

**CONSTITUTION
BYLAWS
AND CONTINUING RESOLUTIONS
SOUTH CAROLINA SYNOD
EVANGELICAL LUTHERAN CHURCH IN AMERICA**
(as amended November 15, 2021)

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KEY: †Provisions common to all synods of the ELCA.
All constitutional provisions are in bold face type.
 All bylaw material is printed in light face type.
All continuing resolutions are printed in italic type

CONSTITUTION, BYLAWS, AND CONTINUING RESOLUTIONS

SOUTH CAROLINA SYNOD

EVANGELICAL LUTHERAN CHURCH IN AMERICA

Chapter 1.**NAME AND INCORPORATION**

- †S1.01. The name of this synod, as determined by the Churchwide Assembly, shall be South Carolina Synod of the Evangelical Lutheran Church in America.
- †S1.02. For the purposes of this constitution and the accompanying bylaws, the South Carolina Synod of the Evangelical Lutheran Church in America is hereafter designated as "this synod" or "the synod."
- †S1.11. This synod shall be incorporated. Amendments to the articles of incorporation of this synod shall be submitted to the Church Council for ratification before filing.
- †S1.21. The seal of this synod is encircled with a Latin inscription, whose translation is "the sword of the Spirit is the Word of God," Eph. 6:17, and "be wise and harmless," Matt. 10:16. The center of the seal contains a figure of a dove, the symbol of peace. An olive branch is suspended from the mouth of the dove and overlays an open Bible, which carries the word "PAX". Beneath the Bible is the figure of a serpent signifying that the archenemy of God and creation is overcome. Luther's coat of arms, in miniature, completes the symbolism of the seal. The outer edge contains the wording "South Carolina Synod -- Evangelical Lutheran Church in America."

Chapter 2.**STATUS**

- †S2.01. This synod possesses the powers conferred upon it, and accepts the duties and responsibilities assigned to it, in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, which are recognized as having governing force in the life of this synod.
- †S2.02. The name Evangelical Lutheran Church in America (ELCA or "this church") as used herein refers in general references to this whole church, including its three expressions—congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.
- †S2.03. No provision of this constitution shall be inconsistent with the constitution and bylaws of this church.

Chapter 3.**TERRITORY**

- †S3.01. The territory of this synod, as determined by the Churchwide Assembly, shall be the state of South Carolina.
- †S3.02. "Determined by the Churchwide Assembly," as stipulated by †3.01., is understood to include the reported changes in synod relationship made by any congregation in a border area agreed under ELCA bylaws 10.01.01. and 10.01.03.

Chapter 4.**CONFESSION OF FAITH**

- †S4.01. This synod confesses the Triune God, Father, Son, and Holy Spirit.
- †S4.02. This synod confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.
a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose

life, death, and resurrection God fashions a new creation.

- b. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.
- c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.

- †S4.03. This synod accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.
- †S4.04. This synod accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this synod.
- †S4.05. This synod accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.
- †S4.06. This synod accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.
- †S4.07. This synod confesses the Gospel, recorded in the Holy Scriptures and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

Chapter 5. NATURE OF THE CHURCH

- †S5.01. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this synod are to be carried out under his rule and authority.
- †S5.02. This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian Unity throughout the world.
- †S5.03. The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. This church, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.
- †S5.04. This church, inspired and led by the Holy Spirit, participates in the Lutheran World Federation as a global communion of churches, engaging in faithful witness to the gospel of Jesus Christ and in service for the sake of God's mission in the world.

Chapter 6. STATEMENT OF PURPOSE

- †S6.01. The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world.
- †S6.02. To participate in God's mission, this synod as a part of the Church shall:
 - a. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
 - b. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as

Creator, Redeemer, and Sanctifier of all.

- c. **Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, and standing with the poor and powerless, and committing itself to their needs.**
- d. **Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.**
- e. **Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.**
- f. **Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.**

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

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

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

- a. providing for pastoral care of congregations, ministers of Word and Sacrament, and ministers of Word and Service, in the synod, including:
 - 1) approving candidates for the ministry of Word and Sacrament in cooperation with the appropriate seminaries of this church, which may be done through multi-synod committees;
 - 2) authorizing ordinations and ordaining ministers of Word and Sacrament on behalf of this church;
 - 3) approving ministers of Word and Service, which may be done through multi-synod committees;
 - 4) authorizing ordinations and ordaining ministers of Word and Service on behalf of this church; and
 - 5) consulting in the call process for rostered ministers.
- b. providing for leadership recruitment, preparation, and support in accordance with churchwide standards and policies, including:
 - 1) nurturing and supporting congregations and lay leaders;
 - 2) seeking and recruiting qualified candidates for the rostered ministries of this church;
 - 3) making provision for pastoral care, call review, and guidance;
 - 4) encouraging and supporting persons on the rosters of this church in stewardship of their abilities, care of self, and pursuit of continuing education to undergird their effectiveness of service; and
 - 5) supporting recruitment of leaders for this church's colleges, universities, seminaries, and social ministry organizations.
- c. providing for discipline of congregations, ministers of Word and Sacrament, and ministers of Word and Service; as well as for termination of call, appointment, adjudication, and appeals consistent with Chapter 20 of this church's constitution.
- d. providing for archives in conjunction with other synods.

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

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

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

- a. promoting interdependent relationships among congregations, synods, and the churchwide organization, and entering into relationships with other synods in the region;

- b. fostering organizations for youth, women, and men, and organizations for language or ethnic communities;
- c. developing relationships with social ministry organizations and ministries, participating in their mission planning, and providing supportive funding;
- d. supporting relationships with and providing supportive funding on behalf of colleges, universities, and campus ministries;
- e. maintaining relationships with and providing supportive funding on behalf of seminaries and continuing education centers;
- f. fostering supporting relationships with camps and other outdoor ministries;
- g. fostering supporting relationships with preschools, elementary schools, and secondary schools operated by congregations of the synod;
- h. fostering relationships with ecumenical and global companions;
- i. cooperating with other synods and the churchwide organization in creating, using, and supporting regions to carry out those functions of the synod which can best be done cooperatively with other synods and the churchwide organization.

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

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

S6.03.10. Agencies and Institutions

S6.03.11. This synod has a relationship with the institutions listed below. In harmony with their charters, the Synod Assembly shall elect or the Synod Council shall ratify members of Boards of Trustees, according to the plans set forth in the constitutions and bylaws of the respective institutions.

- a. South Carolina Lutheran Retreat Centers, Inc., Batesburg-Leesville, South Carolina
- b. Lutheran Family Services in the Carolinas, Inc., Salisbury, North Carolina
- c. Lutheran Services for the Aging, Inc., Salisbury, North Carolina
- d. Lutheran Homes of South Carolina, Inc., Columbia, South Carolina
- e. Lutheran Theological Southern Seminary of Lenior-Rhyne University, Columbia, South Carolina
- f. NovusWay Ministries, Inc., Arden, North Carolina
- g. Newberry College, Newberry, South Carolina

S6.03.12. The institutions related to this synod shall make an annual report to the assembly.

†S6.04. **Except as otherwise provided in this constitution and bylaws, the Synod Council shall establish processes that will ensure that at least 60 percent of the members of the synod assemblies, councils, committees, boards, and other organizational units shall be laypersons; and that at least 45 percent of the lay members of assemblies, councils, committees, boards, or other organizational units shall be women and at least 45 percent shall be men; and that, where possible, the representation of ministers of Word and Sacrament shall include both men and women. This synod shall establish processes that will enable it to reach a minimum goal that 10 percent of its assemblies, councils, committees, boards, or other organizational units be persons of color and/or persons whose primary language is other than English.**

†S6.04.01. It is the goal of this synod that 10 percent of the membership of synod assemblies, councils, committees, boards and/or other organizational units be persons of color and/or persons whose primary language is other than English.

†S6.04.02. It is the goal of this synod that at least 10 percent of the voting members of the Synod Assembly, Synod Council, committees, and organizational units of this synod be youth and young adults. The Synod Council shall establish a plan for implementing this goal. For purposes of the constitution, bylaws, and continuing resolutions of this synod, the term "youth" means a voting member of a congregation who has not reached the age of 18 at the time of election or appointment for service. The term "young adult" means a voting member of a congregation between the ages of 18 and 30 at the time of election or appointment for service.

†S6.05. **Each assembly, council, committee, board, commission, task force, or other body of this synod or any synod units shall be conclusively presumed to have been properly constituted, and neither the method of selection nor the composition of any such assembly, council, committee, board, commission, task force,**

or other body may be challenged in a court of law by any person or be used as the basis of a challenge in a court of law to the validity or effect of any action taken or authorized by any such assembly, council, committee, board, commission, task force, or other body.

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

**Chapter 7.
SYNOD ASSEMBLY**

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

- S7.01.01. The following committees shall be appointed by the bishop from the voting members of the Synod Assembly at least 30 days prior to the meeting of the assembly:
- a. Committee of Reference and Counsel. The duties of the Committee of Reference and Counsel shall be to report to the assembly with its recommendations all resolutions submitted to it. Resolutions of a general character which are not germane to pending questions or reports shall be submitted on no more than one page of 8 ½ x 11-inch paper to the synodical secretary no later than 15 days prior to the formal opening of the assembly. The committee shall provide copies of all resolutions to the voting members of the assembly. Other duties of the committee shall be to recommend special orders for the hearing of representatives, to grant or deny permission to distribute printed matter not issuing from the office of the secretary, and to give such assistance to the bishop as the bishop may desire in the course of the assembly.
 - b. Committee on Conduct of Elections. The duties of the Committee on Conduct of Elections shall be to distribute and collect at the direction of the bishop ballots for all elections, to supervise the tellers in the counting of ballots, to report the results of all elections to the assembly, and to give such assistance to the bishop as the bishop may desire in the course of the assembly.

S7.01.A11. Resolutions which could not have reasonably been submitted before the 15-day deadline may be submitted to the Committee of Reference and Counsel after the opening of the assembly. A signer of the resolution, preferably its primary author, shall meet with the Committee of Reference and Counsel at the time appointed in the Rules of Procedure adopted for that assembly. Regardless of the recommendation of the Committee of Reference and Counsel, the consideration of such resolutions by the assembly shall require the approval by a two-thirds vote of voting members to place the resolution before the Synod Assembly. If a resolution is received after the deadline of 15 days prior to the formal opening of the assembly, the resolution shall be processed according to the provisions of this continuing resolution.

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

S7.11.01. The Synod Assembly shall meet annually. The time and place shall be fixed by the assembly before adjournment or by the Synod Council.

S7.11.02. To the extent permitted by state law, the South Carolina Synod Assembly may meet by means of remote communication, including electronically and by telephone conference, so long as there is an opportunity for simultaneous aural communication. Notice of all meetings may be provided electronically.

S7.11.03. Voting members shall attend meetings of the assembly.

S7.11.04. The secretary shall distribute the *Bulletin of Reports* for the Synod Assembly to the voting members at least 15 days before each regular assembly.

S7.11.05. At the regular annual meeting, the Synod Assembly shall approve a budget for the following fiscal year.

S7.12. Special meetings of the Synod Assembly may be called by the bishop with the consent of the Synod Council, and shall be called by the bishop at the request of one-fifth of the voting members of the Synod Assembly.

- a. **The notice of each special meeting shall define the purpose for which it is to be held. The scope of actions to be taken at such a special meeting shall be limited to the subject matter(s) described in the notice.**
 - b. **If the special meeting of the Synod Assembly is required for the purpose of electing a successor bishop because of death, resignation, or inability to serve, the special meeting shall be called by the presiding bishop of the Evangelical Lutheran Church in America.**
- S7.13. **Notice of the time and place of all meetings of the Synod Assembly shall be given by the secretary of this synod.**
- S7.14. **One-half of the voting members registered for the Synod Assembly shall constitute a quorum.**
- †S7.21. **The membership of the Synod Assembly, of which at least 60 percent of the voting membership shall be composed of laypersons, shall be constituted as follows:**
- a. **All ministers of Word and Sacrament under call on the roster of this synod in attendance at the Synod Assembly shall be voting members.**
 - b. **All ministers of Word and Service, under call, on the roster of this synod shall be voting members in the Synod Assembly.**
 - c. **A minimum of one lay member elected by each congregation with fewer than 175 baptized members and a minimum of two lay members elected by each congregation with 175 or more baptized members related to this synod, typically one of whom shall be a man and one of whom shall be a woman, shall be voting members. The Synod Council shall establish a formula to provide additional lay representation from congregations on the basis of the number of baptized members in the congregation. The Synod Council shall seek to ensure that at least 45 percent of the lay members of the assembly shall be women and at least 45 percent shall be men.**
 - d. **Voting membership shall include the officers of this synod.**
- †S7.21.01. Voting members shall begin serving with the opening of a regular Synod Assembly and shall continue serving until voting members are seated at the next regular Synod Assembly.
- †S7.21.02. If a special Synod Assembly is called and voting members at the previous assembly are unable to serve as voting members, where permitted by state law, the congregation through the Congregation Council may elect new members who shall continue to serve until the next Synod Assembly.
- S7.21.03. Each congregation shall certify to the synodical secretary at least 30 days before the assembly the names of the regular and alternate voting members elected by the congregation. Any changes in lay voting members must be certified to the synodical secretary before the beginning of each business session.
- S7.21.A21. Each congregation of this synod shall be entitled to at least two lay voting members. Each congregation having 300 to 649 baptized members shall be entitled to one additional lay voting member. Each congregation having 650 to 999 baptized members shall be entitled to two additional lay voting members. Each congregation having 1000 or more baptized members shall be entitled to three additional lay voting members. Baptized members shall be based on the annual congregational report of each congregation for the year preceding the assembly. Each congregation of this synod shall be entitled to one additional lay voting member who is under the age of thirty at the time of the assembly. Each congregation of this synod shall be entitled to one additional lay voting member who is a person of color or whose primary language is other than English.*
- S7.22. **This synod may establish processes that permit retired rostered ministers, or those granted disability status, or on leave from call, on the roster of the synod to serve as voting members of the Synod Assembly, consistent with †S7.21.c. If the synod does not establish processes to permit the rostered ministers specified above to serve as voting members, they shall have voice but not vote in the meetings of the Synod Assembly.**
- S7.22.01. All retired ministers of Word and Sacrament and ministers of Word and Service on the rosters of this synod in attendance at the Synod Assembly shall be voting members.
- S7.22.02. All ministers of Word and Sacrament and ministers of Word and Service granted disability status on the rosters of this synod in attendance at the Synod Assembly shall be voting members.
- †S7.23. **The presiding bishop of the Evangelical Lutheran Church in America and such other official representatives of the churchwide organization as may be designated by the presiding bishop, shall have voice but not vote in the meetings of the Synod Assembly. Like privileges shall be accorded to those additional**

persons whom the Synod Assembly or the Synod Council shall from time to time designate.

- S7.23.01. All ministers of Word and Sacrament on leave from call and all ministers of Word and Service on leave from call, who are on the roster of this synod in attendance at the Synod Assembly shall be voting members.
- S7.24. **Ministers under call on the rosters of this synod shall remain as members of the Synod Assembly as long as they remain under call and so long as their names appear on the rosters of this synod. Retired ministers of Word and Sacrament and retired Ministers of Word and Service in accord with requirements of S14.15 and S14.34 respectively, shall remain as members of the Synod Assembly so long as their names appear on the rosters of this synod. Lay members of the Synod Assembly representing congregations shall continue as such until replaced by the election of new members or until they have been disqualified by termination of membership. Normally, congregations will hold elections prior to each regular meeting of the Synod Assembly.**
- †S7.25. **Except as otherwise provided in this constitution or in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* each voting member of the Synod Assembly shall be a voting member of a congregation of this synod.**
- S7.26. **This synod may establish processes through the Synod Council that permit representatives of authorized worshiping communities of the synod, which have been authorized under ELCA bylaw 10.01.04., to serve as voting members of the Synod Assembly, consistent with †S7.21.**
- S7.26.A20. *Each authorized worshiping community of this synod shall be entitled to two lay voting members, one of whom shall be a man and one of whom shall be a woman.*
- S7.27. **This synod may establish processes through the Synod Council to grant a minister of Word and Sacrament from a church body with which a relationship of full communion has been declared and established by the Churchwide Assembly of the Evangelical Lutheran Church in America the privilege of both voice and vote in the Synod Assembly during the period of that minister's service in a congregation of this church.**
- S7.27.01. A minister of Word and Sacrament from a church body with which a relationship of full communion has been declared and established by the Churchwide Assembly of the Evangelical Lutheran Church in America in attendance at the Synod Assembly who has complied with the provisions of S14.15 shall be granted the privilege of both voice and vote in the synod assembly during the period of that minister's service in a congregation of this synod. The bishop shall certify to the secretary at least 30 days before assembly those ministers of Word and Sacrament from a church body with which a relationship of full communion has been declared and established by the Churchwide Assembly of the Evangelical Lutheran Church in America, serving in an ELCA congregation of this synod who are eligible to be voting members.
- S7.28. **Duly elected voting members of the Synod Council who are not otherwise voting members of the Synod Assembly under †S7.21. shall be granted the privilege of both voice and vote as members of the Synod Assembly.**
- †S7.31. **Proxy and absentee voting shall not be permitted in the transaction of any business of the Synod Assembly.**
- S7.32. **Robert's Rules of Order, latest edition, shall govern parliamentary procedure of the Synod Assembly, unless otherwise ordered by the assembly.**
- S7.32.A20. *The following rules of procedure shall be in force at meetings of the Synod Assembly:*
- a. *Unless otherwise determined by vote of the assembly, all speeches in general discussion shall be limited to two minutes and no member shall be permitted to speak the second time on the same subject when others desire to speak.*
 - b. *A resolution of a general character which is not germane to the pending question or report shall be given by the proposer to a Committee of Reference and Counsel.*
 - c. *All reports published in the Bulletin of Reports shall be received as information by the assembly by virtue of that fact without vote.*
 - d. *All other reports shall be in writing and in such form as the assembly or the Synod Council may determine.*
 - e. *The minutes of each assembly shall be submitted to the Synod Council for approval.*
 - f. *The bishop and secretary shall, after making any necessary corrections therein, certify two copies of the printed minutes of each assembly as the official protocol of said assembly, and shall submit the same to*

the next regular assembly for approval and deposit in the archives.

- g. *Holy Communion shall be administered at each assembly with the exception of assemblies held online or in regard for the safety of voting members.*

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

Chapter 8. OFFICERS

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

S8.10. Bishop

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

†S8.12. As this synod's pastor, the bishop shall:

- a. Preach, teach, and administer the sacraments in accord with the Confession of Faith of this church.
- b. Have primary responsibility for the ministry of Word and Sacrament in this synod and its congregations, providing pastoral care and leadership for this synod, its congregations, its ministers of Word and Sacrament and its ministers of Word and Service.
- c. Exercise solely this church's power to ordain (or provide for the ordination by another synod bishop of) approved candidates who have received and accepted a properly issued, duly attested letter of call for the office of ministry of Word and Sacrament (and as provided in the bylaws of the Evangelical Lutheran Church in America).
- d. Ordain (or provide for the ordination of) approved candidates who have received and accepted a properly issued, duly attested letter of call for service as ministers of Word and Service of this church.
- e. Attest letters of call for persons called to serve congregations in the synod, letters of call for persons called by the Synod Council, and letters of call for persons on the rosters of this synod called by the Church Council.
- f. Install (or provide for the installation of) rostered ministers whose calls the bishop has attested.
- g. Exercise leadership in the mission of this church and in so doing:
 - 1) Interpret and advocate the mission and theology of the whole church;
 - 2) Lead in fostering support for and commitment to the mission of this church within this synod;
 - 3) Coordinate the use of the resources available to this synod as it seeks to promote the health of this church's life and witness in the areas served by this synod;
 - 4) Submit a report to each regular meeting of the Synod Assembly concerning this synod's life and work; and
 - 5) Advise and counsel this synod's related institutions and organizations.
- h. Practice leadership in strengthening the unity of the Church and in so doing:
 - 1) Exercise oversight of the preaching, teaching, and administration of the sacraments within this synod in accord with the Confession of Faith of this church;
 - 2) Be responsible for administering the constitutionally established processes for the resolution of controversies and for the discipline of rostered ministers, and congregations of this synod;
 - 3) Be the chief ecumenical officer of this synod;
 - 4) be a member of the Conference of Bishops and consult regularly with other synod bishops;
 - 5) Foster awareness of other churches throughout the Lutheran world communion and, where appropriate, engage in contact with leaders of those churches;
 - 6) Cultivate communion in faith and mission with appropriate Christian judicatory leaders functioning within the territory of this synod; and
 - 7) Be ex officio a member of the Churchwide Assembly.
- i. Oversee and administer the work of this synod and in so doing:
 - 1) Serve as the president of the synod corporation and be the chief executive and administrative officer of this synod, who is authorized and empowered, in the name of this synod, to sign deeds or other instruments and to affix the seal of this synod;
 - 2) Preside at all meetings of the Synod Assembly and provide for the preparation of the agenda for the Synod Assembly, Synod Council, and the council's Executive Committee;
 - 3) Ensure that the constitution and bylaws of this synod and of the churchwide organization are duly observed within this synod, and that the actions of this synod in conformity therewith are

carried into effect;

- 4) Exercise supervision over the work of the other officers;
- 5) Coordinate the work of all synod staff members;
- 6) Appoint all committees for which provision is not otherwise made;
- 7) Be a member of all committees and any other organizational units of this synod, except as otherwise provided in this constitution;
- 8) Provide for preparation and maintenance of synod rosters containing the names and addresses of all rostered ministers of this synod and a record of the calls under which they are serving or the date on which their retired or disability status took effect;
- 9) Annually bring to the attention of the Synod Council the names of all rostered ministers on leave from call or engaged in approved graduate study in conformity with the constitution, bylaws, and continuing resolutions of this church and pursuant to prior action of this synod through the Synod Council;
- 10) Provide for prompt reporting to the secretary of this church of:
 - a) additions to and subtractions from the rosters of this synod;
 - b) the issuance of a certificate of transfer for rostered ministers in good standing who have received and accepted a properly issued, duly attested, regular letter of call under the jurisdiction of another synod; and
 - c) the entrance of the names of such persons for whom proper certificates of transfer have been received;
- 11) Provide for preparation and maintenance of a roster of the congregations of this synod and the names of the laypersons who have been elected to represent them; and
- 12) Appoint a statistician of this synod, who shall secure the parochial reports of the congregations and make the reports available to the secretary of this church for collation, analysis, and distribution of the statistical summaries to this synod and the other synods of this church.

S8.12.01. The bishop shall approve the nature of and personnel appointed for general religious services or public meetings sponsored by this synod.

S8.12.A87. *The bishop shall submit a written report, printed in the Bulletin of Reports, to each regular meeting of the Synod Assembly. In addition to this report concerning this synod's life and work, the bishop shall make an oral report to the Synod Assembly presenting a vision of the mission and ministry of this synod.*

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

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

S8.14.01. There shall be two assistants to the bishop elected by the Synod Council on nomination by the bishop. The assistants may be recalled or dismissed on proper notice by action of the Synod Council. It shall set the term of office and responsibilities.

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

†S8.16 **Conflicts of Interest**

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

- a. **Whenever a synod bishop determines that a matter of the kind described in †S8.16.01.b. may require his or her determination or action with respect to a related individual as defined in †S8.16.01.c., the synod bishop shall withdraw from personal involvement in such matter and shall so notify the presiding bishop. The presiding bishop shall then appoint another synod bishop from the same region to handle the matter to conclusion. In dealing with such matter, the appointed bishop shall exercise all of the functions and authority to the same extent as if the appointed bishop were the elected bishop of the withdrawing bishop's synod.**
- b. **Matters include any proceedings under Chapter 20, proceedings under provision 7.46. of the**

Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America (†S14.18.), candidacy, reinstatement, and similar matters where determinations or actions by the synod bishop could change, limit, restrict, approve, authorize, or deny the related individual's ministry on one of the official rosters of this church.

- c. A related individual is one who, with respect to the synod bishop, is a spouse, parent, son, daughter, sibling, uncle, aunt, niece, nephew, grandparent, grandchild, including corresponding members of blended families and in-laws (parent, son, daughter, or sibling of a spouse, spouse of a sibling, or the parent or sibling of the spouse of a sibling).

S8.20. Vice president

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

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

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

S8.30. Secretary

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

†S8.32. The secretary shall:

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

S8.32.01. The secretary shall be responsible for the preparation, printing, and distribution of the *Bulletin of Reports* for the meetings of the Synod Assembly.

S8.40. Treasurer

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

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

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

- f. Giving of corporate surety in the amount determined by the Synod Council, which shall be in the custody of the secretary, and the premium therefore shall be paid by this synod. Fidelity coverage provided by the Evangelical Lutheran Church in America shall be deemed a fulfillment of this requirement. Obtaining a fidelity bond in the amount determined by the Synod Council for persons handling synod funds, which bond shall be in the custody of the secretary. The premium for the bond shall be paid by this synod. Fidelity coverage provided by the Evangelical Lutheran Church in America shall be deemed a fulfillment of this requirement.

S8.50. General Provisions

- †S8.51. The terms of office of the officers of this synod shall be as follows:
- a. The bishop of this synod shall be elected to a term of six years and may be reelected.
 - b. The vice president and secretary of this synod shall be elected to a term of six years and may be reelected. The officer shall serve until his or her successor takes office.
 - c. The treasurer of this synod shall be elected to a six-year term and may be reelected. The treasurer shall serve until his or her successor takes office.
- S8.51.01. The terms of office of the bishop and the vice president shall be arranged so that the terms are staggered and do not expire in the same year.
- S8.52. The terms of the officers shall begin on the first day of the third month following election or, in special circumstances, at a time designated by the Synod Council.
- †S8.53. Each officer shall be a voting member of a congregation of this synod, except that the bishop need not be a member of a congregation of this synod at the time of election.
- †S8.54. Should the bishop die, resign, or be unable to serve, the vice president, after consultation with the presiding bishop of the Evangelical Lutheran Church in America, shall convene the Synod Council to arrange for the appropriate care of the responsibilities of the bishop until an election of a new bishop can be held or, in the case of temporary disability, until the bishop is able to serve again. Such arrangements may include the appointment by the Synod Council of an interim bishop, who during the vacancy or period of disability shall possess all of the powers and authority of a regularly elected bishop. The term of the successor bishop, elected by the next Synod Assembly or a special meeting of the Synod Assembly called for the purpose of election, shall be six years with the subsequent election to take place at the Synod Assembly closest to the expiration of such a term and with the starting date of a successor term to be governed by constitutional provision S8.52.
- S8.55. Should the vice president, secretary, or treasurer die, resign, or be unable to serve, the bishop, with the approval of the Executive Committee of the Synod Council, shall arrange for the appropriate care of the responsibilities of the officer until an election of a new officer can be held or, in the case of temporary disability, until the officer is able to serve again. The term of the successor officer, elected by the next Synod Assembly, shall be six years.
- †S8.56. The Executive Committee of the Synod Council shall determine whether an officer is unable to serve; the officer may appeal the decision of the Executive Committee by requesting a hearing before the Synod Council. A meeting to determine the ability of an officer to serve shall be called upon the request of at least three members of the Executive Committee and prior written notice of the meeting shall be given to the officer in question at least ten calendar days prior to the meeting.
- †S8.57. The recall or dismissal of an officer and the vacating of office may be effected for willful disregard or violation of the constitutions, bylaws, and continuing resolutions of this church; for such physical or mental disability as renders the officer incapable of performing the duties of office; or for such conduct as would subject the officer to disciplinary action as a rostered minister or as a member of a congregation of this church.
- a. Proceedings for the recall or dismissal of a synod bishop shall be instituted by written petition by:
 - 1) the Synod Council on an affirmative vote of at least two-thirds of its elected members present and voting;
 - 2) the Synod Assembly on an affirmative vote of at least two-thirds of its members present and voting;
 - 3) at least 10 synod bishops; or
 - 4) the presiding bishop of this church.

- b. Proceedings for the recall or dismissal of an officer of a synod, other than the synod bishop, shall be instituted by written petition by:
 - 1) the Synod Council on an affirmative vote of at least two-thirds of its elected members present and voting;
 - 2) the Synod Assembly on an affirmative vote of at least two-thirds of its members present and voting; or
 - 3) the synod bishop.
- c. The petition shall be filed with the chair of the Committee on Appeals (in care of the secretary of the Evangelical Lutheran Church in America, 8765 West Higgins Road, Chicago, Illinois 60631) and shall set forth the specific charge or charges.
- d. Upon the filing of a written petition, the Executive Committee of the Synod Council may temporarily suspend the officer from service in the synod without prejudice, but with continuation of compensation, including benefits, if the officer is a salaried employee of the synod.
- e. In the case of alleged physical or mental incapacity of an officer of the synod, the procedures outlined in †S8.56. shall be followed, and such officer shall comply with the decision of the Synod Council. If such officer fails or refuses to comply, the Synod Council may proceed to petition for recall or dismissal as follows:
 - 1) the Synod Council will submit a written report of their findings and the basis of their decision to the Committee on Appeals.
 - 2) the Committee on Appeals, other than those who are disqualified, shall review the findings and decision of the Synod Council and by an affirmative vote of at least two-thirds of those present and voting may adopt the findings and grant the petition.
- f. If the synod officer is a minister of Word and Sacrament, grounds for recall or dismissal include those set forth in ELCA bylaw 20.22.01. and as defined under the process described in ELCA constitutional provisions 20.21. and 20.22. as grounds for discipline. If the officer is a minister of Word and Service, grounds for recall or dismissal include those set forth in ELCA bylaw 20.23.01. and as defined under the process described in ELCA constitutional provisions 20.21. and 20.22. as grounds for discipline.
- g. If the officer is a layperson, grounds for recall or dismissal include those set forth in ELCA bylaw 20.41.01. as grounds for discipline.
- h. If the case of alleged willful disregard or violation of the constitutions, bylaws, and continuing resolutions or of alleged conduct as would subject the officer to disciplinary action, the following procedures shall apply:
 - 1) the petition shall be referred to the Committee on Appeals, which shall function as the discipline hearing committee that shall conduct a hearing in accordance with the rules provided for in ELCA bylaw 20.22.14. except to the extent that those rules are in conflict with the provisions of this bylaw; and
 - 2) the members of the Committee on Appeals, other than those who are disqualified, may grant the petition by an affirmative vote of at least two-thirds of those present and voting.
- i. Written notice of a decision by the Committee on Appeals that the charges have been sustained shall be given to the affected officer and to the Synod Council, and the office shall be vacated.

†S8.58. If the bishop is to be temporarily absent from the synod for an extended period, the bishop, with the consent of the Synod Council, may appoint as acting bishop for such period minister of Word and Sacrament of this church. Except as limited by action of the Synod Council, an acting bishop shall possess all of the powers and authority of a regularly elected bishop other than authority to ordain or to authorize the ordination of properly approved candidates for ordination.

Chapter 9. NOMINATIONS AND ELECTIONS

†S9.01. The Synod Assembly shall elect such officers of this synod and such other persons as the constitution and bylaws may require, according to procedures set forth in the bylaws. The Synod Assembly shall elect members of the Churchwide Assembly in accordance with bylaw 12.41.11. of the constitution and bylaws of the Evangelical Lutheran Church in America.

S9.01.A08. *The Synod Council Executive Committee shall provide for background checks for persons nominated for synodical office prior to the Synod Assembly at which the election will take place or as soon as possible after the Synod Assembly for newly elected officers nominated from the floor who were not identified as nominees prior to the assembly. The process shall be as follows:*

- a. *Prior to the Synod Assembly appropriate notice of the background check requirement and protocol will*

- be provided to voting members, potential nominees, and others as directed by the Synod Council.*
- b. Nominees and newly elected officers are required to provide written consent to a background check and all information necessary to complete a background check, which should be completed prior to the Synod Assembly with respect to nominees and prior to installation for newly elected officers, if possible.*
 - c. The Synod Council's Executive Committee shall designate one Executive Committee or Synod Council member to obtain the background checks.*
 - d. All background checks for nominees and newly elected officers will entail a criminal background check. A financial background check will be completed for nominees for treasurer. The Executive Committee shall decide whether additional types of background checks are appropriate for each officer position.*
 - e. The background check results shall be provided to that nominee or elected officer and to the Synod Council's Executive Committee. Further disclosure of the results may be determined by the Executive Committee.*
 - f. The Executive Committee may adopt other procedures or protocols as are necessary to provide for background checks for nominees and newly elected synodical officers and shall report such actions to the Synod Council.*

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

S9.03. There shall be a Nominating Committee consisting of at least seven persons and not more than 12 persons who shall be appointed by the Synod Council to serve for each regular meeting of the Synod Assembly. Additional nominations may be made from the floor for all elections for which nominations are made by the Nominating Committee. The size of the Nominating Committee, in accord with this provision, shall be defined in this synod's continuing resolutions.

S9.03.01. The Synod Assembly shall elect voting members of the Churchwide Assembly of the ELCA on the basis approved by that body. The Nominating Committee of this synod shall nominate twice the number of nominees for the places to be filled. In its nominations the committee shall seek to have equitable representation by the various geographic areas of this synod. After the regular voting members have been elected, rostered ministers, lay women, and lay men nominees receiving the next highest number of votes respectively shall constitute the alternates. If any voting member be unable to attend the assembly, they shall inform the bishop of this synod who shall fill all vacancies from the alternates in the order of the votes received.

S9.03.02. The Nominating Committee shall strive to ensure that all persons nominated for any position possess the necessary competence and experience for the position. The committee shall, insofar as possible, insure that all geographic areas of this synod are represented among the nominees.

S9.03.03. Any nominations from the floor shall meet the same criteria as required for the position for which nominated.

S9.03.04. Terms of service for members of the Synod Council and for persons elected by this synod to boards of trustees of the institutions to which this synod is related shall be limited to two consecutive terms of three years each. Terms of service begin at the conclusion of the Synod Assembly at which they are elected. Terms of service end at the Synod Assembly at which their successors are elected. Should the constitution of any institution or agency specify a term of office for board members other than three years, the constitution of the institution shall take precedence over this bylaw as far as length of term is concerned. In computing eligibility for continued membership on the Synod Council, boards on which the synod is entitled to representation, or other organizational units where applicable, at the conclusion of a full term, service which preceded such term without interruption shall be disregarded if its duration was shorter than half a term.

S9.03.05. Any qualified person shall be eligible for election to and simultaneous service on one board and one committee. No person, except the bishop of synod, shall be eligible to serve simultaneously on two elective boards. No elected member of the Synod Council shall serve simultaneously on any other elective board or committee.

S9.03.06. The Nominating Committee shall prepare a ballot in accord with †S6.04. for Synod Council elections to assure Synod Council membership includes: at least one man and one woman who are persons of color and/or whose primary language is other than English; and nine geographic seats in accord with S9.03.02.; S12.01.20.; S12.01.21.; and S12.01.22. with three persons serving from each of the three geographic areas. A rotating basis for the election of lay men, lay women, and rostered ministers from each of the three areas shall be established for the Synod Council members elected from the areas with one lay man, one lay woman and one rostered minister elected each year; and nine at-large seats open to persons from across the territory of the South Carolina Synod, including one lay man, one lay woman, and one rostered minister to be elected each year; and one youth serving a two-year term.

- S9.03.A06. The Nominating Committee shall consist of nine persons from the conferences and three persons from the geographical areas of this synod as described in S12.01.20., S12.01.21., and S12.01.22. Each of the nine conferences shall have one person on the committee. At least one of the twelve persons shall be a member of the Synod Council. The Synod Council shall appoint the chair of the nominating committee. Members of the nominating committee shall serve two-year terms. In order to have continuity on the committee from year to year, the terms of one-half of the twelve members shall expire each year. The committee's report shall be included in the Bulletin of Reports for the Synod Assembly. It shall nominate two persons for each vacancy to be filled by election except the officers of this synod.*
- S9.04. The bishop shall be elected by the Synod Assembly by ecclesiastical ballot. Three-fourths of the legal votes cast shall be necessary for election on the first ballot. If no one is elected, the first ballot shall be considered the nominating ballot. Three-fourths of the legal votes cast on the second ballot shall be necessary for election. The third ballot shall be limited to the seven persons (plus ties) who received the greatest number of legal votes on the second ballot, and two-thirds of the legal votes cast shall be necessary for election. The fourth ballot shall be limited to the three persons (plus ties) who receive the greatest number of legal votes on the third ballot, and 60 percent of the legal votes cast shall be necessary for election. On subsequent ballots a majority of the legal votes cast shall be necessary for election. These ballots shall be limited to the two persons (plus ties) who receive the greatest number of legal votes on the previous ballot.**
- S9.04.A94. An "ecclesiastical ballot" is an election process:*
- a. In which on the first ballot the name of any eligible individual may be submitted for nomination by a voting member of the assembly;*
 - b. Through which the possibility of election to office exists on any ballot by achievement of the required number of votes cast by voting members of the assembly applicable to a particular ballot;*
 - c. That precludes spoken floor nominations;*
 - d. In which the first ballot is the nominating ballot if no election occurs on the first ballot;*
 - e. In which the first ballot defines the total slate of nominees for possible election on a subsequent ballot, with no additional nominations permitted;*
 - f. That does not preclude, after the reporting of the first ballot, the right of persons nominated to withdraw their names prior to the casting of the second ballot;*
 - g. In which any name appearing on the second ballot may not be subsequently withdrawn;*
 - h. That does not preclude an assembly's adoption of rules that permit, at a defined point in the election process and for a defined period of time, speeches to the assembly by nominees or their representatives and/or a question-and-answer forum in which the nominees or their representatives participate; and*
 - i. In which the number of names that appear on any ballot subsequent to the second ballot shall be determined in accordance with provisions of the governing documents (or, if the governing documents are silent, in accordance with rules adopted by the assembly).*
- S9.05. The vice president shall be elected by the Synod Assembly by ecclesiastical ballot as specified in S9.04.**
- S9.06. The secretary shall be elected by the Synod Assembly by ecclesiastical ballot as specified in S9.04.**
- S9.07. If the treasurer is elected, the Synod Council shall nominate at least one person for treasurer; additional nominations may be made from the floor.**
- S9.08. All elections shall be by ballot. In all elections, other than for the bishop, vice president and the secretary, the names of the persons receiving the highest number of legal votes, but not elected by a majority of the legal votes cast on a preceding ballot, shall be entered on the next ballot to the number of two for each vacancy unfilled. On any ballot when only two names appear, a majority of the legal votes cast shall be necessary for election.**
- S9.09. The result of each ballot in every election shall be announced in detail to the assembly.**
- †S9.10. When notified by the secretary of this church, on behalf of the Nominating Committee of the Churchwide Assembly, the Synod Assembly shall nominate two persons in the specified categories for possible election by the Churchwide Assembly to the Church Council.**
- S9.11. The Synod Council shall elect representatives to the steering committee of its region.**
- S9.11.01. The Synod Council, in consultation with the other synods in the region, will establish the number of**

representatives to the steering committee and the length of their respective terms.

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

**Chapter 10.
SYNOD COUNCIL**

- †S10.01. **The Synod Council consisting of the four officers of this synod, 10 to 24 other members, and at least one youth and at least one young adult, shall be elected by the Synod Assembly.**
- a. **Each person elected to the Synod Council shall be a voting member of a congregation of this synod, with the exception of ministers on a roster of this synod who reside outside the territory of this synod. The process for election and the term of office when not otherwise provided shall be specified in the bylaws. A member of the Church Council of the Evangelical Lutheran Church in America, unless otherwise elected as a voting member of the Synod Council, may serve as an advisory member of the Synod Council with voice but not vote.**
 - b. **The term of office of members of the Synod Council, with the exception of the officers and the youth member, shall be three years.**
- †S10.02. **The Synod Council shall be the board of directors of this synod and shall serve as its interim legislative authority between meetings of the Synod Assembly. It may make decisions which are not in conflict with actions taken by the Synod Assembly or which are not precluded by the provisions of this constitution or the constitution and bylaws of the Evangelical Lutheran Church in America.**
- S10.03. **The functions of the Synod Council shall be to:**
- a. **Exercise trusteeship responsibilities on behalf of this synod.**
 - b. **Recommend program goals and budgets to the regular meetings of the Synod Assembly.**
 - c. **Carry out the resolutions of the Synod Assembly.**
 - d. **Provide for the annual review of the roster of ministers of Word and Sacrament and the roster of ministers of Word and Service, receive and act upon appropriate recommendations regarding those persons whose status is subject to reconsideration and action under the constitution and bylaws of the Evangelical Lutheran Church in America, and make a report to the Synod Assembly of the Synod Council's actions in this regard.**
 - e. **Issue letters of call to rostered ministers as authorized by Chapter 7 of the constitution and bylaws of the Evangelical Lutheran Church in America**
 - f. **Fill vacancies until the next regular meeting of the Synod Assembly except as may otherwise be provided in the constitution or bylaws of this synod, and determine the fact of the incapacity of an officer of this synod.**
 - g. **Report its actions to the regular meeting of the Synod Assembly.**
 - h. **Perform such other functions as are set forth in the bylaws of this synod, or as may be delegated to it by the Synod Assembly.**
- S10.04. **Any proposal to appropriate funds, whether by amendment to the budget or otherwise, which is presented to a meeting of the Synod Assembly without the approval of the Synod Council shall require a two-thirds vote for adoption.**
- S10.05. **No elected member of the Synod Council shall receive compensation for such service.**
- S10.06. **If a member of the Synod Council ceases to meet the requirements of the position to which she or he was elected, the office filled by such member shall at once become vacant.**
- S10.06.01. **If a member is absent without excuse from two successive regular meetings of the council, the office filled by such member shall at once become vacant.**
- S10.07. **The composition of the Synod Council, the number of its members, and the manner of their selection, as well as the organization of the Synod Council, its additional duties and responsibilities, and the number of meetings to be held each year shall be as set forth in the bylaws.**
- S10.07.02. **The Synod Council shall consist of the four officers of this synod; 21 members elected to three-year terms, including persons from nine geographic seats and nine persons at-large; including at least one man and one**

woman who are persons of color and/or whose primary language is other than English; and at least one young adult. There shall be one youth elected to a two-year term. The terms of one-third of the 21 members, as nearly as possible, shall expire each year.

- S10.07.A94. The youth member of the council shall be in school grades 8-11 at the time of election and shall be eligible for only one two-year term. Should the youth member resign or be unable to serve, the Synod Council may appoint a youth to fill the vacancy until the next regular Synod Assembly. The term of the youth member elected by that Synod Assembly shall be two years. Time served by appointment shall not count as part of the two-year term.*
- S10.07.03. If a person moves from the geographic area in which he or she was elected the person may serve until a replacement is elected at the next Synod Assembly. The vacancy shall be filled subject to the limitations of bylaw S9.03.04.
- S10.07.04. The Synod Council shall appoint the necessary committees for the proper function of its duties.
- S10.07.05. The Synod Council shall appoint annually the convener of each table in accordance with S11.01.03. The convener of each table, in consultation with the Office of the Bishop, shall appoint the convener of each network.
- S10.07.A14. The composition of tables, networks, task forces shall be in accordance with †S6.04.*
- S10.07.B14. The Synod Council shall appoint from its membership a liaison to each of the tables. The duties of the liaisons shall include the following:*
- a. attending the meetings of the table and participation as a full seat at the table with voice and vote;*
 - b. reporting recommendations, activities, plans and needs of the table to the council;*
 - c. submitting a written report to the council in advance of each meeting; and*
 - d. communicating information from the council to the tables.*
- S10.07.06. The Synod Council shall have at least three stated meetings annually. Special meetings may be called by the bishop or the vice president. A majority of the members of the council shall constitute a quorum.
- S10.07.07. The assistants to the bishop shall be accorded the privilege of the floor, without vote, at the meetings of the Synod Council except when it shall declare itself in executive session. Other persons may be accorded the privilege of the floor, without vote, at meetings of the Synod Council except when it shall declare itself in executive session.
- S10.07.08. Other duties and functions of the Synod Council shall be to:
- a. Promote the interests of the Evangelical Lutheran Church in America;
 - b. Supervise and coordinate the work of the several agencies of this synod;
 - c. Elect staff officials, if and when such positions are created by the Synod Assembly and arrange for their proper induction into office;
 - d. Determine, when necessary, the time and place for each meeting of the Synod Assembly;
 - e. Set the salaries of the bishop and staff officials, and other employees of this synod;
 - f. Elect the representatives of this synod who are to serve, in addition to the bishop ex-officio, on the governing bodies of inter-church agencies to which this synod is related;
 - g. Institute and oversee a system of personnel practices applicable to all synodical staff officials and other employees;
 - h. Make an annual examination of all investments and securities held by this synod;
 - i. Supervise and regulate the *South Carolina Lutheran* (or its successor) and other official publications of this synod, including the selection of personnel and terms of office.
 - j. Provide communication and coordination between the region and this synod and its agencies, institutions, and congregations; and
 - k. Arrange the process for all elections and appointments of this synod to assure conformity with established criteria of the ELCA.
- S10.08. Robert's Rules of Order, latest edition, shall govern parliamentary procedure of all meetings of the Synod Council.**
- S10.08.01. To the extent permitted by state law, meetings of the Synod Council and its committees may be held electronically or by telephone conference, and notice of all meetings may be provided electronically.
- S10.09. The South Carolina Synod shall have an endowment fund that is administered for purposes defined in**

the bylaws under the authority of the Synod Council.

- S10.09.01. The South Carolina Synod Mission Endowment Fund, established as provided in S10.09., shall be invested in accord with the "General Statement of South Carolina Synod Investment Policies," as adopted by the Synod Council.
- S10.09.02. An Endowment Grant Committee for the South Carolina Synod Mission Endowment Fund shall consist of the bishop of the South Carolina Synod or his or her appointee, the treasurer of this synod, and five members elected by the Synod Assembly. Two of the elected members shall be lay women, two shall be lay men and one shall be a rostered minister on the roster of this synod. The term of office for the five persons elected by the Synod Assembly to membership on this committee shall be three years; individuals so chosen may not serve more than two consecutive full terms. The ex officio and elected members of the committee shall elect a chairperson from the committee's membership.
- a. The members of the Endowment Grant Committee shall not receive compensation for their duties.
 - b. The Endowment Grant Committee shall be responsible to the South Carolina Synod through the Synod Council and shall provide annually a report of disbursements to the Synod Assembly.
 - c. The Endowment Grant Committee shall meet at least annually and provide the means, dates, and deadlines for grant requests, review such requests, and make recommendations for disbursements to the Synod Council.
- S10.09.03. No more than five percent (5%) of the Mission Endowment Fund may be distributed in any given year and of this amount, up to fifty percent (50%) may be granted for mission development within the South Carolina Synod and up to fifty percent (50%) may be granted for special expressions of God's love in the world. These grants shall not be used to support operational expenses of the synod or any other entity.

Chapter 11.**TABLES, NETWORKS, TASK FORCE AND COMMITTEES**

- †S11.01. **There shall be an Executive Committee, a Consultation Committee, a Committee on Discipline, a Mutual Ministry Committee, an Audit Committee, and such other committees as this synod may from time to time determine. The duties and functions of such committees, or any other organizational units created by this synod, and the composition and organizational structure of such units, shall be as set forth in this constitution or in the bylaws or continuing resolutions, and shall be subject to any applicable provisions or requirements of the constitution and bylaws of the Evangelical Lutheran Church in America.**
- S11.01.01. The Executive Committee shall consist of the officers of this synod and two members of the Synod Council elected by the council. The members at large shall be elected annually at the first meeting of the council following the Synod Assembly. The Executive Committee shall perform those functions assigned to it by the Synod Council.
- S11.01.02. This synod shall have a structure to initiate, implement, and oversee the programs and priorities of this synod receiving direction and counsel from the Synod Assembly and the Synod Council.
- S11.01.03. This synod shall have the following organizational units:
- a. A Deepening Discipleship Table
 - b. A Community Engagement Table
 - c. A Communication and Technology Table
- S11.01.A21. *The Deepening Discipleship Table*
The Deepening Discipleship Table will support and serve the people of the South Carolina Synod, by equipping current and future disciples for leadership. This table includes the following networks:
- a. *The Equipping Rostered Ministers Network will assist the rostered ministers of the SC Synod as they live their baptismal vocation through self-care, learning, discerning and fellowship.*
 - b. *The Equipping Steward Leaders Network will train leaders who will assist people in understanding the biblical relationship between resources and mission and equip them to live accordingly.*
 - c. *The Lifelong Faith Formation Network will assist congregations by supporting their capacity to develop and to nurture the Christian faith for all ages.*

- S11.01.B21. Community Engagement Table*
The Community Engagement Table will work to inspire and equip the people of the South Carolina Synod to discern and live out God's justice, peace, and wholeness as they accompany their neighbors in their local communities and beyond. This table includes the following networks:
- a. The Global Mission and Companion Synod Network will assist people to become aware of opportunities to interact with and support brothers and sisters in Christ around the world. This Network promotes a missional view of accompaniment- walking alongside the communities with whom it interacts, learning each community's story and recognizing how God is already at work with their communities.*
 - b. The Community Outreach Network will assist people to make Christ known by partnering with neighbors and congregations as they work to address the specific needs of their communities.*
 - c. The Inclusiveness Network will assist people in actively inviting and welcoming all persons regardless of race or culture by sharing the grace and love of Jesus Christ.*
 - d. The Ecumenical Network will assist people in the activity of ecumenical and interreligious relationships and enhance the public commitments of this synod to Lutheran, ecumenical, and interfaith cooperation, promoting unity among Christ's people.*
 - e. The Equipping Youth and Young Adults Network will gather, equip, and inspire youth and young adults, by promoting opportunities for fellowship, service and baptismal vocational engagement.*
 - f. The Hunger Relief Network will work to encourage and equip people, communities of faith, and organizations within the South Carolina Synod support sustainable solutions that get at the root causes of hunger and poverty.*
 - g. The Vision of The Indigenous Peoples Accompaniment Network is to learn and educate churches and other groups about the need to seek truth, justice, and reconciliation with all Indigenous Peoples in South Carolina, and practice accompaniment with Indigenous Peoples.*
- S11.01.C21. Communication and Technology Table*
The Communication and Technology Table will assist the people of the South Carolina Synod to develop communications through digital media, print media, web development and technology. This table includes the following networks:
- a. The Communication Assistance Network will assist congregations in developing the tools necessary to tell their story.*
 - b. The Synod Technology Advisory Network will work in consultation with Synod staff and Information Technology professionals to make recommendations regarding hardware and software needs.*
 - c. The Assembly Communications Network will provide information leading up to Synod Assembly, real-time updates during the Synod Assembly through social media and the website, along with news and stories following up after Synod Assembly.*
- S11.01.D14. The tables, networks and task forces shall function according to the following:*
- a. A table is a gathering of disciples from networks that will discern vision and mission priorities.*
 - b. A network is a gathering of disciples who will connect people, resources, and ideas for mission.*
 - c. A task force is a gathering of disciples who organize themselves and others, turning ideas into action for God's mission.*
 - d. The work of the tables, networks and task forces shall be guided by the vision, priorities and guiding principles of the South Carolina Synod.*
 - 1) God's purpose for the people of the South Carolina Synod: Joining Neighbors + Serving Boldly + Loving All + Through Christ.*
 - 2) The Four Missional Priorities of the South Carolina Synod include the following:*
 - a) Equipping people and congregations for community engagement*
 - b) Deepening Discipleship*
 - c) Addressing public educational needs in our schools*
 - d) Tackling poverty in our communities*
 - 3) The Guiding Principles of the South Carolina Synod include the following:*
 - a) Through prayerful discernment, we will trust God to lead us in doing what matters to God.*
 - b) Knowing God's redeeming love is for all, we will embrace change, welcome all, and serve the needs of others.*
 - c) Believing there is one body and one Spirit, we will stay connected while serving in Christ-like ways with generosity and compassion.*
 - e. Each table shall meet at least annually.*
 - f. Each table shall provide a written report of its actions to the regular meeting of the Synod Assembly.*
 - g. Each table shall propose a budget annually to the Finance Committee.*
 - h. Each network may appoint task forces to carry out the work of the network.*

- †S11.02. **The Consultation Committee of this synod shall consist of at least six persons and not more than 12 persons, of whom half shall be ministers of Word and Sacrament and half shall be lay persons, who shall each be elected by the Synod Assembly for a term of six years without consecutive reelection. The functions of the Consultation Committee are set forth in Chapter 20 of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* and in Chapter 17 of this constitution. The size of the Consultation Committee, in accord with this provision, shall be defined in this synod's bylaws.**
- S11.02.01. The Consultation Committee of this synod shall consist of 12 persons.
- †S11.03. **The Committee on Discipline of this synod shall consist of 12 persons of whom six shall be ministers of Word and Sacrament and six shall be laypersons, who shall each be elected by the Synod Assembly for a term of six years without consecutive reelection.**
- a. **The functions of the Committee on Discipline of this synod are set forth in Chapter 20 of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.**
- b. **The Synod Council shall fill vacancies on the Committee of Discipline for any unexpired term.**
- †S11.04. **The Mutual Ministry Committee shall be appointed by the Executive Committee of the Synod Council to provide support and counsel to the bishop.**
- S11.04.01. The Mutual Ministry Committee shall consist of one minister of Word and Sacrament and two laypersons. At least one member of the committee shall be a member of the Synod Council. The Executive Committee shall consult with the bishop in making appointments to the committee. This committee shall seek to give encouragement by its concern for the spiritual, emotional, and physical well-being of the Office of the Bishop of this synod. It will offer support when they are experiencing personal or pastoral stress. It will allow for open communication concerning attitudes and conditions within this synod.
- †S11.05. **The Audit Committee of this synod shall consist of three to six persons, none of whom is a member of the synod staff. Up to half of the committee members may be Synod Council members. The Audit Committee members shall be elected by the Synod Council for a term of three years and be eligible for re-election to a second consecutive three-year term. The terms of the Audit Committee members shall be staggered. The Audit Committee shall be responsible for assisting the Synod Council in fulfilling its general oversight of the synod's accounting, financial reporting, internal control systems, and external audit processes as provided in †S15.31.**
- S11.05.A18. *The Synod Council shall appoint annually one council member to the Audit Committee who shall report the Audit Committee findings, written reports, and recommendations to the Synod Council for consideration.*
- S11.05.B18. *The Executive Committee of the Synod Council shall place on the agenda of each Synod Council meeting the committee's findings, written reports, and recommendations.*
- S11.10. General Provisions**
- S11.11. This synod shall in its bylaws or by continuing resolution establish a process to ensure that the members of its committees and other organizational units will be persons possessing the necessary knowledge and competence to be effective members of such units, and to meet the requirements of †S6.04. With the exception of ministers on the rosters of this synod who residence outside the territory of this synod, each member of a committee of this synod, or any other organizational unit created by this synod, shall be a voting member of a congregation of this synod.**

Chapter 12.

CONFERENCES, CLUSTERS, COALITIONS, OR OTHER AREA SUBDIVISIONS

- †S12.01. **This synod may establish conferences, clusters, coalitions, area subdivisions and networks as appropriate within its territory and in collaboration with other synods and entities, as specified in the bylaws and continuing resolutions. The purpose of such groupings shall be to foster interdependent relationships for missional purposes among congregations, synods, the churchwide organization, and other affiliates.**
- S12.01.10. Conferences
- S12.01.11. The congregations of this synod shall be organized into conferences as identified in S12.01.D06. In addition to

fostering interdependent relationships each conference may:

- a. be a source of inspiration for the members of the congregations of the conference;
- b. provide for the exchange of information;
- c. promote fellowship among members of the congregations in the conference through a variety of conference events;
- d. provide for educational events such as workshops, schools of religion, or groups which study scripture, theology, social issues, etc.;
- e. provides for missional networks and events for the benefit of congregations of the conference; and
- f. form associations for rostered leaders within the conference.

- S12.01.12. Each conference shall have at least one Conference Assembly per year. Notice of any conference meetings shall be given to all congregations and rostered leaders of the conference not less than 30 days prior to said meeting.
- S12.01.13. Each conference shall elect a dean from the list of rostered leaders within the conference. The dean shall be elected for a term of three years and shall serve no more than two terms consecutively. The dean shall be viewed as an extension of the Office of the Bishop assisting the bishop in providing care to the congregations, and rostered leaders within the conference. In the event of a vacancy in the office of the dean, the bishop shall appoint a dean *pro tempore* who shall serve until the next assembly of the conference. The dean shall be reimbursed for expenses from the Office of the Bishop.
- S12.01.14. The conference deans and not more than two other rostered leaders appointed by the bishop shall form a Cabinet of Deans who shall serve in an advisory capacity to the bishop.
- S12.01.15. Each conference may have a Conference Council chosen as described in S12.01.17. The purpose of the council is to carry out the functions of the conference as described in S12.01.11. The dean shall preside at the annual Conference Assembly, other meetings of the conference, and the Conference Council meetings. Other officers may be chosen from among the members of the council as deemed necessary to maintain records of the conference and council proceedings and to announce the programs/events of the conference.
- S12.01.16. Members of the council, the dean, and any other officers chosen shall be elected to three-year terms. They shall be eligible for one re-election.
- S12.01.17. A Conference Council may be elected at the annual Conference Assembly.
- S12.01.A20. *The Office of the Bishop defines the ministry expectations and responsibilities of the conference dean as follows:*
- a. *the dean will provide pastoral care to rostered ministers and congregations within the conference, normally, but not exclusively, at the request of the Office of the Bishop;*
 - b. *the dean will serve as a member of the Cabinet of Deans which serves in an advisory capacity to the Office of the Bishop and would be expected to attend two meetings a year;*
 - c. *the dean would extend a personal welcome to rostered ministers new to the conference, offer a ministry of hospitality, and give support and recognition to rostered ministers leaving the conference;*
 - d. *the dean may be requested to help congregations with the call process; and*
 - e. *the dean will serve as disaster response coordinator within the conference.*
- S12.01.B13. *A Congregation Council may apply to the Cabinet of Deans for transfer to a different conference. The Cabinet of Deans shall recommend the transfer to the Synod Council for approval.*
- S12.01.C21. *The congregations and authorized worshiping communities of this synod shall be organized into the following conferences and geographic areas in accord with S12.01.20., S12.01.21., and S12.01.22.*

CENTRAL AREA

Midlands

*Blythewood, St. Andrew
Camden, St. Timothy
Columbia, Ascension
Columbia, Christ the King
Columbia, Christ Mission
Columbia, Christus Victor*

Columbia, Ebenezer
Columbia, Good Shepherd
Columbia, Incarnation
Columbia, Living Springs
Columbia, Redeemer
Columbia, Reformation
Columbia, St. Andrew
Columbia, St. Luke
Columbia, St. Michael
Columbia, St. Paul
Hartsville, Our Shepherd
Irmo, Bethlehem
Sumter, St. James

Synod-authorized Worshiping Community
Columbia, Sagrada Familia (Holy Family)
Columbia, The Journey

Saxe Gotha

Cayce, Transfiguration
Lexington, Bethany
Lexington, Nazareth
Lexington, Pilgrim
Lexington, Pisgah
Lexington, Providence
Lexington, St. James
Lexington, St. John
Lexington, St. Matthew
Lexington, St. Stephen
Lexington, Zion
Pelion, Holy Trinity
Swansea, Good Shepherd
Swansea, Sandy Run
West Columbia, Emmanuel
West Columbia, Faith
West Columbia, Mt. Hermon
West Columbia, Mt. Tabor
West Columbia, Our Saviour
West Columbia, St. David

Synod-authorized Worshiping Community
Gaston, Cristo Rey
Pelion, Cristo Rey
West Columbia, Cristo Rey

Western

Aiken, St. Paul
Batesburg, Faith
Batesburg, St. Peter
Gilbert, Grace
Gilbert, St. Paul
Graniteville, St. James
Johnston, Mt. Calvary
Johnston, St. John
Leesville, Bethlehem
Leesville, Cedar Grove
Leesville, Enon
Leesville, Mt. Hebron
Leesville, St. James
Leesville, Union
Leesville, Wittenberg

*Prosperity, Corinth
Prosperity, St. Mark
Saluda, Good Hope
Saluda, Mt. Pleasant*

EASTERN AREA

Amelia

*Beaufort, St. John
Bluffton, Lord of Life
Cameron, Resurrection
Cameron, St. Matthew
Ehrhardt, Ehrhardt Memorial
Ehrhardt, Mt. Pleasant
Elloree, Trinity
Fairfax, St. Nicholas
Fairfax, Trinity
Hilton Head Island, Christ
Lone Star, Pine Grove
Orangeburg, Orangeburg
Vance, Hope
Walterboro, Good Shepherd*

Coastal

*Charleston, Holy Spirit
Charleston, Martin Luther
Charleston, Redeemer
Charleston, St. Barnabas
Charleston, St. Johannes
Charleston, St. John
Charleston, St. Matthew
Hanahan, Messiah
Isle of Palms, St. Mark
Johns Island, Faith
Moncks Corner, St. Michael
Mount Pleasant, All Saints
Mount Pleasant, St. Paul
Summerville, St. Luke*

Synod-authorized Worshiping Community
North Charleston, Christ Community

Epiphany

*Florence, Cross and Crown
Florence, St. Luke
Garden City, Shepherd of the Sea
Georgetown, Trinity
Myrtle Beach, St. Philip
North Myrtle Beach, King of Glory
Pawleys Island, St. Peter*

NORTHERN AREA

Foothills

*Anderson, Holy Trinity
Clemson, University
Easley, St. Matthias
Greenville, Christ the King
Greenville, Our Saviour
Greenville, St. Michael
Greenville, Trinity
Greenwood, Immanuel*

Greer, Redeemer
Laurens, Atonement
McCormick, Lutheran Church by the Lake
Mauldin, Messiah
Pickens, Faith
Walhalla, St. John

Synod-authorized Worshiping Community
Greenville, Nuestro Salvador
Greenwood, Restoration Chapel
Mauldin, Parroquia El Mesias

Heartland

Chapin, Mt. Olivet
Chapin, Mt. Horeb
Chapin, St. Thomas
Clinton, St. John
Irmo, St. John
Little Mountain, Mt. Tabor
Newberry, Beth Eden
Newberry, Bethany
Newberry, Colony
Newberry, Faith
Newberry, Redeemer
Newberry, St. James
Newberry, St. Philip
Newberry, Summer Memorial
Peak, Mt. Hermon
Pomaria, Bethlehem
Pomaria, Pomaria
Pomaria, St. John
Pomaria, St. Matthew
Pomaria, St. Paul
Prosperity, Bachman Chapel
Prosperity, Grace
Prosperity, Macedonia
Prosperity, Mt. Olivet
Prosperity, Mt. Pilgrim
Prosperity, St. Luke
Silverstreet, Silverstreet
White Rock, Bethel
Whitmire, St. Timothy

Upstate

Boiling Springs, Springs of Grace
Indian Land, Crossroads
Lancaster, Reformation
Moore, Joy
Rock Hill, Epiphany
Rock Hill, Grace
Spartanburg, Holy Communion
Spartanburg, St. John
Union, Augsburg

S12.01.20. Geographic areas

S12.01.21. There shall be three geographic areas: Northern Area (Foothills, Upstate, and Heartland Conferences); the Central Area (Midlands, Saxe Gotha, and Western Conferences) and the Eastern Area (Coastal, Amelia, and Epiphany Conferences).

S12.01.22. The geographic areas shall be established for the purpose of Synod Council elections and other appropriate purposes.

**Chapter 13.
CONGREGATIONS**

- †S13.01. Each congregation, except those certified as congregations of the Evangelical Lutheran Church in America by the uniting churches, prior to being listed in the roster of congregations of this synod, shall adopt the *Model Constitution for Congregations* or one acceptable to this synod, which is not in contradiction to the constitution and bylaws of the Evangelical Lutheran Church in America.
- a. New congregations. A congregation newly formed by this church and any congregation seeking recognition and reception by this church shall:
 - 1) Accept the criteria for recognition and reception as a congregation of this church, fulfill the functions of the congregation, and accept the governance provisions as provided in Chapter 9 of the constitution and bylaws of this church.
 - 2) Adopt governing documents that include fully and without alterations the Preamble, Chapter 1, where applicable, and all required provisions of Chapters 2, 3, 4, 5, 6, 7, 8, 9, 15, 16, 17, 18, and 19 in the *Model Constitution for Congregations* consistent with requirements of the constitutions, bylaws, and continuing resolutions of this church. Bylaws and continuing resolutions, appropriate for inclusion in these chapters and not in conflict with these required provisions in the *Model Constitution for Congregations*, the constitution of this synod or the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, may be adopted as described in Chapters 16 and 18 of the *Model Constitution for Congregations*.
 - 3) Accept the commitments expected of all congregations of this church as stated in †C6.01., †C6.02., and †C6.03., of the *Model Constitution for Congregations*.
 - b. Congregations from another church body. If a congregation is a member of another church body, the leadership of the congregation first should consult with the appropriate authorities of that church body before taking action to leave its current church body. After such consultation, leaders of the congregation should contact the ELCA synod bishop or staff where the congregation is located. The synod bishop or synod staff where the transferring or independent congregation is located shall confer with the congregation to assure its understanding and acceptance of commitment to and affiliation with this church.
 - c. Recognition and reception. Recognition and reception into this church of transferring or independent congregations by the Evangelical Lutheran Church in America is based on the judgment of this synod and action by this synod through the Synod Council and Synod Assembly. The synod bishop shall provide for prompt reporting of such additions to the secretary of this church for addition to the roster of congregations.
- S13.01.01. Each congregation within this synod shall file an approved constitution based on the *Model Constitution for Congregations* or one acceptable to this synod and any subsequent changes to its constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America and with the constitution and bylaws of this synod.
- S13.01.02. All proposed changes in the constitution or incorporation documents of each congregation shall be referred to the Synod Council. The Synod Council shall approve or disapprove of the proposed changes within 120 days of receipt thereof, and shall notify the congregation of its decision. In the absence of a decision, the proposed changes shall be considered approved.
- S13.01.03. Each congregation shall be incorporated.
- †S13.02. It shall be the responsibility of each congregation of this synod to choose from among its voting members laypersons to serve as members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected by each congregation and other qualifications shall be as prescribed in guidelines established by this synod.
- S13.11. When a rostered minister resigns, the Congregation Council shall receive the letter of resignation, report it to the congregation, and at once notify the bishop of this synod.
- S13.12. A congregation under financial obligation to its former rostered minister shall make satisfactory settlement of the obligation before calling a successor.
- †S13.20. A congregation considering a relocation shall confer with the bishop of the synod in which it is

territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.

- †S13.21. A congregation considering development of an additional site to be used regularly for worship shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action.
- †S13.22. Each congregation of the Evangelical Lutheran Church in America within the territory of this synod, except those which are in partnership with the Slovak Zion Synod, shall establish and maintain a relationship with this synod.
- †S13.23. Provision 9.71. of the constitution of this church shall govern the relationship of this synod and a congregation of this synod regarding the property of the congregation. This Synod may transfer or convey property to a congregation of the synod, subject to restrictions accepted by the congregation, including provision that if the Synod Council, in its sole and exclusive discretion, determines (1) that the property is not being used to serve the mission and ministry needs of this church, or (2) that the congregation has transferred, encumbered, mortgaged, or in any way burdened or impaired any right, title, or interest in the property without the prior approval of the Synod Council, than title to the property shall revert to the synod, and the congregation, upon written demand, shall reconvey the property to the synod.
- †S13.24. The Synod Council, itself or through trustees appointed by it, may take charge and control of the property of a congregation of this synod to hold, manage, and convey the same on behalf of this synod, if any of the following apply:
- a. The congregation has disbanded, ceased to worship, or otherwise ceased to exist as a congregation.
 - b. The congregation has abandoned its property.
 - c. The remaining members of the congregation decide that it is no longer possible to function as a congregation or that they are unable to provide required governance.
 - d. The Synod Council determines that the membership of a congregation has become so scattered or so diminished in numbers that it cannot provide required governance or that it has become impractical for the congregation to fulfill the purposes for which it was organized.
 - e. The Synod Council determines that it is necessary for this synod to protect and preserve the congregation's property from waste and deterioration.
- The congregation shall have the right to appeal any such decision to the next Synod Assembly.
- S13.25. This synod may temporarily assume administration of a congregation upon its request or with its concurrence. Such synod administration shall continue only so long as necessary to complete the purposes for which it was requested by the congregation or until the congregation withdraws consent to continued administration.
- S13.30. Discipline
- †S13.31. Congregations and members of congregations are subject to discipline in accordance with the provisions of Chapter 20 of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. The synod's involvement in and responsibility for such disciplinary processes shall be as set forth in that chapter.
- S13.40. Synod-authorized Worshiping Communities
- S13.41. Authorized worshiping communities, acknowledged under criteria, policies, and procedures approved by the Church Council of the Evangelical Lutheran Church in America, shall accept and adhere to the Confession of Faith and Statement of Purpose of this church, shall be served by leadership under the criteria of this church, and shall be subject to the discipline of this church.

Chapter 14. ROSTERED MINISTERS

- †S14.10. Ministers of Word and Sacrament
- †S14.11. The time and place of the ordination of those persons properly called to ministry in this synod shall be authorized by the bishop of this synod.

- †S14.12. Consistent with the faith and practice of the Evangelical Lutheran Church in America,
- a. Every minister of Word and Sacrament shall:
 - 1) preach the Word;
 - 2) administer the sacraments;
 - 3) conduct public worship;
 - 4) provide pastoral care;
 - 5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
 - 6) impart knowledge of this church and its wider ministry through available channels of effective communication;
 - 7) witness to the Kingdom of God in the community, in the nation and abroad; and
 - 8) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.
 - b. Each pastor with a congregational call shall, within the congregation:
 - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2) relate to all schools and organizations of the congregation;
 - 3) install regularly elected members of the Congregation Council; and
 - 4) with the council, administer discipline;
 - 5) endeavor to increase the support given by the congregation to the work of churchwide organization and of this synod; and
 - 6) encourage adherence to covenantal relationship with this church as expressed in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- S14.13. The pastor (a) shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation, (b) shall submit a summary of such statistics annually to this synod, and (c) shall become a member of the congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- S14.14. Whenever members of a congregation move to such a distance that regular attendance at its services becomes impractical, it shall be the duty of the pastor to commend them, upon their consent, to the pastoral care of a congregation nearer to their place of residence.
- S14.15. Each minister of Word and Sacrament on the roster of this synod shall submit a report of his or her ministry to the bishop of this synod at least 90 days prior to each regular meeting of the Synod Assembly.
- †S14.16. When a congregation of this church desires to call a pastor or a candidate for ministry of Word and Sacrament of this church:
- a. Each congregation of this synod shall consult the bishop of this synod before taking any steps leading to the extending of a call to a prospective pastor.
 - b. For issuance of a letter of call to a pastor or candidate by a congregation of this synod in accord with ELCA constitutional provision ., a two-thirds vote shall be required of voting members of the congregation present and voting at a meeting regularly called for the purpose of issuing such a call.
 - c. When the congregation has voted to issue a call to a prospective pastor, the letter of call shall be submitted to the bishop of this synod for the bishop's signature.
- S14.17. No minister of Word and Sacrament shall accept a call without first conferring with the bishop of this synod. A minister of Word and Sacrament shall respond with an answer of acceptance or declination to a letter of call within 30 days of receipt of such call. In exceptional circumstances with the approval of the bishop of this synod and the president of the Congregation Council of the congregation issuing the call, an additional 15 days may be granted to respond to a letter of call.
- †S14.18. The provisions for termination of the mutual relationship between a minister of Word and Sacrament and a congregation shall be as follows:
- a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment which shall be terminated only by the pastor's death or, following consultation with the synod bishop and for the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the pastor, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the pastoral office effectively in that congregation in view of local

- conditions;
- 4) physical disability or mental incapacity of the pastor;
 - 5) suspension of the pastor through discipline for more than three months;
 - 6) resignation or removal of the pastor from the roster of ministers of Word and Sacrament of this church;
 - 7) termination of the relationship between this church and the congregation;
 - 8) dissolution of the congregation or the termination of a parish arrangement; or
 - 9) suspension of the congregation through discipline for more than six months.
- b. When allegations of physical disability or mental incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,
 - 1) the bishop in his or her sole discretion may, investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the congregation council or by a petition signed by at least one-third of the voting members of the congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
 - c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant. When the pastorate is declared vacant, the synod council shall list the pastor on the roster of Ministers of Word and Sacrament with disability status. Upon removal of the disability and restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.
 - d. In the case of alleged local difficulties that imperil the effective functioning of the congregation, under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the pastor and then to the congregation. The recommendation of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by the congregation and by the pastor, if appropriate. If the pastor and the congregation agree to carry out such recommendations, no further action need be taken by the synod.
 - e. If either party fails to assent, to the recommendations of the bishop's committee concerning the pastor's call, the congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call. .
 - f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

†S14.19. Ministers of Word and Sacrament shall respect the integrity of the ministry of congregations which they do not serve and shall not exercise ministerial functions therein unless invited to do so by the pastor, or if there is no duly called pastor, then by the interim pastor in consultation with the Congregation Council.

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

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

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

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

†S14.23. During service to a congregation, an interim pastor shall have the rights and duties in the congregation

of a regularly called pastor. The interim pastor may delegate the same in part to an interim supply pastor with the consent of the bishop of this synod. The interim pastor and any rostered ministers who may assist shall refrain from exerting influence in the selection of a pastor. Upon completion of service, the interim pastor shall certify to the bishop of this synod that the parochial records, for the period for which the interim pastor was responsible, are in order.

- †S14.24. With the approval of the synod bishop expressed in writing which sets forth a clear statement of the purpose to be served by such a departure from the normal rule of permanency of the call as expressed in †S14.18., a congregation may call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. At least 60 days prior to the completion of a term, the bishop of this synod or a representative of the bishop shall meet with the pastor and representatives of the congregation for a review of the call. Such call may also be terminated before its expiration in accordance with the provisions of †S14.18.
- S14.25. All ministers of Word and Sacrament under a call shall attend meetings of the Synod Assembly, and the pastors of congregations shall also attend the meetings of the conference, cluster, coalition, or other area subdivision to which the congregation belongs.
- †S14.30. Ministers of Word and Service
- †S14.31. The time and place of the ordination of those persons properly called to ministry in this synod shall be authorized by the bishop of this synod.
- †S14.32. Consistent with the faith and practice of the Evangelical Lutheran Church in America, every Minister of Word and Service shall:
- a. Be rooted in the Word of God, for proclamation and service;
 - b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
 - c. Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad;
 - d. Equip the baptized for ministry in God's world that affirms the gifts of all people;
 - e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
 - f. Practice stewardship that respects God's gift of time, talents, and resources;
 - g. Be grounded in a gathered community for ongoing diaconal formation;
 - h. Share knowledge of this church and its wider ministry of the gospel, and advocate for the work of all expressions of this church; and
 - i. Identify and encourage qualified persons to prepare for ministry of the gospel.
- S14.33. The minister of Word and Service shall become a member of the congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the minister of Word and Service shall hold membership in one of the congregations.
- S14.34. Each minister of Word and Service on the roster of this synod shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly
- †S14.41. When a congregation of this church desires to call a minister of Word and Service or a candidate for the ministry of Word and Service of this church:
- a. Each congregation of this synod shall consult the bishop of this synod before taking any steps leading to the extending of a call to a prospective minister of Word and Service.
 - b. For issuance of a letter of call to a minister of Word and Service or candidate by a congregation of this synod in accord with ELCA constitutional provision 7.71., a two-thirds vote shall be required of members of the congregation present and voting at a meeting regularly called for the purpose of issuing such a call.
 - c. When the congregation has voted to issue a call to a prospective minister of Word and Service, the letter of call shall be submitted to the bishop of this synod for the bishop's signature.
- S14.42. No minister of Word and Service shall accept a call without first conferring with the bishop of this synod. A minister of Word and Service shall respond with an answer of acceptance or declination to a letter of call within 30 days of receipt of such call. In exceptional circumstances with the approval of

the bishop of this synod and the chair of the Congregation Council of the congregation issuing the call, an additional 15 days may be granted to respond to a letter of call.

- †S14.43. The provisions for termination of the mutual relationship between a minister of Word and Service and congregation shall be as follows:
- a. The call of a congregation, when accepted by a minister of Word and Service, shall constitute a continuing mutual relationship and commitment which shall be terminated only by death or, following consultation with the synod bishop, for the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the minister of Word and Service, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the office effectively in that congregation in view of local conditions;
 - 4) physical disability or mental incapacity of the minister of Word and Service;
 - 5) suspension of the minister of Word and Service through discipline for more than three months;
 - 6) resignation or removal of the minister of Word and Service from the roster of ministers of Word and Service of this church;
 - 7) termination of the relationship between this church and the congregation;
 - 8) dissolution of the congregation or the termination of a parish arrangement; or
 - 9) suspension of the congregation through discipline for more than six months.
 - b. When allegations of physical disability or mental incapacity of the minister of Word and Service under paragraph a.4) above, or ineffective conduct of the ministry of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,
 - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
 - c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the minister of Word and Service's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of ministers of Word and Service with disability status. Upon removal of the disability and restoration of the minister of Word and Service to health, the bishop shall take steps to enable the minister of Word and Service to resume the ministry, either in the congregation last served or in another appropriate call.
 - d. In the case of alleged local difficulties that imperil the effective functioning of the congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the minister of Word and Service and then to the congregation. The recommendations of the bishop's committee address whether the minister of Word and Service's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by the congregation and by the minister of Word and Service, if appropriate. If the minister of Word and Service and congregation agree to carry out such recommendations, no further action need be taken by the synod.
 - e. If either party fails to assent to the recommendations of the bishop's committee concerning the minister of Word and Service's call, the congregation may dismiss the minister of Word and Service only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
 - f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

†S14.44. Ministers of Word and Service shall respect the integrity of the ministry of congregations which they do not serve and shall not exercise ministerial functions therein unless invited to do so by the Congregation Council.

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

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

†S14.46. With the approval of the synod bishop expressed in writing, which sets forth a clear statement of the purpose to be served by such a departure from the normal rule of permanency of the call as expressed in †S14.43., a congregation may call a minister of Word and Service for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop of this synod or a representative of the bishop shall meet with the minister of Word and Service and representatives of the congregation for a review of the call. Such call may also be terminated before its expiration in accordance with the provisions of †S14.43.

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

Chapter 15. FINANCIAL MATTERS

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

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

- a. The mission of this church beyond the congregation is to be supported by such a proportionate share of each congregation's annual budget as each congregation determines. This synod shall develop guidelines for determining "proportionate share," and shall consult with congregational leaders to assist each congregation in making its determination.
- b. This synod shall receive the proportionate share of the mission support from its congregations, and shall transmit that percentage or amount of each congregation's mission support as determined in consultation with the churchwide organization and approved by the Synod Assembly as part of its budget consideration.
- c. Should the Synod Assembly not approve the proportionate share of mission support determined in consultation with the churchwide organization, a new consultation with the churchwide organization shall take place. The Synod Council is authorized to amend the budget adopted by the Synod Assembly to reflect the results of this consultation.

S15.11.01. The Synod Council through its Finance Committee shall ask each congregation for a proportionate share to support the mission and ministry of the South Carolina Synod and the churchwide organization.

S15.11.02. Each congregation which contributes the full amount of its proportionate share may designate the churchwide or synodical programs which would benefit from any additional contributions.

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

S15.13. On the basis of estimated income, the Synod Council shall authorize expenditures within the budget for the fiscal year. Expenditure authorizations shall be subject to revision, in light of changing conditions, by the Synod Council.

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

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

- S15.21.A09. Synodical Appeals*
- a. That the Synod Council be consulted and their recommendation included in proposing plans to the assembly for a synodwide appeal;*
 - b. That each request for a synodwide appeal be considered on its own merit and not necessarily in the order in which it is received;*
 - c. That a one-year interval normally be maintained between appeals;*
 - d. That it be understood that these guidelines do not apply to any appeal of the Evangelical Lutheran Church in America.*
- †S15.31. **This synod shall arrange to have an annual audit of its financial records conducted by a certified public accountant firm recommended by the synod Audit Committee and approved by the Synod Council. The audited annual financial report shall be submitted by this synod to the churchwide Office of the Treasurer and to the congregations of this synod. The financial reports shall be in the format approved from time to time by the churchwide Office of the Treasurer.**
- S15.31.A18. Synod Audit Committee Responsibilities:*
- a. The committee shall semiannually perform spot audits to determine compliance with any part of these internal control policies and procedures.*
 - b. The committee may choose at its discretion, to spot audit all parts or any part of the internal control policies and procedures.*
 - c. The committee shall semiannually issue a written report concerning spot audit findings to the Synod Council.*
 - d. The Synod Council member shall present the semiannual report along with any other written reports, recommendations, and findings by the committee to the Synod Council for consideration at the next regularly scheduled Synod Council meeting.*
 - e. As necessary, the committee shall recommend to Synod Council a certified public accountant firm to annually audit the financial records of synod in accordance with †S15.31 and †S11.05. The committee shall recommend to the Synod Council a contract term not to exceed five years for the certified public accountant firm to annually audit the financial records of the synod. After the recommended certified public accountant firm and the recommended contract term are approved by the Synod Council, the committee, on behalf of the Synod, will contract with the approved firm to conduct the annual audit of the financial records of the synod for the approved contract term.*
 - f. The committee shall rely upon the annual audit of the certified public accountant firm for purposes of determining the synod's compliance with Generally Accepted Accounting Principles.*
 - g. The committee shall meet with the approved certified public accountant firm for an exit conference prior to the firm's release of the issuing annual audit report.*
 - h. The committee shall meet as necessary to carry out its duties as stated herein.*
- †S15.32. **This synod shall maintain adequate, continuous insurance coverage in accordance with standards recommended by the churchwide organization. Insurance programs offered or endorsed by the churchwide organization shall be deemed to fulfill this obligation.**

Chapter 16. INDEMNIFICATION

- †S16.01. **Subject to the limitations and duties imposed by law, each person who is or was made or threatened to be made a party to any proceeding by reason of the present or former capacity of that person as a Synod Council member, officer, employee, or committee member of this synod shall be indemnified against all costs and expenses incurred by that person in connection with the proceeding. Indemnification of any person by reason of that person's capacity as a director, officer, employee, or committee member of any other organization, regardless of its form or relationship to this synod, is subject to the provisions of section †S16.02.**
- a. The term "proceeding" means a threatened, pending, or completed lawsuit, whether civil or criminal, an administrative or investigative matter, arbitration, mediation, alternative dispute resolution, or any other similar legal or governmental action. Except as otherwise required by law, the term "proceeding" does not include (a) any action by this synod against the individual seeking indemnification, or (b) subject to †16.04., a disciplinary hearing or related process described in Chapter 20 of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.**
 - b. The term "indemnification" includes reimbursement and advances of costs and expenses for judgments, penalties, fines, settlements, excise taxes, reasonable attorneys' fees, disbursements, and**

similar required expenditures.

- †S16.02. Whenever a person who, while a Synod Council member, officer, committee member, or employee of this synod, is or was serving at the request of this synod as (or whose duties in that position involve or involved service in the capacity of) a director, officer, partner, trustee, employee, or agent of another organization, is or was made or threatened to be made a party to a proceeding by reason of such capacity, then such person shall be entitled to indemnification only if (a) the Synod Council has established a process for determining whether a person serving in the capacity described in this section shall be entitled to indemnification in any specific case, and (b) that process has been applied in making a specific determination that such person is entitled to indemnification.
- †S16.03. This synod may purchase and maintain insurance on behalf of itself or any person entitled to indemnification pursuant to this chapter against any liability asserted against and incurred by this synod or by such other person in or arising from a capacity described in section †S16.01. or section †S16.02.
- †S16.04. When written charges against a rostered minister of this church are made in disciplinary proceedings under Chapter 20 of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* by the synod bishop or when written charges against a congregation are made in disciplinary proceedings by the Synod Council or the synod bishop, and the discipline hearing committee determines that no discipline shall be imposed, then if such determination is not reversed or set aside on appeal, indemnification shall be made by the synod to the accused for reasonable attorney's fees and other reasonable expenses related to the defense of the charges. The determination of the reasonableness of such fees and expenses shall be decided by the Synod Council.

Chapter 17.

CONSULTATION AND ADJUDICATION

- †S17.01. The synod bishop and the Executive Committee of the Synod Council shall be available to give counsel when disputes arise within this synod.
- †S17.02. The synod bishop and the Executive Committee of the Synod Council shall receive expressions of concern from rostered ministers of this church, congregations, and organizations within this synod; provide a forum in which the parties concerned can seek to work out matters causing distress or conflict; and make appropriate recommendations for their resolution. When a concern relates directly to the synod bishop, the synod vice president will lead the Executive Committee's efforts at resolving the matter. When the matter at issue cannot be resolved in this manner, applicable procedures for investigation, decision, appeal, and adjudication shall be followed. Allegations or charges that could lead to the discipline a rostered minister of this church shall not be addressed by the Executive Committee but shall be resolved through the disciplinary process set forth in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- †S17.03. When there is disagreement between or among congregations of this synod on a substantive issue that cannot be resolved by the parties, the council of an affected congregation may petition the synod bishop for a consultation after informing the other affected congregation(s) of its intent to do so. If this consultation fails to resolve the issue, the bishop shall refer the matter to the Consultation Committee of the synod, which shall undertake efforts to find an appropriate solution. If the Consultation Committee's efforts fail to resolve the issue(s), the entire matter shall be referred to the Synod Council for adjudication by whatever process the council deems necessary. The decision of the Synod Council shall be final.
- †S17.04. When conferences, clusters, coalitions, or area subdivisions of this synod have a disagreement on a substantive issue that they cannot resolve, the aggrieved party or parties may petition the synod bishop and the Executive Committee of the Synod Council requesting a consultation after informing the other affected parties of their intent to do so. In this case the decision of the Executive Committee shall prevail, except that, upon the motion of a member of the Synod Council, the decision shall be referred to the Synod Council for final action.
- †S17.10. Adjudication in a Congregation
- †S17.11. When there is disagreement between or among factions within a congregation on a substantive issue which cannot be resolved by the parties, members of the congregation may petition the synod bishop for consultation after informing the president of the Congregation Council of their intent to do so. The synod

bishop shall seek a timely resolution of the dispute. If the issue relates directly to the pastor, the bishop may begin the process in †S14.18.d. In all other matters, if the bishop's consultation fails to resolve the issue, the bishop shall refer the matter to the Consultation Committee of the synod, which shall undertake efforts to find an appropriate solution. If the Consultation Committee's efforts fail to resolve the dispute, the entire matter shall be referred to the Synod Council for adjudication by whatever process the council deems necessary. The Synod Council's decision shall be final.

Chapter 18.
AMENDMENTS, BYLAWS, AND CONTINUING RESOLUTIONS

†S18.10. **Amendments to Constitution**

†S18.11. **Certain sections of this constitution incorporate and record therein required provisions of the constitution and bylaws of this church. If such provisions are amended by the Churchwide Assembly, corresponding amendments shall be introduced at once into this constitution by the secretary of this synod upon receipt of formal certification thereof from the secretary of the Evangelical Lutheran Church in America.**

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

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

- a. **Introduced with the support of at least 12 voting members and having been approved by a two-thirds vote of the voting members present and voting at a regular meeting of the Synod Assembly, an amendment may be adopted unchanged by a two-thirds vote at the next regular meeting of the Synod Assembly.**
- b. **The Synod Council may propose an amendment, with notice to be sent to the congregations of this synod at least six months prior to the next regular meeting of the Synod Assembly. Such an amendment shall require for adoption a two-thirds vote of the voting members present and voting at such a regular meeting of the Synod Assembly.**

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

†S18.20. **Amendments to Bylaws**

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

†S18.30. **Amendments to Continuing Resolutions**

†S18.31. **This synod may adopt continuing resolutions not in conflict with this constitution or its bylaws or the constitution, bylaws, and continuing resolutions of the churchwide organization. Such continuing resolutions may be adopted or amended by a majority vote of the Synod Assembly or by a two-thirds vote of Synod Council. Newly adopted continuing resolutions and amendments to existing continuing resolutions shall be reported to the secretary of this church.**