



**Evangelical Lutheran  
Church in America**

God's work. Our hands.

**CONSTITUTION, BY-LAWS**

**AND**

**CONTINUING RESOLUTIONS**

**OF**

**ST ANDREW'S LUTHERAN CHURCH**

**928 South E Street, Lake Worth, FL 33460**

**2017**

*This Constitution, these Bylaws and Continuous Resolutions became effective March 12, 2017.*

In order to understand the formatting of this constitution, please know the following:

**\* INDICATES UNALTERABLE REQUIRED PROVISIONS from the Evangelical Lutheran Church in America**

**Constitution provisions are noted in the following manner: Cxx.xx.**

*By-law provisions are noted with italics and are numbered in this way: Cx.xx.xx. Bylaws are operating procedures of the congregation and can only be altered by a majority vote of the congregation's members.*

Continuing resolution provisions use this font and are numbered in this way, including the years the resolution was made: Cxx.xx<sup>A</sup> (sequential capital letter)<sup>10</sup>(sequential year.) Continuing Resolutions explain how committees of the congregation operate and can be changed and updated by the Church Council as the needs of the congregation evolve.

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**CONSTITUTION**  
**of**  
**ST. ANDREW'S LUTHERAN CHURCH**  
**of Lake Worth**

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**\*<sup>1</sup>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 St. Andrew's Lutheran Church of Lake Worth, Inc.

**C1.02.** For the purpose of this constitution and the accompanying bylaws, the congregation of St. Andrew's Lutheran Church of Lake Worth, Inc. is hereinafter designated as "this congregation".

**C1.11.** This congregation shall be incorporated under the laws of the State of Florida.

**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.

**\*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 Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.

**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.** This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian unity throughout the world.

**\*C3.03.** The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian

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<sup>1</sup> \* Required provision

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.

- \*C3.04. This church, inspired and led by the Holy Spirit, participates in The Lutheran World Federation as a global communion of churches, engaging in faithful witness to the gospel of Jesus Christ and in service for the sake of God's mission in the world.
- \*C3.05. 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.
- C3.06 The official languages in this congregation are both English and Finnish.

#### **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 church wide organization of the Evangelical Lutheran Church in America.
  - i. Foster and participate in ecumenical relationships consistent with church wide 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 church wide 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 a minister of Word and Service;
- d. terminate the call of a minister of Word and Service in conformity with the constitution of the ELCA;
- e. 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.
- f. approve the annual budget;
- g. acquire real and personal property by gift, devise, purchase, or other lawful means;
- h. hold title to and use its property for any and all activities consistent with its purpose;
- i. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
- j. elect its Congregation Council, Nominating Committee and Call Committee and require them to carry out their duties in accordance with the constitution and bylaws and continuing resolutions; and
- k. 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 Florida-Bahamas 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 Florida-Bahamas 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 roster of Ministers of Word and Sacrament\_ 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 Ministers of Word and Sacrament 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:

This congregation takes action to dissolve.

This congregation ceases to exist.

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.

This congregation follows the procedures outlined in C6.05.

**\*C6.05.** This congregation may terminate its relationship with the Evangelical Lutheran Church in America 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. and h. 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 the ELCA, who shall report the termination to the Churchwide Assembly.
- g. This congregation shall abide by these covenants by and among the three expressions of this church:
  - 1) 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.
  - 2) 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.
  - 3) 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.
- h. If this 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 this 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 effected.

\*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 churchwide organization before any steps are taken leading to such action.

C6.08 This Congregation acknowledges its relationship with the Evangelical Lutheran Church of Finland.

## Chapter 7. PROPERTY OWNERSHIP

\*C7.01. If this congregation ceases to exist, title to undisposed property shall pass to the Florida-Bahamas 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 two-thirds 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 Florida-Bahamas Synod.

\*C7.04. If two-thirds 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.

## 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 as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.
- d. **Associate** members are persons holding membership in other Lutheran congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. These individuals have all the privileges and duties of membership except voting rights or other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.
- e. **Seasonal** members are voting members of other ELCA congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, including exercising limited voting rights in this congregation. The Congregation Council

may grant seasonal membership to such persons provided that this congregation is a member of a synod where the Synod Council has approved seasonal member voting on its territory. Such seasonal members shall have all the privileges and duties of voting members except that:

- 1) they shall not be eligible for elected office in, or for membership on the Congregation Council or on a call committee of, this congregation;
- 2) they shall not have the right to vote on any matter concerning or affecting the call or termination of call of any minister of this congregation;
- 3) they shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with the ELCA;
- 4) they shall not be eligible to serve as voting members from this congregation of the Synod Assembly or the Churchwide Assembly;
- 5) they shall not, even if otherwise permitted by this congregation, vote by proxy or by absentee ballot; and
- 6) they shall not, within any two calendar month period, exercise voting rights in this congregation and in the congregation where they remain voting members.

**\*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 church wide 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 the Evangelical Lutheran Church in America constitutional provision 20.41. and the accompanying bylaws; or
  - e. removal from the roll due to inactivity in accordance with the provisions of this constitution and its bylaws.
- Such persons who have been removed from the roll of members shall remain persons for whom the Church has a continuing pastoral concern.

***C8.05.01.*** *The congregation will issue a letter or certificate of transfer to another Lutheran congregation on a member's request. Should a member, having moved to a distant community, fail to request a transfer, a Lutheran congregation in or near that community shall be notified.*

***C8.05.02.*** *A member who has not fulfilled the provisions of membership (see Constitution C8.02 and C8.04) for one year shall be contacted by the pastor and/or representatives of the congregation to encourage restoring active membership. If, during the second year, the member does not become active, that member's name shall be removed from the active member roster.*

**C8.06** Notwithstanding the provisions in \*C8.02.d., persons holding membership with the Evangelical Lutheran Church of Finland and/or the Evangelical Lutheran Church of Canada, who wish to retain such membership, but desire to participate in the life and mission of this congregation shall be voting members. They shall have all the same privileges and duties of membership as other voting members.

**C8.07** Notwithstanding the provisions in the paragraph \*C8.02.e. the seasonal membership shall not be granted to the members of the other congregations of the Florida-Bahamas Synod of the Evangelical Lutheran Church in America; the seasonal members shall not have the right to vote on proposed amendments to this Constitution, on the election of the Congregation Council members nor on the election of the Nominating Committee members.

## **Chapter 9. ROSTERED MINISTER**

**\*C9.01.** Authority to call a pastor shall be in this congregation by at least a two-thirds vote of voting 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 roster of Ministers of Word and Sacrament clergy roster of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Sacrament who has been recommended for the congregation by the synodical bishop may be called as a pastor of this congregation. The pastor of this congregation may be a member of the clergy roster of other than the Evangelical Lutheran Church in America. In such a case a contract is made between the pastor and this congregation.

*C9.02.01 The pastor(s) of this congregation must be proficient in both the **English** and **Finnish** languages.*

\***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;
  - 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 pastor 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;
  - 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 church-wide organization of the Evangelical Lutheran Church in America.

\***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** The provisions for termination of the mutual relationship between a minister of Word and Sacrament and this congregation shall be as follows:

- a. The call of this 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 Ministers of Word and Sacrament 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 rostered 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 rostered 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. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament 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-third 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 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 discipline, 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 rostered minister 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.
- \*C9.11. 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.
- \*C9.12. 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.

**C9.12.01 Congregation Records**

- A. *The records of the congregation shall be the property of the congregation and shall not be removed or used for commercial purposes. The records are:*
  - a. *the roster of baptized, confirmed, voting, associate and seasonal members;*
  - b. *parochial records;*
  - c. *the minutes of the meetings of the congregation and Congregation Council;*
  - d. *the financial records of the congregation; all official and legal documents including this constitution and bylaws, continuous resolutions, deeds, mortgages, contracts, etc.;*
  - e. *annual reports and reports to the Evangelical Lutheran Church in America and to the Evangelical Lutheran Church of Finland.*
- B. *The pastor shall be responsible for the maintenance and security of official records except as provided herein.*
- C. *The pastor and the Congregation Council shall furnish annual congregation reports to the congregation, the Evangelical Lutheran Church in America and the Evangelical Lutheran Church of Finland.*
- D. *If this congregation ceases to exist, the records of the congregation shall be deposited in the archives of the Evangelical Lutheran Church in America or its successor.*

\*C9.13 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.

C9.15. Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, a minister of Word and Sacrament 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 pastor in a form proposed by the synodical bishop and approved by the congregation.

\*C9.21. Authority to call a minister of Word and Service shall be in this congregation by at least a two-thirds vote of voting 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.

\*C9.22. Only a member of the roster of Ministers of Word and Service of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Service who has been recommended for this congregation by the synodical bishop may be called as a deacon of this congregation.

\*C9.23. Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:

- a. Be rooted in the Word of God, for proclamation and service;
- b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
- c. Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad;
- d. Equip the baptized for ministry in God's world that affirms the gifts of all people;
- e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
- f. Practice stewardship that respects God's gift of time, talents, and resources;
- g. Be grounded in a gathered community for ongoing diaconal formation;
- h. Share knowledge of the ELCA and its wider ministry of the gospel and advocate for the work of all expressions of this church; and
- i. Identify and encourage qualified persons to prepare for ministry of the gospel.

**\*C9.24.** The specific duties of the deacon, compensation, and other matters pertaining to the service of the deacon shall be included in a letter of call, which shall be attested by the bishop of the synod.

**\*C9.25.** The provisions for termination of the mutual relationship between a minister of Word and Service and a congregation shall be as follows:

- a. The call of a congregation, when accepted by a deacon, 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 deacon, 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 ministry of Word and Service effectively in this congregation in view of local conditions;
  - 4) physical disability or mental incapacity of the deacon;
  - 5) suspension of the deacon through discipline for more than three months;
  - 6) resignation or removal of the deacon from the roster of Ministers of Word and Service of this church;
  - 7) termination of the relationship between this church and this congregation;
  - 8) dissolution of this congregation or the termination of a parish arrangement; or
  - 9) suspension of this congregation through discipline for more than six months.
- b. When allegations of physical disability or mental incapacity of the deacon under paragraph a.4) above, or ineffective conduct of the office of minister of Word and Service 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 rostered 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 this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.

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 deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service as disabled. Upon removal of the disability and the restoration of the deacon to health, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.

In the case of alleged local difficulties that imperil the effective functioning of this 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 deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon'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 this congregation and by the deacon, if appropriate. If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.

- If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this
- e. congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds 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 majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.

- If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes
- f. that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

**\*C9.26.** The deacon shall make satisfactory settlement of all financial obligations to a former congregation before:

- a. installation in another field of labor, or
- b. the issuance of a certificate of dismissal or transfer.

**\*C9.27.** When a deacon is called to serve in company with another rostered minister or other rostered ministers, the privileges and responsibilities of each rostered minister shall be specified in documents to accompany the call and to be drafted in consultation involving the rostered ministers, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.

**\*C9.28.** With the approval of the bishop of the synod, this congregation may depart from \*C9.25.a. and call a deacon 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 deacon and representatives of this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of \*C9.25.a.

**\*C9.29.** The deacon shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the deacon shall hold membership in one of the congregations.

**\*C9.31.** The deacon(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.

## **Chapter 10. CONGREGATION MEETING**

1. *Pastor's report* The annual meeting of this congregation shall be held at a time specified in the bylaws.
2. *Staff's reports* *C10.01.01. The Annual Congregation Meeting shall be held not earlier than February 1 and not later than March 15 as determined by the Executive Committee.*
3. *Treasurer's report* *C10.01.02. The official roster of voting members and seasonal members shall be available at each meeting of this Congregation.*
4. *Financial Secretary's report* *C10.01.03. Each organization of the congregation shall furnish a report to the secretary 30 days before the Annual Congregation Meeting except Treasurer's and Financial Secretary's reports 15 days and Auditors' report two days before the Annual Congregation Meeting. The reports will include the year's activities, finances and goals for the next year. Members will receive a consolidated written annual report at or prior to the annual meeting which will include, but not be limited to:*
5. *Auditors' report*
6. *Committees' reports*
7. *Nominating Committee's report*
8. *President's report*

**C10.01.** *C10.01.04. The agenda for the Annual Congregation Meeting shall be prepared by the Executive Committee. Seven members of the congregation may petition the president to propose an agenda item. The Agenda shall be made public to the members of the congregation at least 30 days prior to the Annual Congregation Meeting and closed 10 days prior to the meeting. The agenda shall include but not necessarily be limited to:*

1. *Opening devotions*

2. *Call to order*
3. *Appointment of the tellers*
4. *Establishing the quorum*
5. *Approval of the minutes of the previous meeting(s)*
6. *Reports as in C10.01.03*
7. *Adoption of the budget*
8. *Election of Congregation Council members*
9. *Election of Nominating Committee members*
10. *Election of delegates to Synod and the Evangelical Lutheran Church in America conferences*
11. *Adjournment*
12. *Benediction*

*C10.01.05 In order for seasonal members to use their limited voting rights in this congregation, they shall be provided official documentation from the congregation where they are voting members, stating they have not exercised their voting rights within the two calendar month period preceding the meeting of this congregation. The secretary of this congregation shall submit information about exercised voting rights by a seasonal member to the congregation of which he or she is a voting member.*

- C10.02.** A special Congregation Meeting may be called by the pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of the congregation upon the written request of not less than 10 percent of the voting members. The president of the congregation shall call a special meeting upon request of the synodical bishop. The call for each special meeting shall specify the purpose for which it is to be held, and no other business shall be transacted.
- C10.03.** Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail or electronic means, as permitted by state law or in the monthly Newsletter to all voting members at least 15 days in advance of the date of the meeting.
- C10.04.** 10 % of the voting members shall constitute a quorum.
- C10.05.** Voting by proxy or by absentee ballot shall not be permitted.
- C10.06.** All actions approved by the congregation shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution or by state law.
- C10.07.** *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all meetings of this congregation.

## **Chapter 11. OFFICERS**

- C11.01.** The officers of this congregation shall be a president, vice president, secretary, treasurer, and financial secretary.
- a. Duties of the officers shall be specified in the bylaws.
  - b. The officers shall be voting members of the congregation.
  - c. Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council. If the treasurer and/or the financial secretary are not elected members of the council, they shall have voice but not vote in the council.
  - d. The Congregation Council shall elect the president, the vice president, and the secretary from the elected membership of the Congregation Council. The Congregation Council shall elect the treasurer and the financial secretary from the elected membership of the Congregation Council or from other voting membership of this congregation.

### ***C11.01.01. The President shall:***

1. *Preside at all meetings of the congregation, the Congregation Council and the Executive Committee.*

2. *Coordinate the work of the committees and be an ex officio member of all committees without vote.*
3. *Carry out the will of the congregation as ordered by the constitution, bylaws and resolutions of the congregation.*
4. *Deliver an annual report to the congregation.*
5. *Nominate members of the audit committee to the Congregation Council.*
6. *Execute letters of call or contract to pastor(s) and other staff on behalf of the congregation.*
7. *Co-sign checks with the treasurer or alternate treasurer.*
8. *Sign such legal documents that are necessary on behalf of the congregation as an officer of the congregation.*

**C11.01.02. The Vice-president shall:**

1. *Perform the duties of the president in the president's absence, incapacity or at the president's request.*
2. *Act as parliamentarian at congregation and the Congregation Council meetings.*
3. *Co-sign checks with the treasurer or alternate treasurer.*

**C11.01.03. The Secretary shall:**

1. *Record the meetings of the congregation and the Congregation Council.*
2. *Retain secretarial records to be filed permanently in the church office; keep duplicate personal set of records which shall be turned over to successor.*
3. *Keep attendance record of each council meeting; advise president of absentees and their reasons for absence; notice members having two or more absences without cause.*
4. *Select council member to lead devotions for each council meeting.*
5. *Announce all congregation and council meetings and arrange for meeting venues*
6. *Maintain membership records; make a roster of voting members and seasonal members available at each congregation meeting; prepare directory of Congregation Council and committee members.*
7. *Assist president on agenda items, calling attention to matters deferred or referred to committees for further study and recommendations.*
8. *Maintain a register of congregation and Congregation Council resolutions and policies; recommend closure when appropriate.*
9. *Be responsible for the safekeeping of all official congregational documents.*
10. *Compile and distribute the annual report of the congregation and congregational report to the Florida-Bahamas Synod and to the Evangelic Lutheran Church of Finland.*
11. *Notify the Nominating Committee by March 31 of each year of all positions to be filled.*
12. *Report the names of the delegates elected for the synod and the Evangelical Lutheran Church in America conferences to the synod.*

**C11.01.04. The Treasurer shall:**

1. *Supervise all financial procedures and records of the congregation.*
2. *Render a monthly statement of income and expense compared to the budget to the Congregation Council.*
3. *Co-sign checks with the President or the Vice President.*
4. *Deliver an annual financial report to the congregation.*
5. *Be a member of the Stewardship Committee and as ex officio member of the Capital Reserve Funds Committee.*
6. *Recommend written financial policies and procedures for cash management, funds accounting and annual audit to the Congregation Council.*

**C11.01.05. The Financial Secretary shall:**

1. *Direct the counting, depositing and recording of all contributions, fees collected, gifts and bequests received.*

2. *Reconcile each deposit to contributors' records.*
3. *Keep individual giving records confidential.*
4. *Prepare a monthly report for the Stewardship Committee.*
5. *Prepare an annual report to the congregation.*
6. *Monitor cash management policies and procedures; make recommendations for changes to the treasurer.*
7. *Encourage the congregation members of all ages to practice tithing.*
8. *Recommend depositories of congregation funds for Congregation Council approval.*

**C11.02.** The Congregation Council shall elect all the officers by written ballot. The officers shall serve one year, except the president who shall serve two years, or until their successors are elected. Their terms shall begin March 16 and end March 15.

**C11.03.** No officer shall hold more than one office at a time. No elected officer shall be eligible to serve more than two consecutive terms in the same office. The president shall not be eligible to serve more than one consecutive two-year term.

## **Chapter 12. CONGREGATION COUNCIL**

**C12.01.** The voting membership of the Congregation Council shall consist of the pastor and not more than eight nor fewer than six members of the congregation. The quorum shall consist of a simple majority. Any voting member of the congregation, with the exception of the staff of this congregation, may be elected, subject only to the limitation on the length of continuous service permitted in that office. Staff may attend Council meetings, but do not receive a vote. A member's place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from four successive regular meetings of the Congregation Council without cause.

### ***C12.01.01. Meetings of the Congregation Council***

*Congregation Council members will support each other, the decisions made and participate in open debate.*

**C12.02.** The members of the Congregation Council except the pastor shall be elected by acclamation or by written ballot to serve for two years or until their successors are elected. Such members shall be eligible to serve no more than two full terms consecutively. Their terms shall begin March 16 and end March 15. Newly elected Congregation Council members shall be installed at worship following the first possible Sunday after their election.

**C12.03.** Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor until the next annual meeting.

**C12.04.** The Congregation Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:

- a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
- b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
- c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
- d. To maintain supportive relationships with the rostered minister(s) and staff and help them annually to evaluate the fulfillment of their calling or employment.
- e. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
- f. To promote a congregational climate of peace and goodwill, and, as differences and conflicts arise, to endeavor to foster mutual understanding.
- g. To arrange for pastoral service during the sickness or absence of the pastor.
- h. To emphasize partnership with the synod and the Evangelical Lutheran Church in America and the Evangelical Lutheran Church of Finland as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.
- i. To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.

- j. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.
- k. To encourage new members to join the congregation.

**C12.04.01. Administration of Congregation Council**

1. *Specify the number of members, duties, authority, budget and accountability to the Congregation Council of the Council Committees unless specified in the bylaws or in the Continuing Resolutions.*
2. *Appoint members of the Council Committees for two-year terms. Council Committee members may be appointed for consecutive two-year terms.*
3. *Elect persons to fill vacancies of elected officers.*
4. *If Council Committee members are not Congregation Council members, name a Congregation Council member to act as liaison to the committee.*
5. *Offer opportunities to serve on special purpose Congregation Council task forces to members of the congregation.*
6. *Render annual and special reports of activities to the congregation.*
7. *Administer discipline in the congregation. (see Constitution C 15.)*
8. *Support the pastor.*
9. *Provide an operating manual and training opportunity for each Congregation Council member and officer. The manual will contain at least the Constitution, Bylaws and Continuing Resolutions, directory, minutes and position descriptions for each staff position and Council Committee.*
10. *Provide for internal and external communications of the congregation (e.g., internal - newsletter; external - advertising).*
11. *Encourage fellowship and neighborhood groups in the congregation.*
12. *Appoint and assign planning function to recommend long-range plans to the congregation council and to evaluate present programs.*
13. *Require each organization of the congregation to be accountable to the mission statement of the congregation.*
14. *Preserve historical archives of the congregation, appoint congregation historian; prepare and distribute written history of the congregation; celebrate anniversaries and historical events.*
15. *Prepare and distribute a directory of members in the congregation.*
16. *Coordinate the programs and ministries of the congregation; direct ministry functions not otherwise specified to the most appropriate committee.*

**C12.05.** The Congregation Council shall be responsible for the financial and property matters of this congregation.

- a. The Congregation Council shall be the board of directors of this congregation, and as such shall be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Florida, except as otherwise provided herein.
- b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of the congregation.
- c. The Congregation Council may enter into contracts of up to \$10,000, or 4% of the total expenditure budget whichever is higher for items not included in the budget.
- d. The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations of more than \$10,000 or 4% of the budgeted receipts in excess of the budgeted receipts only after approval by a Congregation Meeting. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in partnership with the synod and church wide organization.
- e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to the synodical treasurer.

f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.

**C12.06.** The Congregation Council shall see that the provisions of this constitution, the bylaws and the continuing resolutions are carried out.

**C12.07.** The Congregation Council shall provide for an annual review of the membership roster.

***C12.07.01. Congregation Membership***

1. *Supervise the rosters of baptized, confirmed, voting and associate members.*
2. *Provide procedures for the reception of new members of the congregation.*
3. *Activate and motivate all members of the congregation to participate in ministries of worship, learning, witness, service, fellowship and support.*
4. *Support the inactive member through prayer, visitation and caring ministries.*
5. *Recognize the service of members to congregation and community ministry*
6. *Provide for the spiritual care of the congregation members.*

**C12.08.** The Congregation Council shall be responsible for the employment and supervision of the staff of this congregation. Nothing in this provision shall be deemed to affect the congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church.

***C12.08.01. Personnel Matters***

1. *Secure necessary staff other than the pastor, such as director of music, organist, director of education, business administrator, or janitor and set their salaries.*
2. *Review staff salaries annually, including the pastor.*
3. *Consult with the synod bishop if the resignation of the pastor is requested. (see Constitution C9).*
4. *Develop and maintain written position descriptions and personnel policies for all staff, listing salaries, hours of work, duties and working conditions.*
5. *Provide procedures for staff support and performance evaluation.*
6. *Adopt office policies for the church office and staff (e.g., office hours, vacations, sick leave, record retention, etc.).*

**C12.09.** The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.

**C12.11.** The Congregation Council shall meet regularly at least 10 times/year. Special meetings may be called by the pastor or the president and shall be called by the president at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.

**C12.12.** A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the pastor or interim pastor, except when the pastor or interim pastor requests or consents to be absent and has given prior approval to the agenda for a particular regular or special meeting, which shall be the only business considered at that meeting. Chronic or repeated absence of the pastor or interim pastor who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synodical bishop.

**C12.13.** The Congregation Council and its committees may hold meetings by remote communication, including electronically and by telephone conference, and, to the extent permitted by state law, notice of all meetings may be provided electronically.

**Chapter 13. CONGREGATION COMMITTEES**

**C13.01.** The president, the vice president, the secretary and the pastor of this congregation shall constitute the ***Executive Committee***.

***C13.01.01 Executive Committee***

1. *Unless otherwise provided herein, supervise the support of the pastor according to the letter of call or the contract.*
2. *Prepare agendas for the annual and special congregation meetings and the Congregation Council*

*meetings.*

3. *Maintain and update the mission statement to the congregation.*
4. *Act as personnel committee in the absence of separate committees for that purpose.*
5. *Act in consultation with the Stewardship Committee, as budget and planning committee.*
6. *Interpret and publicize the work of the congregation to the community and its leaders; listen to and report community needs for Christian service to the congregation.*

**C13.02.** A **Nominating Committee** of three to six voting members of this congregation, one of whom, if possible, shall be an outgoing member of the Congregation Council, shall be elected at the annual meeting of this congregation for a term of one year. The Nominating Committee members shall not be members of the Congregation Council. Members of the Nominating Committee are not eligible for consecutive re-election.

**C13.02.01 Nominating Committee**

*The Nominating Committee shall:*

1. *Be convened with the pastor as advisor; elect a chairperson from their midst who will call and preside at subsequent meetings.*
2. *Nominate one or more candidates for each office to be filled, including persons willing to serve as Treasurer and as Financial Secretary.*
3. *Ask candidates to serve their full term of the office if elected and to thoroughly understand the Continuing Resolutions, the Bylaws and the Constitution of the congregation.*
4. *Announce the nominees and their qualifications to the congregation with the notices of the annual or special congregation meetings.*
5. *Accept nominations from the floor providing that the nominee is present at the meeting to deliver both qualifications and consent to serve; and has read and understood the Continuing Resolutions, the Bylaws and the Constitution.*
6. *Provide nominations for:*
  - a. *Congregation Council members;*
  - b. *Nominating Committee members;*
  - c. *Delegates to Synod and the Evangelical Lutheran Church in America Conferences.*

**C13.03.** An **Audit Committee** of three members of which no fewer than two are voting members of this congregation shall be elected by the Congregation Council. Audit Committee members shall not be members of the Congregation Council. Term of office shall be three years, with one member elected each year. Members shall be eligible for re-election.

**C13.04.** A **Staff Support Committee** of four members shall be appointed jointly by the president and the pastor. Term of office shall be two years, with two members to be appointed each successive year. In the absence of a staff support committee, the duties shall be fulfilled by the Executive Committee.

**C13.05.** When a pastoral vacancy occurs, a **Call Committee** of four voting members shall be elected by this congregation. Term of office will terminate upon installation of the newly called pastor. However, when pastoral candidates are from other Lutheran churches than the Evangelical Lutheran Church in America, the Congregation Council will act as Interview Committee.

**C13.06.** Other committees of this congregation may be formed, as the need arises, by decision of the Congregation Council.

**C13.06A.16** The Congregation Council shall decide the number of members, and elect members of the Council Committees for a term of two years. Congregation Council shall elect half of the members of each committee each successive year. Members of the committees are eligible to consecutive terms.

The Council Committees are:

1. The committee on **Education** shall offer learning opportunities for members in all ages to nurture their faith in Christ; supervise the Sunday Church School, Vacation Church School and adult bible studies.

2. The committee on **Life and Growth** shall plan and lead evangelical outreach of the congregation, a high priority for the congregation.
3. The committee on **Stewardship** shall lead the congregation to be biblical stewards through proportionate giving of time, abilities and money, as they have been given by God.
4. The committee on **Worship and Music** shall provide for an active and meaningful worship life for every member of the congregation, giving special attention to the liturgical year utilizing Lutheran Book of Worship as well as other approved materials.
5. The committee of **Property** shall manage and maintain the church building and the school building and the yards.
6. The **Staff Support Committee** shall reflect economic composition of the congregation and the community. Committee members shall be persons who are committed to the vision of the congregation the mission of the congregation and the ministry of the staff.
7. The **Capital Reserve Funds Committee** is responsible for investing the funds in the capital reserve funds.
8. The **Activity Committee** is responsible for planning special activities for members and visitors.
9. The Congregation Council may form ad hoc committees from within and outside its membership.
10. Each committee shall elect its own chairperson and secretary from its membership for a term of two years.
11. Committee secretaries will furnish written minutes and resolutions for actions to the Congregation Council prior to the next regular council meeting.

**C13.07.** Duties of committees of this congregation shall be specified in the bylaws or continuing resolutions.

**C13.08.** The pastor of and the president of this congregation shall be *ex officio* members of all committees and boards of the congregation.

#### **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 meetings 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.

#### **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 ministers of Word and Sacrament). 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. AMENDMENTS**

- \***C16.01.** Unless provision C16.04. 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 10% of 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.

- \***C16.02.** An amendment to this constitution, proposed under C16.01., shall:
- a. be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those voting members present and voting;
  - b. be ratified without change at the next annual meeting by a two-thirds vote of those voting members present and voting; and
  - c. have the effective date included in the resolution<sup>1</sup> and noted in the constitution.
- \***C16.03.** Any amendments to this constitution that result from the processes provided in C16.01. and C16.02. 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.
- \***C16.04.** 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 church wide Assembly. Such amendments may be approved by a 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 at least two (2) 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.

## **Chapter 17. BYLAWS**

- \***C17.01.** This congregation may adopt bylaws. No bylaw may conflict with this constitution.
- \***C17.02.** Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a two-thirds vote of those voting members present and voting.
- \***C17.03.** 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.
- \***C17.04.** Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.

## **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.

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<sup>1</sup> Such an effective date must be stated in relation to the requirements of \*C17.03. to allow time for synodical review of the amendment.

## Chapter 20. PARISH AUTHORIZATION

- \*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 the Parish Council. The Parish Agreement shall identify which congregation of the parish issues calls on behalf of the member congregations or shall establish a process for identifying which congregation issues calls on behalf of the member congregations.
- \*C20.02.** One congregation of a parish shall issue a call on behalf of the member congregations to a minister of Word and Sacrament or a candidate for the roster of Ministers of Word and Sacrament who has been recommended by the synodical bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.
- \*C20.03.** One congregation of a parish may issue a call on behalf of the member congregations to a minister of Word and Service or a candidate for the roster of Ministers of Word and Service who has been recommended by the synodical bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.
- \*C20.04.** Any one of the congregations of the parish may terminate their relationship with the pastor as provided in †S14.18.d. of the synodical constitution of the synod named in \*C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.
- \*C20.05.** Any one of the congregations of the parish may terminate their relationship with a minister of Word and Service as provided in †S14.43.d. of the synodical constitution of the synod named in \*C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.
- \*C20.06.** Whenever a parish agreement is terminated, the call of any rostered minister serving that parish is terminated. Should any congregation that was formerly part of the parish agreement desire to issue a new call to that rostered minister, it may do so in accordance with the call process of this church.