.2–3) beyond Member Congregations**

**RESOLUTION 10-02**

4 Overture 10-02 (*CW*, 401–2)

5 **Preamble**

6 The 2019 Synod in convention in its Resolution 10-02A (B) included in Bylaws 2.5.1–3, which required *congregations* of  
7 the Synod to consult district presidents in call processes and to call and be served by only such ordained and commissioned  
8 ministers or candidates therefor, also “association schools, agencies, auxiliaries, and recognized service organizations”  
9 (RSOs). The Commission on Constitutional Matters (CCM Op. 20-2957, Minutes of Oct. 30–31, 2020) and Commission  
10 on Handbook (Item 19-005) have, in consultation with the Council of Presidents and the LCMS Recognized Service  
11 Organization office, noted potential unclarity or unintended implications of this requirement being inserted as it is into  
12 paragraphs that ordinarily deal with congregations. At a minimum, the “association schools, agencies, auxiliaries, and  
13 recognized service organizations” to which the language now applies need to look in a “foreign” section of the *Handbook*  
14 to find a regulation that applies to them. In certain areas, because of the very different sort of work done by RSOs, in  
15 particular, the language may create a certain degree of confusion regarding how it applies to positions that are not involved  
16 directly in teaching or practice of doctrine.

17 With regard to the latter, the CCM has understood *served by* in Bylaw 2.5.2 to refer to “service in the sense of the distinctive  
18 functions of the pastoral office, not to *service* in some purely secular sense” (CCM Op. 20-2957, “Requirements for Call  
19 Processes by Agencies, Auxiliaries, and Recognized Service Organizations”). The opinion goes on: “A divine call cannot  
20 be extended by any of the listed calling entities to any person not listed under Bylaw 2.5.2’s (1), (2), or (3). Furthermore,  
21 such a calling entity cannot be “served by,” in the sense of any exercise of distinctive functions of the pastoral office, any  
22 person not listed under Bylaw 2.5.2’s (1), (2), or (3).”

23 Agencies are by definition part of the Synod and would be precluded from calling an individual who is not a member of  
24 the Synod. This should be made explicit in Section 1.5, dealing with agencies. Requirements incumbent on auxiliaries and  
25 RSOs should be dealt with in the appropriate sections (Bylaw sections 6.1 and 6.2, respectively), not in Section 2.5, which  
26 deals with congregations and their association schools, which, by virtue of their governance strictly be member  
27 congregations, are subject to the same requirements as their constituent congregations.

28 The commission has proposed changes that will clarify the scope of “service by” (to refer, outside of congregations and  
29 their association schools, to exercise of distinctive functions of the pastoral office) and to place the provisions in their  
30 appropriate sections.

31 Therefore be it

32 *Resolved*, That Bylaw section 2.5 be amended as follows:

33 ~~PRESENT~~/PROPOSED WORDING

**2.5 Calling Ministers of Religion**

34  
35 2.5.1 Congregations, and their association schools, ~~agencies, auxiliaries, and recognized service organizations~~  
36 ~~of the Synod~~ shall seek the counsel of ~~the appropriate~~ their respective district president when calling ordained  
37 or commissioned ministers.

38 (a) ~~A congregation or association school shall seek the counsel of its own district president.~~

39 (b) ~~An agency, auxiliary, or recognized service organization shall seek the counsel of the district~~  
40 ~~president who would, by virtue of the call, assume supervision of the minister (Bylaw section 2.12). If~~  
41 ~~the call is such that the district president to assume supervision is not known, the counsel of the president~~  
42 ~~of the district within which the entity is located or with which it is associated shall be sought.~~

43 (c) ~~If such a call involves multiple districts (such as by entity location or connection and/or position~~  
44 ~~locale), the presidents of all such districts shall be consulted and mutually agree on which one of them~~  
45 ~~will counsel the entity regarding the call and assume supervision of the worker called.~~

46 2.5.2 Congregations that are members of the Synod, ~~as well as~~ and their association schools, ~~agencies, auxiliaries,~~  
47 ~~and recognized service organizations~~ shall call and be served only by (1) ordained ministers who have been  
48 admitted to their respective ministries in accordance with the rules and regulations set forth in these Bylaws  
49 and have thereby become members of the Synod; (2) candidates for the pastoral ministry who have satisfied  
50 the qualifications and requirements for assignment of first calls by the Council of Presidents acting as the

Board of Assignments; or (3) ordained ministers who are members in good standing of church bodies that have been formally recognized to be in altar and pulpit fellowship with the Synod when agreements for such calls are in place.

2.5.3 Congregations that are members of the Synod, ~~as well as and their~~ association schools, ~~agencies, auxiliaries, and recognized service organizations~~ shall call only (1) commissioned ministers who have been admitted to their ministries in accordance with the rules and regulations set forth in these Bylaws and have thereby become members of the Synod; (2) candidates of LCMS colleges and universities who have satisfied the qualifications and requirements for assignment of first calls by the Council of Presidents acting as the Board of Assignments; or (3) commissioned ministers (or those holding positions comparable to commissioned ministers) who are members in good standing of church bodies that have been formally recognized to be in altar and pulpit fellowship with the Synod when agreements for such calls are in place.

2.5.4 Congregations that violate these requirements and persist in such violation shall, after due admonition, forfeit their membership in the Synod.

...

and be it further

*Resolved*, That Bylaw 1.5.5.2 be added as follows:

PRESENT/PROPOSED WORDING

### *Agency Operations*

...

1.5.5.2 When calling ordained or commissioned ministers, agencies shall seek the counsel of the district president who would, by virtue of the call, assume supervision of the minister (Bylaw section 2.12). If the call is such that the district president to assume supervision is not known, the counsel of the president of the district within which the agency is located or with which it is associated shall be sought.

and be it further

*Resolved*, That Bylaw 6.1.2.1 be amended as follows:

PRESENT/PROPOSED WORDING

## **6.1 Auxiliaries**

...

6.1.2.1 An organization desiring to be recognized as an auxiliary of the Synod shall satisfy the following requirements:

...

(g) Seek, when calling an ordained or commissioned minister, the counsel of the district president who would, by virtue of the call, assume supervision of the minister (Bylaw section 2.12).

(1) If the call is such that the district president to assume supervision is not known, the counsel of the president of the district within which the entity is located or with which it is associated shall be sought.

(2) If such a call involves multiple districts (such as by entity location or connection and/or position locale), the presidents of all such districts shall be consulted and mutually agree on which one of them will counsel the entity regarding the call and assume supervision of the worker called.

(h) Call and, in any sense involving distinctive function(s) of the pastoral office, be served by only those ordained ministers or candidates designated by Bylaw 2.5.2.

(i) Call only those commissioned ministers or candidates designated by Bylaw 2.5.3.

6.1.2.2 Auxiliaries shall continue to meet the above requirements for continued recognition.

...

and be it finally

*Resolved*, That Bylaws 6.2.1 and 6.2.2.2 be amended as follows:

1 ~~PRESENT/PROPOSED~~ WORDING

2 **6.2 Recognized Service Organizations**

3 6.2.1 The granting of recognized service organization status by the Synod signifies that a service organization,  
4 while independent of the Synod, fosters the mission and ministry of the church, engages in program activity  
5 that extends the mission and ministry of the Synod, is in harmony with the programs of the Synod, and  
6 respects and does not act contrary to the doctrine and practice of the Synod.

7 ...

8 (d) A recognized service organization shall call and, in any sense involving distinctive function(s) of  
9 the pastoral office, be served by only those ordained ministers or candidates designated by Bylaw 2.5.2.

10 (e) A recognized service organization shall call only those commissioned ministers or candidates  
11 designated by Bylaw 2.5.3.

12 ~~(d)~~ ... (subsequent subparagraphs re-lettered similarly)

13 ...

14 6.2.2.2 The right to extend a Synod-recognized, regular call to a rostered worker is afforded to the board of directors  
15 of a recognized service organization, provided that:

16 (a) ~~the~~The board’s composition contains at least the proportion of members of Synod member  
17 congregations required by recognized service organization program policies; ~~and~~.

18 (b) ~~the~~The appropriate district president who would, by virtue of the call, assume supervision of the  
19 minister (Bylaw section 2.12), is properly consulted in the call process; and.

20 (1) If the call is such that the district president to assume supervision is not known, the counsel of  
21 the president of the district within which the entity is located or with which it is associated shall be  
22 sought.

23 (2) If such a call involves multiple districts (such as by entity location or connection and/or position  
24 locale), the presidents of all such districts shall be consulted and mutually agree on which one of  
25 them will counsel the entity regarding the call and assume supervision of the worker called.

26 (c) ~~the~~The call document is approved by the district president who would assume ecclesiastical  
27 supervision of the member as clearly stating that the organization:

28 (1) expects that the worker will, without compromise or constraint, carry out the ministry for which  
29 ordained or commissioned, and to which called, according to the doctrine and practice of the Synod.

30 (2) agrees to accommodate and encourage the ecclesiastical supervision of the worker by the  
31 appropriate district president.

32 (3) submits, as an exclusive remedy, to the dispute resolution process of the Synod for the resolution  
33 of any issues arising under the divine call.

34 (d) ~~the~~The organization demonstrates to the district president its ability to provide for the reasonable  
35 needs of the called worker for the duration of the period of the call.

36 **To Provide All Standards of Accountability to Members of Synod**

37 **RESOLUTION 10-03**

38 Overture 10-08 (CW, 405)

39 WHEREAS, The members of the Synod are bound by the Constitution and Bylaws of The Lutheran Church—Missouri  
40 Synod, and the policies and procedures drawn up by those prescribed by said documents (including but not limited to the  
41 Praesidium, Commission on Constitutional Matters, etc.); and

42 WHEREAS, The members of the Synod desire to comply with these governing documents as well as all policies,  
43 regulations, and standards to which they may be held accountable; and

44 WHEREAS, The district president represents the Synod in his district to serve as liaison between congregations, district,  
45 and the Synod (Bylaw 4.4.2); therefore be it

46 *Resolved*, That the Council of Presidents (COP) keep the Synod members of their districts informed of all expectations  
47 or standards to which members could be held accountable; and be it further

48 *Resolved*, That those portions of the COP Manual that are “public” documents will be made available by the COP;  
49 and be it finally







1 WHEREAS, On May 2, 2022, the Commission on Constitutional Matters (CCM) issued Opinion 22-2980 (as published  
2 in the CCM report), which not only clearly articulated the relationship between a district president and a calling  
3 congregation, but also reaffirmed the previous CCM Opinion 2069 (March 2, 1997) by stating, “The opinion (2069)  
4 specifically states that a district president does not have the authority ‘to edit a vacant congregation’s call list by refusing  
5 to provide personal information on some individuals, even when that information is specifically requested by the  
6 congregation””; therefore be it

7 *Resolved*, That the 2023 Synod convention affirm this opinion as being an accurate interpretation of the Constitution  
8 and Bylaws of The Lutheran Church—Missouri Synod; and be it further

9 *Resolved*, That the 2023 Synod convention commend this opinion to all member congregations, association schools,  
10 agencies, auxiliaries, and recognized services organizations for study and consideration during any current or future call  
11 process; and be it finally

12 *Resolved*, That when “a (calling) congregation or association school shall seek the counsel of its own district  
13 president” pursuant to Bylaw 2.5.1 (a), the district president will make available a copy of CCM Opinion 22-2980 as part  
14 of his counsel according to his advisory role.

## 15 **To Respectfully Decline Overtures**

### 16 **RESOLUTION 10-08**

17 Overtures 10-3–4 (*CW*, 402–4)

18 WHEREAS, The floor committee has considered all overtures assigned to it and has concluded, for various reasons,  
19 that certain overtures should be declined; therefore be it

20 *Resolved*, That the following overtures be respectfully declined for the reasons given:

<u>Overture</u>	<u>Subject</u>	<u>Reason</u>
Ov. 10-03	To Amend Bylaw 2.14.5 (a–e) regarding Ecclesiastical Supervision	Based on a faulty understanding of Synod’s Constitution and Bylaws (see Const. Art. XI B 1 c and Bylaw 2.14.5)
Ov. 10-04	To Realign Adjudication Process with Walther’s <i>Church and Ministry</i>	Based on a confusion between restricted and suspended status

# 11. CHURCH AND CULTURE

## To Encourage Appropriate Use of Social Media

### RESOLUTION 11-01

Report R66.4 (CW, 224–31); Overture 11-01 (CW, 407)

WHEREAS, The Commission on Theology and Church Relations (CTCR) in February 2019 issued a report titled, *A Snapshot of Trending Tools: Christians and Social Media*, which cites a definition of social media as “forms of electronic communication (such as websites for social networking and microblogging) through which users create online communities to share information, ideas, personal messages, and other content (such as videos)” (Report R66.4, *Workbook*, 224); and

WHEREAS, “These rapidly changing methods of communication are considered indispensable in all areas of life—at home, at work, at all levels of education, in managing health care and providing entertainment” (Report R66.4, *Workbook*, 224); and

WHEREAS, The CTCR report seeks to consider how Christians can “best use—or, if necessary, avoid the use of—this technology to glorify our God and Savior, build up the Body of Christ and extend His kingdom in the world” (Report R66.4, *Workbook*, 224); and

WHEREAS, “Lutherans have always been open to the constructive use of new technologies for sharing the never-changing truths of God’s Word—think of Luther and the printing press! At the same time, Lutherans are clear-eyed about the power of sin, the world and Satan, and are therefore realistic and necessarily critical about how such technologies can be twisted and misused. Social media is a prime example of this and is also evolving and developing (in both good and bad ways)” (CTCR Executive Director Rev. Dr. Joel Lehenbauer, “CTCR report looks at ‘Christians and Social Media,’” *Reporter Online*, May 29, 2019, [www.reporter.lcms.org/2019/ctcr-report-looks-at-christians-and-social-media](http://www.reporter.lcms.org/2019/ctcr-report-looks-at-christians-and-social-media)); and

WHEREAS, Social media is neither inherently evil nor good, but it has the potential to amplify and accelerate the harm that is caused by slander, libel, and other forms of false witness; and

WHEREAS, Much of the content on social media is driven by the world’s moral imperatives and utilizes the world’s vocabulary, presenting temptations to Christians and undermining Lutheran catechesis; and

WHEREAS, The Lutheran Church—Missouri Synod provides helpful guidelines for its own social media community ([www.lcms.org/about/privacy-policy/social-media-guidelines](http://www.lcms.org/about/privacy-policy/social-media-guidelines)); therefore be it

*Resolved*, That Christians be encouraged to exercise caution and great care in choosing the words and images they publish on social media, taking into account the challenges involved in online communication, and making every effort to be both clear and compassionate in whatever they share; and be it further

*Resolved*, That Christians also be encouraged to exercise charity and patience in considering what their neighbor shares on social media, not assuming the worst but interpreting everything in the kindest way, while also seeking to respond in love with words and ideas shaped by the Holy Scriptures, the Lutheran Confessions, and the language of the Church; and be it further

*Resolved*, That Christians who use social media be encouraged to do so with thanksgiving to God for this gift, and to sanctify their online interactions with the Word of God and prayer (1 Tim. 4:1–5); and be it further

*Resolved*, That church workers and leaders, being held to a higher standard and representing the church by virtue of their office (1 Tim. 3:2, 7), are expected to exercise caution in their use of social media and lead by example; and be it further

*Resolved*, That we commend the CTCR Report *A Snapshot of Trending Tools: Christians and Social Media* for study and discussion by pastors, current and future church workers, and members of the congregations of the LCMS; and be it finally

*Resolved*, That we fear, love, and trust in God above all things while using social media as a means of loving and serving our neighbor.

## To Reject All Forms of Racism and Affirm Our Witness to All People

### RESOLUTION 11-02

Overtures 11-04–11, 17–20 (*CW*, 408–13, 416–19); President’s Report, Part 2 (*TB*, 1:26)

WHEREAS, Scripture reveals that all people are created in the image of God, one human race no matter what our outward distinctions might be (Gen. 1:26–27, 9:6; Acts 17:25–26), giving every human inherent value (Psalm 139:13–14); and

WHEREAS, In Jesus, God became man and so identifies fully with every human being (Matt. 1:1–17; Luke 3:23–38), His mission of redemption is for all of mankind (Heb. 2:17), and in Him the value of every person in the eyes of God is verified (John 3:16–17); and

WHEREAS, The apostle Peter said, “Truly I understand that God shows no partiality, but in every nation anyone who fears him and does what is right is acceptable to him” (Acts 10:34–35); and

WHEREAS, James says, “If you really fulfill the royal law according to the Scripture, ‘You shall love your neighbor as yourself,’ you are doing well. But if you show partiality, you are committing sin and are convicted by the law as transgressors” (James 2:8–9); and

WHEREAS, Contrary to Scripture, there are ideologies that determine human worth and value in other ways, such as genetics, biology, physical characteristics, cultural heritage, or historical experiences; and

WHEREAS, Race, in common speech, distinguishes people according to skin color and geographical heritage; and

WHEREAS, The Synod in convention adopted 2019 Resolution 11-04A, “To Affirm the Common Humanity of All People and Ethnicities,” which states: “Racism is defined as: (1) A belief that race is the primary determinant of human traits and capacities and that racial differences produce an inherent superiority of a particular race ([www.merriam-webster.com/dictionary/racism](http://www.merriam-webster.com/dictionary/racism)); and (2) Prejudice, discrimination, or antagonism directed against someone of a different race based on the belief that one’s own race is superior ([www.lexico.com/en/definition/racism](http://www.lexico.com/en/definition/racism))” (*Proceedings*, 217); and

WHEREAS, Racism thus defined denies biblical truth as it claims that some races are inherently superior to others; and

WHEREAS, There are contemporary movements, methodologies, and ideologies that seek to address racism such as Black Lives Matter (BLM); Diversity, Equity, and Inclusion (DEI); and Critical Race Theory (CRT); and

WHEREAS, BLM, DEI, and CRT are multifaceted and include controversial aspects and theories as well as some explicitly unbiblical tenets; and

WHEREAS, Elements of the BLM organizational philosophy, certain DEI policies, and some proponents of CRT often divide people on the basis of race and may therefore promote another form of racism; and

WHEREAS, Additional contemporary ideologies and movements such as Nazism, White Supremacy, and White Nationalism espouse unbiblical aspects, theories, and tenets; and

WHEREAS, Nazism, White Supremacy, and White Nationalism divide people on the basis of race, therefore promoting racism; and

WHEREAS, The Church exists to call the world to repent of sin including racial and ethnic division and discrimination, and to proclaim that Christ himself is our peace and that we are reconciled to God and one another only through him (Eph. 2:14–16; Acts 17:30–31); therefore be it

*Resolved*, That The Lutheran Church—Missouri Synod (LCMS) rejects any doctrine or ideology that teaches the superiority of one race, ancestry, or nationality over another or that teaches that an individual is inherently racist or oppressive because of his or her race, ancestry, or nationality; and be it further

*Resolved*, That Synod’s congregations and church workers, and its national and district workers, teach the scriptural truth that Christ is the Savior of all people of every color and ethnicity; and be it further

*Resolved*, That Synod’s congregations and church workers, and its national and district workers, engage vigorously in the Great Commission to see people of all color and ethnicity come to faith in Christ and be incorporated in LCMS congregations; and be it further

*Resolved*, That the Synod recognizes that members of LCMS congregations may seek to address racism in various ways, and we commit to love one another in Christ, seeking to find common ground in our confession of the Word of God; and be it further



1 WHEREAS, The methods and means of elective abortion have changed dramatically since the publication of the  
2 Commission on Theology and Church Relations (CTCR) 1984 report *Abortion in Perspective*; and

3 WHEREAS, There are some vaccines and medications that are developed utilizing human fetal tissue from aborted  
4 children and human fetal cell lines from past abortions ([www.lozierinstitute.org/cell-lines-used-for-viral-vaccine-](http://www.lozierinstitute.org/cell-lines-used-for-viral-vaccine-production/)  
5 [production/](http://www.lozierinstitute.org/cell-lines-used-for-viral-vaccine-production/)); and

6 WHEREAS, Christians should not be partakers in any evil nor provide any sort of support or justification for evil  
7 committed in the past (Eph. 5:11–14; 1 Thess. 5:22); and

8 WHEREAS, Initial guidance has been provided to the congregations of the Synod by President Matthew C. Harrison’s  
9 “LCMS COVID Vaccine Pastoral Letter” dated Jan. 21, 2021 ([files.lcms.org/f/1F618D12-7061-4157-9321-](http://files.lcms.org/f/1F618D12-7061-4157-9321-A0B870A37B34)  
10 [A0B870A37B34](http://files.lcms.org/f/1F618D12-7061-4157-9321-A0B870A37B34)) and the Sept. 24, 2021 document: “The LCMS and COVID-19 Vaccines: Facts and Considerations”  
11 ([files.lcms.org/f/169E6F74-5868-40A3-8DCB-47F075EDEE81](http://files.lcms.org/f/169E6F74-5868-40A3-8DCB-47F075EDEE81)); and

12 WHEREAS, Some Synod congregations have expressed a desire to receive additional guidance about vaccine  
13 development and testing in relation to abortion so that their members may make decisions about vaccination and  
14 medication in good conscience; therefore be it

15 *Resolved*, That the CTCR, in consultation with LCMS Life Ministry and the seminaries and universities of the Synod,  
16 address the changing nature of abortion and specifically the topic of vaccines and other medications as it relates to the  
17 issue of abortion and the use of fetal tissue.

## 18 **To Address the Relationship Between Church and State** 19 **in an Increasingly Hostile Environment**

### 20 **RESOLUTION 11-05**

21 Overtures 11-24–27 (*CW*, 421–23)

22 WHEREAS, God has given the Word and Sacraments and instituted the Office of the Ministry that we may obtain  
23 saving faith (Matt. 28:18–20; John 20:21–23; Augsburg Confession [AC] IV; V); and

24 WHEREAS, God has commanded His people to gather to hear His Word and receive His Sacraments for the forgiveness  
25 of sins, refreshment, comfort, and strength (Matt. 26:26–29; Acts 2:42; 1 Tim. 4:13; Heb. 10:25; 1 Cor. 11:23–26; Large  
26 Catechism [LC] V 72); and

27 WHEREAS, When we gather together in person to receive God’s gifts, we are strengthened to withstand the attacks of  
28 the evil one (Eph. 6:10–18; LC V 80–82); and

29 WHEREAS, Historically, the Church has continued its essential work during times of plague, and pastors have brought  
30 God’s Word and Sacrament to the sick and homebound; and

31 WHEREAS, Mandated closings of congregations and banning of pastors from healthcare facilities during the time of  
32 the COVID-19 pandemic caused harm to members of congregations of the Synod and others residing in our communities;  
33 and

34 WHEREAS, The COVID-19 pandemic exposed an increasing hostility of culture and governmental authorities toward  
35 the church in her Word and Sacrament ministry; and

36 WHEREAS, The COVID-19 pandemic also engendered ambiguities concerning faithful church membership, faithful  
37 citizenship, and love of neighbor, leading to polarization and division among Christians of our Lutheran confession;  
38 therefore be it

39 *Resolved*, That the Synod affirm that gathering together in person to receive God’s gifts in Word and Sacrament is  
40 essential for the health and well-being of God’s people; and be it further

41 *Resolved*, That the Synod assert that the State has no God-given authority to dictate the sacramental and liturgical  
42 practices of churches; and be it further

43 *Resolved*, That the Synod affirm that in times of pandemic or public crisis the church in Christian love should seek to  
44 implement measures that serve the public good while continuing to carry out her essential role of offering the Word and  
45 the Sacraments; and be it further





## 12. SCHOOLS, FAMILY, YOUNG ADULTS, AND YOUTH

### To Produce Uniform Set of Lutheran Academic Standards for Our Schools

#### RESOLUTION 12-01

Overtures 12-01-04 (CW, 425-27)

WHEREAS, Education in all subject areas is first and foremost about what is taught, namely that which is good, true, and beautiful; and

WHEREAS, Secular education in all subject areas is increasingly subject to forces contrary to God and His Word, for example, Darwinism; and

WHEREAS, The Holy Scriptures provide the norm and framework for knowledge in all subject areas; and

WHEREAS, The Lutheran Church—Missouri Synod (LCMS) has the second largest system of parochial schools in America, but does not have a uniform set of Lutheran academic standards; and

WHEREAS, Lutheran schools, homeschools, and other Christian schools would benefit greatly from having a uniform set of Lutheran academic standards; therefore be it

*Resolved*, That the Synod in convention direct LCMS School Ministry to coordinate the systematic preparation and production of biblically faithful Lutheran academic standards across all subject areas for our schools; and be it further

*Resolved*, That LCMS School Ministry engage the expertise of LCMS university and seminary faculties, LCMS early childhood, day school, high school, and homeschool teachers, and district education executives for the development of these Lutheran academic standards; and be it further

*Resolved*, That LCMS School Ministry consult with Concordia Publishing House to publish these Lutheran academic standards; and be it finally

*Resolved*, That the first drafts of the Lutheran academic standards be made available one year prior to the 2026 Synod convention.

*The Chief Financial Officer and LCMS Accounting and Financial Services staff, in consultation with the Finance Committee, project cost of implementation as \$300,000 (estimate required by Bylaw 3.1.7 [g]).*

### To Confess Authority God Gave to Fathers and Mothers

#### RESOLUTION 12-02

Overtures 12-12-13 (CW, 431-33)

#### Preamble

Governmental, legal, and related institutional overreach has created severe challenges to divinely instituted parental authority. The following illustrations, sometimes more narrowly and sometimes more broadly, encroach upon God's command to father and mother:

- Under the educational mandates and laws of federal and state governments and local school districts, children are often treated as wards of the government, with final authority for the education of children being seized by the government.
- Children, without parental consent, are being permitted, forced, or otherwise coerced by governments or governmental institutions to receive medical care or procedures (e.g., inoculations, COVID-19 injections, HPV vaccines, hormonal contraceptives, abortion, “gender-reassignment” treatments), even when their parents object. As an example, S.B. 5599 recently signed into law in Washington state, allows minors seeking abortion or “gender-reassignment treatments” to remain in licensed youth shelters without parental notification.
- Children in government-sponsored schools are being forced or otherwise coerced into adopting unwanted or evil social practices (e.g., social isolation, masking, the acceptance or affirmation of moral evils and vices such as LGBTQ+ lifestyles and critical race theory [CRT] exercises), contrary to the will and authority of parents.

- 1 • Children in government-sponsored schools are being forced or otherwise coerced to receive evil indoctrination in  
 2 divinely instituted marital issues of sexual morality and sexual identity (“sex education,” LGBTQ+ desensitization,  
 3 tolerance, and promotion, transgender training and promotion, etc.), contrary to their parents’ beliefs and intentions  
 4 for their children.
- 5 • Children are being indoctrinated in anti-Christian, unscientific, and revisionist history and science (e.g., macro-  
 6 evolution theory, CRT, and gender theory, etc.), contrary to the traditional norms of rigorous scientific theory,  
 7 history, and justice, and against the will of their parents.
- 8 • Children in government-sponsored schools are being subjected to the deconstruction of divinely mandated and given  
 9 institutions (marriage and family, the Christian Church, government with its natural powers and limitations, natural  
 10 and revealed law and justice, etc.) by the assumption of an anti-Christian worldview, by the corruption of sound and  
 11 truthful language, and by the conspicuous absence of sound teaching in these matters, contrary to Scripture and the  
 12 authority of parents regarding their children’s education.

13 WHEREAS, It is increasingly clear that educational authorities behave in ways which lead children to question the  
 14 authority and competence of their parents and to reject other authority figures including grandparents and religious leaders  
 15 in their life; and

16 WHEREAS, In the Fourth Commandment, “You shall honor your father and your mother that it may be well with you  
 17 and you may live long upon the earth” (Large Catechism [LC] I (Fourth Commandment) 104, 371), God established  
 18 marriage and provides moral and legal authority to husband and wife regarding their children; and

19 WHEREAS, We confess in the Large Catechism that “all who are called masters stand in the place of parents and must  
 20 get their power and authority to govern from them ...” (LC I (Fourth Commandment) 142 [Kolb & Wengert], 406); and

21 WHEREAS, In the Sixth Commandment, “You shall not commit adultery,” God defends the institution of marriage and  
 22 provides moral and legal protection to the lifelong integrity and wellbeing of marriage, thereby also protecting children  
 23 born to marriage; and

24 WHEREAS, We affirm and confess these truths in Large Catechism I (Sixth Commandment) 206–8:

25 First, understand and mark well how gloriously God honors and praises this estate [marriage]. For by His  
 26 commandment He both approves and guards it. He has approved it above in the Fourth Commandment,  
 27 “Honor your father and your mother.” But here He has (as we said) hedged it about and protected it.  
 28 Therefore, He also wishes us to honor it and to maintain and govern it as a divine and blessed estate because,  
 29 in the first place, He has instituted it before all others. He created man and woman separately [differently],  
 30 as is clear. This was not for lewdness, but so that they might live together in marriage, be fruitful, bear  
 31 children, and nourish and train them to honor God.

32 Therefore, God has also most richly blessed this estate above all others. In addition, He has bestowed on it  
 33 and wrapped up in it everything in the world, so that this estate might be well and richly provided for. Married  
 34 life, therefore, is no joke or presumption. It is an excellent thing and a matter of divine seriousness. For  
 35 marriage has the highest importance to God so that people are raised up who may serve the world and promote  
 36 the knowledge of God, godly living, and all virtues, to fight against wickedness and the devil (*Concordia:  
 37 The Lutheran Confessions, A Reader’s Edition of the Book of Concord, 382*);

38 and

39 WHEREAS, God has given the direct and full authority for the education of children to their parents, with the command  
 40 to fathers to bring up their own children “in the education and instruction of the Lord” (Eph. 6:4). In accordance with the  
 41 truth that Christian doctrine and faith encompasses the whole person (body and soul), this scripture teaches that God has  
 42 invested parents with His authority and command to educate their own children, including their spiritual, emotional,  
 43 mental, and physical care and training; and

44 WHEREAS, Accordingly, fathers and mothers are to give and see to the education of their children in Christian doctrine  
 45 and holy living. They are to be their teachers in all matters of marriage and marital intimacy. They are to provide all care  
 46 and support of their children’s bodies, including such matters as food, clothing, health, etiquette, exercise, grooming, and  
 47 the like. They are to educate their children for service in their own marriage, family, and workplace; in their church and in  
 48 their neighborhood or civil community. They may designate some other persons to assist them and act in their stead in all  
 49 these matters (*in loco parentis*) without relinquishing this divine authority (cf. LC I [Fourth Commandment] 141); and

1 WHEREAS, The Holy Spirit teaches Christians in 1 Timothy 5:8 that “... if anyone does not provide for his own people  
2 and especially those of his own household, he has denied the faith and is worse than an unbeliever.” Here God authorizes  
3 and obligates the members of a household (family) to make provision for the care of its own members; therefore be it

4 *Resolved*, That we confess that fathers and mothers are not mere caregivers to their children. Rather, God has  
5 appointed them to feed, clothe, house, educate, give medical care, and above all, provide the spiritual service to their  
6 children’s body and soul, mind and spirit; and be it further

7 *Resolved*, That we affirm and defend the rights and duties of fathers and mothers toward their children as divinely  
8 commanded and given, and therefore not severable except in the case of the abdication of their office; and be it further

9 *Resolved*, That we reject every assertion and practice of civil government—federal, state, and local—that assumes or  
10 implies right or authority over children as children, that is, as though children were wards of government. Any child-  
11 related services provided to a child by the government, such as education, health care, food, clothing, and housing, are  
12 provided only under the permission and authority of the child’s father and mother. Rejected here are all assertions of  
13 governmental authority or privilege in the education of children, the medical care of children, the physical care and  
14 provision of children, the doctrinal and spiritual discipline and training of children, the so-called sexual or gender identity  
15 of children, the moral education and training of children, and the like; and be it further

16 *Resolved*, That it is the divine duty of the church to teach, encourage, strengthen, and assist fathers and mothers in  
17 doing their divinely appointed duties toward their children. We likewise recognize that no church or Christian school has  
18 rights or authority over children except what is granted by baptism, membership in that church, or enrollment in said  
19 school; and be it further

20 *Resolved*, That we confess and teach that fathers and mothers are obligated by God to bring their children to the  
21 Church for Baptism and the divine services of the church. They are to teach their children God’s Word in their home, lead  
22 them in prayer, and teach and discipline them in Christian piety and virtue, in accordance with the Holy Scriptures; and be  
23 it finally

24 *Resolved*, That we teach and maintain the discipline that a man and woman are to marry each other before sexual  
25 intimacy and the conceiving of children, and that they are to remain married and faithful to each other till death parts them,  
26 in accordance with God’s holy will. Parents are by God’s grace, to live in daily contrition, repentance, and the forgiveness  
27 of sins, always teaching and holding before their children the divine institution and pattern of marriage and household as  
28 God gave it.

## 29 **To Address Commissioned Minister—Teacher Student Debt**

### 30 **RESOLUTION 12-03**

31 Overtures 12-06–10 (*CW*, 428–31)

32 WHEREAS, Our Lutheran schools struggle to find rostered teachers to serve in the classrooms of our early childhood  
33 centers, day schools, and high schools, as in the 2019 Resolution 12-02A, “To Exhort the Congregations of the LCMS to  
34 Actively Encourage Future Lutheran School Teachers”:

35 WHEREAS, The number of new commissioned teachers has steadily declined since 2005 (Concordia  
36 University System [CUS] Board for University Education [BUE] statistics); and

37 WHEREAS, The fulfillment rate of requests for first-year Synod-trained candidates to LCMS calling entities  
38 has declined from 63 percent in 2010 to 30 percent in 2018 because of the lack of available Synod-trained  
39 candidates (CUS BUE statistics); and

40 WHEREAS, The CUS only graduated 23 early childhood educators, 39 elementary educators, and 32  
41 secondary educators in 2018 (CUS BUE statistics) (2019 *Proceedings*, 222);

42 and

43 WHEREAS, The fulfillment rate of requests for first-year Synod-trained candidates to The Lutheran Church—Missouri  
44 Synod (LCMS) calling entities has declined from 30 percent in 2018 to 25 percent in 2022, and the CUS only graduated  
45 17 early childhood educators, 33 elementary educators, and 26 secondary educators in 2023 (CUS BUE statistics); and

46 WHEREAS, Research has shown that a primary reason for this is the lower salary offered for teachers within the  
47 Lutheran school systems, as in Theme 8 of the “LCMS Church Worker Wellness Insights” presentation by Rev. Robert  
48 Zagore, former Executive Director, Office of National Mission, to *Gospel 2019*:

- 1 • financial wellbeing is unique among worker needs in that the major problems are beyond the worker’s ability to  
2 change—most often the problem is that the workers are in a mathematically impossible situation;
- 3 • workers are under-paid for their skill level and workload;
- 4 • costs for health care are being pushed to the workers;
- 5 • young workers are burdened with significant student debt;
- 6 • many calling bodies are unable to pay their workers what is necessary;

7 WHEREAS, Concordia Plan Services (CPS) reported in 2021 that 27 percent of LCMS church workers have student  
8 debt that averages \$46,000 per student; and

9 WHEREAS, The reality of student loan debt is an important part of the decision to seek employment outside the  
10 Lutheran school; and

11 WHEREAS, The church has previously recognized the need for church worker student debt retirement by identifying  
12 and creating:

- 13 • MinistryFocus, a recognized service organization, in partnership with CPS which has, since 2015 given 258 debt  
14 retirement grants in the amount of \$645,000.
- 15 • The Fidelity Student Debt Solutions loan repayment plan available to CPS 403b participants.
- 16 • BeFine App, available to all CPS retirement participants to assist in the development of a plan to pay off debt,  
17 including access to 1-on-1 coaching webinars.

18 Therefore be it

19 *Resolved*, That congregations and schools be encouraged to regularly conduct salary and benefit reviews using the  
20 CPS salary tool and/or district salary guidelines toward the creation of a plan to increase, over time, salaries and benefits;  
21 and be it further

22 *Resolved*, That congregations and schools be encouraged to assist teachers with student debt repayment as a regular  
23 employee benefit; and be it further

24 *Resolved*, That congregations prayerfully consider contributing to church work student scholarship funds at our  
25 Concordia Universities with the goal of reducing tuition costs and student debt; and be it further

26 *Resolved*, That congregations and schools be encouraged to promote the various resources already available such as  
27 MinistryFocus and other debt retirement options to assist with student indebtedness; and be it finally

28 *Resolved*, That all the Synod congregations be encouraged to contribute towards an annual special designated offering  
29 in support of commissioned minister—teacher debt reduction to be taken during National Lutheran Schools Week  
30 administered by MinistryFocus in consultation with LCMS Mission Advancement and LCMS Communications, until the  
31 next convention.

32

## 33 **To Commend and Give Thanks for Lutheran Schools**

34

### **RESOLUTION 12-04**

35 Report R1.2.1 (CW, 14)

36 WHEREAS, The Triune God commands that children be taught His Word by their parents and by the Church, (Deut.  
37 4:9–10; 6:5–9; Psalm 78; Matt. 19:13–15; 28:16–20; Eph. 6:4; 1 Tim. 4:10–11); and

38 WHEREAS, Congregations of The Lutheran Church—Missouri Synod (LCMS) have established early childhood  
39 centers, day schools, and high schools to teach the Word of God, and to assist fathers and mothers in their calling to instruct  
40 their children in the same Word and all godly knowledge; and

41 WHEREAS, During the 2022–23 school year 1,677 early childhood centers, 816 day schools, and 103 high schools  
42 were operated by the congregations and recognized service organizations of the Synod; and

43 WHEREAS, In the 2022–23 academic year these early childhood centers, day schools, and high schools, through their  
44 over 21,000 staff members, taught the Word of God to over 180,000 students; and

1 WHEREAS, In the 2022–23 academic year 1,794 students were baptized in the name of the Father and of the Son and  
2 of the Holy Spirit; and

3 WHEREAS, The last several years have seen substantial growth in various models of Lutheran schools, including  
4 classical Lutheran schools, micro-schools, homeschools, and other emerging school models; and

5 WHEREAS, LCMS School Ministry has established the Genesis Project, which assists congregations in determining  
6 the feasibility of a new school plant; therefore be it

7 *Resolved*, That the Synod in convention commend all early childhood teachers, day school teachers, high school  
8 teachers, administrators, and all those who serve in our Lutheran schools, and give thanks to God for their faithful service;  
9 and be it further

10 *Resolved*, That all congregations of the LCMS be encouraged in their continued operation and support of our Lutheran  
11 schools; and be it further

12 *Resolved*, That congregations, circuits, and districts, be encouraged to consult with LCMS School Ministry to explore  
13 expansion, new school plants, and other opportunities for various Lutheran school models in their respective communities;  
14 and be it further

15 *Resolved*, That all parents who are members of LCMS congregations be encouraged to enroll their children in our  
16 Lutheran schools; and be it further

17 *Resolved*, That the pastors and congregations of our Synod view their schools as the frontline of the mission field; and  
18 be it further

19 *Resolved*, That Synod in convention give thanks to God for the growth of Lutheran schools, including classical  
20 Lutheran schools, micro-schools, homeschools, and all other emerging school models that provide instruction in Lutheran  
21 doctrine and godly knowledge; and be it finally

22 *Resolved*, That Synod in convention give thanks to God for His blessing and work in the schools of our Synod by  
23 rising and singing “Lord, Help Us Ever to Retain” (*Lutheran Service Book*, 865).

- 24 1. Lord, help us ever to retain  
25 The Catechism’s doctrine plain  
26 As Luther taught the Word of truth  
27 In simple style to tender youth.
- 28 2. Help us Your holy Law to learn,  
29 To mourn our sin and from it turn  
30 In faith to You and to Your Son  
31 And Holy Spirit, Three in One.
- 32 3. Hear us, dear Father, when we pray  
33 For needed help from day to day  
34 That as Your children we may live,  
35 Whom You baptized and so received.
- 36 4. Lord, when we fall or go astray,  
37 Absolve and lift us up, we pray;  
38 And through the Sacrament increase  
39 Our faith till we depart in peace.

## 40 **To Encourage Family Devotions, Young Men, and Lutheran Fathers**

### 41 **RESOLUTION 12-05**

42 President’s Report, Part 2 (*TB*, 1:26)

43 WHEREAS, The Triune God commands that children be taught His Word by their parents and by the Church (Deut.  
44 4:9–10; Deut. 6:5–9; Psalm 78; Matt. 19:13–15; 28:16–20; Eph. 6:4; 1 Tim. 4:10–11); and

45 WHEREAS, *The Treasury of Daily Prayer* teaches that “the rhythm of daily prayer is really catechesis in the Word of  
46 God” (St. Louis: Concordia Publishing House, 2008, 15); and

1       WHEREAS, The Word of God commands that fathers bring up their children in the discipline and instruction of the  
2 Lord (Eph. 6:4), that children are to hear their father’s instructions and be attentive (Prov. 1:8; 4:1; 6:20), and that we are  
3 to pray without ceasing (1 Thess. 5:17); and

4       WHEREAS, Parents and children live daily in the forgiveness and motivation of God’s grace, and

5       WHEREAS, Luther’s Small Catechism directs the head of the family to teach their household in a simple way; therefore  
6 be it

7       *Resolved*, That the Synod in convention encourages a robust devotional life for the members of its congregations; and  
8 be it further

9       *Resolved*, That pastors and congregations be encouraged to intentionally provide instruction to boys and young men  
10 that they might be raised as godly men and heads of households according to the Word of God; and be it finally

11       *Resolved*, That fathers be encouraged in their duty to teach their family the Christian faith through daily devotions  
12 with their wives and children.

### 13                   **To Encourage Use of Current Research and Resources for Ministry to Youth**

#### 14                                   **RESOLUTION 12-06**

15       President’s Report, Part 2 (*TB*, 1:26)

16       WHEREAS, The LCMS Youth Ministry and LCMS Rosters, Statistics, and Research Services conducted an in-depth  
17 and extensive study on youth and young adults in our Synod “(Retention of Lutheran Millennials: 2017 LCMS Study of  
18 Young Adults,” [www.youthsource.com/wp-content/uploads/2018/06/Full-Slide-Deck-Report\\_2.pdf](http://www.youthsource.com/wp-content/uploads/2018/06/Full-Slide-Deck-Report_2.pdf)); and

19       WHEREAS, This research found that only one-third of confirmands were retained in The Lutheran Church—Missouri  
20 Synod (LCMS) through young adulthood; and

21       WHEREAS, This research found that congregations with a lay leader (i.e., volunteer Sunday school teacher, board  
22 member, etc.) under the age of 30 had an increased retention rate amongst youth and young adults; and

23       WHEREAS, This research found that one of the largest effects on retention of young adults shows up in the question of  
24 whether they felt there was a “safe person” to talk to at church; and

25       WHEREAS, This research also found a strong correlation between the feelings young adults had of being cared for  
26 personally and their long term retention; and

27       WHEREAS, On the basis of this research, LCMS Youth Ministry produced the book *Relationships Count: Engaging &*  
28 *Retaining Millennials*; and

29       WHEREAS, LCMS Youth Ministry is continuing to research trends amongst our youth; therefore be it

30       *Resolved*, That the congregations of the LCMS be encouraged to actively seek and promote high school youth and  
31 young adults to be involved in the lay leadership of the church; and be it further

32       *Resolved*, That pastors, youth leaders, and others in congregational leadership be encouraged to develop and maintain  
33 authentic relationships with high school youth and young adults; and be it further

34       *Resolved*, That the Synod in convention give thanks to LCMS Youth Ministry and LCMS Rosters, Statistics, and  
35 Research Services for their efforts in collecting this impactful data; and be it further

36       *Resolved*, That all congregations in the Synod be encouraged to read, study, and implement suggestions from the book  
37 *Relationships Count: Engaging & Retaining Millennials*; and be it finally

38       *Resolved*, That all congregations be encouraged to make use of the latest research findings and resources at  
39 [youthsource.com](http://youthsource.com).

1 **To Respectfully Decline Overtures**

2 **RESOLUTION 12-07**

3 Overture 12-05 (*CW*, 427–28)

4 WHEREAS, The floor committee has considered all overtures assigned to it and has concluded, for various reasons,  
5 that certain overtures should be declined; therefore be it

6 *Resolved*, That the following overtures be respectfully declined for the reasons given:

<u>Overture</u>	<u>Subject</u>	<u>Reason</u>
Ov. 12-05	To Produce Religious Education Materials	Current Concordia Publishing House practice fulfills the request





## PROPOSED RESOLUTION CROSS-REFERENCE

The following table indicates the actions proposed by floor committees for each of the overtures contained in the *Convention Workbook* and in *Today's Business*, 1<sup>st</sup> Edition.

<b>Overture</b>	<b>Proposed Action(s)</b>	<b>Overture</b>	<b>Proposed Action(s)</b>	<b>Overture</b>	<b>Proposed Action(s)</b>
Ov. 1-01	Res. 1-02	Ov. 5-02	Res. 5-01	Ov. 5-47	Res. 5-16 (decline)
Ov. 1-02	Res. 1-02	Ov. 5-03	Res. 5-03	Ov. 5-48	Omnibus A
Ov. 1-03	Res. 1-02	Ov. 5-04	Res. 5-05	Ov. 5-49	Omnibus A
Ov. 1-04	Res. 1-05	Ov. 5-05	Res. 5-07	Ov. 5-50	Omnibus A
Ov. 1-05	Omnibus A	Ov. 5-06	Res. 5-07	Ov. L5-51	Res. 5-04
Ov. 1-06	Res. 1-04	Ov. 5-07	Omnibus A	Ov. 6-01	Res. 6-01
Ov. 1-07	Res. 1-04	Ov. 5-08	Res. 5-06	Ov. 6-02	Res. 6-01
Ov. 1-08	Res. 1-06	Ov. 5-09	Res. 5-09	Ov. 6-03	Res. 6-02, Res. 6-03
Ov. 1-09	Res. 1-07	Ov. 5-10	Res. 5-09	Ov. 6-04	Res. 6-02, Res. 6-03
Ov. 1-10	Res. 1-07	Ov. 5-11	Res. 5-08	Ov. 6-05	Res. 6-03
Ov. 1-11	Res. 1-07	Ov. 5-12	Res. 5-08	Ov. 6-06	Res. 6-03
Ov. 1-12	Res. 1-07	Ov. 5-13	Res. 5-08	Ov. 6-07	Res. 6-03
Ov. 1-13	Res. 1-07	Ov. 5-14	Res. 5-08	Ov. 6-08	Res. 6-02
Ov. 1-14	Res. 1-08	Ov. 5-15	Res. 5-08	Ov. 6-09	Omnibus A
Ov. 2-01	Res. 2-02	Ov. 5-16	Res. 5-08	Ov. 6-10	Omnibus A
Ov. 2-02	Res. 2-01	Ov. 5-17	Res. 5-08	Ov. 6-11	Res. 6-02
Ov. 2-03	Res. 2-03	Ov. 5-18	Res. 5-08	Ov. 6-12	Res. 6-02
Ov. 2-04	Res. 2-05	Ov. 5-19	Res. 5-08	Ov. 6-13	Res. 6-03
Ov. 2-05	Omnibus A	Ov. 5-20	Res. 5-08, Res. 5-13	Ov. 6-14	Res. 6-03
Ov. 3-01	Res. 3-01	Ov. 5-21	Omnibus A	Ov. 6-15	Res. 6-03
Ov. 3-02	Omnibus A	Ov. 5-22	Omnibus A	Ov. 6-16	Res. 6-03
Ov. 3-03	Res. 3-02	Ov. 5-23	Omnibus A	Ov. 6-17	Res. 6-03
Ov. 3-04	Res. 3-01	Ov. 5-24	Omnibus A	Ov. 6-18	Res. 6-03
Ov. 3-05	Res. 3-03	Ov. 5-25	Omnibus A	Ov. 6-19	Res. 6-03
Ov. 3-06	Res. 3-05	Ov. 5-26	Omnibus A	Ov. 6-20	Res. 6-03
Ov. 3-07	Res. 3-05	Ov. 5-27	Omnibus A	Ov. 6-21	Res. 6-03
Ov. 4-01	Res. 4-02	Ov. 5-28	Res. 5-13	Ov. 6-22	Omnibus A
Ov. 4-02	Omnibus A	Ov. 5-29	Res. 5-13	Ov. 6-23	Omnibus A
Ov. 4-03	Omnibus A	Ov. 5-30	Res. 5-14	Ov. 6-24	Res. 6-03
Ov. 4-04	Omnibus A	Ov. 5-31	Res. 5-14	Ov. 6-25	Res. 6-04
Ov. 4-05	Res. 4-03	Ov. 5-32	Res. 5-14	Ov. 6-26	Res. 6-04
Ov. 4-06	Res. 4-06	Ov. 5-33	Res. 5-14	Ov. 6-27	Res. 6-04, Res. 6-05
Ov. 4-07	Res. 4-06	Ov. 5-34	Omnibus A	Ov. 6-28	Res. 6-03
Ov. 4-08	Res. 4-06	Ov. 5-35	Res. 5-11	Ov. 6-29	Omnibus A
Ov. 4-09	Omnibus A	Ov. 5-36	Res. 5-11	Ov. 6-30	Res. 6-04
Ov. 4-10	Res. 4-10 (decline)	Ov. 5-37	Res. 5-11	Ov. 6-31	Res. 6-04
Ov. 4-11	Res. 4-04	Ov. 5-38	Res. 5-11	Ov. 6-32	Res. 6-04
Ov. 4-12	Res. 4-05	Ov. 5-39	Omnibus B	Ov. 6-33	Res. 6-04
Ov. 4-13	Res. 4-05	Ov. 5-40	Omnibus B	Ov. 6-34	Omnibus A
Ov. 4-14	Res. 4-01	Ov. 5-41	Omnibus B	Ov. 6-35	Omnibus A
Ov. 4-15	Res. 4-09	Ov. 5-42	Res. 11-04	Ov. 6-36	Omnibus A
Ov. 4-16	Omnibus A	Ov. 5-43	Res. 11-04	Ov. 6-37	Res. 6-08 (decline)
Ov. 4-17	Res. 4-08	Ov. 5-44	Res. 11-04	Ov. 6-38	Res. 6-06
Ov. 4-18	Res. 4-07	Ov. 5-45	Omnibus A	Ov. 6-39	Res. 6-07
Ov. 5-01	Res. 5-02	Ov. 5-46	Omnibus A	Ov. 6-40	Res. 6-03

<b>Overture</b>	<b>Proposed Action(s)</b>	<b>Overture</b>	<b>Proposed Action(s)</b>	<b>Overture</b>	<b>Proposed Action(s)</b>
Ov. 6-41	Omnibus A	Ov. 9-14	Res. 9-06	Ov. 11-05	Res. 11-02
Ov. 6-42	Omnibus A	Ov. 9-15	Res. 9-06	Ov. 11-06	Res. 11-02
Ov. 6-43	Res. 6-08 (decline)	Ov. 9-16	Res. 9-06	Ov. 11-07	Res. 11-02
Ov. 6-44	Omnibus A	Ov. 9-17	Res. 9-06	Ov. 11-08	Res. 11-02
Ov. 6-45	Omnibus C	Ov. 9-18	Res. 9-05	Ov. 11-09	Res. 11-02
Ov. 6-46	Omnibus C	Ov. 9-19	Res. 9-05	Ov. 11-10	Res. 11-02
Ov. L6-47	Omnibus A	Ov. 9-20	Res. 9-08	Ov. 11-11	Res. 11-02
Ov. 7-01	Res. 7-04	Ov. 9-21	Res. 9-08	Ov. 11-12	Res. 11-03
Ov. 7-02	Res. 7-04	Ov. 9-22	Res. 9-08	Ov. 11-13	Res. 11-03
Ov. 7-03	Res. 7-04	Ov. 9-23	Res. 9-08	Ov. 11-14	Res. 11-03
Ov. 7-04	Res. 7-04	Ov. 9-24	Res. 9-08	Ov. 11-15	Res. 11-03
Ov. 7-05	Res. 7-04	Ov. 9-25	Res. 9-08	Ov. 11-16	Res. 11-03
Ov. 7-06	Res. 7-04	Ov. 9-26	Res. 9-08	Ov. 11-17	Res. 11-02
Ov. 7-07	Res. 7-04	Ov. 9-27	Omnibus A	Ov. 11-18	Res. 11-02
Ov. 7-08	Res. 7-04	Ov. 9-28	Omnibus A	Ov. 11-19	Res. 11-02
Ov. 7-09	Res. 7-04	Ov. 9-29	Omnibus A	Ov. 11-20	Res. 11-02
Ov. 7-10	Res. 7-05	Ov. 9-30	Omnibus A	Ov. 11-21	Res. 11-03
Ov. 7-11	Res. 7-05	Ov. 9-31	Res. 9-13 (decline)	Ov. 11-22	Res. 11-03
Ov. 7-12	Res. 7-05	Ov. 9-32	Res. 9-13 (decline)	Ov. 11-23	Res. 11-03
Ov. 7-13	Res. 7-05	Ov. 9-33	Omnibus A	Ov. 11-24	Res. 11-05
Ov. 7-14	Res. 7-05	Ov. 9-34	Res. 9-11	Ov. 11-25	Res. 11-05
Ov. 7-15	Res. 7-05	Ov. 9-35	Res. 9-11	Ov. 11-26	Res. 11-05
Ov. 7-16	Res. 7-07 (decline)	Ov. 9-36	Res. 9-11, Res. 9-12	Ov. 11-27	Res. 11-04, Res. 11-05
Ov. 7-17	Omnibus B	Ov. 9-37	Res. 9-13 (decline)	Ov. 11-28	Omnibus A
Ov. 7-18	Omnibus A, Res. 7-03	Ov. 9-38	Res. 9-07	Ov. 11-29	Res. 11-06
Ov. 7-19	Omnibus A	Ov. 9-39	Res. 9-13 (decline)	Ov. 11-30	Res. 11-06
Ov. 7-20	Res. 7-06	Ov. 9-40	Res. 9-13 (decline)	Ov. 11-31	Omnibus A
Ov. 7-21	Res. 7-07 (decline)	Ov. 9-41	Res. 9-13 (decline)	Ov. 12-01	Res. 12-01
Ov. 7-22	Omnibus A	Ov. 9-42	Res. 9-13 (decline)	Ov. 12-02	Res. 12-01
Ov. 7-23	Omnibus A	Ov. 9-43	Res. 9-13 (decline)	Ov. 12-03	Res. 12-01
Ov. 7-24	Res. 7-01	Ov. 9-44	Res. 9-13 (decline)	Ov. 12-04	Res. 12-01
Ov. 7-25	Res. 7-01	Ov. 9-45	Res. 9-13 (decline)	Ov. 12-05	Res. 12-07 (decline)
Ov. 7-26	Res. 7-02	Ov. 9-46	Res. 9-13 (decline)	Ov. 12-06	Res. 12-03
Ov. L7-27	Res. 7-04	Ov. 9-47	Res. 9-13 (decline)	Ov. 12-07	Res. 12-03
Ov. 8-01	Res. 8-01 (decline)	Ov. 9-48	Res. 9-04	Ov. 12-08	Res. 12-03
Ov. 8-02	Res. 8-01 (decline)	Ov. 9-49	Res. 9-13 (decline)	Ov. 12-09	Res. 12-03
Ov. 8-03	Omnibus A	Ov. L9-50	Res. 9-10	Ov. 12-10	Res. 12-03
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Ov. 9-02	Res. 9-02	Ov. 10-03	Res. 10-08 (decline)	Ov. 12-13	Res. 12-02
Ov. 9-03	Res. 9-03	Ov. 10-04	Res. 10-08 (decline)		
Ov. 9-04	Omnibus B	Ov. 10-05	Res. 10-07		
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Ov. 9-06	Res. 9-09	Ov. 10-07	Omnibus A		
Ov. 9-07	Res. 9-09	Ov. 10-08	Res. 10-03		
Ov. 9-08	Res. 9-09	Ov. 10-09	Res. 10-04		
Ov. 9-09	Res. 9-09	Ov. 10-10	Res. 10-05		
Ov. 9-10	Res. 9-09	Ov. 11-01	Res. 11-01		
Ov. 9-11	Res. 9-06	Ov. 11-02	Res. 11-03		
Ov. 9-12	Res. 9-06	Ov. 11-03	Res. 11-03		
Ov. 9-13	Res. 9-06	Ov. 11-04	Res. 11-02		











