

*In the matter  
of  
First Covenant Church, Minneapolis.*

Decision of the Executive Board of the Evangelical Covenant Church regarding  
allegations that First Covenant Church, Minneapolis is out of harmony.

On March 9, 2019, the Executive Board (“Ex. Bd.”) of the Evangelical Covenant Church (“ECC”) considered the allegations that First Covenant Church, Minneapolis (“FCCM”) was out of harmony with the ECC pursuant to Section 4.4 of the ECC’s Bylaws. This matter was initiated by concerns expressed to the Northwest Conference Executive Board (“NWC Ex. Bd.”) that FCCM is out of harmony with the ECC’s position on human sexuality. The NWC Ex. Bd. along with ECC leaders engaged in an extensive process lasting for over four years in an effort to understand FCCM objections with the ECC’s discerned position, FCCM’s actions and to develop an acceptable way forward. That process reached an impasse in 2018 leading the NWC Ex. Bd. to unanimously recommend that a formal out of harmony process be requested. That request was brought before the Ex. Bd. in October 2018 and the Ex. Bd. held that there was a sufficient preliminary basis to conclude that FCCM was out of harmony and that the process should move forward to allow FCCM an opportunity to defend itself before the Ex. Bd. so that the Ex. Bd. could draw an independent conclusion.

Before the specifics are discussed, we believe that it is important to clearly state that all parties to these proceedings, FCCM, NWC Ex. Bd. and Ex. Bd. grieve that we find ourselves where we are. Relationships have been damaged and our witness to the world has been harmed when disagreements within the Church reach this level; however, faithful obedience requires that difficult matters be undertaken in loving concern for all involved. The Ex. Bd.’s areas of inquiry were specifically whether FCCM was out of harmony with the ECC by contravening the ECC in five (5) areas:

1. The ECC’s standard of marriage by eliminating its heterosexual nature;
2. The ECC’s prohibition of clergy officiating and participating at same-sex weddings;
3. The ECC’s requirement that clergy adhere to a personal behavioral standard of celibacy in singleness and faithfulness in heterosexual marriage;
4. The Covenant’s guideline and expectation that a congregation refrain from hosting same-sex weddings and related events; and
5. The determination of the ECC’s Board of Ordered Ministry by locally credentialing a pastor.

**Standard:** The Executive Board independently considered the creditability of the charges without deference to the determination of the NWC Ex. Bd. The process was designed to ensure that FCCM was given a clean slate to be heard and understood and

encouragement to engage with the Ex. Bd. to provide whatever information FCCM believed was relevant to the Ex. Bd.'s consideration. Whenever possible, the process was altered at the request of FCCM so that they could represent their position in the manner of their choosing. That process included both written exchange of material and face-to-face presentation and dialogue.

The Annual Meetings' discerned position on human sexuality can be summarized in the now familiar statement that God's design for human flourishing is celibacy in singleness and faithfulness in heterosexual marriage. Within that discerned position, the ECC holds that there is sufficient room for good ministry.

**Not at Issue:** We believe it is critical to indicate what was not at issue:

1. The Ex. Bd. did not consider the ECC's stance on human sexuality as adopted by the ECC's Annual Meetings. Actions taken at the Annual Meeting are binding on the Ex. Bd.
2. The Ex. Bd. did not consider whether or how many churches or members would consider leaving the ECC depending on its decision in this matter. Regardless of the action taken or not taken by the Ex. Bd., it is highly likely that there will be disagreement on the sensitive issues involved. The Ex. Bd. focused on the specific charges against FCCM, the documents and available testimony.
3. The Ex. Bd. also did not engage in hypothetical future cases where congregations may be alleged to be out of harmony on any other discerned positions of the Annual meeting. We dealt only with the matter at hand.
4. Finally, this matter was not an assessment of the quantity or quality of FCCM's ministry.

**Facts:** There was no material dispute as to the relevant facts. FCCM has taken a position that would commonly be characterized as open and affirming in the area of human sexuality due, in part, to FCCM's determination, that such a stance is needed to serve their constituency well and their disagreement on the merits with the Annual Meetings' discerned position. Frankly, FCCM would contend that the ECC is in error in its stance on human sexuality and argue for a church-by-church determination.

FCCM also contends that its actions should not be considered out of harmony for two distinct reasons. First, FCCM argues that human sexuality is not a salvific issue and as such, the ECC's pietistic, non-creedal traditions would allow for variations among ECC churches. Second, FCCM contends that its actions have not "crossed the line" of being out of harmony. Often, such arguments are highly fact-specific. For example, a same-sex wedding discussed by FCCM representatives was held off-site of the Church grounds itself and performed by a non-credentialed FCCM staff member. Therefore, technically, the wedding was not hosted or supported by FCCM by use of its facilities.

After considering all of the available documents, prayerfully considering all of the testimony by FCCM representatives and after a full discussion within the Ex. Bd., the following can be clearly established:

1. FCCM's policy known as "Love All", available publically on its website, does not limit marriage to heterosexual marriage.
2. FCCM policy allows same-sex marriage.
3. FCCM will allow, if requested, a same sex wedding although to date, no such ceremony has taken place on FCCM property, but has taken place off-site.
4. On at least one occasion, a non-credentialed FCCM staff member officiated at a same-sex wedding.
5. FCCM policy allows FCCM clergy to be in a committed same-sex marriage although to date, no FCCM clergy is in a same-sex marriage.
6. FCCM granted a local ministerial license to an individual after the individual came under the care and discipline of the Board of Ordered Ministry.

**Standard:** The ECC's bylaws do not provide a definition of out of harmony, but leave it up to the discernment of the Conference, Ex. Bd., and ultimately the Annual Meeting to determine what constitutes a church being out of harmony. The ECC Bylaws simply do not provide such a definition, but trust to a lengthy process involving many individuals to discern the way forward. By God's favor, the ECC has never held an out of harmony proceeding; however, the Bylaws clearly contemplated such a process even with the ECC's non-creedal, pietistic tradition. It is tempting to try to discern the intent of the original drafters who used the phrase "out of harmony" when it was originally written into the Bylaws over six decades ago. Such an endeavor, however, provides a false hope. First, what the intent of the drafter of the phrase was is impossible to determine, much less apply, to the issues at hand. It is not a stretch to conclude that the current societal struggles over human sexuality were not contemplated at the time. Second, the true "framers" of the Bylaws would be the many delegates at the Annual Meeting that adopted the language. With any group of people agreeing upon language, what each one of them intended it to mean would be impossible to determine even assuming they were all available to ask which they clearly are not. Likely, the delegates would all have slightly different shades of meaning. Finally and most critically, those drafters and delegates decided not to define the term "out of harmony", but left it to the discernment of others in the future with real disagreements among real good meaning individuals and real facts to determine what out of harmony would mean. The ECC is, in one real sense, a voluntary association of churches. Any voluntary association must, by definition, require the consent of both parties. The ECC should not be able to require that a specific congregation remain within the ECC if it properly decides to leave and a specific congregation should not be able to require that the ECC retain it within regardless of its actions. We have agreed through the ECC Constitution and Bylaws on how to resolve these situations in advance. That is the point where the Ex. Bd. currently finds itself. We cannot, in good faith, defer the responsibility to determine what out of

harmony means by following any specific individual's definition or memory, but will rely upon this process.

With that standard, we do not collectively discern that, as was argued, only salvific issues can form the basis of an out of harmony proceedings. Certainly, issues clearly involving salvation receive the greatest protection of the Church, but such issues are not exclusive. The Bylaws could easily have limited out of harmony proceedings to only salvific issues, but did not. If the Annual Meeting has taken a collectively discerned position on any issue, such issue can form the basis for an out of harmony action; otherwise, decisions of the Annual Meeting do not constitute the final decision of the ECC. We would, in fact, be turning the entire process on its head to hold that a local congregation could overrule the Annual Meeting. We determine that the Annual Meeting has taken such a position concerning human sexuality. In addition, an out of harmony proceeding does not require a specific physical action. Policy or declared specific intent can be sufficient, but intent should not be inferred or assumed because of the risk of misunderstanding. However, FCCM was forthcoming in its intent. As one example, the FCCM chair specifically and affirmatively stated, in writing, that FCCM would allow same sex weddings and that LGBTQ+ persons do not have a celibacy requirement more stringent than for heterosexuals. It is important to emphasize that harmony does not prevent among other things (1) ministry to the LGBTQ+ population within the ECC position; (2) acknowledgement of the Church's shortcomings to LGBTQ+ persons; and (3) advocacy for changing any position of the Annual Meeting within the process provided by the ECC Constitution or Bylaws. However, we find no requirement that a conference wait to start an out of harmony proceeding until after some specific affirmative act. If such a specific act would be required, however, FCCM has clearly already taken such steps. It is an affirmative action to locally license an individual in contravention of the Board of Ordered Ministry. It is an affirmative action to allow a locally licensed clergy to officiate a same sex wedding. It is an affirmative action to adopt changes to the congregation's constitution and bylaws removing any requirement to be in harmony with the ECC. It is an affirmative act to publish and promote a guiding statement in opposition to the Annual Meetings' discerned position.

**Conclusion:** After reviewing all of the information available to it and prayerfully considering our duty, the Ex. Bd. finds that FCCM is out of harmony with the ECC as provided in Article 4 of the ECC Bylaws.

**Next Step:** Although the Bylaws provide that the Ex. Bd. "may" attempt to bring a congregation back into harmony before bringing the matter to the Annual Meeting, we believe, in this instance, that we must, in good faith, dialogue with FCCM to attempt to bring them back into harmony. If such process is not fruitful in restoring harmony with FCCM, the matter will be brought to the Annual Meeting for final consideration. Toward that end, we would like to accept the invitation of FCCM to attend worship service and to meet leaders to explore how we might be able to restore FCCM within the

ECC framework. Members of the Ex. Bd. Task Force are available to meet the weekend of April 13-14 or 27-28, 2019. Please let us know what would work for you.

For the Executive Board:

A handwritten signature in black ink that reads "Jenell Pluim". The signature is written in a cursive style with a large, looping initial "J".

Jenell Pluim  
Chair

00825929.DOCX