

**Constitution and Bylaws**  
**Bethel Evangelical Lutheran Church**  
**University City, MO**  
**Adopted by the Congregation Meeting, June 2, 2019**  
**Approved by the ELCA Central States Synod Council, June 6, 2019**

**\*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 Bethel Evangelical Lutheran Church of the Unaltered Augsburg Confession of University City, Missouri, which is hereinafter designated as "this congregation."  
**C1.02.** This congregation shall be incorporated under the laws of the State of Missouri.

**Chapter 2.****CONFESSION OF FAITH**

- \*C2.01.** This congregation confesses the Triune God, Father, Son, and Holy Spirit.  
**\*C2.02.** This congregation confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.  
 a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.  
 b. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.  
 c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.  
**\*C2.03.** This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.  
**\*C2.04.** This congregation accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.  
**\*C2.05.** This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.  
**\*C2.06.** This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.  
**\*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

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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 congregation's ministry and the ministry of other parts of the Evangelical Lutheran Church in America.
  - h. Foster and participate in interdependent relationships with other congregations, the synod, and the churchwide organization of the Evangelical Lutheran Church in America.
  - i. Foster and participate in ecumenical relationships consistent with churchwide policy.
- Bylaw C4.03.01.** This congregation shall be in a covenant relationship with Lutheran Campus Ministry St. Louis Area as set forth and agreed upon in writing and properly authorized by Lutheran Campus Ministry St. Louis Area and this congregation.
- \*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.

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**\*C4.05.** This congregation shall, from time to time, adopt a mission statement which will provide specific direction for its programs.

**Bylaw C4.05.01.** The mission of this congregation is to offer praise and thanksgiving to God and to participate in enacting God's will for life for creation and life for all people as revealed by the Old Testament prophets, the life and teachings of Jesus, the Apostolic tradition, and the ongoing witness of the Church. In support of our goal of being a compassionate, inclusive, Christ-centered community, we care for God's creation, trust and follow Christ in care for those who suffer, and give Spirit-led witness to our faith in dialogue with other religions.

**\*C4.06.** References herein to the nature of the relationship between the three expressions of this church—congregations, synods, and the churchwide organization—as being interdependent or as being in a partnership relationship describe the mutual responsibility of these expressions in God's mission and the fulfillment of the purposes of this church as described in this chapter, and do not imply or describe the creation of partnerships, co-ventures, agencies, or other legal relationships recognized in civil law.

## **Chapter 5.**

### **POWERS OF THE CONGREGATION**

**\*C5.01.** The powers of this congregation are those necessary to fulfill its purpose.

**\*C5.02.** The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws.

**\*C5.03.** Only such authority as is delegated to the Congregation Council or other organizational units in this congregation's governing documents is recognized. All remaining authority is retained by the congregation. The congregation is authorized to:

- a. call a pastor as provided in Chapter 9;
- b. terminate the call of a pastor as provided in Chapter 9;
- c. call 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 officers and Congregation Council and require them to carry out their duties in accordance with the constitution and bylaws; and
- k. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.

**\*C5.04.** This congregation shall choose from among its voting members laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected by the congregation and other qualifications shall be as prescribed in guidelines established by the Central States Synod of the Evangelical Lutheran Church in America.

**C5.05.** This congregation shall have an endowment fund called the Bethel Foundation that will operate as specified in this congregation's bylaws.

**Bylaw C5.05.01.** The Bethel Foundation shall at all times be under the management, custody, supervision and control of a Board of Trustees consisting of three voting members of this congregation who shall be elected by a majority of the voting members present at a regularly scheduled Congregation Meeting for terms of three years each commencing July 1, said terms to be staggered so that the term of one of the trustees expires on June 30 of each calendar year. A trustee whose term has expired may be re-elected or a new successor trustee may be elected. There shall be no limit on the number of terms a trustee may serve, except as may be determined by the Congregation Meeting.

When a vacancy occurs on the Foundation's Board of Trustees for any reason, nominations from the remaining trustees shall be presented to the president of this congregation, who may add additional names to the list of candidates. Then the Congregation Meeting shall elect a new trustee from the list to fill the vacancy.

The Board of Trustees of the Bethel Foundation shall be governed by such rules and regulations as the Congregation Meeting may adopt by a two-thirds majority of voting members present and shall make reports at regularly scheduled congregation meetings.

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The legal provisions governing the Bethel Foundation are set forth in the Trust Agreement by which the Foundation was established on September 14, 1964, pursuant to an enabling resolution adopted by the Congregation Meeting at its meeting on June 22, 1964, and any amendments thereto that are agreed upon and properly authorized by the Trustees of the Bethel Foundation and this congregation and are memorialized in writing.

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

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- days in advance of the meeting. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.
- e. A copy of the resolution, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, shall be sent to the bishop within 10 days after the resolution has been adopted, at which time the relationship between the congregation and this church shall be terminated subject to paragraph g. below. Unless this notification to the bishop also certifies that the congregation has voted by a two-thirds vote to affiliate with another Lutheran denomination, the congregation will be conclusively presumed to be an independent or non-Lutheran church.
  - f. Notice of termination shall be forwarded by the bishop to the secretary of the ELCA, who shall report the termination to the Churchwide Assembly.
  - g. This congregation shall abide by these covenants by and among the three expressions of this church:
    - 1) Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in \*C6.05. shall be required to receive Synod Council approval before terminating their membership in this church.
    - 2) Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in \*C6.05., to receive synodical approval before terminating their membership in this church.
    - 3) Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in \*C6.05., to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church.
  - h. If this congregation fails to achieve the required two-thirds vote of voting members present at the congregation's first meeting as specified in paragraph a. above, another special meeting to consider termination of relationship with this church may be called no sooner than six months after that first meeting. If this congregation fails to achieve the required two-thirds vote of voting members present at the congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of \*C6.05. and may begin no sooner than six months after that second meeting.
- \*C6.06.** If this congregation considers relocation, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.
- \*C6.07.** If this congregation considers developing an additional site to be used regularly for worship, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action.

## **Chapter 7.**

### **PROPERTY OWNERSHIP**

- \*C7.01.** If this congregation ceases to exist, title to undisposed property shall pass to the Central States Synod of the Evangelical Lutheran Church in America.
- \*C7.02.** If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline, title to property shall continue to reside in this congregation.
- \*C7.03.** If two-thirds of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation, provided the process for termination of relationship in \*C6.05. has been followed. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Central States Synod.
- \*C7.04.** If two-thirds of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body and have followed the process for termination of relationship in \*C6.05., title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the established synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America.

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**Chapter 8.**  
**MEMBERSHIP**

- \*C8.01.** Members of this congregation shall be those baptized persons on the roll of this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.
- \*C8.02.** Members shall be classified as follows:
- a. Baptized* members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
  - b. Confirmed* members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.
  - c. Voting* members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.
  - d. Associate* members are persons holding membership in other 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 who wish to retain such membership but desire to participate in the life and mission of this congregation, including exercising limited voting rights in this congregation. The Congregation Council may grant seasonal membership to such persons provided that this congregation is a member of a synod where the Synod Council has approved seasonal member voting on its territory. Such seasonal members shall have all the privileges and duties of voting members except that:
    - 1) they shall not be eligible for elected office in, or for membership on the Congregation Council or on a call committee of, this congregation;
    - 2) they shall not have the right to vote on any matter concerning or affecting the call or termination of call of any minister of this congregation;
    - 3) they shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with the ELCA;
    - 4) they shall not be eligible to serve as voting members from this congregation of the Synod Assembly or the Churchwide Assembly;
    - 5) they shall not, even if otherwise permitted by this congregation, vote by proxy or by absentee ballot; and
    - 6) they shall not, within any two calendar month period, exercise voting rights in this congregation and in the congregation where they remain voting members.
- \*C8.03.** All applications for confirmed membership shall be submitted to and shall require the approval of the Congregation Council.
- \*C8.04.** It shall be the privilege and duty of members of this congregation to:
- a. make regular use of the means of grace, both Word and sacraments;
  - b. live a Christian life in accordance with the Word of God and the teachings of the Lutheran church; and
  - c. support the work of this congregation, the synod, and the 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; or

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- 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.

**Bylaw C8.05.01.** If members change their place of residence and leave no forwarding address and all efforts made on behalf of this congregation to communicate with them fail to establish contact over a period of at least two full years, their names may be removed from the roll of members by action of the Congregation Council upon recommendation of the pastor.

**Bylaw C8.05.02.** If over a period of at least two years and without good reason, members neglect to attend worship services and to commune and do not make a financial contribution of record to this congregation, and if after efforts on behalf of this congregation such members fail to resume active participation, their names may be removed from the roll of members by action of the Congregation Council upon recommendation of the pastor.

## **Chapter 9.**

### **ROSTERED MINISTER**

**\*C9.01.** Authority to call a pastor shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by this congregation to recommend the call, shall seek the advice and help of the bishop of the synod.

**\*C9.02.** Only a member of the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Sacrament who has been recommended for the congregation by the synodical bishop may be called as a pastor of this congregation.

**\*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;
- 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 Central States Synod of the ELCA.

**\*C9.04.** The specific duties of the pastor, compensation, and other matters pertaining to the service of the pastor shall be included in a letter of call, which shall be attested by the bishop of the synod.

**\*C9.05.** The provisions for termination of the mutual relationship between a minister of Word and Sacrament and this congregation shall be as follows:

a. The call of this congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or, following consultation with the synodical bishop, for the following reasons:

- 1) mutual agreement to terminate the call or the completion of a call for a specific term;
- 2) resignation of the pastor, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
- 3) inability to conduct the pastoral office effectively in the congregation in view of local conditions;
- 4) physical disability or mental incapacity of the pastor;
- 5) suspension of the pastor through discipline for more than three months;
- 6) resignation or removal of the pastor from the roster of Ministers of Word and Sacrament of this church;

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- 7) termination of the relationship between this church and the congregation;
  - 8) dissolution of the congregation or the termination of a parish arrangement; or
  - 9) suspension of the congregation through discipline for more than six months.
- b. When allegations of physical disability or mental incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,
- 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
  - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament as disabled. Upon removal of the disability and the restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.
- d. In the case of alleged local difficulties that imperil the effective functioning of the congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the pastor and then to the congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by the congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, the congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-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 congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any rostered minister providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.
- \*C9.08.** This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting related to the Evangelical Lutheran Church in America.
- \*C9.09.** When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- \*C9.11.** With the approval of the bishop of the synod, the congregation may depart from \*C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall

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meet with the pastor and representatives of the congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of \*C9.05.a.

- \*C9.12.** The pastor of this congregation:
- a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;
  - b. shall submit a summary of such statistics annually to the synod; and
  - c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- \*C9.13.** The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.
- \*C9.14.** The parochial records of this congregation shall be maintained by the pastor and shall remain the property of the congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in his or her hands in good order by a departing pastor before the installation of that pastor in another field of labor or the granting by the synod of retired status to the pastor.
- C9.15.** Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between the congregation and the pastor in a form proposed by the synodical bishop and approved by the congregation.
- \*C9.21.** Authority to call a minister of Word and Service shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by 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 synodical bishop may be called as a deacon of this congregation.
- \*C9.23.** Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:
- a. Be rooted in the Word of God, for proclamation and service;
  - b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
  - c. Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad;
  - d. Equip the baptized for ministry in God's world that affirms the gifts of all people;
  - e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
  - f. Practice stewardship that respects God's gift of time, talents, and resources;
  - g. Be grounded in a gathered community for ongoing diaconal formation;
  - h. Share knowledge of the ELCA and its wider ministry of the gospel and advocate for the work of all expressions of this church; and
  - i. Identify and encourage qualified persons to prepare for ministry of the gospel.
- \*C9.24.** The specific duties of the deacon, compensation, and other matters pertaining to the service of the deacon shall be included in a letter of call, which shall be attested by the bishop of the synod.
- \*C9.25.** The provisions for termination of the mutual relationship between a minister of Word and Service and a congregation shall be as follows:
- a. The call of a congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or, following consultation with the synodical bishop, for the following reasons:
    - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
    - 2) resignation of the deacon, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
    - 3) inability to conduct the ministry of Word and Service effectively in this congregation in view of local conditions;
    - 4) physical disability or mental incapacity of the deacon;
    - 5) suspension of the deacon through discipline for more than three months;

\* An asterisk indicates items required by the ELCA.

- 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. 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.
- \*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.

\* An asterisk indicates items required by the ELCA.

- \*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 regular meetings of this congregation shall be held at the times specified in the bylaws.

**Bylaw C10.01.01.** Regular meetings of this congregation shall take place in the second and fourth quarters of the calendar year, unless different times are designated by action of the Congregation Council with appropriate notice to the congregation.

**Bylaw C10.01.02.** Regular meetings of this congregation shall ordinarily include:

- a. Opening devotion
- b. Establishment of a quorum
- c. Approval of the minutes of the previous Congregation Meeting
- d. Welcome voting members who have not previously attended a Congregation Meeting
- e. Pastor's report
- f. Treasurer's report
- g. Elections and appointments
- h. Board, committee, Bethel Foundation, and Lutheran Campus Ministry reports
- i. Unfinished business
- j. New business
- k. Adjournment

**C10.02.** A special Congregation Meeting may be called by the pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of the congregation upon the written request of twenty-five of the voting members. The president of the Congregation Council shall call a special meeting upon request of the synodical bishop. The call for each special meeting shall specify the purpose for which it is to be held, and no other business shall be transacted.

**C10.03.** Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail or electronic means, as permitted by state law, to all members at least 10 days in advance of the date of the meeting via the usual and customary communication tools this congregation is using at the time. Examples include but are not limited to email, evite, texts, and mailed letters.

**C10.04.** Twenty-five voting members shall constitute a quorum.

**C10.05.** Voting by proxy or by absentee ballot shall not be permitted.

**C10.06.** All actions approved by the congregation shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution, the bylaws or by state law.

**C10.07.** *Robert's Rules of Order*, latest edition, shall ordinarily govern parliamentary procedure of all meetings of this congregation.

## Chapter 11.

### OFFICERS

**C11.01.** The Congregation Meeting shall elect its officers who shall be a president, vice president, secretary, and treasurer and who shall be voting members of this congregation.

- a. The officers shall also serve as the officers of the Congregation Council and shall be voting members thereof.
- b. Duties of the officers shall be specified in the bylaws.

#### **Bylaw C11.01.01. The President.**

The President shall:

- a. Preside at all Congregation Council meetings.
- b. Be an ex officio nonvoting member of all boards and committees.
- c. Represent the congregation in all business and legal matters. The president, the treasurer or the chairperson of the board from which the document originates shall sign all contracts and legal documents of the congregation in its name.
- d. Preside at all meetings of the Mutual Ministry Committee
- e. Be elected at the first regular Congregation Meeting of odd numbered years.

#### **Bylaw C11.01.02. The Vice President.**

The Vice President shall:

\* An asterisk indicates items required by the ELCA.

- a. Preside at all regular and special meetings of the congregation.
- b. In the event of the president's absence or disability, assume and discharge the duties of the president's office.
- c. In the vice president's absence, the president shall appoint a member of the Congregation Council to preside at the Congregation Meeting.
- d. Ordinarily be responsible for procuring property insurance.
- e. Be elected at the first regular Congregation Meeting of even numbered years.

**Bylaw C11.01.03. The Secretary.**

The Secretary shall:

- a. Keep minutes of all meetings of the Congregation Meeting, Congregation Council and Executive Committee, and a roll of the Congregation Meeting. In the secretary's absence from a meeting, a member of the Congregation Council shall record the minutes of that meeting and provide those minutes to the secretary.
- b. Be the custodian of the corporate seal and affix it to such documents only as are approved by the Executive Committee.
- c. Be responsible for the safe-keeping of the original Articles of Incorporation, the State Charter, titles to all real estate owned by the congregation and such other documents as are entrusted to the secretary's care by the Executive Committee.
- d. In the event of his/her resignation or retirement from office, deliver to the president all papers, documents, record books and all other property in the secretary's possession belonging to the congregation.
- e. Carry out the responsibilities that are set forth in this constitution at \*C6.05.b, \*C9.14., \*C16.03., \*C16.04, and \*C17.04.
- f. Be elected at the first regular Congregation Meeting of odd numbered years.

**Bylaw C11.01.04. The Treasurer.**

- a. The Treasurer shall:
  1. Supervise or perform bookkeeping and accounting functions. Should these duties require additional effort, a business manager, bookkeeper, or assistant treasurer position may be created by a majority vote of voting members present at a special or regularly scheduled Congregation Meeting upon recommendation of the Executive Committee. After a position is created, vacancies will be filled by action of the Congregation Council.
  2. Prepare an annual budget for the General Fund, after consulting with each board chair, for Congregation Council approval. A summary of the annual budget shall be made available to the congregation prior to the Congregation Meeting at which the budget is to be presented for approval.
  3. Make sure that these requirements are followed:
    - A. Checks can be signed by one officer of the congregation.
    - B. Project expenditures or single expenses of \$10,000 or more shall require a majority vote of the voting members present at a regular or special Congregation Meeting.
  4. Present financial statements at each regularly scheduled Congregation Meeting.
  5. Be elected at the first regular Congregation Meeting of even numbered years.
- b. If a vacancy occurs in the office of the treasurer, the chair of the Board of Finance and Administration shall act as treasurer until a new treasurer is elected.

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

**C11.05.** No officer shall be elected to a position for more than 2 (two) consecutive full terms for a total of four (4) years. This limitation shall be in addition to any time that a person serves by filling out the term of an officer who has resigned.

**Chapter 12.****CONGREGATION COUNCIL**

**C12.01.** The voting membership of the Congregation Council shall consist of the pastor, the officers of the congregation, and chairs of the boards as described in the bylaws. All newly elected officers and board chairs shall take office immediately following their election at a Congregation Meeting. Board chairs shall select, recruit and consider volunteers for board membership on their respective boards. Board chairs shall consider diversity in identifying potential board members. Board chairs shall oversee the work of their respective boards and submit written reports at each regularly scheduled Congregation Meeting. 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, the congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.

**Bylaw C12.01.01. Board of Children's Ministry**

This board shall:

- a. Provide Christian education opportunities for children.
- b. Appoint a Sunday School Superintendent, who may also serve as the chair of the Board, to provide leadership in teacher recruitment, scheduling of classes, oversight of choice of curriculum or other teaching resources, and overall coordination of children's ministry.
- c. When deemed necessary, make a recommendation to the Congregation Council to hire an employee to assume some of the responsibilities of the Sunday School Superintendent and to offer help in creating a vision for an effective children's ministry program.
- d. Lend support for First Communion and Confirmation instruction in ways suggested by the pastor.
- e. Identify leadership plus youth and adult volunteers for other children's activities, which may include Christmas programs, Vacation Bible School, and summer evening or weekend events designed for children and other ages.

**Bylaw C12.01.02. Board of Worship**

This board shall:

- a. Plan, supervise, and evaluate this congregation's worship services.
- b. Carry out all of its duties in consultation with the pastor.
- c. Make recommendations to the Congregation Meeting regarding the scheduling and content of all worship services and all other related matters requiring the approval of the Congregation Meeting.
- d. Assist the pastor in developing the content of the worship services.
- e. Make recommendations to the Congregation Meeting regarding the employment of an organist and choir director when necessary and provide substitutes or temporary replacements as needed.
- f. Serve in an advisory capacity to the organist and choir director.
- g. Assist in the recruitment and retention of choir members.
- h. Assist with incorporating the arts (visual, dance, drama, music, etc.) into the worship life of the congregation.
- i. Appoint a head usher to assist with the recruitment, training, and scheduling of ushers for all worship services.
- j. Recruit, train, and schedule assisting ministers for all services as needed.
- k. Recruit, train, and schedule other ministers for worship services, including, but not limited to lectors, acolytes, crucifers, torchbearers, banner-bearers, and thurifers.
- l. Recruit, train, and schedule greeters for all worship services as needed.
- m. Make recommendations to the Board of Property and Maintenance regarding the care and maintenance of the church proper (chancel, nave, and related worship spaces) and any changes that may be desirable or necessary.
- n. Be responsible for the purchase, use and care of all items necessary for worship, provide the elements for the administration of the sacraments, arrange for appropriate donations for special occasions, and coordinating with an Altar Guild to carry out some of these responsibilities.
- o. Provide hymnals and other worship books and keep them in good repair.
- p. Work with the pastor and the music director on order of worship for services.
- q. Assist in fostering ecumenical relationships, especially in regard to ecumenical worship services.

**Bylaw C12.01.03. Board of Stewardship**

In consultation with the pastor and the Congregation Council, this board shall:

- a. Develop an understanding of the long term financial needs and goals of this congregation.
- b. Develop an implementation strategy for the congregation to achieve those long term goals.

\* An asterisk indicates items required by the ELCA.

- c. Identify the talent needs and goals of the congregation.
- d. Develop and implement programs to encourage greater contribution of talents to this congregation to meet those needs and goals.
- e. Continually reassess the long term financial and talent needs and goals of this congregation and report to the Congregation Council and the congregation with an update of those needs and goal at least once every three years.
- f. Report annually to the congregation and Congregation Council on the status of meeting the needs and goals identified in items C12.01.03.a. and c.

**Bylaw C12.01.04. Board of Youth Ministry**

This board shall:

- a. Have as its principal function the development, implementation and promotion of a Christian life program for the young people of the congregation and the community who have completed the eighth grade.
- b. Accomplish its purpose by:
  - 1) Preparing and maintaining an up-to-date list of all active and prospective participants in this group with such information about each person as the board may require to do its work properly and effectively;
  - 2) Sending information to all persons on this list from time to time regarding this congregation's youth program and activities and invite their participation and support;
  - 3) Following up with those who do not respond or participate regularly, with the intent of being available as lay ministers on an individual basis to serve the needs of those for whom a group situation is uncomfortable;
  - 4) Organizing and conducting Bible classes, discussion groups, and social and recreational activities under the direction of competent and qualified leaders;
  - 5) Alerting the young people to opportunities for service in the congregation, the community and in the Christian church in general, and encouraging them to use their talents in such service, either on a volunteer part-time basis or as a life career;
  - 6) Informing the pastor regarding any person in this group who may be in need of personal help and counselling and do whatever else is necessary to make sure that the matter is given proper attention;
  - 7) Putting forth every effort to encourage the young people to be interested, active members of the church; help them make their Christian faith an integral and vital force in it; and
  - 8) Reviewing its activities and programs regularly with the goal of improvement and implementing new ways of accomplishing its mission.

**Bylaw C12.01.05. Board of Adult Education.**

This board shall:

- a. Provide educational opportunities for adult members and guests of this congregation that reflect a wide range of subjects including but not limited to Christian life and faith; contemporary social, ethical and moral issues; the mission and ministries of this congregation, the Central States Synod, and the Evangelical Lutheran Church in America; Christian history and tradition; the Bible; ecumenical concerns; and non-Christian religions and belief systems.
- b. Solicit additional ideas for programs from the pastor, the Congregation Council, and other members of the congregation.
- c. Create publicity materials that encourage attendance at educational programs.
- d. Monitor a budget for guest speaker honoraria and other expenses.

**Bylaw C12.01.06. Board of Finance and Administration.**

This board shall:

- a. Provide the supply of contribution envelopes.
- b. Make a quarterly statement indicating current and year-to-date contribution amounts available to each member.
- c. Arrange for pickup and safekeeping of all collections in the church vault between the various church services, realizing that the church is intended only to serve as a temporary place for temporary place for storage.
- d. Appoint and supervise sufficient qualified adult members of the congregation to act as tellers, whose duties are counting the collections, preparing a preprinted tally sheet, and depositing promptly all collections in the bank, preferably the same day. Any delays should be called to the attention of the Board of Finance and Administration.

\* An asterisk indicates items required by the ELCA.

- e. Forward to the treasurer the completed tally sheets, a copy of the bank deposit slip and the collection envelopes.
- f. Coordinate matters of church administration and office procedures including computer and copy machine related items with members of other boards as appropriate.
- g. When vacancies in the accountant or administrative assistant position occur, appoint a search committee to identify candidates, interview selected candidates, and recommend a candidate to the Congregation Council.
- h. Coordinate the writing of position descriptions for staff of this congregation, excluding those who are supervised by other boards or are on a roster of ministers of this church, and
- i. Coordinate annual performance evaluations for staff of this congregation, excluding those who are supervised by other boards or are on a roster of ministers of this church.

**Bylaw C12.01.07. Board of Property and Maintenance**

This board shall:

- a. Maintain and, where possible, improve this congregation's physical properties and possessions, so that they will be a witness to the glory of God and a source of pride and joy for this congregation and the community.
- b. Make regular inspections of all property belonging to this congregation, including the building structures, their interiors and exteriors, the furnishings, equipment, and grounds.
- c. Set standards of cleanliness, maintenance and operations.
- d. Engage a competent custodian or custodial service, provide instruction regarding duties, supervise the work, and provide all necessary equipment and supplies for custodial use.
- e. Make sure that all electrical and mechanical equipment is properly maintained.
- f. Arrange for the proper care and safekeeping of all furnishings and equipment belonging to this congregation and provide and assign adequate storage space as needed.
- g. Do everything possible to ensure that the premises are free of safety hazards.
- h. Arrange for regular and continuing utility services; plan and promote procedures for the conservation of fuel and energy.
- i. Employ qualified firms or individuals, as far as budget allocations will permit, to do jobs that cannot be done by the custodian or volunteer help, making sure that the work to be done, the financial commitments, and all legal obligations are clearly spelled out in the contracts for such work.
- j. Recruit volunteers from the members of this congregation from time to time to assist the board with specific projects, set standards of performance and safety, provide necessary materials and equipment, and supervise the work of the volunteers.
- k. Keep a perpetual inventory of this congregation's significant physical properties and possessions, including the cost or value of each item or group of items and make sure that new acquisitions are added to and discarded items are removed from inventory.
- l. Consult with the Executive Committee at least once in each fiscal year to make sure that this congregation has adequate insurance coverage against all potential losses, damages and legal liabilities.
- m. See to it that claims are filed promptly with insurance company in case of loss, damage or legal exposure and, if necessary, report the matter to the local police.

**Bylaw C12.01.08. Board of Mission**

This board shall:

- a. Identify and encourage ways for the members of this congregation to extend Christian compassion and help to those beyond our congregation in times of human need.
- b. When available, use budgeted funds, donations, and special event income for mission programs.
- c. Establish a presence in the community by coordinating support for and participation in local service activities, including cooperating with other congregations to provide assistance to those in need.
- d. Sponsor activities for the purpose of raising funds for international programs of service to those in need.
- e. Educate this congregation in ways to support and participate in programs of assisting the needy.

**Bylaw C12.01.09. Board of Hospitality and Fellowship**

This board shall:

- a. Establish and carry out an intentional program of welcoming all who attend worship services.
- b. Work with the pastor to follow up with visitors who sign the guest register or fill out visitor cards.

\* An asterisk indicates items required by the ELCA.

- c. Recruit and schedule volunteers to provide
  - 1) Fellowship for events such as Advent and Lenten dinners at the church, church picnics, and potluck dinners in members' homes.
  - 2) Meals following congregation meetings or other congregation events at the church.
  - 3) A time for fellowship among members and hospitality to visitors by offering snacks following worship services, meals or receptions following funerals and memorial services, and at other times as is fitting.
- d. Establish policies for use of the church kitchen, including use by outside groups.
- e. Monitor the use, care, and organization of the church kitchen, including purchasing supplies such as coffee, tea, napkins, etc. for church use.

**Bylaw C12.01.10. Board of Communications**

This board shall:

- a. Advance the mission of this congregation by managing its use of all available communications media;
- b. Advise, facilitate and oversee members, leadership and staff of this congregation regarding the content of congregational communications;
- c. Ensure that this congregation's communications programs are implemented and maintained;
- d. Oversee and provide funding for the Technology Team, which shall be responsible for the selection, installation, and maintenance of the congregation's computing and communication hardware, software, and services. This includes, but is not limited to, computers, servers, wired/wireless networks, and software; websites; public address, recording, and broadcasting systems including microphones, speakers, cameras, projectors, and screens; electronic information boards and signs; Internet and phone service; the phone system; and, in conjunction with the Board of Property and Maintenance, computerized control systems for other building systems such as heating and cooling.

**C12.02.** The members of the Congregation Council except the pastor shall be elected at a Congregation Meeting as specified in the bylaws. The duties and terms of office for the Congregation Council shall be as specified in the bylaws. Newly elected Congregation Council members shall be introduced to the congregation and formally installed to serve on the council at a worship service as soon as practical.

**Bylaw 12.02.01.** The board chairs shall be elected for specific boards for a period of two years. A board chair may serve as chair of that board for no more than four consecutive two-year terms.

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

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

- a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
- b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
- c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
- d. To maintain supportive relationships with the pastor 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, to endeavor to foster mutual understanding if differences and conflicts arise, and to keep confidential those matters which the Congregation Council agrees should not be divulged.
- g. To arrange for pastoral service during the sickness or absence of the pastor.
- h. To emphasize partnership with 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.

\* An asterisk indicates items required by the ELCA.



- C12.05.** The Congregation Council shall be responsible for the financial and property matters of this congregation.
- a. The Congregation Council shall act as a board of trustees for this congregation and, as such, shall be responsible for maintaining and protecting its property and managing 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 Missouri, except as otherwise provided herein.
  - b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of the congregation.
  - c. The Congregation Council shall consider all requests for funds that exceed budget appropriations or which have not been budgeted and may enter into contracts of up to \$5000 for items not included in the budget.
  - d. The Congregation Council shall approve an annual budget prepared by the treasurer for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations of more than \$10,000 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 with the synod and churchwide organization.
  - e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to the synodical treasurer.
  - f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.
- C12.06.** The Congregation Council shall see that the provisions of this constitution and its bylaws are carried out.
- C12.07.** The Congregation Council shall provide for an annual review of the membership roster.
- C12.08.** The Congregation Council shall be responsible for the employment and supervision of the staff of this congregation. Nothing in this provision shall be deemed to affect the congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church.
- C12.11.** 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 synodical bishop.
- C12.13.** The Congregation Council and its committees may hold meetings by remote communication, including electronically and by telephone conference and, to the extent permitted by state law, notice of all meetings may be provided electronically.

### Chapter 13.

#### CONGREGATION COMMITTEES

**C13.01.** The officers of this congregation and the pastor shall constitute the *Executive Committee*.

The Executive Committee shall:

- a. Act in the name and on behalf of the congregation between meetings of the Congregation Meeting on matters not assigned to other boards or officers.
- b. Annually review insurance policies and fidelity bonds necessary and advisable to protect the congregation and its agents against major financial loss or legal liability.
- c. Initiate the appointment, as the situation of the congregation requires, of special committees to deal with special tasks.

**C13.02.** The president shall appoint a *Nominating Committee* of up to three voting members of this congregation, one of whom, if possible, shall be a former member of the Congregation Council. The members of the Nominating Committee shall be approved by the Congregation Council for a term of two years. Members of the Nominating Committee are eligible for consecutive appointments. Whenever an officer or board chair position needs to be filled, the Nominating Committee shall have primary responsibility for identifying a nominee or nominees for the open position. The Nominating Committee shall consider

\* An asterisk indicates items required by the ELCA.

diversity in identifying a nominee or nominees for the open position. Additional nominations for open positions may also be made by voting members of the congregation.

- C13.04.** *A Mutual Ministry Committee* shall be composed of the president and at least 2 other voting members of this congregation with preference given to recent past presidents and Congregation Council members. Committee members shall be selected by the pastor and the current president. Term of office shall be two years. Members of the Mutual Ministry Committee are eligible for consecutive appointments. The committee shall (A) ensure that the needs of the pastor, other rostered ministers (if any) and staff are provided for; (B) provide personal and professional support and counsel for these individuals; (C) meet at least once per year with the pastor, other rostered ministers (if any); and (D) meet with each staff person as is necessary or as requested. If, for some reason, it is necessary that the Mutual Ministry Committee meet but it is unable to do so, its duties may be fulfilled by the Executive Committee. Unless action by the Congregation Council is deemed necessary or is legally required, meetings of the Mutual Ministry Committee shall be kept confidential.
- C13.05.** When a pastoral vacancy occurs, the Congregation Council shall request nominees for a *Call Committee* from the voting members of the congregation and receive nominations for a period of three weeks from publication of the request. All persons nominated shall be voting members of the congregation. After receiving nominees, a call committee of seven persons including no more than two current Congregation Council members shall be selected by the Congregation Council. Term of office of the Call Committee shall terminate upon installation of the newly called pastor.
- C13.06.** Other committees of this congregation may be formed, as the need arises, by decision of the Congregation Council.
- C13.07.** Duties of committees of this congregation shall be specified in the bylaws or in the minutes of the Congregation Council meeting authorizing the creation of the committee.
- C13.08.** The pastor and president of this congregation shall be *ex officio* nonvoting members of all committees and boards of the congregation. Attendance at these meetings is voluntary.

## Chapter 15.

### DISCIPLINE OF MEMBERS AND ADJUDICATION

- \*C15.01.** Persistent and public denial of the Christian faith, willful or criminal conduct grossly unbecoming a member of the Church of Christ, continual and intentional interference with the ministry of the congregation, or willful and repeated harassment or defamation of member(s) of the congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will be attempted following Matthew 18:15–17, proceeding through these successive steps, as necessary: a) private counsel and admonition by the pastor, b) censure and admonition by the pastor in the presence of two or three witnesses, c) written referral of the matter by the Congregation Council to the vice president of the synod, who will refer it to a consultation panel drawn from the Consultation Committee of the synod, and d) written referral of the matter by the consultation panel to the Committee on Discipline of the synod. If, for any reason, the pastor is unable to administer the admonitions required by paragraphs a. and b. hereof, those steps may be performed by another pastor chosen by the Executive Committee of the Congregation Council.
- \*C15.02.** The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If the counseling, censure, and admonitions pursuant to \*C15.01. do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three 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

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synod. The Executive Committee of the Synod Council shall then select six members from the Committee on Discipline to decide the case and shall appoint a member of the Synod Council to preside as nonvoting chair. Those six members, plus the nonvoting chair, comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the parties to the case.

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

## Chapter 16.

### AMENDMENTS

- \*C16.01. Unless provision \*C16.04. is applicable, those sections of this constitution that are not required, in accord with the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, may be amended in the following manner. Amendments to may be proposed by at least 15 voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members of the proposal together with the council's recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.
- \*C16.02. An amendment to this constitution, proposed under \*C16.01., shall:
  - a. be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those voting members present and voting;
  - b. be ratified without change at the next annual meeting by a two-thirds vote of those voting members present and voting; and
  - c. have the effective date included in the resolution<sup>2</sup> and noted in the constitution.
- \*C16.03. Any amendments to this constitution that result from the processes provided in \*C16.01. and \*C16.02. shall be sent by the secretary of this congregation to the synod. The synod shall notify the congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.
- \*C16.04. This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* as most recently amended by the 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

<sup>2</sup> Such an effective date must be stated in relation to the requirements of \*C16.03. to allow time for synodical review of the amendment.

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congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to the congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of at least two (2) voting members of the congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

## **Chapter 17**

### **BYLAWS**

- \*C17.01. This congregation may adopt bylaws. No bylaw may conflict with this constitution.
- \*C17.02. Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a two-thirds vote of those voting members present and voting.
- \*C17.03. Changes to the bylaws may be proposed by any voting member, provided that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting. Notification may take place by mail or electronic means, as permitted by state law.
- \*C17.04. Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.

## **Chapter 18.**

### **CONTINUING RESOLUTIONS**

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

## **Chapter 19.**

### **INDEMNIFICATION**

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

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