

**GLORIA DEI
LUTHERAN CHURCH
CONSTITUTION**

Gloria Dei Lutheran Church
301 North Lincoln Street
PO Box 371
Redwood Falls MN 56283
507-637-2592
www.gloriadeilutheran.org

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GLORIA DEI LUTHERAN CHURCH CONSTITUTION

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. Amen.

Chapter 1.

NAME AND INCORPORATION

C1.01. The name of this congregation shall be Gloria Dei Lutheran Church.

C1.02. For the purpose of this constitution and the accompanying bylaws, the Gloria Dei Lutheran congregation 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.

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 Scriptures 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, and standing with the poor and powerless, and committing itself to their needs;

E. nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world; and

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~~ **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; and

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 Church Council shall prepare descriptions of the responsibilities of each committee, task force, or other organizational groups and shall review their actions.

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 Church 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 if Word and Service.

~~C. appoint or terminate the appointment of associates in ministry in conformity with the applicable policy of the Evangelical Lutheran Church in America;~~

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;

~~D.~~ **F.** approve the annual budget;

~~E.~~ **G.** acquire real and personal property by gift, devise, purchase, or other lawful means;

~~F.~~ **H.** hold title to and use its property for any and all activities consistent with its purpose;

~~G.~~ **I.** sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;

~~H.~~ **J.** elect its officers, Church Council, boards, and committees, and require them to carry out their duties in accordance with the constitution and bylaws; and

~~I.~~ **K.** terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.

Chapter 6.

CHURCH AFFILIATION

C6.01. This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the Southwestern Minnesota Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.

C6.02. This congregation accepts the Confession of Faith and agrees to the Purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.

C6.03. This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:

A. this congregation agrees to be responsible for its life as a Christian community;

B. this congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America;

C. this congregation agrees to call pastoral leadership from the ~~clergy~~ roster of **ministers of Word and Sacrament** 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 ~~associates in ministry~~ **ministers of Word and Service** for ~~appointment~~ **call** to other staff positions in the congregation according to the procedures of the Evangelical Lutheran Church in America; ~~and~~

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 if:

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 (insert name of 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 procedures:

A. ~~A resolution indicating the desire of this congregation to terminate its relationship must be adopted at a legally called and conducted special meeting of this congregation by a two-thirds majority of the voting members present.~~ A resolution indicating the intent to terminate its relationship must be adopted at two legally called and conducted special meetings of this congregation by a two-thirds vote of the voting members present at each meeting. 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 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 this congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the first meeting.

B. ~~The secretary of this congregation shall submit a copy of the resolution to the synodical bishop and shall mail a copy of the resolution to voting members of this congregation. This notice shall be submitted within 10 days after the resolution has been adopted.~~ Within 10 days after the resolution has been voted upon at the first meeting, the secretary of 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 send copies of the resolution and certification to voting members of this congregation.

C. ~~The bishop of the synod shall consult with this congregation during a period of at least 90 days.~~ 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 this congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the bishop of the attestation and certification as specified in paragraph b. above.

D. If this congregation, after consultation, ~~is still desires to terminate~~ considering termination of its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds majority vote of the voting members present, ~~at which meeting the bishop of the synod or an authorized representative shall be 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 this congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the second meeting.

E. ~~A certified copy of the resolution to terminate its relationship shall be sent to the synodical bishop, at which time the relationship between this congregation and the Evangelical Lutheran Church in America shall be terminated.~~ 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. ~~Notice of termination shall be forwarded by the synodical bishop to the secretary of this church and published in the periodical of this church.~~ Unless this notification to the bishop also certifies that this congregation has voted to affiliate with another Lutheran denomination, this congregation shall be deemed an independent or non-Lutheran church, in which case *C7.04. shall apply.

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 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 this congregation's first meeting as specified in paragraph a. above or fails to achieve the required two-thirds vote of voting members present at 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 the meeting at which the two-thirds vote was not achieved.

C6.06. If this congregation is ~~considering~~ 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 Southwestern Minnesota Synod of the Evangelical Lutheran Church in America.

C7.02. If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline, 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 a two-thirds majority of the voting members of this congregation present at a regularly 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. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Southwestern Minnesota Synod.~~ 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 (insert name of synod) .

C7.04. ~~If a two-thirds majority of the voting members of this congregation present at a regularly called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body, 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.~~ If 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 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:

- A. 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.
- B. Shall—upon written demand by the Synod Council, pursuant to †S13.23. of the constitution of the (insert name of 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 ~~shall have communed and made a contribution of record during the current or preceding year.~~ 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 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 congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. They have all the privileges and duties of membership except voting rights ~~and eligibility for elected offices or membership on the Church Council of this congregation.~~ or other rights and privileges ascribed to voting members by the provisions of this constitution and by its laws.

E. *Seasonal* members are voting members of other 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 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.

C8.03. All applications for confirmed membership shall be submitted to and shall require the approval of the Church 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 by the Church Council; in accordance with 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 as defined in the bylaws.

Such persons who have been removed from the roll of members shall remain persons for whom the church has a continuing pastoral concern.

Chapter 9.

THE PASTOR(S) ROSTERED MINISTER

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

C9.02. Only a member of the clergy roster of 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 it this 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, every ordained minister shall:

A. Every minister of Word and Sacrament shall:

1. preach the Word;
2. administer the sacraments;
3. conduct public worship;
4. provide pastoral care; and
5. speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.

~~C9.04.~~ B. Each ordained minister pastor with a congregational call shall, within the congregation:

- ~~A.~~ 1. offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
- ~~B.~~ 2. supervise relate to all schools and organizations of this congregation;
- ~~C.~~ 3. install regularly elected members of the Church Council; and
- ~~D.~~ 4. with the council, administer discipline;

~~C9.05.~~ C. Every pastor shall:

1. endeavor to increase the support given by the congregation to the work of the Evangelical Lutheran Church in America churchwide organization and the Southwestern Minnesota Synod of the ELCA.

2. encourage adherence to covenantal relationship with this church as expressed in the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.

~~A. seek out and encourage qualified persons to prepare for the ministry of the Gospel and strive to extend the Kingdom of God in the community, in the nation, and abroad;~~

~~B. impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and~~

~~C. endeavor to increase the support given by the congregation to the work of the Evangelical Lutheran Church in America churchwide organization and the Southwestern Minnesota Synod of the ELCA.~~

~~C9.06.~~ 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.

~~C9.07.~~ 05. Vacating the pastoral office. 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 a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, ~~which, except in the case of the death of the pastor, which~~ shall be terminated ~~only by the pastor's death or,~~ following consultation with the synodical bishop and 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; ~~without reflection on the competence or the moral and spiritual character of the pastor;~~
4. ~~the~~ physical or mental incapacity of the pastor;
5. ~~disqualification of the pastor through discipline on grounds of doctrine, morality or continued neglect of duty; or~~ 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;
- ~~6. the dissolution of the congregation.~~ 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. In the case of alleged physical or mental incapacity of the pastor or ineffective conduct of the pastoral office, it shall be the responsibility of the bishop of the synod, when such difficulties are personally known or have been brought to the synod's attention by an official recital of allegations by the Church Council, or by a petition signed by at least one third of the voting members of the congregation, to investigate such conditions personally in company with a committee of two ordained ministers and one layperson.~~

~~C. In case of alleged physical or mental incapacity competent medical testimony shall be obtained. When such disability is evident, the bishop of the synod with the advice of the committee shall declare the pastorate vacant. Upon the restoration of a disabled pastor to health, the bishop of the synod shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another field of labor.~~

~~D. In the case of alleged local difficulties which imperil the effective functioning of the congregation, all concerned persons shall be heard, after which the bishop of the synod together with the committee described in C9.07.B. shall decide on the course of action to be recommended to the pastor and the congregation. If they agree to carry out such recommendations, no further action shall be taken by the synod. If either party fails to assent, the congregation may dismiss the pastor by a two-thirds majority vote of the voting members present at a regularly called meeting after consultation with the bishop.~~

~~E. The foregoing procedure shall never be invoked when questions of doctrine, morality, or continued neglect of duty are involved, all such cases being treated as disciplinary matters.~~

~~F. If in the course of the proceedings, it should become apparent that the pastoral office cannot be conducted effectively in the congregation being served by the ordained minister due to local conditions, the bishop of the synod may temporarily suspend the pastor from service in the congregation without prejudice and with pay provided through a joint churchwide/synod fund and with housing provided by the congregation.~~

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 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 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 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 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 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, 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.

~~C9.08.~~ 06. At a time of pastoral vacancy, an interim pastor may be appointed by the bishop of the synod with the consent of this congregation or the Church Council.

~~C9.09.~~ 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 Church Council. The interim pastor and any ~~ordained pastor~~ ~~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.

~~C9.10.~~ 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.

~~C9.11.~~ 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 Church Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.

~~C9.12.~~ 10. With the approval of the bishop of the synod, the congregation may depart from ~~C9.07-05.A.~~ and call a pastor for a specific term of years. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of the congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of ~~C9.07-05.A.~~

~~C9.13.~~ 11. ~~The pastor shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation, and shall submit a summary of such statistics annually to the synod.~~ With the approval of the bishop of the synod, 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 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.

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

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

Chapter 10.

CONGREGATION MEETING

C10.01. The annual meeting of this congregation shall be held at a time specified in the bylaws.

C10.02. A special Congregation Meeting may be called by the pastor, the Church Council, or the president of this congregation, and shall be called at the written request of five percent of the voting members. 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 to all voting members at least ten days in advance of the date of the meeting. The posting of such notice in the regular mail, with the regular postage affixed or paid, sent to the last known address of such members shall be sufficient.

C10.04. Five percent of the voting members shall constitute a quorum.

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

C10.06. All actions by the congregation shall be by majority vote except as otherwise provided in this constitution.

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

Chapter 11.

CONGREGATIONAL OFFICERS

C11.01. The officers of this congregation shall be a president, vice-president, secretary, treasurer, and financial secretary.

A Duties of the officers shall be specified in the bylaws.

B. The officers shall be voting members of the congregation.

C. Officers of this congregation shall serve similar offices of the Church Council and shall be voting members of the Church Council.

C11.02. The officers shall be elected by written ballot to serve for one year or until their successors are elected. Their terms shall begin at the close of the annual meeting at which they are elected.

C11.03. No member shall hold more than one office at a time, and no member shall be eligible to serve more than two consecutive terms in the same office, excepting the treasurer and the financial secretary.

Chapter 12.

CHURCH COUNCIL

C12.01. The voting membership of the Church Council shall consist of the pastor(s) and not more than ten members of the congregation and the officers of the congregation.

A. Any voting member of the congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office.

B. A member's place on the Church Council shall be declared vacant if the member;

1. ceases to be a voting member of this congregation; or
2. is absent from four successive regular meetings of the Church Council in one year without cause.

C12.02. The members of the Church Council except the pastor(s) shall be elected by written ballot to serve for two years (one-half to be elected each year) or until their successors are elected. Such members shall be eligible to serve no more than two full terms consecutively. Their terms shall begin at the close of the annual meeting at which they are elected.

C12.03. Should a member's place on the Church Council be declared vacant, the Church Council shall elect, by majority vote, a successor until the next annual meeting.¹

¹ *An unexpired term of less than one year shall not be considered a term of office.*

C12.04. The Church 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 fulfilling its duties, the Church Council shall:

A. lead this congregation in stating its mission, do long-range planning, set goals and priorities, and evaluate its activities in light of its mission and goals;

B. seek to involve all members of this congregation in worship, learning, witness, service, and support;

C. oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission;

D. appoint members to such committees of the council as provided in the bylaws;

- E. maintain supportive relationships with the pastor(s) and staff and help them annually to evaluate the fulfillment of their calling, appointment, or employment;
- F. be examples individually and corporately of the style of life and ministry expected of all baptized persons;
- G. promote a congregational climate of peace and goodwill and, as differences and conflicts arise, endeavor to foster mutual understanding;
- H. support each other, abide by the decisions made by the Church Council and participate in open debate to the avoidance of conflict of interests;
- I. arrange for pastoral service during the sickness or absence of the pastor;
- J. emphasize partnership with the synod and churchwide units 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; and
- K. recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.

C12.05. The Church Council shall be responsible for the financial and property matters of this congregation as specified in the bylaws.

C12.06. The Church Council shall see that the provisions of this constitution and its bylaws are carried out.

C12.07. The Church Council shall provide for an annual review of the membership roster as specified in the bylaws.

C12.08. The Church Council shall be responsible for the appointment and supervision of the salaried lay workers of this congregation as specified in the bylaws.

C12.09. The Church Council shall submit a comprehensive report to this congregation at its annual meeting.

C12.10. The Church Council shall hold regular and special meetings of the Church Council as specified in the bylaws.

C12.11. A quorum for the transaction of business shall consist of a majority of the members of the Church Council, including the pastors or interim pastor, except when the pastor requests or consents to be absent and has given prior approval to an agenda of routine matters which shall be the only business of the meeting.

Chapter 13.

CONGREGATION COMMITTEES

C13.01. The officers of this congregation and the pastor shall constitute the Executive Committee, which shall operate in accordance with the bylaws.

C13.02. This congregation shall appoint a nominating, audit, staff support and call committee as specified in the bylaws.

C13.03. Other congregation committees may be formed as the need arises, by decision of the Church Council.

C13.04. Duties of congregational committees shall be specified in the bylaws.

Chapter 14.

ORGANIZATIONS WITHIN THE CONGREGATION

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

C14.02. Special interest groups, other than those of the official organizations of the Evangelical Lutheran Church in America, may be organized only after authorization has been given by the Church Council.

Chapter 15.

DISCIPLINE OF MEMBERS

~~C15.01. Denial of the Christian faith as described in this constitution, conduct grossly unbecoming a member of the Church of Christ, or persistent trouble making in this congregation are sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation will be attempted following Matthew 18:15-17, proceeding through these successive steps:~~

~~——— A. private admonition by the pastor,~~

~~——— B. admonition by the pastor in the presence of two or three witnesses, and~~

~~——— C. citation to appear before the Church Council.~~

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 this congregation, or willful and repeated harassment or defamation of member(s) of 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. ~~A member charged with the offence shall appear before the Church Council having received written notice, specifying the exact charges that have been made against the member, at least 10 days prior to the meeting.~~ The process for discipline of a member of 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. ~~Should the allegations be sustained by a two-thirds majority vote of the members of the Church Council and renewed admonition prove ineffectual, the council shall impose one of the following disciplinary actions:~~

~~———— a. censure before the council or congregation;~~

~~———— b. suspension from membership for a definite period of time; or~~

~~e. exclusion from membership in this congregation. Disciplinary actions B. and C. shall be delivered to the member in writing.~~ 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 member against whom disciplinary action has been taken by the Church Council shall have the right to appeal the decision to the Synod Council. Such right may not be abridged and the decision of the Synod Council shall be final.~~ 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. ~~Disciplinary actions may be reconsidered and revoked by the Church Council upon receipt of;~~

~~———— A. evidence that injustice has been done, or~~

~~———— B. evidence of repentance and amendment.~~

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 this congregation; or

d. termination of membership in 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 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 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. 17.

BYLAWS

C16.17.01. This congregation may adopt bylaws. No bylaws may conflict with this constitution.

C16.17.02. Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a two-thirds majority vote of those voting members present and voting.

C16.17.03. Changes to the bylaws may be proposed by any voting member provided, however, that such additions or amendments be submitted in writing to the Church Council at least 60 days before a regular or special Congregation Meeting called for that purpose and that the Church Council shall notify the members of the proposal with its recommendations at least 30 days in advance of the Congregation Meeting.

C16.17.04. ~~Approved changes to the~~ Adopted or amended bylaws shall be sent to by the secretary of this congregation to the synod.

Chapter 17. 16.

AMENDMENTS

C17.16.01. ~~Amendments to this constitution may be proposed by at least 5 percent of the voting members or by the Church Council.~~

~~A. Proposals must be filed in writing with the Church Council 60 days before formal consideration by this congregation at its regular or special meeting called for that purpose.~~

~~B. The Church Council shall notify the members of the proposal with their recommendations at least 30 days in advance of the meeting.~~

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 _____ 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 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.

~~C17.16.02.~~ A proposed amendment to this constitution shall: An amendment to this constitution, proposed under *C16.01., shall:

- A. be approved at a properly and legally called meeting of this congregation according to this constitution by a majority vote of those voting members present and voting;
- ~~B.~~ be amended at the first meeting by a majority vote of those present and voting if a proposed amendment fails to be approved;
- ~~e.~~ B. be ratified without change at the next annual regular meeting of this congregation held pursuant to C10.01 by a two-thirds majority vote of those voting members present and voting; and
- ~~d.~~ C. have the effective date included in the resolution² and noted in the constitution.

~~C17.16.03.~~ 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 amendment shall become effective within 120 days from the date of the receipt of the notice by the synod unless the synod informs this congregation that the amendment is in conflict with the constitution of the Southwestern Minnesota 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.

~~C17.16.04.~~ Whenever the Model Constitution for Congregations is amended by the Churchwide Assembly, this constitution may be amended to reflect any such amendment by a two-thirds majority vote at any subsequent meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail notice to the congregation of such an amendment or amendments at least 30 days prior to the meeting. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod, consistent with ~~C17.16.03.~~ 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 this congregation without presentation at a prior meeting of this congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to 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) voting members of this congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of this congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

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.

Chapter 18.

CONTINUING RESOLUTIONS

C18.01. 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 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.

Chapter 20.

PARISH AUTHORIZATION

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

C20.01. This congregation may unite with one or more other congregations recognized by the synod named in C6.01. to form a parish. Except as provided in C20.02. and C20.03., a written agreement, developed in consultation with the synod and approved by the voting members of each congregation participating in the parish, shall specify the powers and responsibilities that have been delegated to the Parish Council. The Parish Agreement shall identify which congregation of the parish issues calls on behalf of the member congregations or shall establish a process for identifying which congregation issues calls on behalf of the member congregations.

C20.02. One congregation of a parish shall issue a call on behalf of the member congregations to a minister of Word and Sacrament or a candidate for the roster of Ministers of Word and Sacrament who has been recommended by the synod bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.

C20.03. One congregation of a parish may issue a call on behalf of the member congregations to a minister of Word and Service or a candidate for the roster of Ministers of Word and Service who has been recommended by the synod bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.

C20.04. Any one of the congregations of the parish may terminate their relationship with the pastor as provided in †S14.18.d. of the synod constitution of the synod named in *C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.

C20.05. Any one of the congregations of the parish may terminate their relationship with a minister of Word and Service as provided in †S14.43.d. of the synod constitution of the synod named in C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.

C20.06. Whenever a parish agreement is terminated, the call of any rostered minister serving that parish is terminated. Should any congregation that was formerly part of the parish agreement desire to issue a new call to that rostered minister, it may do so in accordance with the call process of this church.

BYLAWS

Chapter 1.

MEMBERSHIP (cf., Constitution, Chapter 8.)

B1.01. Baptized members.

A. This congregation is commissioned to baptize candidates for membership into the body of Christ with water and the Holy Spirit in the name of the Triune God. The baptized member is thereafter privileged to live in that sacrament forever.

B. Admitted to the congregation as baptized members are those who:

1. are baptized in this congregation; or
2. having been previously baptized in the name of the Triune God, are received by letter of transfer, confirmation or affirmation of faith.

C. The congregation will welcome newly baptized members into the Lord's family, receive them as fellow members of the body of Christ and fellow workers in the kingdom of God (Lutheran Book of Worship (LBW) pg 125).

B1.02. Communing members are baptized members who have received the Sacrament of Holy Communion at least once within the preceding calendar year.

B1.03. Confirmed members.

A. Confirmation is a pastoral and educational ministry of the church which helps the baptized member through Word and Sacrament to identify more deeply with the Christian community and participate more fully in its mission.

B. The rite of confirmation (Affirmation of Baptism (LBW pg. 192-202) will be made available to baptized members after satisfactory completion of courses of study.

B1.04. The roster of voting members will be reviewed prior to the regular annual congregational meeting. (cf., C8.02.c)

B1.05. The roster of associate members will be reviewed annually.

B1.06. Care of members.

A. The congregation will issue a letter of certificate of transfer to another Lutheran congregation

on a member's request. Should a member, having moved to a distant community, fail to request a transfer, a Lutheran congregation in or near that community shall be notified.

B. A member who has elected not to fulfill the provisions of membership as described in C8.02 of this constitution for one year shall be contacted by the pastor(s) and/or representatives of the congregation towards restoring active membership. If, during the second year, the member does not respond, that member's name shall be removed from the active member roster, but retained on a responsibility list.

Chapter 2.

THE PASTOR(S) (cf., Constitution, Chapter 9.)

B2.01. After the congregation has voted to call a pastor, it shall issue a Letter of Call to the pastor-elect in a form approved by the Evangelical Lutheran Church in American. The Letter of Call shall be signed by the president of the congregation and shall be attested by the synod bishop.

B2.02. The call to a pastor shall normally be for an indefinite time.

B2.03. If a pastor receives a Letter of Call to another ministry, the pastor will consult the church council or congregation before reaching a decision. Thereafter, the pastor will announce a decision to the congregation, within twenty-one days to thirty days and notify the synod bishop. Following acceptance of the call, the pastor's ministry in this congregation shall usually terminate within an additional thirty days.

B2.04. If in the judgment of the congregation the pastor is unable to serve it satisfactorily, the pastor may be asked to resign.

A. Before the resignation is requested, all parties, including the pastor, shall have the opportunity to speak at a special meeting of the church council at which the synod bishop or an authorized representative shall be present.

B. After the hearing before the church council, a special meeting of the congregation to consider a request for the pastor's resignation shall be called with a written notice at least ten days in advance of the meeting. A resolution requesting the pastor's resignation shall require a two-thirds ballot vote of those present and voting.

C. Following adoption, the resolution will be submitted in writing to the pastor. On the pastor's acceptance of the resolution, the pastor will vacate the office within the time specified in the resolution.

D. Should the pastor reject or ignore the resolution after ten days, the church council shall declare the office of pastor vacant and so notify the synod bishop.

Chapter 3.

CONGREGATION MEETINGS (cf., Constitution, Chapter 10.)

B3.01. The annual congregation meeting shall be held during the month of January as called by the executive committee.

B3.02. The official roster of voting members will be available at each meeting of the congregation. Only voting members at the meeting may vote. Proxy, mail or absentee ballots will not be accepted.

B3.03. Each organization of the congregation shall furnish a report to the secretary a minimum of 20 days before the annual meeting.

A. The report will include the year's activities, finances and goals for the coming year.

B. Members will receive a consolidated written annual report in their church mailboxes 10 days prior to the annual meeting which will include:

1. Reports of the pastor(s);
2. Program staff reports;
3. Treasurer's report, forecast and proposed annual budget;
4. Audit committee report;
5. Auxiliaries' reports;
6. Ministry area reports;
7. Nominating committee report; and
8. President's report.

B3.04. The agenda for the annual meeting shall be prepared by the executive committee and will be included in the annual report.

A. Ten members may petition the president to propose an agenda item or resolution ten days prior to the annual meeting.

B. The agenda shall be posted 30 days prior to the annual meeting and closed 10 days prior to the annual meeting.

C. The agenda shall include:

1. Opening worship;
2. Secretary's report (minutes and membership statistics);
3. Reports of the pastor(s);
4. Treasurer's report;
5. Election of officers, congregation committees and church council;
6. Adoption of budget;
7. President's report;
8. Written resolutions; and
9. Prayer

Chapter 4.

OFFICERS (cf., Constitution, Chapter 11.)

B4.01. The duties of the president shall include:

A. Presiding at all meetings of the congregation, the church council and executive committee;

B. Coordinating the work of the committees as an *ex-officio* member;

C. Carrying out the will of the congregation as ordered by this constitution, bylaws and resolutions of the congregation;

D. Delivering an annual report to the congregation;

E. Appointing members of the audit and Mutual Ministry Committee; (cf., Bylaws, Chapter 6.)

F. Reporting delegates elected by the congregation to synod assemblies, conference conventions and other conventions as required;

G. Executing letters of call on behalf of the congregation;

H. Appointing persons with concurrence of the council to fill vacancies of secretary, treasurer, and financial secretary as provided by the nominating committee; and

I. Appointing the parliamentarian at congregational meetings.

J. Chairing the Management Ministry Area.

K. In consultation with church council, notify the synod bishop when a pastoral vacancy occurs, so that the bishop may assist them in providing interim pastoral service and through the call process.

B4.02. The duties of the vice-president shall include:

A. performing the duties of the president in the president's absence, incapacity or at the president's request;

B. serving in the Management Ministry area.

B4.03. The items A – J shall be the duties of the council secretary, in cooperation with the office staff. In absence of the council secretary, these duties shall be the responsibility of the church secretary.

A. recording proceedings of the congregation and church council meetings and distributing copies to the members;

B. retaining and codifying secretarial records to be filed permanently in the church office and keeping a duplicate set of records which shall be turned over to his/her successor;

C. keeping attendance records for each council meeting, advising the president of absentees and their reasons for absence and notifying members who have two unexcused absences in one year;

selecting a person to lead devotions for each council meeting;

E. announcing all congregational meetings and council meetings and arranging for meeting places;

F. maintaining membership records, making a roster of voting members available at each congregational meeting and preparing a directory of church council and committee members;

G. assisting membership records, making a roster of voting members available at each congregational meeting and preparing a directory of church council and committee members;

H. being responsible for safekeeping of all official congregational documents (e.g., deeds, mortgages, articles of incorporation, constitution and bylaws, tax returns, etc.);

I. compiling and distributing the annual report of the congregation and the congregational report to the Evangelical Lutheran Church in American; and

J. notifying the nominating committee of all offices to be filled ninety days prior to the annual meeting where elections are to take place.

B4.04. The duties of the treasurer shall include:

A. supervising the financial procedures, records, and investments of the congregation;

B. rendering a monthly statement of income and expense compared to budget to the church council;

C. signing all checks;

D. delivering an annual financial report to the congregation;

E. being a member of the Management Ministry area; and

recommending written financial policies and procedures for cash management (e.g., annual budgeting, fund accounting and annual audit to the church council.)

B4.05. The duties of the financial secretary shall include:

A. directing the counting, depositing and recording of all contributions, fees collected, gifts, and bequests received;

B. reconciling each deposit to contributor's records;

C. issuing quarterly statements to contributors;

D. keeping individual giving records confidential;

E. preparing an annual report to the congregation and the stewardship committee;

F. monitoring cash management policies and procedures, and making recommendations for changes to the treasurer; and

G. being a member of the Discipleship ministry area.

Chapter 5.

THE CHURCH COUNCIL (cf., Constitution, Chapter 12.)

B5.01. The Church Council, in overseeing the membership of this congregation, shall;

A. supervise the roster of baptized, confirmed, voting and associate members;

B. provide procedures for the reception of new members and the departure of members of the congregation;

C. activate and motivate all members of the congregation to participate in ministries or worship, learning, witness, service, fellowship and support;

D. support the inactive members through prayer, visitation and caring ministries; and

E. recognize the service of members to congregational and community ministry.

B5.02. To conduct the business of this congregation, the Church Council shall:

A. set the date, time and place for regular monthly meetings of the Church Council;

B. schedule special meetings of the church council, which may be called by the pastor, president or three members of the council, and give notice of the special meeting not less than seven days prior to the meeting;

C. seek to reach decisions by and through consensus; and

D. govern its parliamentary procedures by “Robert’s Rules of Order”, latest edition.

B5.03. The Church Council, in supervising the personnel matters of this congregation, shall:

A. secure necessary staff other than the pastor (e.g., parish education associate, organist, office secretary or business administrator) and set their salaries;

B. review staff salaries annually, including the pastor, using Southwestern Minnesota Synod salary guidelines;

C. develop and maintain written position description and personnel policies for all staff, covering at least salaries, hours and working conditions;

D. provide procedures for staff support and performance evaluation; and

E. adopt office policies for the church staff (e.g.; office hours, vacations, record retention, sick leave, etc.).

B5.04. The Church Council, in overseeing this congregation’s finances, shall:

A. prescribe a process for developing the annual budget and recommending the budget to the congregation;

B. authorize expenditures loans or use of restricted funds up to \$10,000.00 in excess of budgeted funds in any one year;

C. encourage congregation members of all ages to proportionate Biblical stewardship;

D. determine the proportion of this congregation’s income to be committed to synodical and churchwide benevolence;

E. adopt a written audit procedure for both income-expense and balance sheet transactions;

- F. inspect all insurance policies for adequacy of coverage and report the findings to the congregation;
- G. authorize all extra-budgetary appeals for funds and fund-raising events to the congregation from sources both inside and outside the congregation;
- H. adjust allocation of funds should income fall short of expectations or expenses exceed budgeted amounts;
- I. provide for contingency or emergency funds;

- J. prepare and adopt a capital budget for improvements or major repairs and provide a capital growth fund in a foundation, trust or endowment to receive bequests, special or deferred gifts to the congregation, review and accept or deny all offers of unsolicited gifts to the congregation;
- K. approve all depositories of congregational funds; and
- L. provide a fidelity bond for treasurer, financial secretary and others who have access to congregational funds.

B5.05. The Church Council, in managing the property of this congregation, shall:

- A. As the legal board of trustees:
 - 1. act, except as limited by the constitution and bylaws, as managing authority and make contracts proper to the purpose of the organization, including borrowing money, pledging or mortgaging property, and settling claims, but not including radical changes which affect the corporate purpose;
 - 2. act only as a body, never as individuals, at regular or special meetings upon notice, through resolutions, by a majority vote of a quorum present;
 - 3. delegate authority to appointed or hired agents and servants, but shall not delegate discretionary responsibilities; and
 - 4. be liable to the corporation for its willful breaches of trust or misapplication of funds, as well as acts in excess of corporate power, but shall not be liable for mere errors of judgment, provided actions were taken in good faith;

- B. maintain the buildings and premises of the congregations including equipment and furnishings, keep a record of inventory of physical assets, maintenance performed thereon and estimated replacement date;

- C. approve or reject the use of congregational facilities by outside groups, limiting approval for such use to those groups and activities whose purposes are compatible with those of the congregation, assess usages fees and restrictions, and approve applications for regular use, while allowing the church staff to approve applications for occasional use;

- D. prescribe a policy for building and premises security, distribution of keys, fire extinguishers,

burglar alarms, smoke and heat detectors, and responsibility for locking the buildings following various events, especially on weekends and evenings; and

E. authorize the custodial staff to inspect the premises regularly for the purpose of sound maintenance, safety, accessibility, insurance and building code compliance.

B5.06. The Church Council, in overseeing the administration of this congregation shall:

A. designate standing committee and specify their number, duties, authority, budget and accountability to the Church Council (in addition to those listed in Bylaws, chapter 6);

B. appoint members of the congregation to special purpose Church Council task forces (e.g., hunger appeal, community celebrations, tax hearing, etc.);

C. render annual and special reports of activities to the congregation;

D. administer discipline in the congregation (cf., Constitution, chapter 15);

E. support the pastor(s) according to the Letter of Call;

F. provide an operating manual and training opportunity for each Church Council member and officer, which will contain at least this constitution and bylaws, congregational directory, Church Council minutes, resolution registry, organization chart, and position descriptions for each staff position and standing committee;

G. provide for internal and external communications of the congregations (e.g., newsletter - internal and advertising - external);

H. encourage fellowship groups in the congregations;

I. support auxiliary organizations and invite a representative from each auxiliary to attend council meetings with voice but without vote;

J. appoint or assign planning function to recommend long-range plans to the Church Council and to evaluate present programs;

K. require each organization of the congregation to be accountable to the mission statement of the congregation;

L. preserve historical archives of the congregation, appoint a congregational historian, prepare and distribute written history of the congregation, celebrate anniversaries and historic events;

M. prepare and distribute a directory of members of the congregation at least triennially; and,

N. coordinate the programs and ministries of the congregation and direct ministry functions not otherwise specified to the most appropriate committee, board or task force.

B5.07. The Church Council, in overseeing the spiritual care of this congregation, shall:

- A. determine the age for baptized members to receive Holy Communion for the first time in consultation with the pastor(s) (cf., B1.02 and B8.03);
- B. exercise general oversight of the spiritual life, mission, and ministry of the congregation that all may be done according to the Word of God and this constitution;
- C. approve modifications in worship as recommended by the worship committee;
- D. approve applications for membership into the congregation (cf., Constitution, chapter 8);
- E. admit persons to membership where there is no evidence of confirmation and there is no letter of transfer; and
- F. provide for spiritual care of congregational members (cf., B1.06).

Chapter 6.

COMMITTEES OF THE COUNCIL

B6.01. Under the supervision and with the approval of the Church Council, the ministry of the congregation shall be carried out in six ministry areas.

B6.02. The **Church in the World** ministry area shall work to connect the Christian faith with the concerns of the community, state, nation and world by;

raising awareness of and involvement in the global mission of the church;

B. providing information and opportunities to address social, political and economic concerns in the community and the world;

C. coordinating the congregation's local and global hunger relief efforts; and

D. encouraging congregation members to lives of love and service for Christ's sake.

B6.03. The **Congregational Life** ministry area shall work to integrate all members of the congregation into its life and mission by;

A. coordinating the outreach of the congregation and its welcoming of new members;

B. seeking to assimilate new members into the life and work of the congregation;

C. arranging appropriate publicity to enhance the visibility of the congregation and its mission in the community;

D. gathering and distributing information on the spiritual gifts of all members in order to provide them fitting avenues of service to Christ through the church; and

E. promoting fellowship and a sense of belonging among members of the congregation.

B6.04. The **Discipleship** ministry area shall work to strengthen the faith and discipleship of all members of the congregation by;

providing life-long opportunities for adults to grow in faith and ministry;

leading the stewardship education of the congregation, encouraging all members to be faithful managers of their time, ability and possessions;

C. overseeing the work of congregational auxiliaries such as the Women of the ELCA and Lutheran Men in Mission; and

attending to the spiritual growth and depth of the congregation's members and ministry.

E. The financial secretary of the congregation shall serve in this area *ex officio*.

B6.05. The **Management** ministry area shall oversee the finances and property of the congregation by;

supervising the budget process of the congregation and assisting the treasurer in allocating all monies;

securing adequate insurance for the protection of the congregation and its properties;

keeping record of all monies and properties donated to the congregation and investing or dispersing these funds as directed by the Church Council;

reporting the financial state of the congregation to the Church Council each month;

overseeing the maintenance and improvement of the church properties; and

recommending, supervising and supporting the work of the church custodian(s).

The president, vice-president, treasurer and custodian(s) of the congregation shall serve in this area *ex officio*.

H. See that fire safety inspections are performed annually with or without the assistance of the local fire department.

B6.06. The **Spiritual Formation** ministry area shall work to support Christian parents in nurturing the faith of the children and youth of the congregation by;

seeking to equip and encourage Christian parents to assume the role as chief teachers of the faith for their children;

administrating the Christian education ministry of the congregation for all youth from baptism to high school graduation;

supervising the planning and programming for elementary,

middle and high school youth programs, including staffing the youth ministry teams;

setting policies and making recommendations for these ministries;

involving young people in the life and ministry of the congregation; and

supervising and supporting the work of the Parish Education Coordinator(s).

The Parish Education Coordinator(s) shall serve in this area as *ex officio*.

Fire drills are randomly called at least annually in the Sunday school.

B6.07. The **Worship** ministry area shall provide for an active and meaningful worship life for the congregation by;

giving special attention to the liturgical year and special services;

supervising the monthly service groups and the worship planning team, as well as the auxiliary programs, which include the Altar Guild, the acolyte program and the Saturday/weeknight worship planning team; and

supervising and supporting the personnel coordinating the music program, including all choirs, handbells, organists, Sunday School music, GIFT Exchange music, other instrumentalists and soloists, with the assistance of the pastor(s) and other directors.

D. The organists may serve in this area as *ex officio*.

B6.08. Two members of teach ministry area (except Management) shall be nominated and elected to serve on church council for a two-year term, renewable once.

B6.09. Two to eight other standing members shall be elected to serve in each ministry area for two-year terms, renewable once, with half elected each year.

B6.10 The Church Council or each Ministry Area may form other committees, sub-committees and task forces as the need requires from within or outside its membership.

B6.11. Each ministry area shall elect its own convener and recorder from its membership each year.

B6.12 Committee recorders shall furnish a written report and resolutions for action to the Church Council.

Chapter 7.

CONGREGATIONAL COMMITTEES (cf., Constitution, Chapter 13.)

B7.01. The Nominating committee shall:

A. be comprised of six voting members of the congregation, two of which shall be outgoing

members of the Church Council, elected at the annual meeting for a non-renewable term of two years (one-half to be elected each year);

B. be convened by the pastor(s) as advisor;

elect a chairman from their midst who will call and preside at subsequent meetings;

D. ask candidates to serve the full term of office if elected;

E. announce the nominees and their qualifications to the congregation with the notices of the regular or special congregational meeting;

F. accept nominations from the floor providing that the nominee is present at the meeting to deliver both qualifications and consent to serve; and

provide nomination for:

1. Church officers: president, vice-president, secretary, treasurer and financial secretary;
2. Church Council members to serve in specific Ministry Areas;
standing members to serve in each ministry area as determined by the Church Council;
4. Nominating committee members;
5. Call committee members;
6. delegates to synod assemblies;
7. other officers which may be specified in these bylaws as revised.

B7.02. The Audit committee shall:

A. be comprised of three voting members who are not members of the Church Council, appointed by the president with the approval of the Church Council to a non-renewable term of three years (one member to be appointed each year);

B. audit the financial books and internal controls after the end of the year, but prior to the annual meeting and/or at the direction of the Church Council;

C. follow the written audit procedures adopted by the Church Council (cf., B5.04.e); and,

D. report their findings to the congregation in writing and include them with the annual report, signed and dated by each member of the committee.

B7.03. The Mutual Ministry committee shall:

A. be comprised of six members of the congregation who hold no other office in the congregation, appointed jointly by the president and the pastor(s), to a term of two years (one-half to be appointed each year);

meet at least semi-annually or on notice of the convener designated by the president;

C. not elect a chairman or secretary, there being no reports or minutes maintained;

Recommend and advocate needed changes to the Church Council or executive committee;

E. meet with staff either individually or in groups as needed, but meet at least once a year with the entire staff in attendance; and,

G. listen to concerns of members regarding leadership and performance of the staff and add such concerns to the agenda of subsequent meetings.

B7.04. The Executive committee shall:

A. supervise support of the pastor(s) according to the Letter of Call, unless otherwise provided herein;

prepare the agenda for the regular and special congregational meetings and Church Council meetings;

develop and recommend a mission statement to the congregation; or delegate this responsibility to a task force;

D. act as personnel committee in the absence of a separate committee for that purpose;

E. act as budget and planning committee in the absence of separate committees for those purposes; and

F. interpret the work of the congregation to the community and its leaders and listen to and report community needs for Christian service to the congregation.

B7.05. The Call committee shall:

A. be formed only in the event of a pastoral vacancy;

B. be comprised of ten voting members (including at least one member of the Church Council), nominated by the nominating committee and elected at a regular or special meeting of the congregation called for that purpose, to serve until the installation of the newly-called pastor;

study the congregation's mission and pastoral needs and share the results with the synod;

receive recommendations of nominees from the synod bishop or synod call committee for the study;

E. provide for candidates of call descriptive information about the congregation, e.g., history, pictures of the church building, congregational direction, city maps, congregational reports, annual report, information about the congregation and its mission, etc.;

evaluate pastoral candidates by interview and other means; and

G. recommend candidates to the congregation at a special meeting called for that purpose.

B7.06 The Personnel Committee shall: The Personnel Committee is a sub-committee of the Management Committee. Membership includes: Current and Past Council President, Vice-President, plus three (3) members on 3-year offset terms. Duties include:

A. Staff goal setting and personnel development planning.

B. Conducting probationary and annual reviews.

Hiring of church staff including placing employment ads and conducting interviews.

Conducting criminal background checks on all stipend volunteers and new hires.

E. Conduct disciplinary procedures and termination procedures.

Conducts exit interviews with staff that are leaving.

G. Provide support for pastor(s) and other staff members as specified in the Letter of Call, including such matters as housing, health, continuing education, pensions, salaries, communications, etc.

Chapter 8.

HOLY COMMUNION (cf., Constitution, Chapter 8.)

B8.01. Holy Communion shall be offered at least once each month during regular worship services.

B8.02. Members and visitors are invited to participate in the sacrament and will be advised of the Lutheran teachings regarding preparation and worthiness, namely,

A. acceptance of the real presence of Christ's body and blood in, with and under the bread and wine; and

B. Firm belief in the words "given and shed for you for the remission of sins".

B8.03. Preparation for Holy Communion will be provided for baptized members at an age as determined by church council (Refer to B5.07.B).

B8.04. A record of participation in Holy Communion shall be maintained for all members.

Chapter 9.

FELLOWSHIP

B9.01. This congregation will cooperate with other organizations whose purpose are compatible with this constitution (cf., Constitution, Chapter 4).

B9.02. The use of the building and facilities of this congregation shall be limited to this congregation's activities and those of outside groups, approved by the Church Council, who meet the provision above.

B9.03. Ceremonies of lodges or any organizations which do not confess the Triune God and Jesus Christ as Lord and Savior shall not be permitted in the buildings or premises of this congregation. The pastor will not take part in such ceremonies inside or outside the building or premises.

Chapter 10.

CONGREGATIONAL RECORDS

B10.01. The records of this congregation shall be the property of the congregation and shall not be removed or used for commercial purposes.

B10.02. The records are:

- A. the roster of baptized, confirmed, associate, and voting members;
 - B. the ministerial acts performed by the pastor(s);
 - C. the minutes and reports of the conference and synod, and the yearbook of the Evangelical Lutheran Church in America;
 - D. The minutes of the meetings of the congregation and Church Council;
- The financial records of the congregation; and
- F. all official and legal documents, including this constitution and bylaws, deeds, mortgages, contracts, etc.

B10.03. The pastor(s) shall be responsible for the maintenance and security of the records except as provided herein.

B10.04. The pastor(s) and Church Council shall furnish an annual congregational report to the Southwest Minnesota Synod of the Evangelical Lutheran Church in America and a report of ministerial acts performed by the pastors.

B10.05. In the event of dissolution of this congregation, the official records of this congregation shall be deposited in the appropriate archives of the Evangelical Lutheran Church in American or its successor.