



**ADVICE AND COUNSEL REGARDING SYNCHRONOUS
IN-PERSON & ONLINE CONGREGATION MEETINGS
IN THE DELAWARE-MARYLAND SYNOD, ELCA**
Office of the Bishop
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What does this address?

In the midst of the ongoing COVID-19 pandemic, even as congregations return to in-person gatherings for worship, study, fellowship and service; the question is regularly raised regarding the mechanics and constitutionality of so-called “hybrid” meetings.

What is not addressed?

Because of the constitutional thresholds against proxy voting and demanding written ballots, Congregation Meetings to call a Minister of Word and Sacrament or a Minister of Word and Service are not specifically addressed in this advice. Procedures for Call Votes are published and made available to Call Committees, Congregation Councils and Congregations who are preparing for such a vote.

What is a “hybrid” meeting?

What some call a “hybrid” meeting is actually an in-person meeting (ie. those gathered in the congregation’s building or other public meeting space) with others participating remotely by electronic means (ie. by telephone, Skype, Zoom, etc.).

How to call for accommodations for such a meeting

The congregation council should adopt a continuing resolution, identifying the current exigency (ie. COVID pandemic), and expressly describe the accommodations for a “synchronous” (simultaneous) meeting. Provided that all other requirements for scheduling a regular or special congregational meeting are satisfied, a continuing resolution with that language from the Congregation Council should offer a sufficient basis for holding a valid “hybrid” meeting of the congregation.

An example of such a continuing resolution...

Mindful of the ongoing COVID pandemic and State and Local guidelines for minimizing COVID exposure, particularly among vulnerable populations; the Congregation Council of St. Thomas Lutheran Church resolves that confirmed, communing and contributing members of the congregation may participate in congregation meetings by synchronous electronic means for the purpose of establishing quorum, engaging in discussion, proposing action, and voting.

The Key Word is “Synchronous”

In order for the constitutionality of such a continuing resolution to be met, those participating electronically must be able to participate in the meeting *with* those in person (ie. they cannot watch a recording and add their assent). There has to be provision for them to hear the meeting and remotely address the chair and speak to the meeting. For the purposes of this advice, synchronous participating is to be understood as simultaneous participation.

Mechanics of Such a Meeting

The announcement of a Congregation Meeting is described in your Constitution, some congregations require announcements at worship, others require written notice delivered by US Mail, while still others permit announcement electronically (ie. by email). The meeting is announced, however the Constitution requires such an announcement, and the remote synchronous participation option is announced at the same time.

The means of remote synchronous participation should be made clear in that announcement so that members might be prepared to access the platform(s) through which they might join the meeting. Wise practice suggests that there be a designated contact for those joining remotely to address questions of technology or access.

The chair calls the meeting to order, and quorum is established by the secretary or someone designated by the Council to assist the secretary, verifying the voting members present in-person and participating remotely. Wise practice would be to keep a list of those voting members as part of the record.

The chair, or their designate, explains how those participating electronically can seek to be recognized by the chair (ie. how does one “raise one’s hand?”); and how voting will take place. Wise practice would be to appoint a teller to count votes, both in the room and those who are participating remotely.

Wise practice also suggests that congregation leaders practice ahead of time, making sure that remote technology and in-person “sound” synch properly. It also is wise practice to offer a “practice” vote at the beginning of the meeting so that participants might be made to feel comfortable with a meeting format and technology that might be new or unfamiliar to them.

If the technology for remote participation fails, as technology sometimes does, the Council should have a plan for how to address that. Wise practice would suggest announcing a back-up date (akin to a “snow” date) when calling for the meeting; otherwise, should the meeting be cancelled, delayed or postponed, it would have to be announced properly, according to your constitution’s requirements, creating weeks of delay and required communication. The Council should also have a threshold or “trigger” for cancelling, delaying or postponing the meeting (ie. technology fail keeps the meeting from quorum threshold, widespread technological difficulties disenfranchises members’ participation, technological failure does not permit synchronous participation, etc.).