

Constitution of Spring Garden Lutheran Church
10239 County 1 Blvd. P.O. Box 237
Cannon Falls, MN 55009

Amended Constitution Approved January __, 2022 at the Annual Meeting of the Congregation

Note: Throughout this document, all provisions marked with an asterisk (*) are provisions required by the churchwide assembly of all congregations in the Evangelical Lutheran Church in America. These provisions, from the 2019 Model Constitution for Congregations, define how congregations work together as one Church and can only be amended by the Churchwide Assembly. In this document, constitutional provisions begin with the letter “C” and are adopted and amended in accordance with Chapter 16 “Amendments”, bylaws begin with the letter “B” and are adopted and amended in accordance with Chapter 17 “Bylaws”, and continuing resolutions begin with the letter “R” and are adopted and amended in accordance with Chapter 18 “Continuing Resolutions”.

***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 *Spring Garden Lutheran Church*.
- C1.02.** For the purpose of this constitution and the accompanying bylaws, the congregation of *Spring Garden 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.

* Required provision

- *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.
- *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 God's 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. 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 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.

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, 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~~this congregation's ministry and the ministry of ~~other parts~~the other expressions 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 and periodically review 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 this~~ congregation. ~~The This~~ 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 Evangelical Lutheran Church in America;
 - e. adopt amendments to the constitution, as provided in Chapter 16, amendments to the bylaws, as specified in Chapter 17, 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, and require them to carry out their duties in accordance with the constitution, 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~~elect 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 this~~ congregation and other qualifications shall be as prescribed in guidelines established by the Southeastern Minnesota Synod of the Evangelical Lutheran Church in America.
- C5.05.** This congregation shall have a mission endowment fund that will operate as specified in this congregation's bylaws. The purpose of the mission endowment fund is to provide for mission work beyond the operational budget of this congregation.

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 Southeastern 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 roster of Ministers of Word and Sacrament 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 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.

- d. This congregation agrees to consider ministers of Word and Service for call to other staff positions in ~~the~~this 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~~is 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 or in accordance with provision 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America.
- d. The Southeastern Minnesota Synod takes charge and control of the property of this congregation to hold, manage, and convey the same on behalf of the synod pursuant to †S13.24. of the synod constitution. This congregation shall have the right to appeal the decision to the next Synod Assembly.

~~d~~e. 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~~two legally called and conducted special meetings of ~~the~~this congregation by a two-thirds vote of the voting members present at each meeting. ~~Such. The first 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~~this 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~~this congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the first meeting.
- b. The ~~Within 10 days after the resolution has been voted upon at the first meeting,~~ the secretary of ~~the~~this 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~~ send copies of the resolution and certification to voting members of ~~the~~this congregation.
- c. ~~The~~ If the resolution was adopted by a two-thirds vote of the voting members present at the first meeting, the bishop of the synod and ~~the~~this 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~~ bishop of the attestation and certification as specified in paragraph b. above.
- d. If ~~the~~this congregation, after such consultation, ~~still seeks to terminate its relationship~~ is still considering termination of its relationship with this church, 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 second meeting shall be ~~mailed~~ sent 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~~this congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the second 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 paragraph g. below.~~

Within 10 days after the resolution has been voted upon, the secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the second special meeting was legally called and conducted and certifying the outcome of the vote, and shall send copies of the resolution and certification to the voting members of the congregation. If the resolution was adopted by a two-thirds vote of the voting members present at the second meeting, the relationship between the congregation and this church shall be terminated subject to Synod Council approval as required by paragraphs f. and g. below.

- f. Unless this notification to the bishop also certifies that ~~the~~this congregation has voted ~~by a two-thirds vote~~ to affiliate with another Lutheran denomination, ~~the~~this congregation ~~will be conclusively presumed to be~~shall be deemed an independent or non-Lutheran church, in which case *C7.04. shall apply.

- 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 synod~~ical~~ 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~~this 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~~ or fails to achieve the required two-thirds vote of voting members present at ~~the~~this 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~~ the meeting at which the two-thirds vote was not achieved.

- *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~~taken.

- *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.

Chapter 7.

PROPERTY OWNERSHIP

- *C7.01. If this congregation ceases to exist, title to undisposed property shall pass to the Southeastern 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 or pursuant to 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America, title to property shall continue to reside in this congregation.
- *C7.03. If 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 Southeastern Minnesota 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 established by the synod, 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. In neither case does title to this congregation's property transfer to the synod.
- *C7.05. Notwithstanding the provisions of *C7.02. and *C7.03. above, where this congregation has received property from the synod pursuant to a deed or other instrument containing restrictions under provision 9.71.a. of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, this congregation accepts such restrictions and:
- Shall not transfer, encumber, mortgage, or in any way burden or impair any right, title, or interest in the property without prior approval of the Synod Council.
 - Shall—upon written demand by the Synod Council, pursuant to †S13.23. of the constitution of the Southeastern Minnesota Synod—reconvey and transfer all right, title, and interest in the property to the synod.

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~~ this congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws. They shall not have voted as a seasonal member of another congregation of this church in the previous two calendar months.
- d. *Associate* members are persons holding membership in other ~~Lutheran~~ Christian 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 of this church 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~~ this church;
 - 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.

B8.02.1.

~~*Inactive Member; Definition—any member that wishes to remain a member but does not meet the criteria of a voting member.—*~~

~~a.—Still receives the newsletter.~~

~~b.—Does not receive offering envelopes unless requested.~~

~~c.—May become active again at any time by meeting the voting member criteria.~~

Inactive members are any confirmed members that do not meet the criteria of voting members but wish to remain members of this congregation. They:

a. still may receive the newsletter.

- b. **may become active again at any time by meeting the voting member criteria.**
- *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 20.41. and the accompanying bylaws~~ **Chapter 20 of the constitution and bylaws of the Evangelical Lutheran Church in America;** 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.

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 the Congregation Council 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 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~~ **this** congregation by the synod**~~ical~~** 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 minister of Word and Sacrament shall:
 - 1) preach the Word;
 - 2) administer the sacraments;
 - 3) conduct public worship;
 - 4) provide pastoral care;
 - 5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
 - 6) impart knowledge of this church and its wider ministry through ~~distribution of its communications and publications~~ **available channels of effective communication;**
 - 7) witness to the Kingdom of God in the community, in the nation, and abroad; and
 - 8) 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) relate to all schools and organizations of this congregation;

- 3) install regularly elected members of the Congregation Council;
- 4) with the council, administer discipline; ~~and~~
- 5) endeavor to increase the support given by the congregation to the work of the ~~ELCA~~-churchwide organization and of the Southeastern Minnesota Synod ~~of the ELCA~~; and
- 6) encourage adherence to covenantal relationship with this church as expressed in the Constitutions, Bylaws, and Continuing Resolutions 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 the pastor's death or, following consultation with the synod ~~ical~~ 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~~ this 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 ~~the~~ this church and this congregation;
 - 8) dissolution of ~~the~~ this congregation or the termination of a parish arrangement;
 - 9) suspension of ~~the~~ this 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~~ this 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~~ with disability status. 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~~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 pastor and then to ~~the~~this 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~~this 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~~this congregation may dismiss the pastor 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.
- 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~~this 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~~this 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~~this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.05.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~~this 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.

*C9.13. 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~~this 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~~ call or approval of a request for change in roster status.

C9.15. Under special circumstances, subject to the approval of the synod~~ical~~ 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~~this congregation and the pastor in a form proposed by the synod~~ical~~ bishop and approved by ~~the~~this congregation.

*C9.21. Authority to call a ~~minister of Word and Service~~deacon 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 the Congregation Council 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 synod~~ical~~ 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~~this church 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 this congregation shall be as follows:

- a. The call of this congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by **the deacon's** death or, following consultation with the synod~~ical~~ 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.
- 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 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~~ **with disability status**. 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.
- d. 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.

- e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this 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.
- 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.

***C9.26. ~~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.~~

This congregation shall make satisfactory settlement of all financial obligations to a former deacon before calling a successor. A deacon 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.

***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

C10.01. ~~The meetings of this congregation shall be held at times specified in the bylaws. This congregation shall have at least one regular meeting per year. The regular meeting(s) of the congregation shall be held at the time(s) specified in the bylaws. Consistent with the laws of the State of Minnesota, the bylaws shall designate one regular meeting per year as the annual meeting of this congregation.~~

B10.01.1. Regular meetings of this congregation shall be held **in the months of January and April** ~~three times during~~ each calendar year ~~in the following months: January, April, and November.~~

- a. The January meeting shall be considered the annual meeting of this congregation. The annual meeting shall include presentation of the Annual Report to this congregation,

approval by this congregation of all financial reports for the previous year, **final** acceptance by this congregation of the budget for the year, and referring to *C5.04., election of voting member laypersons to serve in those positions.

- b. The April meeting shall be an election meeting. **This congregation shall elect voting members to serve on the Congregation Council, the Mission Endowment Fund Committee, and the Nominating Committee.** Refer to bylaws B12.02.1., B12.02.2., **B13.04.1.**, and B13.04.4.b.1) for election procedures and terms of office.
- e. ~~The November meeting shall include the consideration and preliminary acceptance of the budget for the following year and the election of a Nominating Committee.~~

- B10.01.2.** The Congregation Council shall set the order of business and, dates and times, of all meetings of this congregation.
- 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 this congregation upon the written request of **10%** of the voting members. The president of this congregation shall call a special meeting upon request of the synod 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 ~~regular~~ 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, to all voting members at least 10 days in advance of the date of the meeting. **Notice of all special 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, to all voting members at least 10 days in advance of the date of the meeting.**
- C10.04.** The number of voting members present to constitute a quorum at all meetings of this congregation shall be specified in the bylaws.
- B10.04.1.** *Thirty* voting members present shall constitute a quorum.
- C10.05.** Voting by proxy or by absentee ballot shall not be permitted.
- C10.06.** All actions approved by this 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.
- ~~**R10.08.-C10.08.**~~ **C10.08.** This congregation may hold meetings by remote communication, including electronically and by telephone conference, as long as there is an opportunity for simultaneous aural communication. To the extent permitted by state law, notice of all meetings may be provided electronically.

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~~**this** congregation.
- B11.01.1.** The President, Vice President, and Secretary of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.
- B11.01.2.** Duties of the officers of this congregation shall be:

- a. The President shall be chairman of this congregation and of the Congregation Council. In the event of the President's inability to perform the duties of the office, the Vice President shall serve in the President's stead.
- b. The Secretary shall keep accurate minutes of all meetings of this congregation and of the Congregation Council in a volume provided by this congregation, which shall be preserved permanently in its archives.
- c. The Financial Secretary shall receive and keep record of all income from contributing members and other sources.
- d. The Treasurer shall keep the books of account of this congregation, receive from the Financial Secretary all funds and disburse them on proper orders, making monthly remittance of benevolence receipts to the treasurer of the Southeastern Minnesota Synod.
- e. The Treasurer and the Financial Secretary shall present written reports of transactions and receipts, monthly to the Congregation Council. The Treasurer and the Financial Secretary shall also present written summarized financial reports of transactions and receipts to this congregation, together with a satisfactory audit, at the annual meeting, for their term of office, of this congregation.

C11.02. Procedures for the elections of the officers shall be specified in the bylaws.

B11.02.1. Officers shall be elected as follows:

- a. The President and the Vice President shall serve a progressive term. A Vice President shall be elected annually by this congregation, by written ballot, to serve a term of two years. The electee shall serve the first year of the term as Vice President and the second year of the term as President. The term of office shall begin on June 1 and end on May 31. The progressive term member, Vice President to President, shall be eligible to serve no more than one consecutive term of office on the Congregation Council.
- b. This congregation shall elect the Secretary by written ballot, to serve a term of three years. The term of office shall begin on June 1 and end on May 31. The Secretary shall be eligible to serve no more than two consecutive terms of office.
- c. The Congregation Council shall elect the Treasurer and the Financial Secretary. They shall be elected in such a manner that after the first election, the Congregation Council shall elect a Treasurer and a Financial Secretary each year, at its November meeting, to serve a one-year term of office. Their term of office shall begin on January 1 and end on December 31. The Treasurer and the Financial Secretary shall be eligible to serve an unlimited number of terms of office.

C11.03. No officer shall hold more than one office at a time.

Chapter 12.

CONGREGATION COUNCIL

C12.01. The voting membership of the Congregation Council shall consist of the pastor(s) and not more than twelve members of this congregation. Any voting member of this congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. 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. Consistent with the laws of the state, in which this congregation is incorporated, this congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.

- B12.01.1.** The voting membership of the Congregation Council shall consist of the pastor(s), the President, Vice President, and Secretary of this congregation, and ~~eight~~ six members of this congregation elected to serve on of the following boards (*one member elected per board*):
- a. Worship and Music Board
 - b. Missions Board
 - ~~e. Evangelism Board~~
 - ~~d. Congregational Life Board~~
 - e. Parish Life & Outreach Board
 - ~~f. Christian Education Board~~
 - ~~g. Youth Ministry Board~~
 - h. Faith Formation Board
 - i. Stewardship Board
 - j. Church Properties Board
- C12.02.** The voting members of the Congregation Council except the pastor(s) shall be elected at a legally called election meeting of this congregation. Their terms of office shall be specified in the bylaws. Newly elected Congregation Council members shall be installed at worship ~~prior to the date they assume office~~ at a time appointed by the Congregation Council.
- B12.02.1.** The term of office for voting members of the Congregation Council, except the pastor(s), shall begin on June 1 and end on May 31. Term lengths and term limits shall be as follows:
- a. The President and Vice President shall serve a progressive two-year term of office as specified in B11.02.1.
 - b. The Secretary and the ~~eight~~ six board members of the Congregation Council shall serve a term of office of three years. Such members shall be eligible to serve no more than two full terms of office consecutively on the Congregation Council.
- B12.02.2.** The voting membership of the Congregation Council, except the pastor(s), shall be elected in such a manner that, ~~after the first election,~~ no more than four members shall be elected each year.
- C12.03.** Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor to fulfill the remainder of the vacant term.
- 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 support of the synod and churchwide organization of the Evangelical Lutheran Church in America 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.
- B12.04.1.** Those Congregation Council members elected to serve on specific boards shall share with the Congregation Council, at its monthly meetings, activities occurring with that board. Those members may or may not be the chairpersons of the specific boards they represent.
- 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 trustees 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 Minnesota, 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 this congregation.
 - c. 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~~ mission support monies to the synod ~~ical~~ treasurer.
 - d. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.
- B12.05.1.** The Congregation Council may enter into contracts of up to **\$5,000.00** for items not included in the budget.
- B12.05.2.** 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 **\$5,000.00** in excess of the anticipated 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~~ collaboration with the synod and churchwide organization.
- B12.05.3.** The Congregation Council shall require that this congregation's liability insurance policy include a minimum of **\$10,000.00** of fidelity coverage.
- C12.06.** The Congregation Council shall see that the provisions of this constitution, its bylaws, and the continuing resolutions are carried out.
- C12.09.** The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.
- C12.11.** The Congregation Council shall normally meet once a month. 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 synod~~ieal~~ bishop.

C12.13. The Congregation Council and its boards and 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 BOARDS AND COMMITTEES

C13.01. The pastor(s) of this congregation shall be *ex officio* a member of all committees and boards of this congregation.

C13.02. **Boards of the Congregation Council**, and their duties, shall be specified in the bylaws and/or continuing resolutions.

B13.02.1. Each board of this congregation shall consist of a Congregation Council member, elected by this congregation, and at least ~~four~~ three voting members of this congregation, appointed by the Congregation Council. Appointed board members may serve until they choose to step down or a mutually agreed to time is determined by the Congregation Council and the board member. If a vacancy occurs on a board, the Congregation Council shall fill the vacancy ~~at its next meeting~~. Three unexcused absences in a twelve-month period shall constitute a vacancy on that board and forfeiture of the office of the board member. Each board shall be responsible for the following:

- a. To hold as many meetings as needed to fulfill its responsibilities.
- b. To be empowered to administer appropriations designated for its work by the Congregation Council, or by special resolution of the congregation in accordance with procedures and controls established by the Congregation Council and/or this congregation.
- c. To have a quorum of three members present at its meetings.
- d. ~~To provide input in the preparation of the annual budget to the Stewardship Board.~~
- e. To evaluate annually the methods and the progress of the board's work.
- f. To elect a chairperson, from its membership. The chairperson:
 - 1) may or may not be the Congregation Council member of that board.
 - 2) shall schedule and coordinate the board's meetings, the activities, and maintain the minutes of its meetings.
 - 3) may appoint sub-committees to assist the board in the administration of its responsibilities.
 - 4) shall report the board's actions, monthly, to the Congregation Council.
 - 5) shall submit a written report summarizing the activities of the board during the year for the annual meeting of this congregation.

B13.02.2. **Worship and Music Board:** The objective of this board is to work with the pastor(s) in planning and supervising the worship life of this congregation.

R13.02.2. Duties of the Worship and Music Board:

- a. In coordination with the pastor(s) and music leaders, develop and maintain worship liturgies, services, and music that encourage unity in the worship life of this congregation.
- b. In coordination with the pastor(s) and music leaders, plan special worship themes and services in conjunction with the church calendar; with pastor(s) and music leaders,

- develop any publications, brochures, or announcements to promote special worship themes or events.
- c. Oversee the music staff, secure supply music staff when needed, and assist the development of this congregation's music program; and work with the pastor(s) and office staff for the proper usage of printed materials and use of licensing agreements.
 - d. Schedule and **provide training** as needed **for:** ushers, greeters, lay readers, acolytes, lay assistants, bell ringers, **sound and audio/video system** operators. ~~and secure pulpit supply when needed.~~
 - e. **Secure pulpit supply when needed.**
 - f. Maintain the operation ~~of the sound system and~~ of all musical instruments.
 - g. Oversee, and appoint a chairperson to supervise, the *Altar Guild* which has the following duties:
 - 1) Set up communion, wash and put away supplies, take care of ordering communion supplies through office staff when needed.
 - 2) Change paraments and banners to coincide with the seasons of the church year, and clean them when necessary.
 - 3) Launder and iron when needed: acolyte gowns, altar cloths, and communion cloths.
 - a. Display and water flowers, refrigerate and dispose when needed.
 - h. Oversee the ordering process for seasonal flowers and displays.
 - i. Report of all meetings will be given at monthly council meetings to be included in the council minutes.

B13.02.3. *Missions Board:* The objectives of this board, with the pastor(s) assistance, are to explore activities and events that would promote mission efforts beyond this congregation.

R13.02.3. Duties of the Missions Board:

- a. Identify global mission efforts such as the Companion Synod Program with Tanzania, Lutheran World Relief, World Hunger, Missionary Sponsorship, Feed My Starving Children, and Iglesia Luterana Agustina de Guatemala, etc. which could benefit from the congregation's support.
- b. Identify local mission efforts such as the Food Shelf, Habitat for Humanity, Hope Coalition, Lutheran Social Service, CCIC, Good Samaritan Fund, etc. which could benefit from the congregation's support.
- c. Recommend action on special appeals from outside this congregation, and foster support for missions and charities through an ongoing program of mission information and education.
- e. Formulate~~;~~ and make recommendations to the Congregation Council for potential budgeted benevolence gifts from this congregation.
- f. Report of all meetings will be given at monthly council meetings to be included in council minutes.

~~**B13.01.2.** *Evangelism Board:* The objective of this board is to be responsible for this congregations' outreach to the wider community, and to encourage the strengthening of discipleship and witness of this congregation members.~~

~~**R13.01.2.** Duties of the Evangelism Board:~~

- ~~a. Outreach to inactive members and people in the community unaffiliated with other church communities.~~
- ~~b. Welcome and follow up with visitors and prospective new members.~~
- ~~c. Assist pastor(s) with visits to prospective members, creation and dispersal of welcome brochures; and promotion of significant church events to those in the church neighborhood.~~

- ~~d. Provide for new member class, and reception of new members as needed.~~
- ~~e. Provide names of new members to the Congregation Council, and for recognition at worship; provide for mentoring and integration of new members into the life of the church.~~
- ~~f. Supervise the creation of new church directories as needed.~~
- ~~g. Maintain awareness of church membership roster.~~
- ~~h. Report of all meetings will be given at monthly council meetings to be included in council minutes.~~

~~B13.01.6. Congregational Life Board: The objective of this board is to create ways to involve the members of this congregation in meaningful fellowship events that enhance a spirit of unity and joy in this congregation's life.~~

~~R13.12.6. Duties of the Congregational Life Board:~~

- ~~a. Create and organize events such as parties, anniversaries, concerts, trips, talent shows, dinners, speakers, etc. that enhance the fellowship of the congregation.~~
- ~~b. Create and delegate Task Forces (i.e. Midsommer Task Force) as needed to carry out fellowship events and document procedures used in creating and organizing these events.~~
- ~~c. Work cooperatively with other groups, organizations, or boards of this congregation, to enhance the fellowship life of this congregation.~~
- ~~d. Report of all meetings will be given at monthly council meetings to be included in council minutes.~~

~~B13.02.4. Parish Life & Outreach Board: The objectives of this board are to create ways to involve the people of this community in meaningful fellowship events that enhance a spirit of unity and joy, and to also encourage the strengthening of discipleship and witness to all community members.~~

~~R13.02.4. Duties of the Parish Life & Outreach Board:~~

- ~~a. Create and delegate responsibilities through Committees, Teams or other means as needed to fulfill the objectives of the board.~~
- ~~b. Outreach to inactive members and people in the community unaffiliated with other church communities.~~
- ~~c. Welcome and follow-up with visitors and prospective new members.~~
- ~~d. Assist pastor(s) with visits to prospective members, creation and dispersal of welcome brochures; and promotion of significant church events to those in the church neighborhood.~~
- ~~e. Provide for new member class, and reception of new members as needed.~~
- ~~f. Provide names of new members to the Congregation Council, and for recognition at worship; provide for mentoring and integration of new members into the life of the church.~~
- ~~g. Supervise the creation of new church directories as needed.~~
- ~~h. Maintain awareness of church membership roster.~~
- ~~i. Create and organize events such as parties, anniversaries, concerts, trips, talent shows, dinners, speakers, etc. that enhance the fellowship of the congregation and document procedures used in creating and organizing these events (i.e., Midsommer celebration).~~
- ~~j. Work cooperatively with other groups, organizations, or boards of this congregation, to enhance the fellowship life of this congregation.~~
- ~~k. Report of all meetings will be given at monthly council meetings to be included in council minutes.~~

~~B13.01.4. — *Christian Education Board:* The objective of this board is to plan and administer the total educational program of the congregation, to determine policies, to select personnel for the various programs, to provide the necessary means and facilities for the programs, and to direct and supervise the entire educational program of this congregation.~~

~~R13.01.4. — Duties of the Christian Education Board:~~

- ~~a. — Plan and supervise the total education program for this congregation: order curriculum as needed for Sunday School; plan for confirmation, vacation Bible school, Seder Meal, Christmas program, adult education, and all other educational programs.~~
- ~~b. — Encourage camping ministry.~~
- ~~c. — Enlist and train lay leaders, administrators, teachers, and confirmation guides for the Christian education program. Provide for background checks for volunteers as needed.~~
- ~~d. — Assume responsibility for cleaning of toys and procuring age appropriate and safe equipment for church nursery.~~
- ~~e. — Assist students affirming their baptism in the rite of confirmation by securing robes, flowers, and a photographer for the event.~~
- ~~f. — Maintain and improve the church library.~~
- ~~g. — Administer the Scholarship Fund: seek funds, inform high school seniors and ELCA students to apply for scholarships, and recognize recipients.~~
- ~~h. — Communicate with church property for any equipment needs for classrooms or activities.~~
- ~~i. — Report of all meetings will be given at monthly council meetings to be included in council minutes.~~

~~B13.01.5. — *Youth Ministry Board:* The objectives of this board are to involve the young people of this congregation in the work of Christ, provide for their spiritual growth, and to promote opportunities for genuine Christian fellowship and service for the young people of this congregation.~~

~~R13.01.5. — Duties of the Youth Ministry Board:~~

- ~~a. — Promote, plan, and carry out Christian fellowship with the youth.~~
- ~~b. — Plan educational, service and social experiences and events: retreats, lock-ins, camping, mission events, etc.~~
- ~~c. — Work with other churches and their youth groups.~~
- ~~d. — Recognize youth achievements and accomplishments.~~
- ~~e. — With parents and volunteers, plan and organize fundraising events.~~
- ~~f. — Encourage youth to participate in worship leadership.~~
- ~~g. — Maintain financial records, ledger accounts, and prepare an annual financial report for audit for the Annual Report.~~
- ~~h. — Provide for background checks of adult volunteers as needed.~~
- ~~i. — Report of all meetings will be given at monthly council meetings to be included in council minutes.~~

B13.02.5 *Faith Formation Board:* The objectives of this board are to plan and administer the total educational program of the congregation for life-long spiritual growth in the Lutheran Faith with emphasis in the area of children and youth in the congregation, to select and vet the personnel for the various programs, to involve the young people of the congregation in the work of Christ, to promote opportunities for genuine Christian fellowship and service for the young people of the congregation, to determine policies

to accomplish these objectives and to provide the necessary means and facilities to support these programs.

R13.02.5 Duties of the Faith Formation Board:

- a. **Fulfill objectives and delegate responsibilities through Committees, Teams or other means to provide for: Sunday School, Confirmation, Youth Cross Training (both education and activities) and Adult Learning.**
- b. **Plan and supervise the total educational program for this congregation: select and order curriculum; plan for Confirmation instruction, Vacation Bible School, First Communion instruction and Seder Meal, Christmas Program, adult education, and all other educational programs.**
- c. **Enlist, encourage and train lay leaders, administrators, teachers, confirmation guides and other volunteers for the work of the board. The board will also facilitate background checks for volunteers as required.**
- d. **Promote, plan and carry out Christian fellowship with the youth of the congregation through camping ministry, youth conventions, youth service/mission trips and events, retreats, lock-ins, and other social and educational experiences.**
- e. **Work in coordination with other churches and youth groups for the common good.**
- f. **Assist with students Affirmation of Baptism Service/ Rite of Confirmation by securing robes and flowers and scheduling a photographer for the event.**
- g. **Administer the Scholarship Program: seek and raise funds, inform eligible persons on the application process for the High School Graduating Senior, ELCA College Student, and Medical Student scholarships, oversee the selection committee, and award and provide recognition for recipients.**
- h. **Encourage youth participation in worship leadership and opportunities.**
- i. **Administer, plan and organize fundraising events and also maintain financial records, ledger accounts and prepare annual financial report for audit and inclusion in the congregation annual report.**
- j. **Recognize the achievements and accomplishments of the youth of the congregation.**
- k. **Procure safe, age-appropriate toys and items for the church nursery and sanitize them as needed.**
- l. **Report of all meetings will be given at monthly council meetings to be included in the council minutes.**

B13.02.6. Stewardship Board: The objectives of this board are to initiate and implement programs for the development of good stewardship attitudes in the members of this congregation in regard to time, abilities, and financial support.

R13.02.6. Duties of the Stewardship Board:

- a. Provide stewardship education for this congregation.
- b. Prepare and tally time-talent surveys.
- c. Provide, promote, and evaluate conventional and electronic forms of giving.
- d. Prepare and present this congregation's annual budget.
- e. Plan and execute an annual stewardship program and evaluate congregational giving.
- f. Develop and promote all forms of special giving.
- g. Report of all meetings will be given at monthly council meetings to be included in council minutes.

B13.02.7. Church Property Board: The objective of the Church Property Board is to assume responsibility for general maintenance, repair and upkeep of all church property and grounds; and secure professional or volunteer help to carry out those tasks.

- R13.02.7.** Duties of the Church Property Board:
- a. Repair, maintain, and secure all church properties.
 - b. **Maintain the operation of the audio/video system.**
 - c. Inform the Executive Committee and the church Treasurer of changes requiring updates of insurance coverage of church property.
 - d. Provide for snow removal ~~and grass-cutting services.~~
 - e. Coordinate with the church custodian for property maintenance and an annual cleanup day.
 - f. Assess short and long-range needs regarding church property and oversee special projects, including cost estimates and bids.
 - g. Report of all meetings will be given at monthly council meetings to be included in council minutes.
- C13.03.** **Committees under the Congregation Council**, and their duties, shall be specified in the bylaws and/or continuing resolutions.
- B13.03.1.** The officers of this congregation and the pastor(s) shall constitute the *Executive Committee*.
- R13.03.1** Duties of the Executive Committee:
- a. Be responsible for the employment and supervision of the salaried lay workers of this congregation, and meet at least annually with each staff member to review their job descriptions, salaries, and any concerns each staff member may have regarding their respective positions. Nothing in this provision shall be deemed to affect this congregation's responsibility for the call, terms of the call, or termination of call of any employees who are on a roster of this church.
 - b. Review annually the details of compensation, pension, and other benefits provided for the pastor(s) and make recommendations for the upcoming year to the Stewardship Board.
 - c. Provide support for the pastor(s) as specified in the letter of call concerning: health, continuing education, support for the pastors' family, financial support and other related needs.
 - d. Provide a supportive environment for the pastor(s), to discern areas of professional and personal growth.
 - e. Encourage open communication between this congregation and the pastor(s) and work to encourage an environment of mutual respect and trust.
 - f. Maintain confidentiality.
 - g. Supervise the Archives Committee.
 - h. Manage Memorials and Special Gifts to this congregation by;
 - 1) Providing information on special funds and memorials, and offer suggestions to those desiring to give to a special fund or memorials.
 - 2) Reviewing, then accepting or declining all memorials and special gifts to this congregation.
 - 3) Exercising oversight of the fulfillment of memorials to this congregation.
 - 4) Making recommendations to the Congregation Council regarding memorials and special gifts that have no designation as to their use.
 - i. Assist newly elected Congregation Council board members in selecting the membership of their respective boards.
 - j. **Periodically review ~~Provide for an annual review of~~ the membership roster.**
 - k. In the case of an income shortfall, decide which fiscal obligations must be met and which can be delayed. When the needs arise, and with prior Congregation Council

approval, arrange for credit or loans needed to meet the financial obligations of the congregation.

- l. Develop and periodically review long-range plans and visions.
- m. Assist the Stewardship Board in preparation of this congregation's annual budget.
- n. Appoint an assistant Financial Secretary to fulfill those duties when needed.
- o. Report of all meetings will be given at monthly council meetings to be included in council minutes.

B13.03.2. An *Archives Committee* of at least three voting members shall be appointed by the Congregation Council. Members may serve until they choose to step down or a mutually agreed to time is determined by the Congregation Council and the committee member.

R13.03.2. Duties of the Archives Committee:

- a. Elect a chairperson from its membership.
- b. Be responsible for, along with the pastor(s) and this congregation's secretary, this congregations' records.
- c. Preserve the official papers, correspondence, and other records of this congregation and affiliated boards and committees.
- d. Consult with synod archivists as to what and how records of this congregation should be preserved.
- e. Report to the Executive Committee as to needs of the committee in regards to preserving the records of this congregation.
- f. Keep written minutes of all meetings to be filed in the church office and submit a report to the Executive Committee.

C13.04. **Committees of the Congregation Meeting**, and their duties, shall be specified in the bylaws and/or continuing resolutions.

B13.04.1. A *Nominating Committee* of the Executive Committee and one voting member of this congregation that is not currently elected to the Congregation Council, shall be elected by this congregation, at its ~~November~~ April meeting, for a one year term.

R13.04.1. Duties of the Nominating Committee:

- a. Determine which Congregation Council and Mission Endowment Fund Committee members' terms of office expire and, if eligible, whether those members are willing to serve another term of office.
- b. Announce at the annual meeting of this congregation, all Congregation Council and Mission Endowment Fund Committee members' terms that are up for election.
- c. Nominate at least one candidate for each office to be filled and secure the consent of each candidate to serve if elected.
- d. Post and include in the newsletter a list of the offices to be filled, the candidates nominated for those positions, and the date and time of the April election meeting, which shall be scheduled by the Congregation Council.
- e. Ask for additional nominations of candidates from the floor, for each office to be filled, at the election meeting of this congregation. Any nominations from the floor will be contingent upon the nominees' willingness and eligibility to serve.
- f. Nominate voting members to serve as delegates to Good Earth Village, and to the Synod and Conference Assemblies for election, by this congregation, at the annual meeting of this congregation.

B13.04.2. An *Audit Committee* of three voting members shall be elected by the Congregation Council, at its December meeting. Audit Committee members shall not be members of the Congregation Council. Term of office shall be one year. Members shall be eligible for reelection.

- R13.04.2.** Duties of the Audit Committee:
- a. Annually audit the financial books of the Treasurer, Financial Secretary, and all other organizations or groups of this congregation.
 - b. Submit a report of its activities at the annual meeting of this congregation.
- B13.04.3.** When a ~~pastoral vacancy occurs~~ vacancy occurs in a position for which this congregation calls a rostered minister, a *Call Committee* of six voting members shall be elected by the Congregation Council. The vice president shall also serve on the Call Committee ex officio. Term of office will terminate upon installation of the newly called ~~pastor(s)~~ rostered minister(s).
- R13.04.3.** Duties of a Call Committee:
- a. Seek the help and advice of the bishop of the synod in calling a pastor(s).
 - b. Follow guidelines set forth by the synod pertaining to calling a pastor(s).
- B13.04.4.** ***The Church Mission Endowment Fund:*** The purpose of a mission endowment fund is to provide for mission work beyond the operational budget of this congregation as provided for in C5.05.
- a. ***Implementation of the Mission Endowment Fund:***
 - 1) Christian stewardship involves the faithful management of all the gifts God has given to humankind — time, talents, the created world and money, including accumulated, inherited and appreciated resources; and
 - 2) Christians can give to the work of the church through bequests in wills, charitable remainder and other trusts, charitable gift annuities, assignment of life insurance and transfer of property (cash, stocks, bonds, real estate); and
 - 3) It was the desire of this congregation to encourage, receive and administer these gifts in a manner consistent with the loyalty and devotion to their Lord expressed by the grantors and in accord with the policies of this congregation; therefore
 - 4) This congregation in its annual meeting assembled on January 17, 1999 approved and established on the records of this congregation a new and separate fund known as the ***Spring Garden Lutheran Church Mission Endowment Fund*** (hereinafter called the “FUND”) of Spring Garden Lutheran Church.
 - 5) The purpose of this FUND is to provide for congregational needs and outreach into local, national, and worldwide communities apart from the general operation of this congregation; that no portion of the income generated by the FUND shall be used for the annual operating budget of this congregation; that all principal amounts will be retained and only income expended.
 - 6) The Spring Garden Lutheran Church Mission Endowment Fund Committee (hereinafter called the “COMMITTEE”) shall be the custodian of the FUND.
 - 7) The following Plan of Operation sets forth the administration and management of the FUND.
 - b. ***COMMITTEE Membership:***
 - 1) The COMMITTEE shall consist of five (5) members, all of whom shall be voting members of this congregation. The term of each member shall be three (3) years. The COMMITTEE members shall be elected by this congregation in such a manner that, after the first election, no more than two members shall be elected each year. No member shall serve more than two consecutive three (3) year terms. After lapse of one (1) year, former COMMITTEE members may be re-elected. The pastor(s) of this congregation and the president of the Congregation Council shall be advisory members of the COMMITTEE. The Nominating Committee of this congregation shall nominate for the COMMITTEE and report at the annual

congregational meeting in the same manner as other offices and committees. In the event of a vacancy on the COMMITTEE, the Congregation Council shall elect, by majority vote, a successor to fulfill the remainder of the vacant term.

- 2) The COMMITTEE shall meet at least quarterly, or more frequently as deemed by it in the best interest of the FUND.
- 3) A quorum shall consist of three (3) members. When only three are present, a unanimous vote is required to carry any motion or resolution.
- 4) The COMMITTEE shall elect from its membership a chairperson, financial secretary and recording secretary. The chairperson, or member designated by the chairperson, shall preside at all Committee meetings.
- 5) The recording secretary shall maintain complete and accurate minutes of all meetings of the COMMITTEE and supply a copy thereof to each member of the COMMITTEE. Each member shall keep a complete copy of minutes to be delivered to his or her successor. The recording secretary shall also supply a copy of the minutes to the Congregation Council.
- 6) The financial secretary shall maintain complete and accurate books of accounts for the FUND and shall sign checks and all necessary documents on behalf of this congregation in furtherance of the purposes of the FUND. The books shall be audited annually by a certified public accountant or other appropriate person who is not a member of the COMMITTEE.
- 7) The COMMITTEE shall report on a quarterly basis to the Congregation Council and, at each annual or special meeting of this congregation, shall render a full and complete audited account of the administration of the FUND during the preceding year.
- 8) The COMMITTEE may request other members of this congregation to serve in as advisory members and, at the expense of FUND's income, may provide for such professional counseling on investments or legal matters as it deems to be in the best interests of the FUND.
- 9) Members of the COMMITTEE shall not be liable for any losses which may be incurred upon the investments of the assets of the FUND except to the extent such losses shall have been caused by bad faith or gross negligence. No member shall be personally liable as long as he or she acts in good faith and with ordinary prudence. Each member shall be liable only for his or her own willful misconduct or omissions and shall not be liable for the acts or omissions of any other member. No member shall engage in any self-dealing or transactions with the fund in which the member has direct or indirect financial interest and shall at all times refrain from any conduct in which his or her personal interests would conflict with the interest of the FUND.
- 10) All assets are to be held in the name of the Spring Garden Lutheran Church Mission Endowment Fund.
- 11) Recommendations to hold, sell, exchange, rent, lease, transfer, convert, invest, reinvests and in all other respects to manage and control the assets of the FUND, including stocks, bonds, debentures, mortgages, notes or other securities, as in their judgment and discretion they deem wise and prudent, are to be made and carried out by the COMMITTEE, subject to a written investment policy statement. The investment policy statement should set out the purpose of the FUND, the parameters for investing the FUND, including but not limited to the investment objectives, the time horizon to achieve those objectives, risk verses reward

parameters, asset allocation, and any portfolio restrictions as to potentially unsuitable investments. It is assumed that professional investment managers may be hired to assist the COMMITTEE in carrying out the objectives of the FUND. An annual review of the manager or managers hired to carry out these duties should be conducted for the purpose of measuring results against the standards set out in the investment policy statement. The investment policy statement shall be reviewed, and revised when deemed necessary, annually by the COMMITTEE, and would require signatures of all COMMITTEE members. A copy of the investment policy statement shall be provided to the Congregation Council.

c. ***Define Principal and Income:***

- 1) The COMMITTEE shall determine what is principal and income according to accepted accounting procedures.
- 2) Gifts and bequests to the FUND shall accumulate until whichever occurs first, a principal amount of one hundred thousand dollars (\$100,000.00) is achieved, or for three (3) years after the creation of the FUND, after which the income generated from the investment of the principal shall be expended.

d. ***Distribution of Income:***

- 1) Income from the FUND shall be distributed annually and such other times as deemed necessary and/or feasible to accomplish the following purposes:
- 2) Twenty percent (20%) for capital improvements, debt reduction or building program of this congregation.
- 3) Twenty percent (20%) for scholarships or grants to members of this congregation for the purpose of attending college, seminary nursing or medical school; for church-related camping or leadership conferences; or such other training which enables members of this congregation to grow in Christian faith and service to God's people.
- 4) Twenty percent (20%) for outreach into the community including, but not limited to, grants to ELCA colleges, seminaries, social service agencies, institutions and agencies to which this congregations relates and to special programs designed for those persons in out parish area who are in spiritual and/or economic need.
- 5) Twenty percent (20%) for missions of the Evangelical Lutheran Church in America at home or overseas, including, but not limited to, grants to the Evangelical Lutheran Church in America for new mission development in North America, professional leadership, educational ministries, global missions and evangelism, TV evangelism and capital financing.
- 6) Up to twenty percent (20%) for any one or all of the above designated areas in any proportion as determined by the COMMITTEE, or for causes and programs which at the discretion of the COMMITTEE are consistent with the FUND's purpose of enhancing the mission outreach of this congregation.
- 7) Until gifts and bequests to the FUND have accumulated to a principal amount of two hundred fifty thousand dollars (\$250,000.00), up to one hundred percent (100%) of the income earned from the FUND may be used for any one or more of the above designated areas in any proportion as determined by the COMMITTEE.
- 8) Programs for support shall be recommended by the COMMITTEE and approved by the Congregation Council for funding according to the guidelines established by this congregation.
- 9) Disbursement of income from the FUND need not occur annually in the event causes and programs have not been approved by the COMMITTEE sufficient to

utilize total income available, or if in the judgment of the COMMITTEE total annual disbursement of income is not recommended.

e. ***Distribution of Principal:***

When, in the opinion of the COMMITTEE, circumstances are so dire and of such an emergency nature that the future of this congregation is at stake, and that the only recourse seems to be the use of the FUND's principal, the COMMITTEE may, upon a two-thirds majority vote, recommend such authorizing action to this congregation.

f. ***Disposition or Transfer of FUND:***

In the event this congregation ceases to exist either through merger or dissolution, disposition or transfer of the FUND shall be at the discretion of the Congregation Council in conformity with the approved congregational constitution and in consultation with the bishop of the synod to which this congregation belongs at such time. Consultation with the Evangelical Lutheran Church in America may be desirable for continuation of Mission Endowment Fund obligations.

C13.05. Other committees of this congregation may be formed, as the need arises, by decision of the Congregation Council.

Chapter 14.

ORGANIZATIONS WITHIN ~~THE~~ THIS 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.

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~~ this congregation, or willful and repeated harassment or defamation of member(s) of ~~the~~ this 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~~ this 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 laypersons 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:
- suspension from the privileges of congregation membership for a designated period of time;
 - suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
 - termination of membership in ~~the~~this congregation; or
 - termination of membership in ~~the~~this 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~~this 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.~~

When there is disagreement between or among factions within this congregation on a substantive issue which cannot be resolved by the parties, members of this congregation may petition the synod bishop for consultation after informing the president of this congregation of their intent to do so. The synod bishop shall seek a timely resolution of the dispute. If the issue relates directly to the pastor, the bishop may begin the process in †S14.18.d. In all other matters, if the bishop's consultation fails to resolve the issue, the bishop shall refer the matter to the Consultation Committee of the synod, which shall undertake efforts to find an appropriate solution. If the Consultation Committee's efforts fail to resolve the dispute, the entire matter shall be referred to the Synod Council for adjudication by whatever process the Council deems necessary. The Synod Council's 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 *ten* 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~~this 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:
- be approved at ~~a~~any legally called ~~Congregation Meeting according to this constitution~~meeting of this congregation by a majority vote of those voting members present and voting;
 - be ratified without change at the next ~~annual meeting~~regular meeting of this congregation held pursuant to C10.01. by a two-thirds vote of those voting members present and voting; and
 - have the effective date included in the resolution² 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 this 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 Churchwide Assembly. Such amendments may be approved by a majority vote of those voting members present and voting at any legally called meeting of ~~the~~this congregation without presentation at a prior meeting of ~~the~~this congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to ~~the~~this 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)

² Such an effective date must be stated in relation to the requirements of *C16.03. to allow time for synod review of the amendment.

voting members of ~~the~~this congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of ~~the~~this 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~~this 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~~ Adopted or amended bylaws shall be sent by the secretary of this congregation to the synod.

Chapter 18.

CONTINUING RESOLUTIONS

- *C18.01. ~~The~~ This 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 this congregation or a two-thirds vote of all voting members of the Congregation Council.
- *C18.03. Adopted or amended continuing resolutions shall be sent by the secretary of ~~the~~this congregation to the synod.

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.