

OUR SAVIOUR'S LUTHERAN CHURCH
PO Box 8
108 Haarfager Avenue
Canby, MN 56220
Phone: 507-223-5528
Fax: 507-223-7550

ELCA, SOUTHWESTERN MN SYNOD

Our Saviour's Lutheran Church Constitution & Bylaws 2016

OSL's Mission Statement:

*Our Saviour's Lutheran Church as the body of
Christ, promises to love and encourage, teach
and witness God's love to all people by living lives
of faith in Christ Jesus our Lord.*

BELONG BELIEVE BECOME BE A BLESSING

6/2/16

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***PREAMBLE**

We, baptized members of the Church of Christ, responding in faith to the call of the Holy Spirit through the Gospel, desiring to unite together to preach the Word, administer the sacraments, and carry out God’s mission, do hereby adopt this constitution and solemnly pledge ourselves to be governed by its provisions. In the name of the Father and of the Son and of the Holy Spirit.

Chapter 1.

NAME AND INCORPORATION

- C1.01.** The name of this congregation shall be Our Saviour’s Lutheran Church .
- C1.02.** For the purpose of this constitution and the accompanying bylaws, the congregation of Our Saviour’s Lutheran Church is hereinafter designated as “this congregation.”
- C1.11.** This congregation shall be incorporated under the laws of the State of Minnesota.

Chapter 2.

CONFESSION OF FAITH

- *C2.01.** This congregation confesses the Triune God, Father, Son, and Holy Spirit.
- *C2.02.** This congregation confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.
 - a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.
 - b. The proclamation of God’s message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.
 - c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God’s Spirit speaking through their authors, they record and announce God’s revelation centering in Jesus Christ. Through them God’s Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.
- *C2.03.** This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.
- *C2.04.** This congregation accepts the Apostles’, Nicene and Athanasian Creeds as true declarations of the faith of this congregation.

* Southwest Synod suggested revisions approved by Our Saviour’s Lutheran Church Council

- *C2.05. This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.
- *C2.06. This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treaties, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.
- *C2.07. This congregation confesses the Gospel, recorded in the Holy Scripture and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for Gods mission in the world.

Chapter 3.
NATURE OF THE CHURCH

- *C3.01. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority.
- *C3.02. The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. The Evangelical Lutheran Church in America, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.
- *C3.03. The name Evangelical Lutheran Church in America (ELCA or “this church”) as used herein refers in general references to this whole church, including its three expressions: congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.

Chapter 4.
STATEMENT OF PURPOSE

- *C4.01. The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God’s creative, redeeming, and sanctifying activity in the world.
- *C4.02. To participate in God’s mission, this congregation as a part of the Church shall:

- a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
- b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
- c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
- d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, and standing with the poor and powerless, and committing itself to their needs.
- e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
- f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.

***C4.03.** To fulfill these purposes, this congregation shall:

- a. Provide services of worship at which the Word of God is preached and the sacraments are administered.
- b. Provide pastoral care and assist all members to participate in this ministry.
- c. Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregation.
- d. Teach the Word of God.
- e. Witness to the reconciling Word of God in Christ, reaching out to all people.
- f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
- g. Motivate its members to provide financial support for the congregation's ministry and the ministry of other parts of the Evangelical Lutheran Church in America.
- h. Foster and participate in interdependent relationships with other congregations, the synod, and the churchwide organization of the Evangelical Lutheran Church in America.
- i. Foster and participate in ecumenical relationships consistent with churchwide policy.

- *C4.04. This congregation shall develop an organizational structure to be described in the bylaws. The Congregation Council shall prepare descriptions of the responsibilities of each committee, task force, or other organizational group and shall review their actions. [Such descriptions shall be contained in continuing resolutions in the section on the Congregation Committees.]
- *C4.05. This congregation shall, from time to time, adopt a mission statement which will provide specific direction for its programs.
- *C4.06. References herein to the nature of the relationship between the three expressions of this church—congregations, synods, and the churchwide organization—as being interdependent or as being in a partnership relationship describe the mutual responsibility of these expressions in God’s mission and the fulfillment of the purposes of this church as described in this chapter, and do not imply or describe the creation of partnerships, co-ventures, agencies, or other legal relationships recognized in civil law.

Chapter 5.
POWERS OF THE CONGREGATION

- *C5.01. The powers of this congregation are those necessary to fulfill its purpose.
- *C5.02. The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws.
- *C5.03. Only such authority as is delegated to the Congregation Council or other organizational units in this congregation’s governing documents is recognized. All remaining authority is retained by the congregation. The congregation is authorized to:
 - a. call a pastor as provided in Chapter 9;
 - b. terminate the call of a pastor as provided in Chapter 9;
 - c. call or terminate the call of associates in ministry, deaconesses, and diaconal ministers in conformity with the applicable policy of the Evangelical Lutheran Church in America;
 - d. adopt amendments to the constitution, as provided in Chapter 17, amendments to the bylaws, as specified in Chapter 16, and continuing resolutions, as provided in Chapter 18.
 - e. approve the annual budget;
 - f. acquire real and personal property by gift, devise, purchase, or other lawful means;
 - g. hold title to and use its property for any and all activities consistent with its purpose;
 - h. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;

- i. elect its officers, and Congregation Council, boards, and committees, and require them to carry out their duties in accordance with the constitution, and bylaws, and continuing resolutions; and
 - j. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.
- *C5.04.** This congregation shall choose from among its voting members laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected by the congregation and other qualifications shall be as prescribed in guidelines established by the Southwestern Minnesota Synod of the Evangelical Lutheran Church in America.

Chapter 6.
CHURCH AFFILIATION

- *C6.01.** This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the Southwestern Minnesota Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.
- *C6.02.** This congregation accepts the Confession of Faith and agrees to the Purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.
- *C6.03.** This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:
- a. This congregation agrees to be responsible for its life as a Christian community.
 - b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
 - c. This congregation agrees to call pastoral leadership from the clergy roster of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of ordained ministers of the Evangelical Lutheran Church in America or to contracting for pastoral services with an ordained minister of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.

- d. This congregation agrees to consider associates in ministry, deaconesses, and diaconal ministers for call to other staff positions in the congregation according to the procedures of the Evangelical Lutheran Church in America.
 - e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America and with the constitution of the synod.
- *C6.04.** Affiliation with the Evangelical Lutheran Church in America may be terminated as follows:
- a. This congregation takes action to dissolve.
 - b. This congregation ceases to exist.
 - c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America.
 - d. This congregation follows the procedures outlined in *C6.05.
- *C6.05.** A congregation may terminate its relationship with this church by the following procedure:
- a. A resolution indicating the intent to terminate its relationship must be adopted at a legally called and conducted special meeting of the congregation by a two-thirds vote of the voting members present. Such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time the congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the Congregation Council. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.
 - b. The secretary of the congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall mail a copy of the resolution to voting members of the congregation. This notice shall be submitted within 10 days after the resolution has been adopted.
 - c. The bishop of the synod and the congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the synod of the notice as specified in paragraph b. above.
 - d. If the congregation, after such consultation, still seeks to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting

members present. Notice of the meeting shall be mailed to all voting members and to the bishop at least 10 days in advance of the meeting. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.

- e. A copy of the resolution, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, shall be sent to the bishop within 10 days after the resolution has been adopted, at which time the relationship between the congregation and this church shall be terminated subject to paragraphs g., h., and i. below. Unless this notification to the bishop also certifies that the congregation has voted by a two-thirds vote to affiliate with another Lutheran denomination, the congregation will be conclusively presumed to be an independent or non-Lutheran church.
- f. Notice of termination shall be forwarded by the bishop to the secretary of this church, who shall report the termination to the Churchwide Assembly.
- g. Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in *C6.05. shall be required to receive Synod Council approval before terminating their membership in this church.
- h. Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to receive synodical approval before terminating their membership in this church.
- i. Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church.
- j. If a congregation fails to achieve the required two-thirds vote of voting members present at the congregation's first meeting as specified in paragraph a. above, another special meeting to consider termination of relationship with this church may be called no sooner than six months after that first meeting. If a congregation fails to achieve the required two-thirds vote of voting members present at the congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of *C6.05. and may begin no sooner than six months after that second meeting.

***C6.06.** If this congregation considers relocation, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit

of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is affected.

- *C6.07. If this congregation considers developing an additional site to be used regularly for worship, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the church wide organization before any steps are taken leading to such action.

Chapter 7.

PROPERTY OWNERSHIP

- *C7.01. If this congregation ceases to exist, title to undisposed property shall pass to the Southwestern Minnesota Synod of the Evangelical Lutheran Church in America.
- *C7.02. If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline, title to property shall continue to reside in this congregation.
- *C7.03. If a two-thirds majority of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation, provided the process for termination of relationship in *C6.05. has been followed. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Southwestern Minnesota Synod.
- *C7.04. If a two-thirds majority of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body and have followed the process for termination of relationship in *C6.05., title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the established synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America.
- C7.05. Real property shall not be purchased, disposed of or encumbered in any manner except by resolution adopted by not less than a 2/3 (two-thirds) majority ballot vote of the members present and voting at a legally called meeting of the congregation.

Chapter 8. MEMBERSHIP

- *C8.01. Members of this congregation shall be those baptized persons on the roll of this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.
- *C8.02. Members shall be classified as follows:
- a. **Baptized** members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
 - b. **Confirmed** members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.
 - c. **Voting** members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation.
 - d. **Associate** members are persons holding membership in other Lutheran or Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, or persons who wish to retain a relationship with this congregation while being members of other congregations. They have all the privileges and duties of membership except voting rights and eligibility for elected offices or membership on the Congregation Council of this congregation.
- *C8.03. All applications for confirmed membership shall be submitted to and shall require the approval of the Congregation Council.
- *C8.04. It shall be the privilege and duty of members of this congregation to:
- a. make regular use of the means of grace, both Word and sacraments;
 - b. live a Christian life in accordance with the Word of God and the teachings of the Lutheran church; and
 - c. support the work of this congregation, the synod, and the churchwide organization of the Evangelical Lutheran Church in

America through contributions of their time, abilities, and financial support as biblical stewards.

- *C8.05.** Membership in this congregation shall be terminated by any of the following:
- a. death;
 - b. resignation;
 - c. transfer or release;
 - d. disciplinary action in accordance with ELCA constitutional provision 20.40. and the accompanying bylaws; or
 - e. removal from the roll due to inactivity as defined in the bylaws.
- Such persons who have been removed from the roll of members shall remain persons for whom the Church has a continuing pastoral concern.

Chapter 9.

THE PASTOR

- *C9.01.** Authority to call a pastor shall be in this congregation by at least a two-thirds majority ballot vote of members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by this congregation to recommend the call, shall seek the advice and help of the bishop of the synod.
- *C9.02.** Only a member of the clergy roster of the Evangelical Lutheran Church in America or a candidate for the roster of ordained ministers who has been recommended for the congregation by the synodical bishop may be called as a pastor of this congregation.
- *C9.03.** Consistent with the faith and practice of the Evangelical Lutheran Church in America,
- a. Every ordained minister shall:
 - 1) preach the Word;
 - 2) administer the sacraments;
 - 3) conduct public worship;
 - 4) provide pastoral care; and
 - 5) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.
 - b. Each ordained minister with a congregational call shall, within the congregation:
 - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2) supervise all schools and organizations of this congregation;
 - 3) install regularly elected members of the Congregation Council; and
 - 4) with the council, administer discipline.

- c. Every pastor shall:
 - 1) strive to extend the Kingdom of God in the community, in the nation, and abroad;
 - 2) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
 - 3) impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and
 - 4) endeavor to increase the support given by the congregation to the work of the churchwide organization of the Evangelical Lutheran Church in America (ELCA) and of the Southwestern Minnesota Synod of the ELCA.
- *C9.04. The specific duties of the pastor, compensation, and other matters pertaining to the service of the pastor shall be included in a letter of call, which shall be attested by the bishop of the synod.
- *C9.05. a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or, following consultation with the synodical bishop, for the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the pastor, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the pastoral office effectively in the congregation in view of local conditions;
 - 4) physical disability or mental incapacity of the pastor;
 - 5) suspension of the pastor through discipline for more than three months;
 - 6) resignation or removal of the pastor from the roster of ordained ministers of this church;
 - 7) termination of the relationship between this church and the congregation;
 - 8) dissolution of the congregation or the termination of a parish arrangement; or
 - 9) suspension of the congregation through discipline for more than six months.
- b. When allegations of physical disability or mental incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,
 - 1) the bishop in his or her sole discretion may investigate such

- conditions personally together with a committee of two ordained ministers and one layperson, or
- 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop personally shall investigate such conditions together with a committee of two ordained ministers and one layperson.
- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant and the pastor shall be listed on the clergy roster as disabled. Upon removal of the disability and the restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.
 - d. In the case of alleged local difficulties that imperil the effective functioning of the congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the pastor and then to the congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by the congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the synod.
 - e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, the congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds majority vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a simple majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
 - f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action in accordance

with the provisions of this church's constitution, bylaws, and continuing resolutions.

- *C9.06. At a time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.
- *C9.07. During the period of service, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any ordained pastor providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.
- *C9.08. This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting related to the Evangelical Lutheran Church in America.
- *C9.09. When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- *C9.10. With the approval of the bishop of the synod, the congregation may depart from *C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of the congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.05.a.
- *C9.11. The pastor of this congregation:
 - a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;
 - b. shall submit a summary of such statistics annually to the synod; and
 - c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple

congregations, the pastor shall hold membership in one of the congregations.

***C9.12.** The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

***C9.14.** The parochial records of this congregation shall be maintained by the pastor and shall remain the property of the congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in his or her hands in good order by a departing pastor before the installation of that pastor in another field of labor or the granting by the synod of retired status to the pastor.

C9.20. Ecumenical pastoral ministry

C9.21. Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, an ordained minister of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between the congregation and the ordained minister in a form proposed by the synodical bishop and approved by the congregation.

Chapter 10.

CONGREGATION MEETING

C10.01. The power and authority of the congregation shall be exercised through the congregation meeting, which shall be called and conducted in conformity with civil laws and the provisions of the constitution and bylaws of this congregation.

C10.02. The annual meeting of the congregation shall be held on a Sunday in January. The date shall be determined in October by the Congregation Council as its regular meetings. Notice of the meeting shall be given as provided by the bylaws.

C10.03. A quorum for any regular or special meeting of the congregation shall be fifty (50) of the voting members.

C10.04. A special meeting of the congregation may be called by action of the congregation, by petition of at least ten percent (10%) of the voting members or by anyone of the following: the Congregational Council, the president of the congregation, or the pastor. The president or Congregation Council shall call a special meeting upon the request of the synodical bishop. Official notice of a special meeting of the congregation shall be in writing and shall be posted conspicuously in the place where the congregation customarily worships. Such notice shall state the time, the place, and the purpose of the meeting. It shall be signed by the president and the secretary of the congregation or by

the person or persons' who have called the meeting as authorized by this paragraph. The notice of a special meeting shall be read at all public services of the congregation held during the ten days preceding the date of the meeting. If no services are held during the stipulated time, not less than five days, written notice of such meeting shall be given; provided, however, that no less than ten days written notice of a meeting called to consider a resolution requesting the pastor to resign shall be given; and provided further that a meeting called to consider the disposition or encumbrance of real property must be called and held in conformity with such provisions of civil law as may be applicable.

- C10.05.** The pastor shall be notified of the time and place at which a special meeting of the congregation is to be held.
- C10.06.** Only the business for which a special meeting has been called shall be transacted at the meeting.
- C10.07.** A meeting of the congregation may, by majority vote recess to reconvene at a specified time and place. A meeting may also recess to reconvene upon call; provided, however, that the time and place of such a reconvened meeting must be announced at a public service of the congregation, and not less than three (3) days written notice be given of the reconvened meeting.
- C10.08.** Absentee Voting by ballot shall be permitted. Further instructions are contained in the bylaws under BL6.09.
- C10.09.** *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all meetings of this congregation.

Chapter 11. OFFICERS

- C11.01.** At its annual meeting the congregation shall elect the following officers, each for a term of two (2) years. No officer shall be eligible for more than two (2) successive terms.
 - a. President
 - b. Vice President
 - c. Secretary
- C11.02.** The Congregation Council shall appoint the following officers for indefinite terms.
 - a. Treasurer
 - b. Financial Secretary
- C11.03.** The duties of the officers of the congregation shall be those provided in the bylaws.
- C11.04.** The Board of Deacons
 - a. There shall be a Board of Deacons, consisting of 5 members

elected at the annual meeting of the congregation each for a term of two (2) years. No member of the board shall be eligible for more than two (2) successive terms. The pastors shall be advisory members.

- b. The duties and responsibilities of the Board of Deacons shall be to provide spiritual leadership in the congregation, working with the pastors to guide the work, witness, worship and service of the congregation in the world.

C11.05. The Board of Trustees

- a. There shall be a Board of Trustees, consisting of 5 members elected at the annual meeting of the congregation each for a term of two (2) years. No member of the board shall be eligible for more than two (2) successive terms. The pastors shall be advisory members.
- b. The duties and responsibilities of the Board of Trustees shall be to have the general management of all matters relating to legal and corporate affairs and to supervise the maintenance of the properties of the congregation. All legal documents shall be signed by the president and the secretary.

C11.06. The Board of Education

- a. There shall be a Board of Education, consisting of 5 members elected at the annual meeting of the congregation each for a term of two (2) years. No member of the board shall be eligible for more than two (2) successive terms. The pastors shall be advisory members.
- b. The duties and responsibilities of the Board of Education shall be to provide leadership and supervision of the educational program of the congregation.

C11.07. The Youth Board

- a. There shall be a Youth Board, consisting of 5 adult members and 2 youth, elected at the annual meeting of the congregation each adult for a term of two (2) years and each youth serving a one (1) year term. No member of the board, adult or youth shall be eligible for more than two (2) successive terms. The pastors shall be advisory members.
- b. The duties and responsibilities of the Youth Board shall be to develop, supervise and maintain a youth and family ministry.

Chapter 12.

CONGREGATION COUNCIL

- C12.01.** The officers of the congregation and the members of the boards

together with the pastors serving as advisory members by virtue of the office, but without vote, shall constitute the Congregation Council. The president, vice president and secretary of the congregation shall serve as president, vice president and secretary of the Congregation Council.

- C12.02.** The duties and responsibilities of the Congregation Council shall be to:
- a. have general oversight of the life and work of the congregation and coordinate the activities of the Boards and committees of the congregation;
 - b. determine rosters of the baptized, the confirmed, and the voting members of the congregation;
 - c. perform such other duties and responsibilities as are provided in this constitution and its bylaws.

Chapter 13.

CONGREGATION COMMITTEES

C13.01. Executive Committee

- a. The president, the vice-president, the secretary, the chairperson of the Board of Deacons, the chairperson of the Board of Trustees, the chairperson of the Youth Board and the chairperson of the Board of Education along with the pastors of the congregation shall constitute the executive committee.
- b. The committee shall prepare the agenda for the Congregation Council meeting.
- c. The committee may act on matters for the Congregation Council in the interim between Congregation council meetings in case of emergency.

C13.02. Nominating Committee

A nominating committee of five voting members of this congregation, two of whom shall be outgoing members of the Congregation Council shall be elected at the annual meeting for a term of one year. Members of the Nominating Committee are not eligible for consecutive reelection. The pastors shall serve as conveners and as advisory members. The Congregation Council shall fill vacancies on the nominating committee.

C13.03. Audit Committee

An audit committee of three voting members shall be elected by the Congregation Council. Audit committee members shall not be members of the Congregation Council. Term of office will be three years, with one member elected each year. Members shall be eligible for reelection.

C13.04. Call Committee

When pastoral vacancy occurs, a Call Committee of accepting members shall be appointed by the Congregation Council. Term of office will terminate at installation of the newly called pastor.

C13.05. Pastor-Parish Relations Committee

- a. The committee shall consist of seven (7) members which originally are appointed by the Congregation Council. The membership shall include a youth representative, a council member, a WELCA representative chosen by the WELCA and four (4) at large members which represent a cross section of the congregation.
- b. Term of the membership shall be for three (3) years with two (2) members being replaced each year. The youth representative shall be replaced each year.
- c. New members shall be selected by the committee and approved by the Congregation Council
- d. The committee shall meet three (3) times each year in January, May and September. Additional meeting may be called by the committee, the pastor or the Congregation Council.

C13.06. Other congregation committees may be formed as the need arises by the Congregation or by the decision of the Congregational Council.

C13.07. Duties of congregational committees shall be specified in the bylaws or continuing resolutions.

Chapter 14.

ORGANIZATIONS WITHIN THE CONGREGATION

C14.01. All organizations within this congregation shall exist to aid it in ministering to the members of this congregation and to all persons who can be reached with the Gospel of Christ. As outgrowths and expressions of this congregation's life, the organizations are subject to its oversight and direction. This congregation, at its meeting, shall determine their policies, guide their activities, and receive reports concerning their membership, work, and finances.

C14.02. Special interest groups, other than those of the official organizations of the Evangelical Lutheran Church in America, may be organized only after authorization has been given by the Congregation Council (and specified in a continuing resolution.)

Chapter 15.

DISCIPLINE OF MEMBERS AND ADJUDICATION

***C15.01.** Persistent and public denial of the Christian faith, willful or criminal conduct grossly unbecoming a member of the Church of Christ,

continual and intentional interference with the ministry of the congregation, or willful and repeated harassment or defamation of member(s) of the congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will be attempted following Matthew 18:15–17, proceeding through these successive steps, as necessary: a) private counsel and admonition by the pastor, b) censure and admonition by the pastor in the presence of two or three witnesses, c) written referral of the matter by the Congregation Council to the vice president of the synod, who will refer it to a consultation panel drawn from the Consultation Committee of the synod, and d) written referral of the matter by the consultation panel to the Committee on Discipline of the synod. If, for any reason, the pastor is unable to administer the admonitions required by paragraphs a. and b. hereof, those steps may be performed by another pastor chosen by the Executive Committee of the Congregation Council.

- *C15.02.** The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If the counseling, censure, and admonitions pursuant to C15.01 do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three lay persons and two clergy). A copy of the written charges shall be provided to the consultation panel and the accused member(s). The consultation panel, after requesting a written reply to the charges from the accused member(s), shall consider the matter and seek a resolution by means of investigation, consultation, mediation, or whatever other means may seem appropriate. The panel's efforts to reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it.
- *C15.03.** If the consultation panel fails to resolve the matter, that panel shall refer the case in writing, including the written charges and the accused member's reply, to the Committee on Discipline of the synod for a hearing. A copy of the panel's written referral shall be delivered to the vice president of the synod, the Congregation Council, and the accused member(s) at the same time it is sent to the Committee on Discipline of the synod. The Executive Committee of the Synod Council shall then select six members from the Committee on Discipline to decide the case, and shall appoint a member of the Synod Council to preside as

nonvoting chair. Those six members plus the nonvoting chair comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the parties to the case.

- *C15.04. The discipline hearing panel shall commence and conduct the disciplinary hearing in accordance with the provisions governing discipline of congregation members prescribed in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- *C15.05. By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:
 - a. suspension from the privileges of congregation membership for a designated period of time;
 - b. suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
 - c. termination of membership in the congregation; or
 - d. termination of membership in the congregation and exclusion from the church property and from all congregation activities.
- *C15.06. The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next council meeting.
- *C15.07. No member of the congregation shall be subject to discipline a second time for offenses that a discipline hearing panel has heard previously and decided pursuant to this chapter.
- *C15.10. **Adjudication**
- *C15.11. When there is disagreement among factions within this congregation on a substantive issue that cannot be resolved by the parties, members of this congregation shall have access to the synodical bishop for consultation after informing the chair of the Congregation Council of their intent. If the consultation fails to resolve the issue(s), the Consultation Committee of the synod shall consider the matter. If the Consultation Committee of the synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final.

Chapter 16.

BYLAWS

- *C16.01. This congregation may adopt bylaws. No bylaw may conflict with this constitution.

- *C16.02. Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a majority vote of those voting members present and voting.
- *C16.03. Changes to the bylaws may be proposed by any voting member, provided that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting. Notification may take place by mail or electronic means, as permitted by state law.
- *C16.04. Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.

Chapter 17. AMENDMENTS

- *C17.01. Unless provision *C17.04. is applicable, those sections of this constitution that are not required, in accord with the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, may be amended in the following manner. Amendments may be proposed by at least 25 voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members of the proposal together with the council's recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.
- *C17.02. An amendment to this constitution, proposed under *C17.01., shall:
 - a. be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those present and voting;
 - b. be ratified without change at the next annual meeting by a two-thirds majority vote of those present and voting; and
 - c. have the effective date included in the resolution² and noted in the constitution.
- *C17.03. Any amendments to this constitution that result from the processes provided in *C17.01. and *C17.02. shall be sent by the secretary of this congregation to the synod. The synod shall notify the congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.

² Such an effective date must be stated in relation to the requirements of *C17.03. to allow time for synodical review of the amendment.

- *C17.04.** This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* as most recently amended by the Churchwide Assembly. Such amendments may be approved by a simple majority vote of those voting members present and voting at any legally called meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to the congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of 10 voting members of the congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.
- C17.05** If a proposed amendment fails of adoption, it may be amended by majority vote of these present and voting; and adopted without change by a two-thirds (2/3) majority of those present and voting at the next following annual meeting.

Chapter 18.

CONTINUING RESOLUTIONS

- *C18.01.** The congregation in a legally called meeting or the Congregation Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.
- *C18.02.** Continuing resolutions shall be enacted or amended by a majority vote of a meeting of the congregation or a two-thirds vote of all voting members of the Congregation Council.

Chapter 19.

INDEMNIFICATION

- *C19.01.** Consistent with the provisions of the laws under which this congregation is incorporated, this congregation may adopt provisions providing indemnification for each person who, by reason of the fact that such person is or was a Congregation Council member, officer, employee, agent, or other member of any committee of this congregation, was or is threatened to be made a party to any threatened, pending, or completed civil, criminal, administrative, arbitration, or investigative proceeding.

Chapter 20.

PARISH AUTHORIZATION

[Required provisions when congregation is part of a parish]*

- *C20.01.** This congregation may unite in partnership with one or more other congregations recognized by the synod named in *C6.01. to form a parish. Except as provided in *C20.02. and *C20.03., a written agreement, developed in consultation with the synod and approved by the voting members of each congregation participating in the parish, shall specify the powers and responsibilities that have been delegated to a Parish Council.
- *C20.02.** Whenever a letter of call is being recommended for extension to an ordained minister of the Evangelical Lutheran Church in America or a candidate for the roster of ordained ministers who has been recommended to the congregation by the synodical bishop to serve the congregations of a parish, such letter of call shall be first approved by a two-thirds vote at congregational meetings of each of the congregations forming the parish. If any congregation of the parish should fail to approve extending this call, the other congregation(s) in the same parish shall have the right to terminate the parish arrangement.
- *C20.03.** Any one of the congregations of a parish may terminate the call of a pastor as provided in †S14.13.d. of the synodical constitution of the synod named in *C6.01. In such case, the other congregation(s) in the same parish shall have the right to terminate the parish arrangement.
- *C20.04.** Whenever a parish arrangement is terminated, the call of any rostered person serving that parish is terminated. Should any congregation that formerly was part of the parish arrangement desire to issue a new call to that rostered person, it may do so in accordance with the call process of this church.

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BYLAWS

CHAPTER 1 COMMUNION PARTICIPATION

- BL1.01.** This congregation invites all of its members who have been prepared to receive the Sacrament to participate regularly in Holy Communion.
- BL1.02.** Preparation for Holy Communion will normally be provided for persons in the fourth grade.
- BL1.03.** Participation in Holy Communion shall be open to members of other congregations who accept the Lutheran teaching in regard to this Sacrament.
- BL1.04.** It shall be made known to prospective participants that the belief of this congregation is:
- a. Participation in the Lord's Supper is the reception of "the body and blood of our Lord Jesus Christ given with bread and wine instituted by Christ himself for us to eat and drink".
 - b. We hold that a "person is well prepared and worthy who believes these words, given and shed for you for the remission of sins. But anyone who does not believe these words, or doubts them, is neither prepared nor worthy, for the words "for you" require simply a believing heart".
- BL1.05.** Record of participation in Holy Communion shall be maintained. If a member of another congregation communes, notice shall be sent to the pastor of that congregation.

CHAPTER 2 CONFLICTING LOYALTIES

- BL2.01.** While the buildings of the congregation shall be open to all people to share in its worship, instruction, pastoral care, and fellowship, the congregation rejects all fellowship with organizations, secret or open, which are avowedly religious or which practice forms of religion without confessing faith in the Triune God and in Jesus Christ as the eternal Son of God incarnate to be our only Savior from sin, and which thus teach salvation by works.
- BL2.02.** Ceremonies of lodges or other such organizations shall not be permitted in the buildings or on the building site of the congregation; nor shall its pastor or lay assistants take part in any such ceremonies wherever they are conducted.

CHAPTER 3 MEMBERSHIP

BL3.01 BAPTIZED MEMBERS

- a. A child, one or both of whose parents or guardians are members of

the congregation, shall, upon receiving baptism, become a baptized member of the congregation; unless for good reason the child is to be a baptized member of another congregation, in which case membership shall be transferred to that congregation.

- c. An unbaptized adult who has received instruction and has given evidence of an adequate understanding and acceptance of the teachings of the Word of God as confessed by the Lutheran Church, shall, upon confession of faith and Baptism, become a baptized member of the congregation.
- d. When one or both parents of baptized children are received into the membership of the congregation, such children should be received as baptized members with the consent of the member parent or parents.
- e. Where a baptized child is an orphan or a ward of someone and these people move into the area served by this congregation, the child may be received as a baptized member when it is commended to the care of this congregation by the congregation which baptized the child.
- f. When the parents of a baptized child are not themselves members of the Lutheran church but move into the area served by this congregation and desire to have their child put within the pastoral care of this congregation, the child may be received as a baptized member.

BL3.02. CONFIRMED MEMBERS

- a. A baptized adult, not previously a confirmed member of a Lutheran congregation, shall become a confirmed member of this congregation after having received instruction, having given evidence of adequate understanding of the teaching of the Word of God as confessed by the Lutheran Church, and having publicly affirmed his faith.
- b. A baptized member of the congregation shall become a confirmed member through the rite of confirmation; except that an adult who has become a baptized member in accordance with the provisions of Section BL3.01. subsection c of the part of the bylaws shall be considered a confirmed member without participation in the rite of Confirmation.
- c. An applicant for membership who presents a Letter of Transfer which certifies that the applicant is a confirmed member of the congregation upon approval by the Church Council. The acceptance of the applicant shall be reported to the congregation.
- d. An applicant for membership who presents evidence of confirmation in a Lutheran congregation but does not have a Letter of Transfer shall be admitted to confirmed membership when the

Church Council has determined that the applicant meets the standards of Christian faith and life indicated in the constitution and bylaws and has reaffirmed that faith before congregation.

BL3.03. VOTING MEMBERS

The Congregation Council shall determine the roster of voting members of the congregation in accordance with the provisions of the constitution and bylaws. The roster of voting members shall be available at all regularly called meetings of the congregation. The term “in good standing” shall be defined to include:

- a. those who partake of Holy Communion,
- b. those who contribute to the congregational treasury according to the congregation’s record,
- c. those who participate in the life and worship of the congregation

BL3.04. ASSOCIATE MEMBERS

Associate members have all the privileges and duties of membership except voting rights and eligibility for elected offices or membership on the Congregation Council of this congregation.

CHAPTER 4 PASTORAL CARE OF MEMBERSHIP

BL4.01. The congregation shall, in the event of the removal of a member from the community it serves, encourage the member to request a transfer to a Lutheran congregation, which can serve that person effectively. Should the member fail to request a transfer, a Lutheran congregation in the community of that person’s residence shall be notified.

BL4.02. A confirmed member in good standing desiring to change membership to another Lutheran congregation shall, upon request, receive a Letter of Transfer.

BL4.03. A confirmed member who does not, for a period of one (1) year, partake of Holy Communion, support the church with offerings, and does not appear to desire to participate in the life and worship of the congregation shall be visited by the pastor and the congregation’s officers and encouraged by them to active membership. If during the second year, the confirmed member does not actively participate, that members name shall be removed from the membership roster of the congregation but be retained on a responsibility list as one who is in special need of the congregation’s prayer and concern.

BL4.04. A child, neither of who parents or guardians is a member of the congregation, may be removed from the roster of baptized members if that child fails to participate in the life and the worship of the congregation.

CHAPTER 5 THE PASTOR

- BL5.01.** When the congregation has voted to call pastor, it shall issue a Letter of Call to the pastor-elect, in the form approved by the Evangelical Lutheran Church in America. It shall be signed by the president and the secretary of the congregation and shall be attested to by the signature of the Bishop of the Synod.
- BL5.02.** If a pastor receives a Call to another ministry, the pastor may consult the Congregation Council, or, if desired, the congregation, before reaching a decision. The pastor shall announce a decision as quickly as possible, normally within three (3) weeks. The pastor shall notify the Synodical Bishop. When a Call has been accepted, the pastor's ministry in this congregation shall be terminated as soon as feasible, normally within a month.

CHAPTER 6 CONGREGATIONAL MEETINGS

- BL6.01.** Announcement of the time and place of the annual meeting of the congregation shall be made at two (2) services immediately preceding the meeting, said services to be at least a week apart; and in such publications as the congregation or the pastor may periodically issue, or by written notice to the voting members mailed not less than ten (10) days in advance of the meeting.
- BL6.02.** The current rosters of voting, confirmed, and baptized members shall be available at each meeting of the congregation.
- BL6.03.** The annual meeting shall receive reports from all the organizations of the congregation. Such reports, including a financial statement, shall be submitted in writing to the pastors not less than fourteen (14) days before such meeting.
- BL6.04.** The nominating committee shall nominate one (1) or more candidates for each office to be filled and shall secure the consent of each candidate.
- BL6.05.** The list of nominees shall be announced to the congregation in conjunction with the announcements of the meeting of the congregation at which the elections are to take place.
- BL6.06.** In addition to the candidates submitted by the nominating committee, nomination may be made from the floor.
- BL6.07.** In the following cases the vote shall be by ballot:
- a. To elect officers and members of all boards. However, when there is only one (1) nominee for an office or for a board membership, the congregation may, by unanimous vote, instruct the secretary to cast a unanimous ballot of the meeting for such nominee.

- b. To adopt or amend the Articles of Incorporation, Constitution or Bylaws of this congregation.
- c. To call a pastor or to sever official connection with a pastor.
- d. To authorize an expenditure of more than two thousand five hundred dollars (\$2,500.00).
- e. To suspend or to dismiss any officer or to discipline a member according to Chapter 15 of the Constitution.
- f. To authorize the purchase, sale, lease, or mortgage of real estate.
- g. To authorize the sale, lease or mortgage of personal property of the congregation in excess of five hundred dollars (\$500.00) in value.

BL6.08. Unless otherwise ordered, parliamentary procedures shall be in accordance with Robert's Rules of Order.

BL6.09. As provided in the Constitution the procedure for voting by absentee ballot are:

- a. Ballots, envelopes and instructions are to be secured from the Secretary/Bookkeeper.
- b. On the back of the returned envelope an affidavit form shall appear with space for:
 - 1) The voter present address.
 - 2) A statement that the voter has not cast and will not cast another absentee ballot in the same election.
 - 3) A statement that the voter personally marked the ballots without showing them to anyone.
 - 4) Signature of voter.
- c. After voting, the ballots are to be placed in the smaller envelope, sealed and placed in the larger envelope which is then to be sealed.
- d. Ballot envelopes are to be returned to the Secretary/Bookkeeper prior to the election.
- e. The Secretary/Bookkeeper shall furnish to the tellers, a list of the names and addresses of record of all persons legally entitled to vote, which the Secretary/Bookkeeper shall certify as correct to the date just prior to the election.

CHAPTER 7 OFFICERS AND BOARDS

BL7.01. Eligibility and Duties of Officers:

- a. Only a voting member of the congregation shall be eligible to serve as an officer.
- b. The president shall preside at the meetings of the Congregation Council and of the Congregation.
- c. The vice president shall preside at the meetings of the Congregation Council and of the congregation in the absence of the president.

- d. The secretary shall keep the minutes of the Congregation Council and have custody of the archives of the congregation.
- e. The treasurer shall have custody of all funds of the congregation and shall receive and disburse such funds in accordance with the decisions of the congregation or the Board of Trustees.
- f. The financial secretary shall maintain records of all contributions and make regular reports to the Congregation Council and to the members as required by the Congregation Council.

BL7.02. Membership and Meeting of the Boards

- a. In addition to the provisions of the constitution the following shall govern membership on the Board of Deacons, the Board of Trustees, Youth Board and the Board of Education and the conduct of their meetings:
 - 1) Only a voting member of the congregation shall be eligible for membership on the boards of the congregation.
 - 2) If a vacancy occurs on a board, the Congregation Council shall fill the vacancy as soon as possible. Should the unexpired term be one (1) year or less, it shall not be considered in determining eligibility or succession.
 - 3) A member of a board who is absent from two (2) consecutive regular meetings shall be consulted by the president of the congregation; if a member is absent from three (3) consecutive regular meetings without valid excuse, the board may declare the office vacant.
 - 4) A quorum for any regular or special meeting of a board shall be a majority of the membership of the board.
 - 5) A special meeting of a board may be called by the pastors, the president, or any three (3) members of the Board. Notice of such meeting shall be given not less than five (5) days prior to the meeting and announced at a public service if one is held during that period.

BL7.03. Duties and Responsibilities of the Board of Deacons

- a. In addition to the duties and responsibilities provided in the constitution, the Board of Deacons shall:
 - 1) Elect from its own membership a chairperson and a secretary.
 - 2) Conduct regular meetings not less than once each month at such time and place as the board may determine.
 - 3) Develop a program for evangelism.
 - 4) Consider matters relating to the worship of the congregation, and make recommendations to the annual meeting.
 - 5) Initiate and implement witness and service in the community.

BL7.04. Duties and Responsibilities of the Board of Trustees

- a. In addition to the duties and responsibilities provided in the constitution, the Board of Trustees shall:
 - 1) Elect from its own membership a chairperson and a secretary.
 - 2) Conduct regular meetings not less than once each month at such time and place as the Board may determine.
 - 3) Receive reports regularly from the treasurer to ascertain that the expenditures are within the budget approved by the congregation. Any expenditures in excess of the total voted budget must be approved by the congregation.
 - 4) Prepare a budget for review by the Congregation Council which shall make a recommendation for submission to the annual meeting of the congregation.
 - 5) Assure itself that the treasurer and others who have access to the funds of the congregation are adequately bonded.
 - 6) Receive information from the auditing committee which shall audit the fiscal record of the congregation and report its finding in writing to the annual meeting. Such audits shall include examination of existing insurance coverage.
 - 7) Be responsible for the building and premises of the congregation so that their use is normally limited to the functions of the congregation. Should groups or individuals, not associated with the congregation, desire to use such property, application shall be made to the Board of Trustees for its approval.
 - 8) Report its activities at the annual meeting of the congregation and at such other times as the congregation may decide.

BL7.05. Duties and Responsibilities of the Board of Education

- a. In addition to the duties and responsibilities provided in the constitution, the Board of Education shall:
 - 1) Elect from its own membership a chairperson, vice-chairperson and secretary.
 - 2) Conduct regular meetings not less than once each month at such time and place as the board may determine.
 - 3) Develop an effective teaching ministry which included the training of teachers and leaders, and provide opportunity for study by every member of the congregation through its teaching agencies.
 - 4) Select and call Sunday School teachers.
 - 5) Report its activities to the annual meeting of the congregation and at such other times as the congregation may decide.

BL7.06. Duties and Responsibilities of the Youth Board

- a. In addition to the duties and responsibilities provided in the constitution the Youth Board shall:
 - 1) Elect from its own membership a chairperson, vice-chairperson and secretary.
 - 2) Conduct regular meetings not less than once each month at such time and place as the board may determine.
 - 3) Develop an effective youth and family ministry, which includes the training of mentors and/or volunteers and provides an opportunity for spiritual growth of every member of the congregation through its activities.
 - 4) Report its activities to the annual meeting of the congregation and at other such times as the congregation may decide.

BL7.07. Meetings of the Congregation Council

- a. In addition to the provisions of the constitution, the following shall govern the Congregation Council in the conduct of its meetings:
 - 1) A quorum for any regular or special meeting shall be one-half of the membership.
 - 2) A member of the Congregation Council who is absent from two (2) consecutive regular meetings shall be consulted by the president of the congregation; if a member is absent from three (3) consecutive regular meetings without valid excuse, the Congregation Council may declare the office vacant.
 - 3) A special meeting may be called by the pastors, the president, or any three (3) members of the Congregation Council. Notice of such meeting shall be given not less than five (5) days prior to the meeting and announced at a public service is one is held during that period.

BL7.08. Duties and Responsibilities of the Congregation Council

- a. In addition to the duties and responsibilities provided in the constitution, the Congregation Council shall:
 - 1) Conduct regular meetings not less than once each quarter, at such time and place as the Congregation Council may determine.
 - 2) Secure necessary staff other than pastors, such as administrative, Christian Day school teacher, business administrator, church musicians, parish education director, parish secretary, parish worker or youth worker, intern, custodian, etc., and fix and review their salaries annually.
 - 3) Review the salary of the pastors annually and make adjustments from time to time within the limits of the budget approved by the congregation.

- 4) Review the budget prepared by the Board of Trustees and submit it to the annual meeting of the congregation with its recommendations.
- 5) Exercise discipline in accordance with the provisions of this constitution and its bylaws.
- 6) Report its activities to the annual meeting of the congregation and at such other times as the congregation may decide.
- 7) If a vacancy occurs on a board of the congregation, the Congregation Council shall fill the vacancy until the next meeting of the congregation. Should the unexpired term be one (1) year or less it shall not be considered in determining eligibility for succession.
- 8) Have authority between meetings of the congregation to choose delegates to any group or meeting in which the congregation is entitled to representation.

CHAPTER 8 PARISH RECORDS

- BL8.01.** The records of the congregation shall be and remain the property of the congregation. The pastors shall be responsible for the maintenance of the records, except as otherwise provided herein. Upon the termination of a pastor's service to the congregation, the records shall have been brought up to date prior to departure. The records shall consist of:
- a. The roster of baptized, confirmed and voting members;
 - b. The ministerial acts performed by the pastors;
 - c. The minutes and reports of the Synod and the Handbook of the Evangelical Lutheran Church in America.
 - d. The minutes of the meetings of the congregation and Congregation Council, for which the secretary of the congregation shall be responsible.
 - e. The financial records of the congregation, for which the treasurer of the congregation shall be responsible.
- BL8.02.** The pastors shall report to the general secretary of The Evangelical Lutheran Church in America such statistics as may be requested and shall report annually to the congregation a summary of ministerial acts.
- BL8.01.** Should the congregation be dissolved, the official records of the congregation shall be deposited in the archives of The Evangelical Lutheran Church in America.