

February 14, 2020

We write on behalf of the Administrative Commission formed by the 223rd General Assembly to address allegations of disorder in the Synod of the Covenant, which has engaged in a special administrative review of various aspects of the history and operations of the Synod of the Covenant and its relationship with its presbyteries and others within its boundaries. The AC has conducted individual listening sessions and held a hearing regarding actions under consideration. The AC now has made several decisions and taken action as a result of its review. This message is to communicate the AC's recent actions.

Prior to its hearing the AC has met with most of the senior leadership of the Synod, both individually and collectively as the Moderators' Committee. The AC reached out to and heard from interested persons within the Synod (current and former Commissioners, leaders, and executive staff) and its constituent Presbyteries. The AC conducted oral interviews and also received written comments. It also attended the Synod Annual Meeting in November 2019.

The AC has reviewed several thousand pages of documents. Materials were provided to the AC for its review by the Synod, Presbyteries, and individuals, and included the Synod bylaws, its Manual of Operations, the Synod Assembly minutes, minutes of the Moderators' Committee and of some other committees of the Synod, and internal and external correspondence and emails. The AC also examined the Synod website.

In its proceedings the AC has been guided by "*Seeking to Be Faithful Together*," a document adopted by the 204th General Assembly in 1992 and which serves as a resource for Presbyterians in times of disagreement. The AC commends this document to the Synod and its constituencies as they collectively move forward towards reconciliation and healing. A central aspect of *Seeking to Be Faithful Together* is for the parties to seek to stay in community with each other, even in the presence of tension and strongly held disagreements. This end – which must be held by all parties -- is pursued through mutual respect and trust, and an openness to listening to each other seriously and with a focus on ideas and suggestions.

Based on its review, the AC's findings are:

- Disharmony within the Synod is systemic and long-standing;
- The Synod and its presbyteries hold widely differing and inconsistent perspectives on their relationship and respective roles in common areas of ministry;
- There is a lack of clear, ample, honest, and loving communications;
- Relationships are strained;
- Work styles often clash;
- Policies and procedures are not widely accessible or understood and are unevenly applied;
- Affected parties do not share a common sense of purpose or vision;
- Divisions exist around deeply held organizational values and there is a lack of mutual trust; and

- The parties in conflict have largely disengaged from each other; while this has reduced overt discord, it does not reflect the notion of healthy engagement of all members of the body of Christ.

The Administrative Commission conducted a hearing at which those impacted were given opportunity to speak in an open forum on February 12, 2020. They were invited to address three potential actions under consideration by the AC:

1. The AC engages a Professional Mediator “*to promote reconciliation, healing, and restored unity between synod and its presbyteries.*”
2. The “*AC assumes original jurisdiction of the Synod as deemed necessary by the commission.*”
3. The AC “*recommends revisions to Synod procedures and institutes changes that are necessary to ensure fulfillment of the PC(USA) principles of participation and representation as outlined in F- 1.0403 and G-3.0103.*”

We give thanks for all those who have participated in this process. The AC has also considered and inquired of interested parties regarding pathways to reconciliation, especially with the principles of *Seeking to Be Faithful Together* in mind. The AC examined several past instances in which efforts at reconciliation were unsuccessful in attempts to resolve disputes and grievances within the Synod. Those incidents made clear to the AC the need for broad education and reform and for comprehensive and systematic assessment of common goals and building of trusting relationships. In its current configuration, restoration and reconciliation are not possible.

Our discernment includes ceaseless prayers and reflection on scriptural texts, in particular Jeremiah 18:1-6 and 2 Corinthians 5:11-20.

The Administrative Commission has taken specific actions and made these decisions at its meeting on February 12 and 13:

1. The Administrative Commission has voted to assume original jurisdiction of the Synod of the Covenant. Therefore, the AC becomes the Synod Assembly replacing the existing commissioners and officers.
2. New officers have been elected and a corporate resolution has registered newly elected officers of the Synod of the Covenant. New Synod committees and moderators are also being elected from among the AC membership, acting as the newly configured Synod of the Covenant.
3. The newly formed Synod will engage a professional mediation consultant in the coming weeks to guide those impacted by the disorder toward healing and reconciliation in order to restore communion.
4. Staff members’ service to the Synod of the Covenant has concluded. The AC, acting as the Synod of the Covenant has agreed to offer reasonable severance packages.
5. The Synod will continue to provide for judicial process and administrative review of the presbyteries. Programs and operations are temporarily suspended for a period of 6 months, through August 2020. That includes but is not limited to scheduled Synod assemblies for March, August and November 2020; and Mission to the USA, Mobile

Health Fair, Grants and Scholarships, Cabinet on Ethnic Church Affairs (but not the caucuses that support People of Color and Indigenous People).

6. A meeting schedule of the newly constituted Synod Assembly will be published with a goal of transparency and welcome to all who desire unity of spirit and reconciliation.
7. Broad communications processes will be established to keep you all informed as we make progress toward communion.

We see this original jurisdiction as a temporary measure and desire that through healthy reconciliation, and operational stability, the Synod of the Covenant may become what God desires it to be. The AC did not take these steps lightly or easily. We will proceed carefully toward restoring governance of the Synod back to those who will lead into the future, whatever God ordains that to be.

May God bless all who labor with love for God's kingdom,

Patrice Hatley and Brady Radford

Co-Moderators of the Administrative Commission for the Synod of the Covenant

New Mailing Address: Synod of the Covenant, P.O. Box 2751, Toledo, OH 43606
email address is ac.covenant@pcusa.org)

March 9, 2020

The peace of Jesus Christ be with you all. And may you all be well and safe in this uncertain season of distress over spreading illness. We offer this passage of scripture you surely know well, as a reminder of God's power and desire for us to be reconciled to God and to each other: 2 Corinthians 5:17-19 ¹⁷So if anyone is in Christ, there is a new creation: everything old has passed away; see, everything has become new! ¹⁸All this is from God, who reconciled us to himself through Christ, and has given us the ministry of reconciliation; ¹⁹that is, in Christ God was reconciling the world to himself, ^[a] not counting their trespasses against them, and entrusting the message of reconciliation to us." This is our blessed assurance and God's instruction to us.

This message is intended to bring you up to date on the status of the work of the Administrative Commission (AC). Once the Commission assumed Original Jurisdiction of the Synod of the Covenant, it effectively became the Assembly and has replaced all others previously elected to serve as the Synod Assembly, also replacing officers. The exception to this is the Synod Permanent Judicial Commission members who have been previously elected remain in place, and will be called upon as needed, by new Stated Clerk Richard Rojas. The Commission seeks to restore jurisdiction as soon as it observes readiness of the Synod's system to operate and be able to function and be self-managing. Restoration of jurisdiction is likely to involve re-election of commissioners from presbyteries as well as officers.

Newly elected officers of the Synod of the Covenant are: Stated Clerk, Corporate Secretary and Vice-Treasurer Reverend Richard Rojas; President and Chair of the Board of Trustees Ruling Elder Ben McConaughy; Vice President Ruling Elder Michelle Johnson; Treasurer Reverend Brady Radford; Moderator Ruling Elder Patrice Hatley; Vice Moderator Reverend Adel Malek. Reverend Sue Krummel is serving as moderator of the Personnel Services Committee, with Michelle Johnson and Brady Radford also serving on the committee.

The new Synod Assembly Personnel Services Committee has received applications from persons seeking to serve the Synod of the Covenant as Transitional Synod Executive. The position description is included as an attachment to this message and was advertised in Association of Mid-Council Leaders Matters Google Group. We anticipate a person will be able to start soon.

He/she will oversee contracting with a professional mediator to begin the process of reconciliation. It will be very important to invite all within the synod system that may benefit from participating in mediation and reconciliation efforts, so we ask for your help in communication with those who may no longer be engaged in the synod operations. Their voices need to be heard. We need to know how to make contact with them.

The Presbytery minutes reviews with Presbytery Stated Clerks will take place on May 4-5 as previously planned. More on that will be sent directly by Richard Rojas to Stated Clerks of the Presbyteries.

Caucuses of Persons of Color and Indigenous Persons are encouraged to continue their ministries, as usual; however gatherings of the Synod Council on Ethnic Church Affairs are temporarily on hold. The AC respects the fact that caucuses received funding approvals at the November 2019 Assembly meeting, and will honor that commitment. The transitional synod executive will establish and communicate a process for access to the approved funding.

Synod Assembly November 2019 approval of two overtures to 224th General Assembly OVT-009 and OVT-010, has been reported to PC Biz by the former Synod Stated Clerk, and are in the system. OGA staff is helping the AC determine whether an advocate was also reported.

Most programming is suspended through August 2020 in order to facilitate development of a shared sense of mission and ministry across the Synod and to begin to mediate reconciliation and a new sense of communion within the Synod. Structures, processes, and programs will follow and be in alignment with the new mission of the synod, and the resulting reconciliation.

Presbyteries are encouraged to continue per capita and shared mission contributions to the synod and GA, as they normally would. We acknowledge some of your checks have not yet been deposited, but expect that will happen very soon. The mail and banking and accounting processes had to be worked out. We are thankful that the nearby staff Presbytery of Maumee Valley has agreed to help out while we make staff and process changes in the Synod office.

The Synod retreat scheduled for March 2020 is canceled and the Weber Retreat Center has been notified of the cancellation. The \$150 deposit was not refundable.

Mobile Health Fair is suspended this summer. The inoperable vehicle will be sold or donated. No decision has yet been made regarding the future of the MHF, so donations that have been received and designated to purchase a new vehicle will be retained in restricted account until a decision can be made.

The Mission to the USA minister group travel to the Balkans in September is canceled. The October/November MUSA program of visits to the US is on hold until a decision can be made whether to proceed.

Synod Grants and scholarship applications are temporarily suspended through August. If there are approvals required from Synod leadership in order to apply for non-Synod grants, please do send those to ac.covenant@pcusa.org for now. We have passed a presbytery grant request for 1001 NWC seed grant along to PMA within the established timeframes. When a transitional executive is in place, those requests will go to that person.

The Synod website and other social media are being updated to reflect current actions and bring content up to date. You may notice temporary disruption to the website functions as we work through those details. For now, use the ac.covenant@pcusa.org for emails to the synod while we await

resolution to the email system for the synod office. A U.S. Post Office Box address has been opened to receive paper mail. Please use this address for all mail to the synod:

Synod of the Covenant, P.O. Box 2751, Toledo, OH 43606

Synod of the Covenant Frequently Asked Questions (FAQ)

- 1. What decision has the Administrative Commission made?** The Administrative Commission has determined that there is systemic disorder in the operation of the Synod, and that the Synod is not capable under its current configuration to achieve reconciliation. As a result, the Administrative Commission has assumed jurisdiction of the Synod of the Covenant. A formal announcement of the Administrative Commission's actions can be found here: <https://www.pcusa.org/news/2020/2/14/administrative-commission-general-assembly-takes-n/>.
- 2. What does it mean that the Administrative Commission has assumed jurisdiction of the Synod?** Under the Presbyterian Church's system of government, it means that the Administrative Commission has taken over the functioning of the Synod and is operating as the governing body for the Synod of the Covenant. The Administrative Commission acts as the Assembly of the Synod. All former officers of the Synod have been removed and replaced.
- 3. What right does the Administrative Commission have to make decisions instead of the Synod?** Administrative Commissions are part of the connectional life of our church. The Presbyterian Church (USA)'s Book of Order provides for the creation and functioning of administrative commissions. G-3.0109. Specifically, functions "that may be entrusted to [an] administrative commission[]" include . . . visiting particular councils . . . reported to be affected with disorder, and inquiring into and settling the difficulties therein . . ." An advisory opinion that describes the functioning and authority of an administrative commission can be found here: https://www.pcusa.org/site_media/media/uploads/oga/pdf/advisory-opinion03.pdf.
- 4. What about my service as a commissioner or on the committees on which I serve?** As noted above, the Administrative Commission has stepped into the shoes of the Assembly of the Synod of the Covenant, including that of the commissioners and committees. The Administrative Commission views this as a temporary, but important, step. As the work of reconciliation and healing takes shape, jurisdiction may be returned to persons in the bounds of the synod. Presbyteries will be asked to elect new commissioners to the Synod (and may include eligible persons who have already served). *The Synod Permanent Judicial Commission remains in place as previously elected, now supported by a newly elected Stated Clerk.*
- 5. What will happen to the Synod employees?** The service of the Synod staff has been concluded and they have been offered severance packages as appropriate. The new Personnel Services Committee is working on locating new persons to fill certain positions.
- 6. What about upcoming Synod assembly meetings?** For the time being, the Administrative Commission acting as Synod of the Covenant has suspended most operations of the Synod of the Covenant. This includes the next two meetings of the assembly, including the meeting in March, 2020. We will resume meetings as soon as practicable.
- 7. What about other Synod activities?** As stated, the Administrative Commission has suspended all programming and activities of the Synod.

8. **When will the Synod become functioning again?** The Administrative Commission will work as expeditiously as possible to establish transitional leadership and resume operations of the Synod. However, the Administrative Commission believes that it will require considerable work on the part of all concerned to undertake reconciliation and healing and to address the systemic disorder which has characterized the Synod for a significant period of time.
9. **What are the steps that the Administrative Commission expects to take to restore the functioning of the Synod?** The Administrative Commission expects to engage the services of a faith-based professional mediation firm to assist the Synod in discernment, reconciliation, conflict management, and mission study. Once the work of reconciliation is underway, it will be appropriate to work to confirm a new Spirit-inspired mission and ministry, followed by alignment of structure and programming.
10. **How do I reach the Commission?**
The Administrative Commission, acting as the Synod Assembly, may be reached via email: ac.covenant@pcusa.org. The synod's mailing address is now:
Synod of the Covenant, P.O. Box 2751, Toledo, OH 43606

Synod of the Covenant

Position Description: Transitional Synod Executive

Purpose

The Transitional Synod Executive will provide interim leadership of the Synod of the Covenant, focusing first on acknowledging the trauma resulting from years of systemic conflict and disharmony; establishing a safe environment in which all are welcome, and on stabilizing Synod operations. This position will apply proven transitional ministry approaches to leading change in the Synod. This position will focus on being the primary steward of health within the system.

This position will work primarily with the Administrative Commission for Synod of the Covenant and the leadership of the constituent Presbyteries, and Synod Assembly committee chairs on fulfilling its responsibilities by;

- Working with a professional mediation consultant in application of proven reconciliation approaches;
- Facilitating the identification of shared values and sense of purpose across the Synod;
- Facilitating the development of a covenantal agreement between Synod and constituent Presbytery leadership;
- Recommending a new or modified Synod structure and purpose to the Assembly, and possibly to the 225th General Assembly;
- Establishing new standards of timely communication throughout the Synod. Utilizing best practices to ensure access to information;
- Recommending the election of new commissioners, and officers of the Synod.
- Updating Synod policies and procedures to reflect new structure and purpose;
- Determine appropriate and desired relationship of Synod programs including Racial Ethnic Caucuses, Mission to the USA, Mobile Health Fair, and Synod grants;
- Re-establishing operating budget in alignment with restructured Synod operations;
- Providing broad access to training on critical processes, procedures and operations manuals.

Relationships

The Transitional Synod Executive will be accountable to the Synod through the Administrative Commission for the Synod of the Covenant (aka Synod Assembly). He or she will:

- Coordinate with the Synod Assembly to adjust the scope of this position when the ministry of the Gospel imperatively demands it;
- Participate in denominational relationships with others in Mid-Council leadership;
- Serve on the Synod Assembly ex officio with voice and no vote;
- Develop meaningful and trusting relationships, especially with executive staffs of constituent Presbyteries and chairs of Synod committees and caucuses. These connections will be an essential position responsibility.

Resources

The Synod will provide access to a computer system and phone, and office space. Participation in conferences deemed pertinent to the position will also be supported by the Presbytery, along with access to knowledge bases and resources relevant to the role.

Essential Skills and Experiences

- Strong understanding and articulation of Book of Order Constitutional relationships between Synods and constituent Presbyteries, and practical experience navigating mid-council leadership responsibilities.
- Demonstrated ability to lead ecclesiastical, structural and cultural change that lead to positive outcomes.
- Ability to develop interpersonal relationships with those who have wide-ranging perspectives. Collaborates and consults with others. Acknowledges another's ability to lead. Can see things from others' points of view. Is a non-anxious presence in the midst of intense conflict situations.
- Able to sort the 'essential few from the trivial many' and can manage own time accordingly.
- Distinguished leader in managing all levels of conflict intensity. Knowledgeable and skilled in the application of 'Seeking to Be Faithful Together: Guidelines for Presbyterians During Times of Disagreement'.
- Uses transformative words and temperate language wisely. Approachable.
- Maintains confidentiality and neutrality where appropriate and avoids triangulation.
- Must be a member in good standing of the Presbyterian Church (USA), either a Minister of the Word and Sacrament or Ruling Elder.
- Exhibits generous listening, patience, humility and pastoral presence in the face of difficulties.
- Maintains healthy boundaries.
- Is well networked among mid-council leadership across the PC(USA)
- Exhibit tenacity, grace, and flexibility when faced with unanticipated or complex challenges.
- Create scenarios and contingency plans for options or alternative approaches.
- Self-differentiated person who can navigate ambiguous or unclear territory with grace and agility.

Compensation and Call

This position will meet or exceed the Synod minimum compensation for an exempt full-time call. This position is expected to be for up to 2 year term, and may be extended as determined by the Synod Assembly. The position will be filled by the Synod Assembly upon recommendation of the Synod Personnel Services Committee.

Evaluation

Performance reviews will be conducted annually by the Personnel Committee, in consultation with Synod Assembly leadership and Presbytery Executive Staff.

Approved by the Synod of the Covenant

February 21, 2020

The Administrative Commission formed by the 223rd General Assembly to address disorder in the Synod of the Covenant (the “Administrative Commission” or “Commission”) makes this report and recommendation to the 224th General Assembly.

The Administrative Commission recommends extension of its work though the 225th General Assembly and that the General Assembly approve funding for Administrative Commission member travel during 2021 and 2022 as follows: 4 trips for 8 commissioners for 3 days per trip. Remaining 2020 budget is adequate and additional cost will be shared by the Synod of the Covenant.

The mandate of the Commission was set forth in the following Alternative Resolution of the 223rd General Assembly (2018):

That the 223rd General Assembly (2018) of the Presbyterian Church (U.S.A.) form an administrative commission to address disorder in the Synod of the Covenant as provided in G-3.0109(b)(5) and in accordance with Standing Rule K.2.(a). The commission shall consist of not fewer than seven (7) persons appointed by the Co-Moderators and shall:

1. Honor the principles of *Seeking to Be Faithful Together* with the intent to restore trust and mutuality between the synod and its staff with its constituent presbyteries and their staff and elected leadership. All will:
 - a. Treat each other respectfully so as to build trust, believing that all desire to be faithful to Jesus Christ.
 - b. Share concerns directly with individuals or groups with whom there are disagreements in a spirit of love and respect in keeping with Jesus’ teachings.
 - c. Seek to stay in community though the discussion may be vigorous and full of tension.
2. Conduct a Special Administrative Review (G-3.0108(b)) for the purpose of inquiring into and settling allegations of disorder:
 - a. To review and recommend revisions to synod procedures, to institute changes that are necessary to ensure the fulfillment of the PC(USA) principles of participation and representation as outlined in F-1.0403 and G-3.0103. This will include but is not limited to a review of records, bylaws, procedures, policies, and manuals of the synod.
 - b. To assure effective consultation with the synod committees and commissioners, synod staff, racial ethnic caucuses, Presbyterian Women, presbyteries, presbytery executives, and others as it may determine helpful to its tasks.
 - c. To assure adequate support for the ministry and mission of its presbyteries as they seek to support the witness of congregations (G-3.0401).
 - d. To assure adequate communication with and among its presbyteries, G-3.0401(a), through commissioners to synod, presbytery leadership, staff, and others as it may determine helpful to its task.
 - e. To assure pastoral care among its presbyteries in order that the synod may live in the unity represented in the Sacraments, G-3.0401(b).
 - f. To address conflicts in a pastoral manner that promotes reconciliation, healing, and restores unity between synod and its presbyteries using professional mediation services if necessary. They may use processes of D-1.0103 Conciliate and Mediate as needed.
 - g. To assume original jurisdiction if deemed necessary by the commission.
 - h. To have full authority to enforce the findings and recommendations with due process, granting fair notice and an opportunity to be heard by all parties.

This commission shall report to the 224th General Assembly (2020).

Rationale:

Having found significant systemic dysfunction with no apparent ability to resolve or mediate conflicts within the system, the Commission assumed Original Jurisdiction of the Synod of the Covenant on February 12, 2020 and set in motion several other actions in order to restore order and seek reconciliation. The work is likely to take several years to complete.

The Commission began its work on March 25, 2019. The Commission conducted a special administrative review of the history and operations of the Synod of the Covenant and its relationship with its presbyteries and others within its boundaries. The Commission reached out to and heard from interested persons and stakeholders (including current and former Commissioners, committee and caucus leaders, and executive staff and its constituent Presbytery staffs). The Office of General Assembly (“OGA”) established an email address ac.covenant@pcusa.org to which correspondence and documentation could be sent. OGA arranged for a shared folder to store records of the work of the Commission along with documentation received by the Commission. The Commission met with senior leadership of the Synod, both individually and collectively as the Moderators’ Committee of the Synod. The Commission repeatedly reminded everyone of the mandate assigned to the Commission by the 223rd General Assembly in the Alternate Resolution and of the authority granted to the Commission. More information regarding administrative commissions and their authority can be found in the following advisory opinion: https://www.pcusa.org/site_media/media/uploads/oga/pdf/advisory-opinion03.pdf. That opinion provides that General Assembly may entrust an administrative commission to “[v]isit particular councils . . . over which they have immediate jurisdiction reported to be affected with disorder, and inquir[e] into and settl[e] the difficulties therein . . .”

The Commission conducted individual listening sessions in Columbus, Ohio on July 29-31, 2019 and in Baltimore on October 21, 2019. The Commission was invited to and attended a gathering of the Synod Moderators’ Committee held on October 31, 2019 at the Synod of the Covenant offices. The Commission attended the Synod’s Annual Assembly on November 1-2, 2019. The Commission’s Co-Moderators addressed the Assembly and provided a handout which reminded all of the Commission’s GA mandate and constitutional authority. The handout was included as part of the Assembly meeting records. The Co-Moderators invited anyone who wanted to be heard to respond to the email address. The Commission met via video conference with the Synod Executive Forum on November 8, 2019 to hear from presbytery executive staff.

The Commission reviewed several thousand pages of documents. Materials were provided to the Commission for its review by the Synod, Presbyteries, and individuals, and included the Synod bylaws, its Manual of Operations, the Synod Assembly minutes, minutes of the Moderators’ Committee and of some other committees of the Synod, and internal and external correspondence and emails. The Commission examined the materials provided to the 223rd General Assembly in support of

an overture by the Presbytery of Cincinnati. The Commission examined the Synod website (<http://synodofthecovenant.org>) and its social media platforms on Facebook and Twitter.

In its proceedings the Commission has been guided by “*Seeking to Be Faithful Together*,” a process document adopted by the 204th General Assembly in 1992 and which serves as a resource for Presbyterians in times of disagreement (Appendix A). The Commission commended this document to the Synod and its constituencies, multiple times, as they collectively moved forward towards reconciliation and healing. A central aspect of *Seeking to Be Faithful Together* is for the parties to seek to stay in community with each other, even in the presence of tension and strongly held disagreements. This end – which must be held by all parties -- is pursued through mutual respect and trust, and an openness to listening to each other seriously and with a focus on ideas and suggestions. The Commission asked all individuals that wanted to be heard to agree to abide by the principles in “*Seeking to Be Faithful Together*.”

The Alternate Resolution granted the Commission “*full authority to enforce its findings and recommendations with due process, granting fair notice and an opportunity to be heard by all parties.*” On January 17, 2020, the Administrative Commission issued a notice of a hearing to be held on February 12, 2020 (Appendix B). The notice set forth the Commission’s preliminary findings, and provided interested and affected persons the opportunity to be heard on the possible actions to be taken by the Commission, including:

1. The AC engages a Professional Mediator “*to promote reconciliation, healing, and restored unity between synod and its presbyteries.*”
2. The “*AC assumes original jurisdiction of the Synod as deemed necessary by the commission.*”
3. The AC “*recommends revisions to Synod procedures and institutes changes that are necessary to ensure fulfillment of the PC(USA) principles of participation and representation as outlined in F-1.0403 and G-3.0103.*”

(the language in italics is drawn from the Alternative Resolution.)

The February 12, 2020 hearing in Toledo Ohio was attended by twenty-four people in person, plus four people via video conference. All eight Commission members attended and were supported by two OGA staff members. Fourteen persons spoke in favor or against one or more actions being considered. The possible action of mediation drew favorable responses from all who spoke to it, with two conditioned responses relating to identification of the scope of the mediation and also the need for a mediator’s experience in racially diverse situations. The possible action of the Commission assuming original jurisdiction drew favorable responses from all but two speakers. The Synod Executive spoke in favor of the assumption of original jurisdiction. Two spoke against this action; one expressed the view that the Synod is improving its operations and the other pointed to the difficult experience surrounding Synod’s assumption of original jurisdiction of Mackinac Presbytery. The third action being considered related to process/procedure changes to improve participation and representation. Most who spoke favored this action; one spoke against it, citing the racial ethnic make-up of Synod Commissioners and Synod programs which impact diversity, such as the Mobile Health Fair and Mission to the USA. The hearing concluded with prayer and a reading of the entire 223rd GA Alternate Resolution.

Following the hearing, and based on the hearing and the entirety of its special administrative review, the Administrative Commission made the following findings:

- Disharmony within the Synod is systemic and long-standing;
- The Synod and its presbyteries hold widely differing and inconsistent perspectives on their relationship and respective roles in common areas of ministry;
- There is a lack of clear, ample, honest, and loving communications;
- Relationships are strained;
- Work styles often clash;
- Policies and procedures are not widely accessible or understood and are unevenly applied;
- Affected parties do not share a common sense of purpose or vision;
- Divisions exist around deeply held organizational values and there is a lack of mutual trust; and
- The parties in conflict have largely disengaged from each other; while this has reduced overt discord, it does not reflect the notion of healthy engagement of all members of the body of Christ.

These conclusions are not based on a weighing and conclusion of evidence and determination of “truth.” Rather, they consist of our observations of conflict and the inability of the respective constituencies to resolve the conflict. More detail regarding these findings can be found in Appendix C. The Commission also considered and inquired of stakeholders regarding pathways to reconciliation, especially with the principles of *Seeking to Be Faithful Together* in mind. The Commission examined several past instances in which efforts at reconciliation were unsuccessful in attempts to resolve disputes and grievances within the Synod. Those incidents made clear to the Commission the need for broad education and reform and for comprehensive and systematic assessment of common goals and building of trusting relationships. The Commission concluded that in its current configuration, restoration and reconciliation were not possible.

Based on its findings and its conclusion that restoration and reconciliation were not possible within the Synod’s current configuration, the Administrative Commission took the following specific actions at its meeting on February 12 and 13, 2020:

1. The Administrative Commission assumed original jurisdiction of the Synod of the Covenant. Therefore, the Administrative Commission became the Synod Assembly and removed the existing commissioners and officers.
2. New officers were elected by the Administrative Commission and a corporate resolution approved newly elected officers of the Synod of the Covenant. New Synod committees and moderators were also elected from among the Commission membership, acting as the newly configured Synod of the Covenant.
3. The Administrative Commission acting as the Synod of the Covenant will engage a professional mediation consultant in the near future to guide those impacted by the disorder toward healing and reconciliation in order to restore communion. The reconciliation process will likely be lengthy and extensive.
4. Staff members' service to the Synod of the Covenant has concluded. The Commission, acting as the Synod of the Covenant has agreed to offer reasonable severance packages.
5. The Synod continues to provide for judicial process and administrative review of the presbyteries. Programs and operations are temporarily suspended for a period of 6 months, through August 2020. That includes but is not limited to scheduled Synod assemblies for March, August and November 2020; and Mission to the USA, Mobile Health Fair, Grants and Scholarships, Cabinet on Ethnic Church Affairs (but not the caucuses that support People of Color and Indigenous People).
6. A meeting schedule of the newly constituted Synod Assembly will be published with a goal of transparency and welcome to all who desire unity of spirit and reconciliation.
7. Broad communications processes will be established to keep stakeholders informed as progress is made toward communion.

The Administrative Commission did not take these steps lightly or easily. The Commission regards original jurisdiction as a temporary measure and desire that through healthy reconciliation, and operational stability, the Synod of the Covenant may become what God desires it to be. The Commission will proceed carefully toward restoring governance of the Synod back to those who will lead into the future, whatever God ordains that to be. The Commission is also in the process of seeking to engage a Transitional Synod Executive with particular skills and experience. The Transitional Synod Executive will provide interim leadership of the Synod of the Covenant, focusing first on acknowledging the trauma resulting from years of systemic conflict and disharmony; establishing a safe environment in which all are welcome, and on stabilizing Synod operations. This position will apply proven transitional ministry approaches to leading change in the Synod. This position will focus on being the primary steward of health within the system. The Commission, acting as the Synod Assembly, has elected a Stated Clerk.

The Commission will work with the Transitional Synod Executive to help the people of the Synod discover and discern its future purpose and mission, so that a new synod structure may be applied and be in alignment with the new purpose. The Commission envisions it will be prepared to return jurisdiction of synod operations to the people of the Synod of the Covenant by late 2020 or early 2021, while the work of reconciliation is underway and stability of the system and its processes gets underway, and once the system demonstrates a new ability to resolve conflicts and apply its processes. Once jurisdiction is returned to a newly constructed Synod, the Commission will continue to consult and monitor progress to true reconciliation and restoration.

The Commission is grateful for all those who have participated in this process. Commission discernment in this process has included ceaseless prayers and reflection on scriptural texts, in particular Jeremiah 18:1-6 and 2 Corinthians 5:11-20. The Commission began its work in March 2019 with inclusion of the Belhar Confession as a critical part of our worship, devotional study and prayers. That intentional focus on the new confession which centers our church's focus on the importance of unity, reconciliation and justice was a continual guide to the work of the Commission. "Thirty Days with the Belhar Confession" became the devotional guide, providing scriptural and prayerful foundations to our efforts.

Seeking to be Faithful Together: **Guidelines for Presbyterians During Times of Disagreement**

In a spirit of trust and love, we promise we will...

<p>Give them a hearing... listen before we answer</p> <p><i>John 7:51 and Proverbs 18:13</i></p>	<p>1 Treat each other respectfully so as to build trust, believing that we all desire to be faithful to Jesus the Christ;</p> <ul style="list-style-type: none"> – we will keep our conversations and communications open for candid and forthright exchange, – we will not ask questions or make statements in a way which will intimidate or judge others. <p>2 Learn about various positions on the topic of disagreement.</p> <p>3 State what we think we heard and ask for clarification before responding, in an effort to be sure we understand each other.</p>
<p>Speak the truth in love</p> <p><i>Ephesians 4:15</i></p>	<p>4 Share our concerns directly with individuals or groups with whom we have disagreements in a spirit of love and respect in keeping with Jesus’ teachings.</p> <p>5 Focus on ideas and suggestions instead of questioning people’s motives, intelligence or integrity;</p> <ul style="list-style-type: none"> – we will not engage in name-calling or labelling of others prior to, during, or following the discussion. <p>6 Share our personal experiences about the subject of disagreement so that others may more fully understand our concerns.</p>
<p>Maintain the unity of the spirit in the bond of peace</p> <p><i>Ephesians 4:3</i></p>	<p>7 Indicate where we agree with those of other viewpoints as well as where we disagree.</p> <p>8 Seek to stay in community with each other though the discussion may be vigorous and full of tension;</p> <ul style="list-style-type: none"> – we will be ready to forgive and be forgiven. <p>9 Follow these additional guidelines when we meet in decision-making bodies:</p> <ul style="list-style-type: none"> – urge persons of various points of view to speak and promise to listen to these positions seriously; – seek conclusions informed by our points of agreement; – be sensitive to the feelings and concerns of those who do not agree with the majority and respect their rights of conscience; – abide by the decision of the majority, and if we disagree with it and wish to change it, work for that change in ways which are consistent with these Guidelines. <p>10 Include our disagreement in our prayers, not praying for the triumph of our viewpoints, but seeking God’s grace to listen attentively, to speak clearly, and to remain open to the vision God holds for us all.</p>

Adopted by the 204th General Assembly (1992) of the Presbyterian Church (U.S.A.) for use by sessions and congregations

Appendix B

Dear people of the Synod of the Covenant and its constituent presbyteries,

We bring you greetings as Co-Moderators of the Administrative Commission for the Synod of the Covenant. This message is to invite your participation at a hearing on February 12 from 2-6pm at a venue in Toledo.

We remind you that the AC was created as result of 223rd General Assembly (2018) approval of an Alternate Resolution in response to both items 05-03 (from the Presbytery of Cincinnati) and 05-06 (from the Synod of the Covenant).

We are grateful to the many that have made themselves open and available to help us gather perspectives and documentation as we have “*conducted a Special Administrative Review (G-3.0108b) for the purpose of inquiring into and settling allegations of disorder in the Synod of the Covenant.*” As part of that administrative review, the AC has reached out to and heard from interested persons within the Synod and its constituent Presbyteries. The AC has met with most of the senior leadership of the Synod, both individually and collectively, as well as leaders in presbyteries of the Synod. Our administrative review has included examination of synod procedures and practices to the extent documents have been made available to us. We have reviewed correspondence and documents, including Synod minutes, by-laws, procedures, policies, and manuals. We also had the opportunity to attend the Synod Annual Meeting in November 2019. Thank you.

In meeting our charge to address disorder, we focused on highest impact areas that are essential to being in Christian community. Our preliminary findings include:

- Disharmony within the Synod is systemic and has existed for a long time;
- There is a lack of clear, ample, honest, and loving communications;
- Relationships are strained;
- Work styles often clash;
- Policies and procedures are not widely accessible or understood and are unevenly applied;
- Shared sense of purpose and vision is missing;
- Widely differing perspectives on the role and relationship between synod and presbyteries remain unresolved;
- Divisions have formed around deeply held organizational values; mutual trust in each other’s intent is absent.

The Alternate Resolution granted the AC “*full authority to enforce its findings and recommendations with due process, granting fair notice and an opportunity to be heard by all parties.*” As part of that due process, we invite you to attend a hearing at which interested persons will have an opportunity to be heard regarding the following action options under serious consideration by the AC:

1. The AC engages a Professional Mediator “*to promote reconciliation, healing, and restored unity between synod and its presbyteries.*”
2. The “*AC assumes original jurisdiction of the Synod as deemed necessary by the commission.*”
3. The AC “*recommends revisions to Synod procedures and institutes changes that are necessary to ensure fulfillment of the PC(USA) principles of participation and representation as outlined in F-1.0403 and G-3.0103.*”

The hearing will be held on Wednesday February 12 beginning at 2pm and concluding by 6pm. The location will be at a venue in Toledo to be announced. It will be important for us to know of your intent to be present for the hearing so we may register your participation and arrange for adequate meeting space. We will conduct this hearing as an open forum, and may need to assign time limits to speakers, depending on the number who sign up to speak. The deadline to register your intent to participate is February 5.

You are encouraged to focus your comments on the options being considered as articulated above. Intemperate language will be considered out of order. Language of reconciliation, humility, and restoration is encouraged. This hearing is not about taking sides or defending a position. It is not a judicial process. It is about finding the most productive and helpful path forward for the good of the kingdom of God. [Click here to register your intent to participate.](#) If you are unable to travel to Toledo, we will attempt to accommodate your participation via video teleconference.

We hope the new year brings new blessings in your lives and ministries,

Patrice Hatley and Brady Radford
Co-Moderators of the Administrative Commission for the Synod of the Covenant

Appendix C

Summary information regarding findings.

As noted in the report, the Commission's conclusions are not based on a weighing and conclusion of evidence and determination of "truth." Rather, they consist of our observations of conflict and the inability of the respective constituencies to resolve the conflict.

A strong example of the conflict within the Synod relates to bylaw modifications. Synod leaders believed the bylaws needed to be updated achieve improved efficiency and to comply with PC(USA) polity; those who resisted the changes saw them as racially motivated exclusion of persons of color and indigenous persons and an attempt to consolidate power in the hands of a few individuals. Neither side appeared to trust the *bona fides* of the other. Accusations of racism are still being spoken about on all sides of the bylaws debate. The Synod leadership has made strong statement about inclusion and intercultural diversity, and has implemented several programs to expand opportunity to understand needs of various cultures, even supporting the Mission to the USA and Mobile Health Fair and Cabinet on Ethic Church Affairs. While there are admirable numbers of racially diverse persons elected by presbyteries to serve as commissioners, there remains a lack of confidence that those diverse points of view are heard or have influence.

The Commission noted strongly held and differing opinions regarding the proper role of the Synod, i.e., whether it should function as a heavily programming-oriented ministry or as a minimally functioning body.

In its review of records, the Commission noted repeated use of intemperate language by a number of stakeholders. The accusatory tenor of the communications made resolution of the controversies between the parties difficult. A key marker of the irreconcilability of the conflict within the Synod was a repeated pattern of attempts to blame other individuals or groups for the conflicts and disclaiming of personal responsibility for the conflicts. People did not feel heard; the Commission was left to ponder whether, at the same time, they were willing to listen. Whatever the cause, some within the Synod suggested that conflict had been present for over ten years.

Even without regard to the tone of the communications, the Synod's operations were characterized by a lack of full and transparent sharing and information. For instance, at the 2019 Synod Annual Meeting, a proposal to increase *per capita* was not transmitted to the Commissioners and presbytery stated clerks until just before the meeting. This did not allow time for consultation and assessment of the impact of the proposal on all concerned. Further, the budget information provided for the meeting provided little year to date actual information, which also made assessment of the request difficult. The Synod website contains little information regarding the dates or locations of meetings or other future activities of the Synod. Information appears to be restricted to those whom the Synod determines have an appropriate need to know. The Administrative Commission experienced this in its own review. Throughout the course of its review, the Commission experienced significant resistance to answering requests for un-redacted documentation, with repeated claims that the Commission did not have authority to receive requested information and was failing to provide the Synod with 'due process.' The Commission reminded the staff and Moderators' committee that the Administrative Commission is adhering to the Alternate Resolution which approved the formation and authorities of the Commission and to the Constitutional authority articulated in G-3.0109.

The Commission noted strong disagreements over the role and authority of the Synod Executive over the presbyteries of the Synod, especially related to presbytery personnel matters. At the 2019 Synod Annual Meeting, the Commission noted that the Synod executive spoke to nearly every item of business which was questioned or debated, and on a number of those matters asserted the views and proposals of others were out of order.

The Synod official policy is that the Synod Executive must be involved in all processes to replace Presbytery executives; Presbyteries largely decline to recognize this policy and conduct searches with little support or input from the Synod (or the Synod Executive). The Presbytery executive staff exclude the Synod Executive from their Forum gatherings. Because of this the Synod refuses to provide any support for the Forum gatherings.

Despite requests from some Presbytery executive staff for direct communication regarding the Synod and its affairs, the Synod largely restricts its information dissemination to Presbytery Stated Clerks and Commissioners. This limitation on the flow of information occasionally has the effect of blindsiding Presbyteries relating to matters significantly affecting them. For instance, the policy proposal requiring the Synod Executive's involvement in all Executive/General Presbyter search processes was not provided to Presbytery Executives. Recently, a proposal to increase *per capita* due from Presbyteries for 2021 was only provided to Commissioners and Stated Clerks days before the meeting at which it was to be voted on.

Committee structures within the Synod are so fluid that there are not regularly scheduled standing meetings of committees or caucuses, and the persons appointed or elected seem to come and go, with many vacancies left unfilled, or elected persons are absent or not available to participate. In some cases, such as the Personnel Services Committee, conflict led to it not holding a formal meeting for a year. Although the Personnel Services Committee members are supposedly elected to serve three-year terms, the position was taken that they were appointed in March and only served until the next annual meeting in November. This meant, that in the view of the Synod, there was no functioning Personnel Services Committee between November and March. One of the persons subject to review by the Personnel Services Committee objected to any carryover of committee

members from the prior year. One Personnel Services Committee attempted to take action during the period between November and March and was held to be out of order.