

Title **To Revise Bylaws to Revisit and Renew the Relationship  
of Colleges and Universities with the Synod**

**Preamble**

The following proposed convention action, having to do with the Concordia University System, would fundamentally renovate the relationship of the Synod with the Concordia colleges and universities. It aims to respond effectively—with realism, faithfulness, and hopefulness—to decades of higher education change.

Long gone are the days:

- when the Synod’s higher education institutions were supported largely by the local faithful, often in donations of kind (volunteer help, farm and garden produce), or
- when Synod-related colleges existed largely on Synod subsidy, and largely or even solely for Lutheran teacher and pre-seminary education, with a large proportion of Synod’s seminary students blessed by six or more years of formal, comprehensive pre-seminary pastoral formation.

Gone also are the more recent days:

- when the Synod’s Concordias served only traditional, residential undergraduate students studying in a limited number of academic programs on campuses oriented toward and dominated by students from Synod congregations preparing for church work or for final pastoral formation at seminary. Today, the colleges and universities offer, to a confessionally diverse student population, dozens of online and on-ground undergraduate and masters, doctoral, and professional degrees and programs in a wide variety of disciplines including health care, education, criminal justice, etc. Both church work (3%) and member-congregation students (11%) are a small minority;
- when individual Concordias could get by—on account of a sufficient “captive audience” of Synod students—without offering competitive campuses and programs inviting a second look by a sufficient number of prospective students deciding where they will invest considerable time and money pursuing their higher education;
- when resources either deposited by other Concordias or granted by the Synod sufficed to manage the schools’ cash flow and other needs. Today the Concordia University System is no longer able to offer lines of credit to the schools. Instead, the Lutheran Church Extension Fund finances the borrowing by schools based on their individual financial circumstances. The Synod, likewise, cannot take on the scale of liabilities that could be expected to arise in connection with colleges and universities experiencing severe financial straits;
- when public schools advocated basic Judeo-Christian morality and moral principles, and secular society willingly supported Christian churches and schools and maintained Christian pro-life and sexuality standards. Today, churches and schools are left to contend with government and society increasingly antagonistic to Christianity;
- when it would have been realistic to contemplate empowering any single Synod board to coordinate the business and financial operations of the colleges and universities as a unitary whole. Even the few existing layers of authorization in left-hand kingdom matters (e.g., administration, finance, real estate, budget, information technology) have engendered uncertainty regarding the relative roles of CUS, the LCMS board of directors, and the boards of regents, although the latter are clearly intended to be the schools’ “governing bodies corporate” (Bylaw 3.10.6.4 [i][6]). With the size of the schools’ operating budgets (by 2019, collectively, approximately 25 times the total unrestricted budget of corporate Synod), expanding endowments, and potential liabilities vastly outweighing the value of the schools’ properties, present Synod bylaw mechanisms, e.g., Bylaw 3.6.6.4, have not proven practically usable; and
- when anything less than the utmost performance by highly skilled and qualified governing bodies and administrations could suffice to enable the Concordias to succeed in the increasingly challenging world of higher education.

1 Not gone, however, are the days for The Lutheran Church—Missouri Synod to continue vigorously in common  
2 confession and mission with the colleges and universities of the Concordia University System, by:

- 3 • providing opportunities for members of the Synod’s congregations to attend quality and attractive schools that,  
4 both in teaching and campus life, faithfully adhere to and advocate the Holy Scripture and its central Christian  
5 teachings, as expressed in LCMS Constitution Article II;
- 6 • providing opportunity and freedom for the Concordias to discern and pursue their own visions for campuses  
7 and academic life while enjoying and putting into practice their affiliation with the LCMS and its doctrinal  
8 foundation, as articulated in Article II of its Constitution, and while pursuing with both initiative and cooperation  
9 many of the objectives of the Synod listed in Article III;
- 10 • continuing to provide opportunity for the Synod to oversee and influence the spiritual life and curricular fidelity  
11 of the Concordias under the Lutheran Identity Statement (2016 Res. 7-01A, *Proc.* 171) and subsequent standards  
12 for identity and mission outcomes;
- 13 • reiterating clearly the role of the Concordia boards of regents as the directly and ultimately responsible and  
14 accountable stewards of the resources committed to them for the mission of the church, and providing enhanced  
15 means for regent selection, training, assessment, and development; and
- 16 • continuing thereby the Synod’s efforts to uphold the relationship of the schools with its congregations and  
17 commending them to their students, while providing assistance and incentives for the schools’ continued focus  
18 on their unique and indispensable contributions to the common mission of the Synod.

19 Transition to a new model of organization reflecting all these realities and hopes has emerged from a series of recent  
20 Synod convention actions (2013 Res. 5-01A; 2016 Res. 7-02B; and 2019 Res. 7-03). The culminating 2019 convention  
21 action directed the Synod’s Board of Directors—with active involvement of the President of the Synod; the Concordia  
22 University System Board, Advisory Council, and President; the institutions’ boards of regents; and others as needed—  
23 to propose a new governance plan for consideration and adoption by the 2023 convention. The process directed by  
24 2019 Res. 7-03 required the concurrence of the CUS Advisory Council and the CUS Board of Directors and a period  
25 of review and comment by the entire Synod. The following new governance plan is presented in pursuit of a realistic,  
26 sustainable, and transparent framework, satisfying and acting upon the following objectives of the aforementioned  
27 resolutions, as summarized in 2019 Res. 7-03, to:

- 28 • strengthen all CUS institutions’ connection to the Synod;
- 29 • strengthen the confessional Lutheran identity of all CUS institutions;
- 30 • review the composition, size, and selection of boards of regents;
- 31 • review the process for selecting presidents of institutions;
- 32 • review the overall governance of the CUS and the boards of regents of CUS institutions; and
- 33 • review the financial models for the institutions.

34 At the same time, responding to the rationale for 2019 Res. 7-03, to the collective desire expressed by the several  
35 boards of regents, and to practical necessity, the following proposal aims, so far as an appropriate governance structure  
36 can, to foster and facilitate the coordination and collaboration that will help the institutions to succeed, individually  
37 and together—as schools strongly affiliated with the church and her mission—in an increasingly challenging higher  
38 education environment.

39 Each of the following eight sections (A–H) of the proposed governance plan (as well as any additional separate but  
40 related proposed convention actions) is prefaced by a *rationale* section briefly relating the proposed changes to the  
41 above objectives. Further background material will be provided in the reports of the Concordia University System and  
42 of the several colleges and universities in the 2023 *Workbook*.

1                                   **A. TO REPLACE THE CONCORDIA UNIVERSITY SYSTEM,**  
2                                   **THE SYNODWIDE CORPORATE ENTITY,**  
3                                   **WITH THE COMMISSION FOR UNIVERSITY EDUCATION**

4   **Rationale**

5   In keeping with the charge of 2019 Res. 7-03 to “review the overall governance of the Concordia University System  
6 (CUS) and the boards of regents of the CUS institutions,” the primary mechanism of the Synod’s relation to the schools  
7 is reconceived along the lines of a “two-kingdom model.” As a Christian lives *in two* kingdoms but *as one* subject—  
8 entrusted at once with material gifts and human relationships, on the one hand, but also with the Word of God, on the  
9 other—so these two spheres meet in the board of regents of a college or university, which will continue to be composed  
10 of members of member congregations of the Synod. These regents have a fiduciary duty, a trust, on the one hand, with  
11 regard to the worldly means and relationships of their particular institution, but at the same time—and preeminently—  
12 to Christ and the church, with regard to his Word and their institution’s unique share of the church’s mission. The  
13 final responsibility and authority, logically and legally, to marshal their institution’s means to achieve Christ’s ends  
14 lie with these regents.

15   With each institution facing unique and complex challenges and opportunities, boards of regents must have unfettered  
16 “left-hand kingdom” authority and responsibility in business matters. As explained above, this is the current-day  
17 practical reality, and our bylaws must clearly reflect that reality. At the same time, the Synod must retain and take  
18 concrete steps to retain and strengthen its effective cooperation with the boards of regents and school administrations,  
19 always striving to accomplish the church’s “right hand” mission. This means change for what we now know as CUS.

20   What were always the chief aspects of the work of CUS must be sustained and strengthened, namely, setting forth a  
21 vision for the churchly service of the schools, in pursuit of which CUS has worked with them to establish Lutheran  
22 Identity Standards (2016 Res. 7-01A, *Proc.* 171), and advocating for schools’ provision of church workers and  
23 preeminently and pervasively *Lutheran* higher education programs and campuses. Such purposes—which are the  
24 Synod’s motivating objectives in connection with the schools—do not require maintenance of a synodwide corporate  
25 entity or the burden of business governance. The schools and the Synod will benefit from the replacement of CUS  
26 with the *Commission* for University Education (CUE; *commission* as defined in Bylaw 1.2.1 [c]), a commission being  
27 suited to cultivate the mission-and-ministry connection of the schools with the Synod’s congregations and other  
28 ministries, with the focus on advancing Lutheran identity and mission in curriculum and campus culture and on  
29 effectively training church workers.

30   It will be the commission’s responsibility to help guide the colleges and universities in the way of faithful service to  
31 the church, and to hold the boards of regents and presidents of the various colleges and universities accountable before  
32 the Synod for, in their governance and administration of all aspects of college and university operations, effectively  
33 assisting these institutions and all their parts in this way as institutions of the church. For governing the comprehensive  
34 business and legal affairs of the colleges and universities in the way that best serves their fundamental purpose, it is  
35 the boards of regents that are ultimately responsible; for this the present proposal and the role of CUE make them  
36 ultimately accountable to the congregations of the Synod.

37   Section C, below, elaborates the accreditation process by which, chiefly, the commission will guide institutions in the  
38 way of expressing *Lutheran identity* in all spheres of university life and accomplishing the Synod’s *mission outcomes*,  
39 including bold confession, quality Christian education, and preparation of church workers and others for exemplary  
40 service in family, church, and state. CUE, acting in concert with the existing Committee for Convention Nominations,  
41 will also have an active role in commending highly-qualified potential regents for election and appointment to the  
42 affiliated schools’ boards. The boards of regents themselves are dealt with in Section F, further below.

43   Therefore be it

44         *Resolved*, That, with thanks given to God and to those who have served ably in various related capacities in the  
45 interest of furthering the Synod’s mission through her colleges and universities, and for the good the Lord has done  
46 through such service, Concordia University System (CUS), a synodwide corporate entity, be dissolved, such  
47 dissolution to be effected by the board of directors of CUS and the board of directors of the Synod, transferring any  
48 continuing common enterprises of the several colleges and universities, as presently conducted through CUS, to the  
49 several colleges and universities, to an entity or entities created by the schools to further their common endeavors  
50 (section E), or to other service providers; and be it further

1 *Resolved*, That Bylaws 3.6.6–3.6.6.2 and 3.6.6.4–3.6.6.8, dealing with the corporate structure of CUS, be deleted;  
2 and be it further

3 *Resolved*, That, with fervent prayer to God for his blessing in and through a structure better suited to a new season  
4 of the Synod’s relation to her schools, those functions formerly of CUS that coordinate the schools in vital relation to  
5 the confession, mission, and ministry of the Synod be assigned to a new Commission for University Education (CUE),  
6 as defined in a new Bylaw 3.9.6 and following, with the existing Bylaw 3.6.6.3 adapted as indicated, as follows:

7 **PRESENT/PROPOSED WORDING**

8 **Commission for University Education**

9 3.9.6 The Commission for University Education coordinates the Synod’s relationship with its affiliated  
10 colleges and universities (Bylaws 1.2.1 [a]; 3.10.6f.) to further their effective and accountable:

- 11 • preparation of commissioned ministers for service in the Synod and of pre-seminary students for  
12 study at a Synod seminary;
- 13 • preparation of Lutheran laypersons for life-long, faithful service to Christ and the neighbor; and
- 14 • robust, intentional engagement of all students with the faith taught and practiced, with application  
15 to their vocations in family, church, and state.

16 3.9.6.1 In keeping with the objectives of the Constitution, Bylaws, and resolutions of the Synod, and in  
17 consultation with its Institution Advisory Council, the Commission for University Education shall:

18 (a) define and adopt the Lutheran Identity and Mission Outcome Standards, on the basis of which  
19 affiliated colleges and universities and each of their church worker preparation programs shall  
20 undergo Synod accreditation; and maintain policies governing, and supervise the performance of,  
21 such Synod accreditation (Bylaws 3.9.6.4f.);

22 Oversight roles:

23 (b) monitor, inquire into, report to the President of the Synod regarding, and promote the ongoing  
24 faithfulness of affiliated colleges and universities to Article II of the Constitution of the Synod;

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

30 (d) receive, revise, and recommend to conventions of the Synod for approval any proposals for  
31 creating, essentially revising, or renaming programs of study and certification for commissioned  
32 ministry;

33 (e) facilitate, together with respective boards of regents, the process of president selection (Bylaw  
34 3.10.6.8.2) and prior approval for appointments to theology faculties of affiliated colleges and  
35 universities (Bylaw 3.10.6.9.2);

36 (f) establish in policies expectations for boards of regents’ handling of faculty and staff complaints  
37 in matters of doctrine and practice, to include notification of any relevant ecclesiastical supervisor,  
38 and monitor compliance with such policies;

39 (g) in addition to providing its own report, review and respond in each Synod convention *Workbook*  
40 to a detailed triennial strategic report prepared by the Institution Advisory Council, summarizing  
41 the state of and outlook for church worker preparation, confessional Lutheran lay education, campus  
42 ethos, and campus viability in affiliated schools;

43 Assistive and coordinative roles:

44 (h) assist the Synod and its affiliated colleges and universities in articulating and advancing the  
45 schools’ unified public confession and application of the church’s doctrine and practice, and, in  
46 coordination with the Board of Directors of the Synod, in advancing the common defense of their  
47 rights to the free exercise of our confession under the Constitution of the United States;

48 (i) serve as a point of coordination for financial resources designated to assist the schools in their  
49 pursuit of the Standards and strengthening of churchly identity; in their achievement of mission  
50 outcomes, including, especially, church worker training; and in their coordination, cooperation, and

1 consolidation of operations, in part or in whole, wherever prudent and practically feasible, and  
2 facilitate a Synod-wide effort to raise funds in support of the same:

3 (j) serve, in consultation with the Secretary and Chief Administrative Officer of the Synod, the  
4 Institution Advisory Council, and the boards of regents of affiliated colleges and universities, as a  
5 resource for the recruitment of highly- and variously-qualified potential regents, offering in  
6 nomination (Bylaw 3.12.3.4 [c]) and suggesting for appointment those suitably qualified:

7 (k) serve as a resource for regents' development of and mandatory training in governance skills,  
8 especially as they relate to the carrying out of the mission of the affiliated colleges and universities  
9 within the mission of the church, and foster regents' growth in aspects of governance related to the  
10 expectations of the Standards:

11 (l) serve as a resource for the development of lists of potential teaching and administrative  
12 personnel; and

13 (m) together with districts, congregations, local boards of regents, and national efforts, promote  
14 student recruitment for both professional church work and lay higher education.

15 3.6.6.39.6.2 The Board of Directors of Concordia University System Commission for University Education shall be  
16 composed of ~~nine ten~~ voting members and ~~five six~~ nonvoting members (no more than two members  
17 elected by the Synod shall be from the same district, and no voting member shall be a regent, executive,  
18 faculty, or staff, as defined in Bylaw 1.5.1.1, of an affiliated college or university, and no executive,  
19 faculty member, or staff member from a Lutheran institution of higher education may serve on the Board  
20 of Directors of Concordia University System as a voting member):

21 *Voting Members:*

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

30 *Nonvoting Advisory Members:*

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

40 The advisory university president and university board of regents chair shall be drawn from different  
41 institutions. Neither the advisory university president nor the advisory board of regents chair shall  
42 participate in the work or sessions of the commission as they relate to the accreditation or affiliation of  
43 any individual college or university.

44 3.9.6.2.1 ~~Persons elected or appointed to the Concordia University System Board of Directors commission should~~  
45 ~~have demonstrated familiarity with and support of the institutions affiliated colleges and universities,~~  
46 ~~and shall strongly and demonstrably articulate and support the confession and doctrinal positions of the~~  
47 ~~Synod, and shall possess have demonstrated a high degree of two or more of the following qualifications~~  
48 ~~or background experiences: theological acumen, an advanced degree, experience in higher education~~  
49 ~~administration, higher education accreditation, professional church worker education, administration of~~  
50 ~~complex organizations, finance, religious non-profit law, higher education law, investments, technology,~~  
51 ~~human resources, facilities management, or fund development or the strengthening of the mission of the~~  
52 ~~Synod's congregations and schools. The Chief Administrative Officer President of the Synod (or a~~

1 designee) and the Secretary of the Synod (or a designee) shall review and verify that nominees are  
2 qualified to serve as stated above.

3 3.9.6.2.2 The Institution Advisory Council shall, as specified elsewhere in these bylaws and upon request, advise  
4 the commission in its responsibilities, providing expert consultation and access to information as  
5 necessary to facilitate the commission's oversight, on the Synod's behalf, of the schools' Lutheran  
6 identity and mission outcomes. It shall also, as bylaws elsewhere specify and upon request, advise the  
7 commission in its responsibilities as they relate to programs leading to candidacy for commissioned  
8 ministry and to seminary enrollment.

9 (a) It shall comprise the presidents (including interim presidents) of affiliated colleges and  
10 universities currently accredited by the Synod.

11 (b) It may, as necessary for its work and subject to the commission's approval, create committees  
12 consisting of its own members or others, and, while retaining supervision and accountability,  
13 delegate to them certain of its responsibilities.

14 3.9.6.3 The commission shall create an executive director position and fill it in accordance with the Bylaws of  
15 the Synod and the human resource policies of corporate Synod, as in Bylaw 3.9.5.3.1 (a-c), and may,  
16 subject to budgetary approval of the Board of Directors, likewise create and fill other staff positions, as  
17 in Bylaw 3.9.5.3.1 (d).

18 And be it further

19 *Resolved*, That the references to CUS and/or its board of directors in Bylaws 1.2.1 (w); 3.2.2; and 3.6.1 be  
20 removed; that the reference to the CUS board of directors in Bylaws 3.3.4.6 (e) and 3.10.6.3 (c) be revised to refer to  
21 the CUE; that Bylaw 3.3.4.6 (e) be amended to reflect the composition of the CUE; and that a reference to the CUE  
22 be added to Bylaws 1.2.1 (c) and 3.9.1; and be it further

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

24 **PRESENT/PROPOSED WORDING**

25 3.12.3.5 The first meeting of the Committee for Convention Nominations shall be at the call of the Secretary of  
26 the Synod at least six months prior to the convention of the Synod.

27 (e) ~~In the case of the boards of regents of educational institutions of the Synod~~ affiliated colleges  
28 and universities, the committee shall consult with the President of the Synod ~~or the Board of~~  
29 ~~Directors of Concordia University System~~, the Commission for University Education, and the  
30 presidents and chairs of the institutions' boards of regents and receive their input for the committee's  
31 consideration. ~~The President of Concordia University System (or a designee) and the Secretary of~~  
32 ~~the Synod (or a designee) shall review and verify that nominees are qualified as stated in Bylaw~~  
33 ~~3.10.6.2 (8). Only those nominees whose qualifications have been verified as described in Bylaw~~  
34 ~~3.10.6.2.1 shall be considered to be eligible for selection as candidates for subsequent election.~~

35 (f) The Committee for Convention Nominations, together with the Commission for University  
36 Education, shall jointly establish and maintain a procedure to generate and publish in advance of the  
37 convention a list of names from all who have been nominated for Synod boards and commissions  
38 who meet the qualifications (Bylaws 3.10.6.2-~~8~~, 1 and ~~3.6.6.3~~ 3.9.6.2.1) to serve (1) on a ~~Concordia~~  
39 University System board of regents of an affiliated college or university or (2) on the ~~Concordia~~  
40 University System Board of Directors, Commission for University Education. Information on such  
41 nominees shall be shared with the Commission for University Education for use throughout the  
42 following triennium as it appoints further members and assists the districts and affiliated colleges  
43 and universities, respectively, in identifying potential regents for election and appointment.

44 3.12.3.7 The chairman of the Committee for Convention Nominations shall submit the committee's report in  
45 person to the convention at one of its earliest sessions and shall facilitate the amendment of the slate  
46 from the floor.

47 (c) Such floor nominations may only be made from the list of names which have previously been  
48 offered to the Committee for Convention Nominations prior to the final deadline for the submission  
49 of nominations, unless the convention shall otherwise order by a simple majority vote. ~~The President~~  
50 ~~of Concordia University System (or a designee) and the Secretary of the Synod (or a designee) shall~~  
51 ~~verify that all floor nominees to serve as a member of a Concordia University System board of~~  
52 ~~regents possess qualifications as stated in Bylaw 3.10.6.2 (8). The qualifications of floor nominees~~

1 for boards of regents of affiliated colleges and universities shall be verified as provided in Bylaw  
2 3.10.6.2.1. The Chief Administrative Officer President of the Synod (or a designee) and the  
3 Secretary of the Synod (or a designee) shall review and verify that all floor nominees to serve as a  
4 member of the ~~Concordia University System Board of Directors~~ Commission for University  
5 Education possess qualifications as stated in ~~Bylaw 3.6.6.3~~ 3.9.6.2.1.

6 And be it finally

7 *Resolved*, That those now standing for election or elected to new terms on the CUS Board of Directors be regarded  
8 as standing for or elected to terms on the CUE in the corresponding membership positions thereon, and that those  
9 presently in office on the CUS Board of Directors complete their present terms as members of the CUE in the  
10 corresponding membership positions thereon, with service on either body constituting contiguous terms of service for  
11 purpose of term limitation.

## 12 **B. TO RELATE TO COLLEGES AND UNIVERSITIES AS AFFILIATES OF THE SYNOD**

13 In keeping with the charge of 2019 Res. 7-03 to “review the overall governance of CUS and the boards of regents of  
14 the CUS institutions,” to “strengthen all CUS institutions’ connection to the Synod,” and to “strengthen the  
15 confessional Lutheran identity of all CUS institutions,” and with the intention of fulfilling more effectively, in the  
16 present context, the objective of the Synod to “support the establishment and maintenance of...colleges [and]  
17 universities...to train ministers of religion...and laity for service in the Evangelical Lutheran Church” (Articles of  
18 Incorporation II [d]), a new type of corporate relationship between the Synod and its colleges and universities is  
19 enacted.

20 The term *affiliate*, naturally and as herein defined, accurately reflects the development of the present reality toward a  
21 realistic, sustainable, and productive relationship, and underscores the crucial role of boards of regents as trustees on  
22 behalf of the institution but also of Christ, the church, and their common mission. The schools’ confessional and  
23 mission connection with the Synod is maintained, so that the schools’ heritage and rights to the free exercise of our  
24 confession as guaranteed by the US Constitution are, to the best of the Synod’s ability, secured. The Synod’s  
25 connection to the confession and mission of the schools is rendered more tangible and more transparent to the  
26 membership of the Synod, through the above-described commission (section A) and the below-described accreditation  
27 (section C), so that the Synod’s connection with its schools is—where it is most achievable and most important—  
28 enhanced. With the relationship being regularly evaluated and refined through the accreditation process and in an  
29 ongoing affiliation that is not merely to be assumed, the churchly responsibilities and accountability of boards of  
30 regents, administrations, and faculties will be emphasized in a new way. Finally, explicitly stating the schools’ ability  
31 to carry out their own business affairs, apart from any suggestion of directive control, enhances the ability of schools  
32 to react and to respond nimbly and responsibly to business opportunities and threats, while maintaining their  
33 accountability to the Synod for the impact operational decisions have on their ability to fulfill faithfully their part of  
34 the church’s mission. Therefore be it

35 *Resolved*, That, in Bylaw 1.2.1, the definition of *agency* be amended; a new definition of *affiliated college or*  
36 *university* be added, with subsequent subparagraphs being incrementally re-lettered; and the definition of  
37 *ecclesiastical supervision* be amended, as follows:

### 38 PRESENT/PROPOSED WORDING

#### 39 **1.2 Definition of Terms**

40 1.2.1 The following definitions are for use in understanding the terms as used in the Bylaws of The Lutheran  
41 Church—Missouri Synod:

42 (a) *Affiliated college or university (“affiliate”)*: A college or university, separately incorporated  
43 and governed, recognized by the Synod and electing:

- 44 • to state expressly in its governing documents its full commitment to the Synod’s confession  
45 (Const. Art. II), and objectives (Const. Art. III, insofar as these lie within the role of a  
46 confessional Lutheran college or university);
- 47 • to submit to such bylaws as apply to affiliated colleges and universities; and
- 48 • to undergo regular accreditation by the Commission for University Education under the  
49 Lutheran Identity and Mission Outcome Standards (Bylaw 3.9.6.4f.).

Affiliates are not agencies of the Synod, and their property is not property of the Synod, provided, however, that the foregoing shall not invalidate any reversionary interest or right of reentry granted in the property of an affiliate. They expressly state in their governing documents that the word and will of God call them to common mission with the congregations and other ministries of their confession, including their sister affiliated schools, so that the diversity of gifts may serve for the common good (Const. Preface), and they act accordingly. They respect, uphold, confess, and propagate the doctrine and practice of the Synod, foster and extend the mission and ministry of the Synod, and conduct themselves in harmony with the programs of the Synod. In this connection they each may use the common name, permitted through and contingent upon Synod affiliation, Concordia.

(~~a~~**b**) **Agency:** An instrumentality other than a congregation or corporate Synod, whether or not separately incorporated, which the Synod in convention or its Board of Directors has caused or authorized to be formed to further the Synod’s Objectives (Constitution Art. III).

(1) Agencies include each board, commission, council, seminary, ~~university, college,~~ district, Concordia Plan Services, and each synodwide corporate entity. Neither affiliated nor disaffiliated colleges and universities are agencies of the Synod.

(2) The term “agency of the Synod” does not describe or imply the existence of principal and agency arrangements as defined under civil law.

...

(~~j~~**k**) **Ecclesiastical supervision:** The responsibility, primarily of the President of the Synod and district presidents, to supervise on behalf of the Synod the doctrine, life, and administration of its members, officers, ~~and agencies,~~ and affiliated colleges and universities. Such supervision, subject to the provisions of the Synod’s Constitution, Bylaws, and resolutions, includes visitation, evangelical encouragement and support, care, protection, counsel, advice, admonition, and, when necessary, appropriate disciplinary measures to assure that the Constitution, Bylaws, and resolutions of the Synod are followed and implemented. Thus, ecclesiastical supervision is also the presenting, interpreting, and applying of the collective will of the Synod’s congregations. Ecclesiastical supervision does not include the responsibility to observe, monitor, control, or direct the day-to-day activities of individual members of the Synod, whether in the conduct of their work or in their private lives (cf. Bylaw 2.14.1 [a]). Further, those constitutional articles and bylaws pertaining to ecclesiastical supervision shall determine the full definition of ecclesiastical supervision.

...

And be it further

*Resolved,* That Bylaws 3.10.6.4–8 be added as follows, to specify the benefits of affiliation and how the affiliation of a college or university with the Synod may be established or withdrawn:

3.10.6.4 Affiliation with the Synod affords a college or university: (1) access to the services of the various synodwide corporate and trust entities of the Synod; (2) participation in the Synod’s life together, through continued affiliation and accreditation by the Commission for University Education, as specified in these Bylaws; (3) acknowledgement and endorsement by the Synod, through the same accreditation, as an institution of higher education effectively serving the mission of the Synod’s member congregations and, therefore, worthy of their full utilization and support; and (4) opportunity to collaborate with the other affiliated colleges and universities, united by their common confession and engaging in synergetic pursuits.

3.10.6.4.1 The Board of Directors of the Synod may, in consultation with the Commission for University Education, from time to time specify and thereafter amend or rescind additional benefits of affiliation or accreditation.

3.10.6.5 Upon a college or university’s proposal of affiliation with the Synod, the Commission for University Education may by its two-thirds vote recommend, and either the convention of the Synod, by a majority vote, or the Board of Directors of the Synod, by a two-thirds vote, may grant, such affiliation, subject to all the requirements and privileges pertaining to affiliated colleges and universities, except that the initial composition of the board of regents may deviate from that specified in Bylaw 3.10.6.2. Such proposal must indicate a definite plan of no more than twelve years’ duration to bring the composition of the board of regents of the institution into compliance with Bylaw 3.10.6.2, and continued affiliation shall be contingent on execution of said plan.



1 3.10.6.5.1 The affiliation of a college or university resulting from the consolidation of an affiliated school with a  
2 non-affiliated school, if the governance structure of the resulting school differs from that of the affiliated  
3 school, shall be subject to the requirements of Bylaw 3.10.6.5.

4 3.10.6.6 Affiliated colleges and universities are free and are encouraged to pursue among themselves efficient  
5 collaboration; sharing of administrative and educational resources; and consolidation of operations,  
6 academic programs, or institutions, as opportunities present themselves to their respective boards of  
7 regents and in consultation with the Commission for University Education. In the event of a proposed  
8 consolidation of two or more affiliated colleges or universities:

9 (a) Prior to effecting a proposed consolidation, the boards of regents of consolidating schools shall  
10 jointly present the Commission for University Education and Board of Directors of the Synod with  
11 their consolidation plan. Such a plan shall be consistent with the requirements of these Bylaws for  
12 an affiliated college or university, except that it may involve a consolidated board of regents  
13 deviating from the composition specified in Bylaw 3.10.6.2, provided that the ratio of elected to  
14 appointed regents is not decreased and that all members of the resulting board of regents are  
15 members of member congregations of the Synod. Such plan must indicate a definite plan of no more  
16 than twelve years' duration to bring the composition of the board of regents of the institution into  
17 compliance with Bylaw 3.10.6.2, and continued affiliation shall be contingent on execution of said  
18 plan.

19 (b) The consolidated college or university shall, upon approval of the Commission for University  
20 Education and Board of Directors of the Synod, be regarded as an affiliated college or university.

21 3.10.6.7 A college or university's ("institution's") affiliation with the Synod may, as follows, be terminated either  
22 by such institution's board of regents or by the Synod, rendering the institution no longer affiliated with  
23 the Synod and terminating all the institution's rights and obligations under these bylaws, including all  
24 requirements related to its governing documents and board of regents.

25 (a) The board of regents may, upon six months' notice of intent to the Commission for University  
26 Education and the Board of Directors of the Synod, and by a two-thirds vote, terminate the  
27 institution's affiliation with the Synod.

28 (b) The Commission for University Education, upon its written report and finding that an institution  
29 is in breach of the Synod's requirements for affiliation and upon its determination that all  
30 negotiations and admonitions to repair the breach have failed, or upon the withdrawal of  
31 accreditation of such college or university under Bylaw 3.9.6.4.2 (c), may by a two-thirds vote  
32 recommend to the Board of Directors or Convention of the Synod that the affiliation of the  
33 institution with the Synod be revoked.

34 (c) Upon such recommendation and with six months' notice given to the respective board of  
35 regents, either the convention of the Synod by a majority vote or the Board of Directors of the Synod  
36 by a two-thirds vote may terminate the school's affiliation with, and any related accreditation by,  
37 the Synod.

38 (d) Each affiliated institution shall acknowledge in a written agreement, supplied by the Board of  
39 Directors of the Synod, the paramount right, title, and interest of the Synod in the name *Concordia*,  
40 agreeing that in the case of disaffiliation it shall immediately cease to represent itself as a college or  
41 university in any sense affiliated with The Lutheran Church—Missouri Synod and shall within one  
42 year permanently cease using, and transfer and assign to the Synod any rights involving, any name  
43 including the word *Concordia* or any derivation thereof.

44 And be it further

45 *Resolved*, That Bylaw 1.10.2, dealing with the dispute resolution process of the Synod, be amended as follows to  
46 provide access to dispute resolution for colleges and universities affiliated with the Synod:

47 **PRESENT/PROPOSED WORDING**

48 ***Purpose***

49 1.10.2 This procedure is established to resolve, in a God-pleasing manner, disputes that involve as parties, (1)  
50 members of the Synod; (2) corporate Synod or an agency of the Synod; (3) affiliated colleges and  
51 universities; (~~34~~) members of congregations challenging the procedure used in their excommunications;  
52 (~~45~~) Auxiliaries and recognized service organizations that have agreed to address call-related disputes  
53 through the dispute resolution system, in regard to such disputes; or (~~56~~) members of congregations of

1 the Synod elected or appointed to positions with the LCMS Board of Directors or an agency of the  
2 Synod. It shall be the exclusive remedy to resolve such disputes that involve theological, doctrinal, or  
3 ecclesiastical issues except those covered under Bylaw sections 2.14–2.17 and except as provided in  
4 Bylaw 1.10.3, and shall be binding on all parties. It is applicable whether the dispute involves only a  
5 difference of opinion without personal animosity or is one that involves ill will and sin that requires  
6 repentance and forgiveness. No person, congregation, ~~or~~ agency, or affiliate to whom or to which the  
7 provisions of this dispute resolution process are applicable because of their membership in or affiliation  
8 with the Synod may render this procedure inapplicable by terminating that membership or affiliation  
9 during the course of the dispute resolution process.

10 And be it further

11 *Resolved*, That Bylaws 1.5.1.1–3; 1.5.7–1.5.7.1; 1.6.2 (b)(1–2); 1.9.1; 1.9.1.1 (d); 2.11.1 (g); 3.1.4; 3.1.4.2 and  
12 its subparagraph (a); 3.1.6.2; 3.3.1.1.1 and its subparagraph (c); and 3.10.5.7.2 (d)(1) be amended as follows:

13 **PRESENT/PROPOSED WORDING**

14 1.5.1.1 Unless otherwise specified or permitted by the Bylaws, chief executives and executive directors, faculty,  
15 staff, and all other employees on either the national or district level shall not be members of the board of  
16 the agency or affiliated college or university under which they serve, nor shall any such executives or  
17 staff be members of the board of any other agency of the Synod or of an affiliated college or university.  
18 For purposes of this bylaw only, *staff* shall mean:

19 (a) Employees, other than faculty, rostered as ministers of religion—ordained or ministers of  
20 religion—commissioned, whether or not serving in such capacity; or

21 (b) Employees of corporate Synod ~~or~~ of an agency of Synod, or of an affiliated college or  
22 university, other than faculty, who are responsible for the development and/or implementation of  
23 policies, goals, and programs; or

24 (c) Employees of corporate Synod ~~or~~ of an agency of the Synod, or of an affiliated college or  
25 university who assist chief executives, executive directors and faculty in their work and are  
26 supervised by these individuals directly or through a line of supervision.

27 1.5.1.2 No one, either in the Synod or a district, or between the Synod and a district, shall hold more than one  
28 elective office; or hold more than two offices, although one or both be appointive; or ever hold two  
29 offices of which one is directly responsible for the work done by the other.

30 (a) An office shall be regarded as elective only if it is an office filled through election by a national  
31 or a district convention, even though a vacancy in such an office may be filled by appointment.

32 (b) Elected and appointed positions on boards of regents of affiliated colleges and universities are  
33 regarded as offices for the purposes of this bylaw.

34 (bc) Doubtful cases shall be decided by the President of the Synod.

35 1.5.1.3 Every board or commission member, officer, and all staff of corporate Synod ~~and~~ of every agency of  
36 the Synod, and of every affiliated college and university shall be sensitive in their activities to taking or  
37 giving offense, giving the appearance of impropriety, causing confusion in the Synod, or creating  
38 potential liability.

39 1.5.7 Individual members of the Synod’s commissions and the boards of its agencies and of boards of regents  
40 of affiliated colleges and universities, as well as the individual members of its Board of Directors, shall  
41 discharge the duties of their offices in good faith. The following are considered cause for removal  
42 pursuant to this bylaw:

43 ...

44 1.5.7.1 Unless otherwise specified in these Bylaws, the procedure for removal of a member of a commission,  
45 agency board, or the LCMS Board of Directors, or of an elected member of an affiliated college or  
46 university board of regents, except for those persons subject to Bylaw sections 2.15 and 2.16, shall be as  
47 follows:

48 1.6.2 The Synod, in seeking to clarify its witness or to settle doctrinal controversy, so that all who seek to  
49 participate in the relationships that exist within and through the Synod may benefit and may act to benefit  
50 others, shall have the right to adopt doctrinal resolutions and statements which are in harmony with  
51 Scripture and the Lutheran Confessions.

1 (b) Doctrinal statements set forth in greater detail the position of the Synod especially in  
2 controverted matters. A proposed statement or a proposal for the development of such a statement  
3 shall be

4 (1) submitted by the Commission on Theology and Church Relations or submitted to the  
5 Commission on Theology and Church Relations by a convention of the Synod (including that  
6 of a district), a seminary faculty of the Synod, the faculty of an affiliated college or university  
7 (with only the voting or full-time faculty who are in good standing as individual members of  
8 the Synod or are members in good standing of a member congregation of the Synod  
9 participating), or an official district conference of ordained and/or commissioned ministers for  
10 evaluation, refinement, development, or recommendation, as the case may be;

11 (2) submitted by the commission, if it acts favorably, to the ~~colleges, universities,~~ seminaries,  
12 congregations, and other members of the Synod, as well as to the faculties of affiliated colleges  
13 and universities (with only the voting or full-time faculty who are in good standing as individual  
14 members of the Synod or are members in good standing of a member congregation of the Synod  
15 participating) for study and suggestions for no more than one year (failure by the commission  
16 to submit a proposed doctrinal statement within a year may be appealed to the Synod in  
17 convention through a proper overture);

### 18 **Definition**

19 1.9.1 Doctrinal review is the exercise of the Synod's responsibility to determine that every doctrinal statement  
20 made in its or any of its agencies' ~~or~~ auxiliaries', and affiliates' materials is in accord with the Scriptures  
21 and the Lutheran Confessions.

### 22 **Material Subject to Doctrinal Review**

23 1.9.1.1 The following materials are subject to doctrinal review:

24 (d) Each of the Synod's ~~schools~~ seminaries and affiliated colleges and universities is accountable  
25 to the Synod through its respective president and board of regents for the content of its professional  
26 journals and all of its published materials that are not the official publications of the Synod (Bylaw  
27 3.4.3.7). The editorial boards of such publications shall serve as their own doctrinal reviewers.

28 2.11.1 To remain on the roster of the Synod as an active member, an ordained or commissioned minister of  
29 religion must be a communicant member of a congregation which is a member of the Synod (except as  
30 provided in paragraph [c] below) and be regularly performing the duties of one of the following:

31 (g) A person serving on the faculty or professional staff of an educational institution of the Synod  
32 or of an affiliated college or university.

33 3.1.4 Officers of the Synod, district presidents, and representatives of the Synod's boards, commissions,  
34 ~~educational institutions~~ seminaries, affiliated colleges and universities, mission areas, chaplains and  
35 district boards of directors shall also serve as advisory representatives to the convention of the Synod.

36 3.1.4.2 Each ~~educational institution~~ seminary of the Synod and each affiliated college and university shall be  
37 represented at conventions of the Synod.

38 (a) ~~Educational institutions of the Synod~~ Such institutions shall be represented by one board  
39 member in addition to the district president, by their presidents, and by one faculty member for  
40 every 30 full-time faculty members who are members of the Synod.

41 3.1.6.2 Overtures to a convention of the Synod may be submitted only by a member congregation of the Synod,  
42 a convention or board of directors of a district, an official district conference of ordained and/or  
43 commissioned ministers, the faculty of ~~an educational institution~~ a seminary of the Synod, the Board of  
44 Directors of the Synod, a board or commission of the Synod listed in Bylaws 3.2.2, 3.2.2.1, 3.2.3, and  
45 3.2.3.1, a board of regents or faculty (with only the voting or full-time faculty who are in good standing  
46 as individual members of the Synod or are members in good standing of a member congregation of the  
47 Synod participating) of an affiliated college or university, a committee established by a prior convention,  
48 or a forum of a circuit.

49 ...

50 3.3.1.1.1 The President of the Synod has ecclesiastical supervision of all officers of the Synod and its agencies,  
51 the individual districts of the Synod, ~~and~~ all district presidents, and all affiliated colleges and universities.

1 (c) He shall at regular intervals officially visit or cause to be visited all the educational institutions  
2 of the Synod and all affiliated colleges and universities to exercise supervision over the doctrine  
3 taught and practiced in those institutions.

4 3.10.5.7.2 Each theological seminary shall have established policies and procedures related to appointments. There  
5 shall be two levels of faculty appointments: (1) Initial level, where the appointment can be terminated  
6 with no formal requirement for a show of cause; (2) continuing level, where termination requires a formal  
7 show of cause.

8 (d) Standards or qualifications for moving a faculty member from initial-level appointment to  
9 continuing-level appointment shall be the following:

10 (1) The faculty member shall ordinarily have completed four to six years of creditable service  
11 (periods of leave are not included) as a member of the faculty of one or more educational  
12 institutions of the Synod or affiliated colleges or universities, at least the last two years of which  
13 shall have been in the seminary currently served.

14 And be it further

15 *Resolved*, That Bylaws 1.5.3.6 (b)(1); 3.2.2 [6]; 3.3.1.2 (a); 3.3.4.5 (e); and 3.3.4.6 (b)(2) be amended to reflect  
16 the non-agency status of the colleges and universities by removing references to the colleges and universities, whether  
17 explicit or implicit as among the “educational institutions of the Synod,” leaving, however, references to the seminaries  
18 of the Synod, which remain agencies; and be it further

19 *Resolved*, That references to *Synod* colleges and universities in Bylaws 3.6.2.2.3, including its subparagraph (b),  
20 regarding Concordia Historical Institute and 3.8.3, regarding liaison by the Board for International Mission, be  
21 amended to refer to *affiliated* colleges and universities; that Bylaws 3.6.5 and 3.6.5.2 be amended to include “affiliated  
22 colleges and universities” among the entities served and members of the Lutheran Church—Missouri Synod  
23 Foundation; that Bylaw 3.6.5.3 be amended to strike “colleges” and add “affiliated colleges and universities”; that  
24 Bylaw 3.7.1.1 (f), dealing with availability of the Concordia Plans, Bylaw 3.9.2.2, dealing with access to the  
25 Commission on Constitutional Matters (CCM) and its review of governing documents, Bylaw 3.9.3, dealing with the  
26 scope of review of the Commission on Doctrinal Review, and Bylaws 3.12.2.8 (a–b) and 3.12.3.4 (a–c), dealing with  
27 convention nominations, be amended to add the same; and that Bylaw 3.9.2.2.3, dealing with the CCM’s review of  
28 documents, be amended to add subparagraph (d), to read, “(d) The commission shall, at the request of the Board of  
29 Directors or Commission for University Education, review governing documents of affiliated colleges and universities  
30 and their related organizations as to whether they are in harmony with the requirements of affiliate status under the  
31 Constitution, Bylaws, and resolutions of the Synod”; and be it further

32 *Resolved*, That Bylaws 2.5.1–2 and 2.10.3, dealing with the call, ordination, and installation of ministers of  
33 religion, be amended to add to each instance of *agency(ies)* also a reference to *affiliated college(s) and university(ies)*;  
34 and be it further

35 *Resolved*, That such colleges and universities presently existing as *agencies* of the Synod be hereby and  
36 henceforth designated to be *affiliated* with the Synod, with the Board of Directors and the several boards of regents  
37 taking any necessary actions to effect this change, unless and until such affiliation should be rescinded, consistent  
38 with the bylaws here adopted; and be it further

39 *Resolved*, That the Synod, in reclassifying the Concordia colleges and universities from agency to affiliate status,  
40 nevertheless asserts its primary interest in the historical use of the name *Concordia* to denote those colleges,  
41 universities, and seminaries serving the Synod’s confession, for and on behalf of Synod’s congregations. The name  
42 having been bestowed in this long-standing tradition, the Synod asserts that the name *Concordia*, in connection with  
43 its use by its colleges and universities, along with all its derivatives, is and remains property of the Synod. The Synod  
44 expects the colleges and universities to honor the name’s purpose and intent and, should they no longer serve these  
45 ends through continued affiliation with the Synod, to forfeit and forgo the use of the name *Concordia* and all its  
46 derivations, and to assign any rights thereto to the Synod. The Synod moreover directs and requires each college or  
47 university transitioning from agency to affiliate status to provide the instrument required by Bylaw 3.10.6.7 (d), above;  
48 and be it finally

49 *Resolved*, That the existing claim on the property of the colleges and universities insofar as they have been  
50 regarded as “property of the Synod,” except for any existing reversionary interests and rights of reentry granted in  
51 affiliate properties and the Synod’s primary interest in the name *Concordia*, is hereby directed to be released in favor  
52 of the respective colleges and universities upon their acceptance of affiliate status in accordance with the above, and

1 that existing agreements governing said property as “property of the Synod,” explicitly excluding any existing  
2 reversionary interests and rights of reentry granted in affiliate properties and the Synod’s interest in the name  
3 *Concordia*, are, effective at that time, hereby superseded.

4 **C. TO ESTABLISH INITIAL CRITERIA AND PROCESS FOR**  
5 **AFFILIATED UNIVERSITY ACCREDITATION**

6 In keeping with the charge of 2019 Res. 7-03 to “strengthen all CUS institutions’ connection to the Synod” and to  
7 “strengthen the confessional Lutheran identity of all CUS institutions,” the Commission for University Education  
8 (CUE) is to accredit affiliated colleges and universities on the basis of their Lutheran Identity and Mission Outcomes  
9 (that is, their effective preparation of church workers, thorough preparation of Lutheran laity for service and leadership  
10 in the church, and immersion of all students in a faithful and forthright Lutheran context and curriculum).

11 2016 Res. 7-01A, “To Adopt Lutheran Identity Statements for CUS Institutions as Prepared by CUS Presidents”  
12 (*Proc.*, 171), already adopted by the convention and the several boards of regents, provides an initial framework for  
13 the Lutheran Identity and Mission Outcome Standards (“the Standards”); the process of accreditation is modeled on  
14 that already familiar to the institutions, already regularly performed by the various accrediting bodies to which they  
15 are responsible in the secular sphere. This Synod accreditation is to be both likened to and distinguished from secular  
16 accreditation, which deals with secular expectations for governance, responsible operation, educational quality,  
17 institutional viability, and the like. The two accreditations share similar processes and pursue complementary aims;  
18 on the one hand, ethical administration, effective teaching, and institutional viability; on the other, the advancing of  
19 the confession and non-seminary higher education mission of the Synod. Synod accreditation holds boards of regents  
20 (and through them, presidents, faculties, and staffs) of affiliated colleges and universities accountable to the Synod for  
21 the governance, administration, and implementation of programs and campus life consistently faithful to the  
22 confession of and oriented toward the mission of the church.

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

29 Accreditation is also finally *summative*; that is, it can reach the conclusion that the standards expected have not and  
30 cannot reasonably be expected to be reached. While no one desires this outcome, its definite possibility is intended to  
31 strengthen the intentional working of all affiliated schools with CUE in pursuit of the Synod’s objectives. An  
32 institution or program losing *accreditation* loses its ability to prepare and declare qualified church workers for rostered  
33 service in the Synod as well as some of its rights to participate more broadly in the life of the Synod; it is put on public  
34 notice that it is not adequately fulfilling its churchly mission. Loss of *accreditation* can lead to loss of *affiliation* with  
35 the Synod.

36 This model recognizes the responsibility, initiative, and creative capacity of local boards of regents and administrations  
37 to pursue the high expectations the Synod rightfully has of affiliated colleges and universities, and provides not only  
38 for minimum expectations but for individualized, measurable, and reproducible plans for continuous improvement. It  
39 provides for CUE to work transparently with institutions that need to achieve, and are working to achieve, positive  
40 change, or alternatively, for CUE to place on notice or probation, and ultimately to disaccredit those that do not work  
41 to achieve positive change. It provides a framework for monitoring of and accountability for confessional fidelity,  
42 directed and supervised by CUE and carried out with peer input, that can be shared regularly with the members of the  
43 Synod, to guide their support and utilization of the institutions.

44 Therefore be it

45 *Resolved*, That a program of affiliated college and university accreditation be established by the adoption of the  
46 following bylaws:

47 **PRESENT/PROPOSED WORDING**

48 *Lutheran Identity and Mission Outcome Standards, Accreditation*

49 3.9.6.4 The Commission for University Education shall, in consultation with its Institution Advisory Council,  
50 define and adopt the Lutheran Identity and Mission Outcome Standards (“Standards”), a regularly

1 published policy document containing standards for accreditation of institutions and of programs leading  
2 to candidacy for commissioned ministry or to preparedness for seminary study.

3 (a) The Standards shall express the Synod's expectations for a confessional Lutheran college or  
4 university affiliated with the Synod, including fidelity of campus curriculum and culture intended  
5 to propagate the faith, strong theology and campus ministry programs having positive and  
6 intentional interaction with the entire faculty and student population and with all curricular  
7 programs, and success in preparation of church workers for the Synod and of Lutheran laypeople  
8 for distinctively faithful lives of service to church and neighbor and in conveying to all students a  
9 clear understanding of the essentials of the faith, generally and in specific relation to their particular  
10 vocations.

11 (b) The Standards shall be elaborated to support both formative and summative functions. They  
12 shall engender local development and provide for outside monitoring of formative processes,  
13 engaging all institutions, even the strongest, fully in intentional and measurable programs intended  
14 to advance them in richer expression of their Lutheran identity and more expansive and efficient  
15 accomplishment of mission outcomes. They shall also enable the drawing of summative  
16 conclusions, concretely identifying strengths and weaknesses in institutions and programs,  
17 ultimately to provide clear rationale for decisions about continuation or termination of accreditation.

18 (c) As a means of implementing the above two functions, each institution-level criterion of the  
19 Standards describes succinctly one summary expectation for a college or university accredited by  
20 the Synod. Within each criterion, core components describe the necessary aspects involved in  
21 satisfying each criterion. Each core component further provides several measurable factors useful  
22 in internal and external assessment of performance and planning relative to the criteria. Criteria,  
23 core components, and measurable factors provide not only a minimum compliance level but a  
24 framework for continuous improvement.

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

32 (e) The Standards shall be made publicly available on the Synod's website and as otherwise  
33 determined by the commission.

34 3.9.6.4.1 Affiliated colleges and universities shall undergo accreditation with respect to the Lutheran Identity and  
35 Mission Outcome Standards, both comprehensively as institutions and with regard to the specific  
36 requirements of each implemented program intended to result in candidacy for one of the Synod's  
37 categories of commissioned ministry or in preparedness for seminary study.

38 (a) The ordinary, nominal period of institution and program accreditation shall be six years.  
39 Ordinary accreditation reviews shall attend to both summative and formative elements, evaluating  
40 present performance relative to the Standards but also fostering, monitoring, and advancing  
41 initiatives in pursuit of the Standards. A focused review of a specific alleged breach of the Standards,  
42 however, may be initiated by the commission at any time.

43 (b) The commission may, if an accreditation or focused review finds that an institution or program  
44 is at risk of not fulfilling the Standards, place the institution or program on public notice. The  
45 commission may lift notice at any time it determines the risk has been satisfactorily addressed.

46 (c) The commission may, upon finding an accredited institution to be in breach of the Standards,  
47 either on the basis of a regular accreditation report or of a focused review, place the institution on  
48 probation for up to a two-year period, which may be extended once for two years and once for one  
49 year, but to no more than five years total, if the commission determines that substantial progress has  
50 been made and that verifiable plans and resources are in place to bring the institution into  
51 compliance. Probation may be lifted earlier by the commission. An institution not in compliance at  
52 the conclusion of the probationary period is no longer accredited or entitled to benefits of  
53 accreditation, can no longer declare graduates qualified for placement, and is no longer commended  
54 by the commission to the church.

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

10 (e) An institution or program under probationary accreditation is not “in good accreditation  
11 standing” for purposes of these Bylaws.

12 3.9.6.4.2 In consultation with its Institution Advisory Council, the Commission for University Education shall  
13 implement and maintain policies governing, and shall supervise, the process of accreditation for the  
14 affiliated colleges and universities on the basis of the Lutheran Identity and Mission Outcome Standards.

15 (a) In preparation for accreditation, each institution and church work program shall provide, on the  
16 basis of a thorough self-study, a written report evidencing compliance with the criteria and core  
17 components of the Standards, as evaluated by the stated measurable factors, as well as indicating  
18 any relevant explanatory factors and initiated or planned efforts to improve specific aspects of  
19 performance relative to the Standards. It shall especially address any issues noted in previous  
20 reviews or specifically requested by the commission. The self-study shall be delivered to and  
21 reviewed by the commission.

22 (b) An accreditation team, assembled by the commission upon review of the self-study report or  
23 recommendation of its Institution Advisory Council, shall itself review the self-study report and  
24 then visit the institution, interacting with its board of regents, administration, faculty, campus  
25 ministry staff, and students. An effective visitation, with broad and unimpeded access to campus  
26 program information, policies, and personnel, shall be facilitated by the institution. Each  
27 implemented or proposed church work and pre-seminary program shall receive specific attention.

28 (c) The accreditation team shall compile a report of its visit and associated findings, which shall be  
29 shared with the commission and the institution. After allowing 60 days for the institution to respond  
30 in writing to the team’s report, the commission shall, with regard to the institution and each of its  
31 implemented or proposed church work programs: (1) grant or extend accreditation without concerns;  
32 or (2) grant or extend accreditation with concerns (notice); or (3) place the institution or program  
33 on probation; or (4) deny, in the case of an initial application, or initiate withdrawal of accreditation;  
34 or (5) initiate further investigation, with the same or a new accreditation team.

35 (d) The institution reviewed may within 30 days of being notified of the commission’s accreditation  
36 determination(s) submit a written appeal and/or response to the commission’s determination. Once  
37 the commission has, within 30 days of its receipt, considered and acted upon any such appeal, its  
38 determination is final and not subject to further appeal.

39 (e) The accreditation status of institutions and programs, together with summary reports of  
40 accreditation reviews, impositions of notice or probation, and withdrawals of accreditation, shall be  
41 timely made available to the Synod through a publicly-accessible website. The information  
42 presented shall be of a depth and character that would allow members of the Synod to evaluate the  
43 churchly character, relative value, and mission effectiveness of each institution and program, and to  
44 understand concretely the steps being taken to improve the same.

45 (f) Accreditation teams, composed of members of member congregations of the Synod and  
46 assembled and organized by the commission, shall include representation from peer boards of  
47 regents, administrations, and faculties, and a district president having ecclesiastical supervision of  
48 peer institution faculty, all with demonstrated excellence in advancing and achieving the Standards.  
49 It shall also include representation drawn from the member congregations and ministerium of the  
50 Synod and representative of their interests in the institutions. The Institution Advisory Council, the  
51 Council of Presidents, the Board for National Mission, and the Board of Directors and President of  
52 the Synod may nominate accreditors, as may members of the commission.

53 (g) The commission, with the assistance of its council, shall provide training for members of  
54 accreditation teams.

1 (h) Direct costs of the accreditation process shall be borne by the institution accredited.

2 And be it further

3 *Resolved*, That the Commission for University Education (CUE) shall, no later than Sept. 1, 2024, on the basis of  
4 the Lutheran Identity Statement adopted in in 2016 Res. 7-01A and draft materials presented to the convention and in  
5 consultation with its Institution Advisory Council, release the first operational edition of the institutional Lutheran  
6 Identity and Mission Outcome Standards; and be it further

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

10 *Resolved*, That accreditation be granted herewith to the colleges and universities presently assuming affiliated  
11 status and to the ministry programs currently approved, with the report of the first reaffirmation process for each  
12 institution and program scheduled for accreditation review in the upcoming triennium to be prepared and available to  
13 the Synod not later than 20 weeks prior to its 2026 convention, together with a report of the scheduling of, and process  
14 made toward, accreditation review for the other institutions in the subsequent triennium; and be it finally

15 *Resolved*, That the CUE and affiliated colleges and universities be instructed to make every effort to complete the  
16 process of development, reaffirmation, and reporting as scheduled, with the understanding that the initial  
17 implementation is the first step in a developmental process.

18 **D. TO PROVIDE FURTHER FOR CHURCH WORKER**  
19 **EDUCATION THROUGH ACCREDITED, AFFILIATED SCHOOLS**

20 In keeping with the charge of 2019 Res. 7-03 to “strengthen all CUS institutions’ connection to the Synod” and to  
21 “strengthen the confessional Lutheran identity of all CUS institutions,” the following clarifies that affiliated  
22 institutions’ ability to declare graduates or those undergoing colloquy qualified for placement as ministers of  
23 religion—commissioned depends upon continued accreditation of such programs, and revises the minister of  
24 religion—commissioned colloquy process to reflect the affiliate relationship of the schools with the Synod. The  
25 accreditation program, as established above, will provide a transparent, structured, and accountable framework within  
26 which the affiliated colleges and universities and their individual church worker training programs, operating on  
27 campuses with strong Lutheran identity, will grow in their accomplishment of a higher education mission outcome  
28 critical to the Synod: the thorough preparation and ample provision of church workers for Synod’s congregations,  
29 schools, and other ministries. The authority of the Colloquy Committee for Commissioned Ministry to establish  
30 standards for the colloquy processes it oversees, relative to the programs offered for this purpose by the several  
31 schools, is also clarified. Therefore be it

32 *Resolved*, That Bylaws 2.5.3, 2.7.1, 2.7.3–4, 2.8.1 (a), 2.8.2, and 2.9.1 be amended as follows (including the  
33 division of existing Bylaw 2.8.2 into Bylaws 2.8.2–2.8.3), and Bylaw 2.8.4 be added, to clarify that only LCMS faculty  
34 of affiliated colleges and universities currently accredited by the Synod have the authority to declare church workers  
35 qualified for rostered service within the Synod, and then only within programs so accredited:

36 **PRESENT/PROPOSED WORDING**

37 2.5.3 Congregations that are members of the Synod, association schools, agencies, affiliated colleges and  
38 universities, auxiliaries, and recognized service organizations shall call only (1) commissioned ministers  
39 who have been admitted to their ministries in accordance with the rules and regulations set forth in these  
40 Bylaws and have thereby become members of the Synod; (2) candidates of ~~LCMS-affiliated colleges~~  
41 and universities accredited by the Synod who have satisfied the qualifications and requirements for  
42 assignment of first calls by the Council of Presidents acting as the Board of Assignments; or (3)  
43 commissioned ministers (or those holding positions comparable to commissioned ministers) who are  
44 members in good standing of church bodies that have been formally recognized to be in altar and pulpit  
45 fellowship with the Synod when agreements for such calls are in place.

46 2.7.1 A graduate of an authorized ~~educational institution~~ seminary of the Synod or of a Synod-accredited  
47 program of an affiliated college or university must be declared qualified for a first call and recommended  
48 by the respective faculty of the respective educational institution before the effective date of the first call  
49 to service in the church, as assigned by the Council of Presidents acting as the Board of Assignments as  
50 provided in Bylaw section 2.9.



- 1 2.7.3 Candidates who have satisfactorily completed an approved educational program of the Synod for the  
2 ordained or commissioned ministry involving extensive use of distance learning and/or a mentoring  
3 system must be declared qualified for a first call and recommended by the respective faculty of one of  
4 the seminaries, colleges, or universities of the Synod before the effective date of the first call to service  
5 in the church, as assigned by the Board of Assignments as provided in Bylaw section 2.9.
- 6 2.7.4 Graduates of one of the ~~colleges, universities, or~~ seminaries of the Synod or of a Synod-accredited  
7 program of an affiliated college or university who desire to continue their professional studies after they  
8 have completed the prescribed ~~undergraduate~~ curriculum, or who for any other valid reason are not ready  
9 for first calls to service in the church, shall continue to be eligible for unqualified recommendation for  
10 first calls as long as they can be recommended by the faculty of the educational institution ~~of the Synod~~  
11 from which they have graduated. The respective faculty shall annually ascertain through personal  
12 interviews with the candidate or through satisfactory testimonials that each candidate so classified is still  
13 qualified for recommendation for a first call to serve in the church.
- 14 2.8.1 Candidates shall be declared qualified for first calls.  
15 (a) They are those who before the effective date of the first calls will have satisfactorily completed  
16 the prescribed courses of studies and will have received diplomas from their respective ~~educational~~  
17 ~~institutions~~ seminaries of the Synod or in Synod-accredited programs of affiliated colleges or  
18 universities, or have fulfilled the requisites of a colloquy or other approved education program of  
19 the Synod (Bylaws 2.7.2 and 2.7.3).
- 20 2.8.2 It shall be the responsibility of Synod's colloquy committees or, subject to the policies of the Colloquy  
21 Committee for Commissioned Ministry and within programs for which their respective institutions are  
22 currently accredited by the Synod, the faculties of ~~educational institutions of the Synod~~ Synod-affiliated  
23 colleges and universities to declare colloquy candidates qualified for first calls.
- 24 2.8.3 For purposes of declaring candidates qualified for placement and recommending them for membership  
25 in the Synod, the Synod considers ~~the such a~~ "faculty" ~~of an educational institution~~ to be defined as  
26 follows:  
27 (a) Seminaries: all full-time faculty members who are in good standing on the Synod's roster of  
28 ordained ministers.  
29 (b) Affiliated colleges and universities: all full-time faculty members who are in good standing as  
30 individual members of the Synod or are members in good standing of a member congregation of  
31 The Lutheran Church—Missouri Synod.
- 32 2.8.4 Only faculties of such affiliated colleges and universities as are currently accredited by the Commission  
33 for University Education may declare qualified and recommend candidates for first calls, and each of  
34 these, only with regard to programs leading to candidacy for commissioned ministry (Bylaw 2.6.1.1) for  
35 which it is specifically and currently accredited by the commission.
- 36 2.8.4.1 A graduate of such a program that was accredited by the Commission for University Education at the  
37 time of matriculation but no longer accredited at the time of qualification for a first call may apply to the  
38 Colloquy Committee for Commissioned Ministry for examination, any necessary remediation, and  
39 certification. The institution offering such a program shall share records with the Colloquy Committee  
40 as necessary to assess the candidate's preparation and fitness for commissioned ministry.
- 41 2.9.1 The Council of Presidents, acting as the Board of Assignments, shall regularly assign to qualified  
42 graduates of ~~educational institutions of the Synod~~ seminaries and Synod-accredited programs of  
43 affiliated colleges and universities, and to workers available from colloquy programs, as "first calls"  
44 those calls that have been duly extended to fill active member positions as identified in Bylaw 2.11.1 for  
45 ordained and commissioned ministers if positions for which candidates are qualified are available.

46 ...

47 And be it further

48 *Resolved*, That Bylaws 3.10.3.1–2, establishing the membership and function of the Colloquy Committee for  
49 Commissioned Ministry, be amended as follows, to reflect the new relation of the Synod and the schools:

50 **PRESENT/PROPOSED WORDING**

- 51 3.10.3.1 The Colloquy Committee for Commissioned Ministry shall consist of the First Vice-President of the  
52 Synod as chairman, ~~and a representative of Concordia University System~~ the Commission for University

1 ~~Education, designated by the commission, and; two college/university presidents of affiliated colleges~~  
2 ~~or universities in good accreditation standing, appointed by the President of the Synod; and two-three~~  
3 ~~Concordia University System faculty of the same, who are involved in colloquy and appointed by the~~  
4 ~~president of Concordia University System chair of the Commission for University Education, and one~~  
5 ~~representative from CUEnet.~~

6 3.10.3.2 The committee shall direct the Synod's activity in matters of colloquies for commissioned ministers.

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

10 (b) The committee shall also establish and monitor academic and theological standards for each of  
11 the colloquy programs. The committee shall consult the ~~directors of the programs at the Synod's~~  
12 ~~colleges and universities~~ Commission for University Education and its Institution Advisory Council  
13 when establishing or reviewing the standards.

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

16 3.10.3.3 The committee shall additionally facilitate the examination, remediation, and qualification for first call  
17 of suitable candidates from disaccredited programs applying under Bylaw 2.8.4.1.

18 **E. TO ENCOURAGE AND FACILITATE AFFILIATED COLLEGES AND UNIVERSITIES'**  
19 **BUSINESS CONSULTATION AND EFFICIENT COORDINATION AND COLLABORATION**  
20 **IN SHARED PROGRAMS AND SERVICES**

21 In the impression of the 2019 Res. 7-03 committee, the institutions' success in the present environment—certainly  
22 their thriving, as tuition-dependent schools with relatively limited endowments—requires not only the sort of shared  
23 values advanced by the accreditation program developed above but also efficient coordination and collaboration or  
24 organic consolidation. To address this issue, the first *whereas* of 2019 Res. 7-03 acknowledged the college and  
25 university presidents' conclusion that "greater integration and collaboration would strengthen the individual  
26 institutions and the system as a whole." Given the natural inertia and independence of every individual human  
27 institution, however, broad success in such synergetic efforts will likely require strong leadership.

28 Concordia University System has in the past facilitated some common efforts of the colleges and universities,  
29 including the employment of staff and the maintenance of finances, principally in the area of information technology,  
30 accounting software, and common efforts toward distance education in support of commissioned minister colloquy.  
31 Its successor, the Commission for University Education, is for good reason not charged with such business  
32 coordination. Its focus must be on confession and mission rather than on administration and operations, areas that  
33 demand, instead, the focused attention of the several boards of regents. The Synod's imposition of coordinative or  
34 collaborative efforts would be incongruent with the present approach and, based on the schools' experience with  
35 limited previous attempts to do so, ultimately unproductive. The institutions cannot afford to be saddled with shared  
36 solutions that may not fit; the mechanisms the schools devise together to lend efficiency to their operations simply  
37 must be immediately responsive and clearly accountable to the institutions served. In recognition of the value such  
38 shared endeavors may have in preserving and extending the schools' mission capacity, the Synod Board of Directors  
39 is to be permitted to extend to them the same benefits available to the several schools.

40 Therefore be it

41 *Resolved,* That the Synod in convention implore the boards of regents and presidents of affiliated colleges and  
42 universities that, being mindful of their common confession and mission, of the Synod's vast historical investment in  
43 and present and future reliance on the schools, and of the great responsibility incumbent on them as wise stewards—  
44 for the church's sake—of limited resources, they seek diligently and urgently opportunities for coordination,  
45 cooperation, and consolidation of operations, in part or in whole, that will reduce unnecessary duplication, share best-  
46 in-class resources and leadership, strengthen the institutions' ability to weather challenges, and enhance their ability  
47 together to deliver effectively on their mission objectives; and be it further

48 *Resolved,* That Bylaws 3.10.6.10–3.10.6.10.1 be added as follows:

1 PRESENT/PROPOSED WORDING

2 Common endeavor(s) of affiliated schools

3 3.10.6.10 Affiliated colleges and universities of the Synod are urged to conduct themselves materially in  
4 accordance with “our Lord’s will that the diversities of gifts should be for the common profit (1 Cor  
5 12:4–31; Constitution Preface).” strengthening one another through coordination, collaboration,  
6 consultation, and efficient consolidation of operations, wherever prudent and practically feasible.

7 3.10.6.10.1 Any number of affiliated colleges and universities may together incorporate an entity or entities to  
8 provide for common services, with governance to be vested in the participating schools. Such an entity  
9 is neither an agency nor an affiliate of the Synod. The Board of Directors of the Synod may extend or  
10 withdraw recognition of such an entity as a common endeavor of affiliated schools, eligible, for example,  
11 for purposes of employment, financing, granting, and endowment to the same benefits as its constituent  
12 affiliated schools.

13 **F. TO REVISE BYLAWS RELATED TO GOVERNING BOARDS**  
14 **OF AFFILIATED COLLEGES AND UNIVERSITIES**

15 In keeping with the charge of 2019 Res. 7-03 to “review the composition, size, and selection of boards of regents” and  
16 to “review the financial models for the institutions,” the committee reviewed the composition and charge of boards of  
17 regents as the “governing bodies corporate” of the several schools. Existing bylaws dictate excessively detailed  
18 governance and even management details for the boards of regents, some of which are severely outdated, and would  
19 be even more so upon recognition of college and university *affiliate* status. New bylaws are needed to express simply  
20 and directly the relationship of affiliation between the Synod and the schools, keeping at the forefront the regents’  
21 responsibility and authority to act in the interest of our common confession and mission, while allowing the schools  
22 freedom to manage their own business affairs and to seek such cooperative endeavors and organic unions as may be  
23 beneficial.

24 While a variety of approaches have been proposed for restructuring the boards of regents, the present structure of the  
25 boards, with strong representation elected by the congregational members of the Synod, aligns with the furtherance of  
26 Synod’s confession and mission objectives through the schools. Continuity of governance is also important at this  
27 time of transition from *agency* to *affiliate* relationships, together with the introduction of CUE accreditation. While  
28 the screening of regents for basic qualifications has aided the selection of qualified regents, specific training regarding  
29 responsibilities to the Synod and the task of governance will be useful to enhancing the function of the boards of  
30 regents as effective governing boards. Structurally, only minimal changes have been made.

31 With regard to the nomination and election/appointment of regents, many new process ideas were discussed. More  
32 important, it was felt, was to emphasize the above role of each board of regents as a unified whole, and to develop  
33 boards for and to hold boards accountable to this purpose. Regents do not serve disjoint constituencies with disjoint  
34 interests, some representing the district, some the Synod, some appointees, the institution itself or other key  
35 stakeholders; rather, an effective board of regents brings a diversity of highly-developed individual abilities together  
36 as a unified, self-regulating, and responsible actor, intent on and successful at governing the institution in coherent  
37 pursuit of its essential purpose. Attention has therefore been given to the *governance task* committed to these boards,  
38 and to equipping the boards for this task. These institutions, though they will no longer be agencies of the Synod,  
39 remain institutions of the church, responsible and accountable to the congregations of the Synod for their fidelity to  
40 the church’s confession and their execution of the church’s mission. As this is not only Synod’s interest but the reason  
41 for being of each institution, the primary responsibility of each board—for which it is held accountable through  
42 accreditation—is to govern its president, faculty, and staff, its overall and individual programs, consistently in this  
43 direction.

44 The present model of accepting nominations from every agency, college and university, congregation, and, indeed,  
45 member of member congregation in the Synod can hardly be made more open, although it is at present underutilized.  
46 Responsibility for vetting potential regents has been transferred to CUE, with appropriate consultation, reflecting  
47 CUE’s expanded role in assisting those who elect and appoint regents in identifying the most qualified and capable  
48 candidates. Information on Synod convention nominees will, in a significant change, be shared with CUE for use  
49 throughout the following triennium in recommending highly-qualified regents for district election or board  
50 appointment. This increases the importance and economy of a triennial, Synod-wide drive for submission of  
51 exceptionally qualified nominees.

1 Therefore be it

2 *Resolved*, that Bylaws 3.10.6–3.10.6.3 be revised, and Bylaws 3.10.6.4–5 be removed, as follows:

3 PRESENT/PROPOSED WORDING

4 *~~F. Concordia University System~~Synod-Affiliated College and University Boards of Regents*

5 3.10.6 Each affiliated college and university (“institution”) of the Synod, with its president and faculty, shall  
6 be governed by a board of regents, subject to general policies set by the Synod, including those  
7 established by the Concordia University System the following expectations as a condition of affiliation  
8 with the Synod.

9 3.10.6.1 In exercising its relationship to the Synod ~~and to the Concordia University System as set forth elsewhere~~  
10 ~~under Bylaw 3.6.6 and following~~, the board of regents of each institution shall consider as one of its  
11 primary duties the defining and fulfilling of the mission of the institution within the ~~broad assignment of~~  
12 ~~the Synod, common confession and mission it shares with the Synod and its congregations (Bylaw 1.2.1~~  
13 ~~[a]).~~ The board, in addition to its commonly understood fiduciary and governance responsibilities, shall:

14 (a) as a whole and as individual members, as stewards of the institution on behalf of the  
15 congregations of the Synod, embrace and advance with administration, faculty, staff, and students  
16 the institution’s fundamental purpose as inculcating the faith, as taught in the Scriptures and  
17 Lutheran Confessions (Constitution Art. II), preparing students to live in this faith toward God and  
18 by this faith, in their various vocations, in love toward the neighbor;

19 (b) govern the institution with consistent attention to specific ways that the institution is confessing  
20 Jesus Christ in full accord with the doctrinal position of the LCMS (Constitution Art. II) and  
21 fulfilling His mission in our world in concert with the objectives of the Synod (Constitution Art.  
22 III), intentionally seeking continual growth as a board in such governance;

23 (c) actively foster and expect curricula and policies for student life and behavior consistent with the  
24 doctrine and practice of the Synod, and commit the institution to the principles of Christian  
25 discipline, an evangelical manner, and good order;

26 (d) ensure that all faculty receive appropriate formal, ongoing training in the doctrines of Holy  
27 Scripture as rightly taught in the Lutheran Confessions as they relate to their academic disciplines,  
28 to enable faculty to engage in responsible exercise of their academic freedom within the confession  
29 of the institution and the Synod (Const. Art. II);

30 (e) ensure that its institution and constituent parts strive to excel in the Lutheran Identity and  
31 Mission Outcome Standards, and to cooperate fully with processes for accreditation by the  
32 Commission for University Education and for appointment of the institution’s president;

33 (f) review and approve academic programs recommended by the administration and faculty, giving  
34 due consideration to the Standards and coordination with other affiliated colleges and universities.  
35 It shall participate fully in the procedures for the selection and regular review of the president, and  
36 shall approve the appointment of faculty members;

37 (g) ensure that its institution and constituent parts support the proper authorities of the Synod in  
38 their roles of ecclesiastical supervision of called workers, placement of graduates, and doctrinal  
39 review status appeals, and submit to the Synod’s expectations for handling of faculty complaints  
40 and dispute resolution, insofar as they apply;

41 (h) exercise its unique fiduciary duty of institutional governance without abdicating its authority to,  
42 or commingling its authority with, that of others;

43 (i) duly consider the common confession, mission, interest, and cooperative strength of the Synod,  
44 with its congregations, agencies, and other affiliates, as it makes decisions with impact beyond its  
45 campus, especially as it plans new programs, cooperates and consolidates operations with other  
46 affiliated schools, operates in a worldwide online marketplace, cooperates with the Synod Board of  
47 Directors in the legal defense of the right to the free exercise of our confession, and interacts with  
48 the ministries and partners of The Lutheran Church—Missouri Synod, domestically and  
49 internationally, in harmony with its programs and consistent with its protocol agreements;

50 (j) govern transparently, in a timely manner sharing with the Commission for University Education  
51 minutes of board meetings and with both the commission and the Synod Board of Directors revisions  
52 of institutional governing documents and policies, and responsively, understanding inquiries and

suggestions offered by the commission to be offered on behalf of the congregations with which their institution shares a confession and mission;

(k) operate with financial transparency, annually providing, within thirty days of audit completion, audited financial statements and other information as determined in the commission's accreditation standards to the Commission for University Education and to the Synod Board of Directors and to congregations of the Synod upon request;

(l) effectively and intentionally govern administration and faculty so that they carry out their management and educational responsibilities in a manner consistent with the foregoing; and

(m) affirm in writing submission to those Bylaws of the Synod applicable to an affiliated college or university, and as may from time to time be adopted, so long as the institution remains affiliated with the Synod.

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

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

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

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

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

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

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

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

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

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

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

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

1 (d) Approximately 18 months prior to each convention of the Synod the commission shall consult  
2 with the Secretary and Chief Administrative Officer of the Synod and the chairs of the boards of  
3 regents of affiliated colleges and universities regarding its application of the qualification standards.

4 (e) The commission shall maintain in its public policies a rubric for consistent evaluation of  
5 qualification for regent service.

6 3.10.6.2.2 Persons elected or appointed to a board of regents shall undergo training for such service.

7 (a) The Commission for University Education shall provide for training of newly elected or  
8 appointed regents concerning their responsibility to advance the Synod's confession and mission  
9 objectives and to advance their respective institutions in service of the church through the  
10 commission's accreditation program.

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

14 (c) Failure to complete such training within the first year after election or appointment renders the  
15 regent ineligible to continue in office Upon such failure, in the case of an elected regent, the CUE  
16 shall declare the position vacant; in the case of an appointed regent, the respective board of regents  
17 shall declare the position vacant.

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

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

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

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

26 3.10.6.3 Vacancies that occur on a board of regents shall be filled in the following manner:

27 (a) If the vacancy occurs in a position that was previously filled by the board of regents, the board  
28 of regents shall be the appointing body.

29 (b) If the vacancy occurs in a position that was previously filled at a district convention, the district  
30 board of directors shall be the appointing body.

31 (c) If the vacancy occurs in a position that had been filled by a national convention of the Synod,  
32 the ~~Board of Directors of Concordia University System~~ Commission for University Education shall  
33 be the appointing body and shall follow the nomination procedure provided for filling vacancies in  
34 elected positions on boards and commissions of the Synod as outlined in Bylaw 3.2.5.

35 *Note: Existing Bylaws 3.10.6.4–5 are removed in their entirety,*  
36 *relevant portions of their content having been incorporated into new Bylaw 3.10.6.1, above.*

37 **G. TO REVISE BYLAWS RELATED TO THE ADMINISTRATION**  
38 **OF AFFILIATED COLLEGES AND UNIVERSITIES**

39 In keeping with the charge of 2019 Res. 7-03 to “review the process for selecting presidents of institutions” and to  
40 “review the financial models for the institutions,” the following bylaws are revised. As with bylaws dealing with the  
41 boards of regents, bylaws dealing with institution presidents have attempted to provide a relatively detailed description  
42 even of the customary duties of any university president, which have changed over time, and which might erroneously  
43 suggest to some that the Synod asserts authority over “left-hand” matters that are exclusively under the governance of  
44 the institution’s board of regents. The president of the college or university, as the spiritual head of the institution,  
45 remains an absolutely essential leader in advancing the confessional identity and mission effectiveness of the  
46 institution as an affiliate of the Synod. The Synod therefore rightly retains definite expectations for the presidency of  
47 affiliated institutions. After a significant amount of input from boards of regents, the 2019 convention of the Synod  
48 already made significant changes to the presidential selection process, moving the work of Synod’s prior approval  
49 panel earlier in the process to allow for more effective communication of the panel with the board of regents and to  
50 reduce opportunities for disappointment or misunderstanding formerly associated with the process. These changes  
51 have aided presidential appointment processes conducted since and remain in place in the following. While many  
52 processes might be proposed for the appointment of a president, the significant change from *agency* to *affiliate*

1 relationships and the introduction of CUE accreditation suggest continuity as presently the better approach where this  
2 subject is concerned. Therefore be it

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

4 PRESENT/PROPOSED WORDING

5 *Concordia University System Synod-Affiliated College and University Presidents*

6 3.10.6.6~~8~~ The president of the institution shall be the executive officer of the board of regents. ~~He~~ In addition to  
7 the customary executive management duties of a college or university president, and in regard  
8 specifically to the relation of his affiliated institution to the church, he shall serve as the spiritual,  
9 academic, and administrative head of the institution and carry out the following responsibilities-:

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

11 (b) He shall supervise, direct, and administer the affairs of the institution and all its departments,  
12 pursuant to the rules and regulations of the Synod and its boards and agencies and the policies of  
13 the board of regents.

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

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

20 ~~(e) He shall periodically visit or cause to be visited the classes of professors and instructors, and~~  
21 ~~in general secure conformity in teaching efficiency and subject matter to the standards and policies~~  
22 ~~prescribed by the board of regents and by the Synod through the Board of Directors of Concordia~~  
23 ~~University System and to the confession and mission that the institution shares with the Synod and~~  
24 ~~its congregations, and in intentional and pervasive pursuit of the Lutheran Identity and Mission~~  
25 ~~Outcome Standards.~~

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

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

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

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

39 ~~(j) He shall diligently manage the institution subject to, and effectively support the exercise of,~~  
40 ~~the governance of the institution by the board of regents, consistent with the expectations of Bylaw~~  
41 ~~3.10.6.1.~~

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

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

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

47 ~~(n) He shall represent the institution, if currently accredited, on the Concordia University System~~  
48 ~~Institution Advisory Council.~~

49 3.10.6.6~~8~~.1 The president of each college or university shall serve a five-year renewable term of office under the  
50 terms set forth herewith under Bylaw 3.10.6.6.1 (c), beginning with the date of his assumption of his  
51 responsibilities as president.

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

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

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

15 (1) In addition to considering the evaluation report, the board of regents shall consult with the  
16 President of the Synod and the chairman of the ~~Board of Directors of Concordia University~~  
17 ~~System.~~ Commission for University Education.

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

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

22 3.10.6.68.2 The following process shall govern the selection of a college/university president.

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

32 (21) The board of regents shall ~~request that the Board of Directors of Concordia University~~  
33 ~~System~~ schedule initiate a transition review of the campus, which shall include consultation  
34 with CUE on the basis of the Lutheran Identity and Mission Outcome Standards and the  
35 institution's current accreditation report. The review is to provide a report on the state of the  
36 campus for use by the search committee, the board of regents, and the candidates.

37 (42) The board of regents shall ~~request that the Board of Directors of Concordia University~~  
38 ~~System,~~ on the basis of the above consultation, compose and, with the concurrence of CUE,  
39 authorize the institution to publish a request for nominations for the position of president.

40 (b) The board of regents shall oversee the process of defining the institution's needs, describing the  
41 desired characteristics of the new president, and issuing a request for nominations.

42 (1) A search committee shall be formed that represents the board of regents, the faculty, and  
43 the staff. Faculty members and staff members on the committee shall be members of LCMS  
44 congregations.

45 (2) The search committee shall prepare a description of the needs of the institution based on  
46 listening forums, the findings of the transition review, and other relevant information. Before  
47 publishing a call for nominations, the ~~President of Concordia University System~~ the chair of  
48 the Commission for University Education shall convene an in-person conference involving the  
49 board of regents, the search committee, and the prior approval panel to discuss the qualifications  
50 that will be sought and the search criteria.

51 (3) The search committee shall develop written criteria that will be utilized by the committee  
52 to screen the candidates and will be utilized by the board of regents to guide the presidential  
53 election.



1 (4) A person designated by the board of regents shall act as its agent to issue a request for the  
2 nomination of candidates for the presidency of the institution. The request for nominations shall  
3 be submitted to the parties who are authorized to nominate. Candidates may be nominated by  
4 congregations of the Synod, the ~~Board of Directors of Concordia University System~~  
5 Commission for University Education, the board of regents, and the faculty of the institution.  
6 The request for nominations shall state when the nominating period closes.

7 (5) After the nomination period has closed, the agent of the board of regents shall contact each  
8 nominee to notify him of his nomination and to determine whether such nominee will allow his  
9 name to stand for election. Nominees who wish to be considered must furnish written consent,  
10 along with such documentation as the board of regents has requested from candidates in its call  
11 for nominations, to the agent by a date set by the board of regents, which date shall be not less  
12 than fifteen days after the last nominee is notified.

13 (6) After the due date set by the board of regents for nominee responses, the agent of the board  
14 of regents shall forward the list of nominees who have agreed to let their names stand, together  
15 with all materials received from such candidates, to the ~~President of Concordia University~~  
16 System chair of the Commission for University Education to enable him to convene a prior  
17 approval panel consisting of the President of the Synod, the district president serving on the  
18 institution's board of regents, and ~~the chair of the Board of Concordia University System~~  
19 himself or his designee. The names of the nominees shall not otherwise be disclosed outside  
20 the board of regents.

21 (7) The prior approval panel shall meet to consider the nominees. The panel may choose to  
22 remove names from the list by its two-thirds majority vote. The panel shall complete its work  
23 within sixty (60) days after receipt of the list of nominees.

24 (8) After the prior approval panel has completed its work, the ~~President of Concordia~~  
25 University System chair of the Commission for University Education shall transmit the  
26 finalized list back to the agent of the board of regents within 15 days and shall cause such list  
27 to be published in an official periodical of the Synod. The board of regents shall then announce  
28 the list of names of nominees who have received approval but shall not publicize the names of  
29 those not receiving approval. The announcement shall contain contact information to submit  
30 correspondence regarding the nominees and provide a reasonable deadline for receiving  
31 correspondence. The board of regents shall establish a procedure for processing correspondence  
32 regarding nominees.

33 (c) The board of regents shall utilize the work of the search committee to continue its search  
34 process.

35 (1) The search committee shall provide a report to the board of regents regarding the  
36 qualifications of the candidates with its observations and recommendations.

37 (2) The board of regents shall provide the candidates with a report containing full disclosure  
38 of the condition of the institution.

39 (d) The board of regents may suspend, terminate, or restart its search at any time, but it may only  
40 elect a president of the college or university from a slate it submitted that received prior approval as  
41 described above. The ~~President of Concordia University System~~ chair of the Commission on  
42 University Education (or a designee) shall attend the board of regents meeting at which an election  
43 occurs as a guest and advisor. The board of regents may require the president-elect to accept or  
44 decline within fifteen days.

45 (e) If the president-elect declines the position, the board of regents is responsible for resuming the  
46 effort to fill the vacancy. Candidates from the approved slate shall remain eligible to be elected until  
47 a president has been elected and accepted the position.

## 48 H. TO REVISE BYLAWS RELATED TO THE FACULTY 49 OF AFFILIATED COLLEGES AND UNIVERSITIES

50 In keeping with the charge of 2019 Res. 7-03 to "strengthen all CUS institutions' connection to the Synod" and in  
51 light of other changes made above, minor revisions to bylaws dealing with the college and university faculties are  
52 required. Changes in higher education and in the role of the faculties in the broader work of the Synod have reduced  
53 the degree to which the Bylaws of the Synod should or can direct specifics of what are ordinarily internal personnel

1 matters of colleges and universities. In keeping with the general philosophy of the proposal, detailed specifications  
2 have been eliminated in favor of allowing boards of regents more flexibility while maintaining Synod's specific  
3 interests through the oversight and accreditation process of the Commission for University Education. Therefore be it

4 *Resolved*, that Bylaws 3.10.6.7–3.10.6.7.5.2 be revised as follows:

5 **PRESENT/PROPOSED WORDING**

6 *Concordia University System Synod-Affiliated College and University Faculties*

7 3.10.6.7~~9~~ The faculty of each affiliated college or university ~~of the Synod~~ shall consist of the president, the full-  
8 time faculty and the part-time faculty.

9 (a) Part-time or temporary faculty members are distinguished by an appropriate title.

10 (b) Part-time or temporary faculty members shall hold nonvoting membership on the faculty.

11 (c) Only the voting or full-time faculty who are in good standing as individual members of the  
12 Synod or are members in good standing of a member congregation of the Synod shall participate in  
13 faculty decisions regarding the qualification of graduates or colloquy program participants for  
14 rostered service.

15 3.10.6.7.1 ~~The Concordia University System Board of Directors shall maintain in its policies a list of subject matters~~  
16 ~~that each educational institution must address in its own policies and procedures, to include faculty~~  
17 ~~appointments, employment contracts, contract renewal, contract termination, faculty organization,~~  
18 ~~modified service, sabbaticals, and dispute resolution.~~

19 3.10.6.7~~2~~21 Except as otherwise provided in these bylaws, the board of regents on recommendation of the president  
20 of the institution shall appoint all full-time members of the faculty. The terms and conditions of every  
21 appointment shall be stated in writing and be in the possession of both the institution and the prospective  
22 faculty member before the appointment is consummated. Limitations of academic freedom because of  
23 the religious and confessional nature and aims of the institution shall be stated in writing at the time of  
24 the appointment and conveyed to the person being appointed. Faculty members, full- and part-time, shall  
25 pledge to perform their duties in harmony with the Holy Scriptures as the inspired Word of God, the  
26 Lutheran Confessions, and the Synod's doctrinal statements.

27 3.10.6.7~~3~~32 All initial appointments to persons serving on theology faculties, or teaching classes in or cross-listed  
28 with the theology department, shall require prior approval by a majority vote of the President of the  
29 Synod (or his designee), the chairman of the Council of Presidents (or his designee), and a member of  
30 the ~~Concordia University System~~ Commission for University Education board selected by the chair, and  
31 shall include a thorough theological review. The three voters shall be ordained. The process shall be  
32 facilitated by the ~~president of Concordia University System~~ chair of the Commission for University  
33 Education or his designee. Initial appointment refers to the initial engagement of any person to teach one  
34 or more theology courses, regardless of assigned academic department, other than faculty who teach  
35 theology courses no more than one academic year in any three-year period.

36 3.10.6.7.4 ~~A formal procedure shall be in place to carry out performance reviews for all faculty on a regular basis.~~

37 3.10.6.7.5 ~~Other than honorable retirement, termination of faculty employment may only be the result of the~~  
38 ~~following:~~

39 (a) ~~professional incompetency;~~

40 (b) ~~incapacity for the performance of duty;~~

41 (c) ~~insubordination;~~

42 (d) ~~neglect of or refusal to perform duties of office;~~

43 (e) ~~conduct unbecoming a Christian;~~

44 (f) ~~advocacy of false doctrine (Constitution Art. II) or failure to honor and uphold the doctrinal~~  
45 ~~position of the Synod as defined further in Bylaw 1.6.2 (b);~~

46 (g) ~~discontinuance of an entire program (e.g., social work, business);~~

47 (h) ~~discontinuance of an entire division or department (e.g., modern foreign language) of a college~~  
48 ~~or university;~~

49 (i) ~~reduction of the size of staff in order to maintain financial viability in compliance with policies~~  
50 ~~concerning fiscal viability;~~

51 (j) ~~discontinuance, merger, or consolidation of an entire college or university operation;~~

1 ~~(k) expiration of the term of a contract of employment; and~~

2 ~~(l) for those whose position requires membership in a Synod congregation, if the person ceases to~~  
3 ~~be a member of a Synod congregation.~~

4 3.10.6.79.53.1 A faculty or staff member who is on a roster of the Synod is under the ecclesiastical supervision of  
5 the Synod. In the event a member is removed from membership in the Synod pursuant to procedure  
6 established in these Bylaws, then that member is also considered removed from the position held and  
7 shall be terminated forthwith by the board of regents.

8 3.10.6.79.54.2 ~~An appeal process consistent with the *Model Operating Procedure Manual for Faculty and*~~  
9 ~~*Administration Complaints and Appeal of Termination: Colleges and Universities* (developed by the~~  
10 ~~Commission on Constitutional Matters in consultation with the Concordia University System the~~  
11 ~~Commission for University Education) shall be in place for use by faculty members who wish to~~  
12 ~~challenge a termination decision. Each board of regents shall establish policies for handling doctrine and~~  
13 ~~practice complaints against faculty and staff, which shall be consistent with policies established by the~~  
14 ~~Commission for University Education. Notwithstanding the provisions of any such policy, any person~~  
15 ~~connected with an institution who is a member of Synod shall also remain under the ecclesiastical~~  
16 ~~supervision of the Synod, and nothing in any such CUS institution policy shall be construed to limit or~~  
17 ~~constrain any action that may be taken, or the rights or responsibilities of any party, pursuant to the~~  
18 ~~Synod's *Handbook* with respect to a member of Synod. Each board of regents shall facilitate the~~  
19 ~~Commission for University Education's monitoring of such policies and their implementation.~~

20 And be it further

21 *Resolved*, That Bylaw 3.9.5.1 [8] be revised as follows:

22 PRESENT/PROPOSED WORDING

23 3.9.5.1 The Commission on Theology and Church Relations shall consist of 16 voting and 4 advisory members:

24 *Voting Members:*

25 8. A member from one of the faculties of the affiliated colleges and universities ~~of the~~ currently  
26 accredited by the Synod

28 Originator Board of Directors