

ST. PAUL'S EVANGELICAL LUTHERAN CHURCH

Constitution and By-Laws of St. Paul's Evangelical Lutheran Church

1/25/2016

Gifford, Illinois

**CONSTITUTION AND BY-LAWS
OF
ST. PAUL'S EVANGELICAL LUTHERAN CHURCH
GIFFORD, ILLINOIS 61847**

PREAMBLE

We, as a Christian congregation, 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.

CONSTITUTION

Article 1 – Name and Place

1. The name of this congregation shall be:

St. Paul's Evangelical Lutheran Church
Gifford, Illinois 61847

2. This congregation shall be incorporated in its own name under the laws of the State of Illinois as a religious corporation, not for profit.

Article 2 – Confession of Faith

1. This congregation accepts the Canonical Books of the Old and New Testaments as the inspired, inerrant Word of God and the only infallible authority in all matters of faith and life.
2. This congregation also accepts each and all of the Symbolical Books of the evangelical Lutheran Church as the true exposition and presentation of the faith once for all delivered unto the saints, to wit: The three Ecumenical Creeds, vis: The Apostles' Creed, the Nicene Creed and the Athanasian Creed; the Unaltered Augsburg Confession and its Apology; the Smalcald Articles; the Large and Small Catechisms of Luther; and the Formula of Concord.
3. This congregation is earnestly opposed to all organizations or societies, secret or open, which, without confessing faith in the triune God and in Jesus Christ as the eternal Son of the eternal God, incarnate in order to be our only savior from sin, are avowedly religious or practice forms of religion, teaching salvation by works. It declares such organizations and societies to be anti-Christian, and rejects any fellowship with them. Each case, in treating with such societies or their members, should be treated individually.

Article 3 – Object

The object and purpose of this congregation shall be to glorify God and to help in the extension of His kingdom among all people for their salvation by promoting and disseminating the Christian religion as expressed in the doctrine and practice of the evangelical Lutheran Church.

Article 4 – Association Affiliation

For the better attainment of its object and purpose this congregation and its pastor shall hold membership in the Association of Free Lutheran Congregations. Should the congregation at any time see fit to sever this connection, this shall be effected in an orderly and Christian manner as follows: a two-thirds majority vote of all voting members present at a regularly called meeting shall be required to dissolve such affiliation, the action to take effect, however, only after a subsequent meeting of the congregation has ratified the previous action by a two-thirds majority vote. Notice of these meetings shall be mailed to all voting members at least ten (10) days in advance of the meeting.

Article 5 – Power of the Congregation

1. In all matters of Christian faith and life, the Word of God is the highest authority.
2. In all matters left undecided in Holy Writ and not subject to civil laws, the congregation itself, and not any individual or group within it, shall have the right of ultimate decisions.
3. All schools and other organizations within the church must be organized with the consent of the church council and operate under its authority, and the church council must operate under the authority of the congregation.

Article 6 – Membership

1. All children baptized by the pastor of this congregation, also all baptized children transferred here with parents, together with the communicant membership shall constitute the Baptized Membership of the congregation.
2. All adults and children who have been baptized in the name of the Triune God and have been confirmed in the true Christian faith as confessed by the evangelical Lutheran Church; who have been received into this congregation by confirmation, profession of faith, vote of the congregation, transfer, or otherwise; who by God's grace strive to remain true to their baptismal covenant and therefore make diligent use of the means of grace, who lead a Christian life; who submit to this constitution and support the congregation with their means and talents, shall be the Communicant Members of this congregation.
3. All confirmed members in good standing and who have attained the age of eighteen (18) shall be considered Voting Members of this congregation and shall be entitled to active participation in congregational meetings and to vote at all elections, except in those instances where such voting would conflict with state laws.

Article 7 – The Church Council

1. The Church Council shall consist of: Five (5) Trustees, three (3) Deacons, and, three (3) Elders. The Pastor shall be a member of the Church Council in an advisory capacity only.

- a. Trustees:

Five (5) persons elected by the congregation shall constitute the Board of Trustees. The Trustees shall serve for a term of two (2) years: two (2) being elected one year; three (3) being elected the following year. They may not succeed themselves as Trustees. The Pastor shall serve as an advisor to the Board of Trustees.

The Board of Trustees shall elect a chairman to preside at their meetings. This chairman shall be chosen from the “carry-over members” and thus be fully familiar with the business and preceding actions of the board. The chairman may elect a secretary to keep accurate minutes of all meetings of the Trustees and to give notice of such meetings, and to give and keep all correspondence of the Trustees. A majority shall constitute a quorum.

The Trustees shall bear responsibility for keeping the church properties in good repair; they shall employ and, if necessary, assist the caretaker of the grounds and buildings, see that all necessary supplies and materials are made available for the operation of the church's program and work; they shall supervise the ingathering of funds necessary for all purposes. The Trustees shall be responsible for appointing a committee of at least two (2) congregational members to internally review the congregation's financial records using the guidelines in place from church policy, and the internal review shall be completed prior to the congregational annual meeting. Internal review committee members shall not be members of the church council.

It will also be the duty of the Trustees to lead an upright and Christian life; they shall stand willing to promote in every possible way the general welfare of the church properties and its operation; they shall oppose all forces which hinder the work in the kingdom of God; by word and action faithfully build the Church of Christ.

- b. Deacons:

Three (3) persons elected by the congregation shall serve together with the pastor in the oversight of the preaching and teaching of the Word and the necessary assemblies for the enrichment of the spiritual life of the congregation's members. They shall be the Deacons of the Church and the term of the elected office will be three (3) years, one (1) being elected each year. They may not succeed themselves as Deacons.

The Deacons shall elect from their own number a chairman to preside at all meetings. This chairman is to be chosen from the persons who have previously

served one (1) year of their term. Also, they may elect a secretary to keep accurate minutes of their meetings and to give notice of meetings.

It will be the duty of the Deacons to strive to lead an exemplary Christian life in every respect; for they will often be seen before the assembled congregation and any misconduct be harmful to the spirit of true devotion. It will be the Deacons' duty to see that services of worship be held at the proper and necessary times, and to maintain order at such services. They shall be accountable that all services be conducted in accordance with the Order of the Church. They shall likewise take care that proper decorum is maintained by all individuals and assemblies in the church building. They shall strive in every way to create a spirit of genuine worship and good will for all who come to worship or learn the sacred Word and receive the Sacraments of the Church. They shall assist the pastor in all ways the pastor may request for proper conduct of all assemblies. A majority of Deacons will constitute a quorum.

c. Elders:

Three (3) persons elected by the congregation shall serve the office of Elders of the Church. The Elders will serve for a term of three (3) years, one (1) being elected each year. They may succeed themselves. The Pastor shall serve as an advisor to the Elders.

The Elders shall elect from their own number a chairman who will call and conduct their meetings. A majority will be a quorum. They may elect a secretary to keep accurate minutes of their meetings and to give notice of meetings.

The Elders shall be mindful that holiness of life and conversation is required by all who confess the Name of Christ, but it is especially incumbent upon the Elders of the Church to show themselves in all things, by word and example, a pattern of good works with the manifestation of a deep and passionate love for Christ and a staunch faith in His saving work for all people.

Duties of the Elders shall be to uphold the preaching of the Word, in all its truth and purity, and that this be accomplished only by those duly authorized according to the constitution of this congregation; they shall see that provision be made for the Christian instruction of the young, and also a continued instruction be carried on for all members of the congregation; that strict discipline be maintained, the erring admonished and impenitent offenders be excluded from the communion of the church. They shall assist the pastor in the visiting of the sick and afflicted, in the cultivation of harmony and maintaining of peace among the members, and in promoting the entire spiritual life and welfare of the congregation.

2. The Council will elect its own chairman and secretary from its membership. The chairman shall preside at all meetings of the Council and see that accurate records are made of decisions and actions. The chairman of the Council may also serve as chairman of one of the boards comprising the Council. The acting chairman of the Council will also serve as chairman of all

congregational meetings. The elected Chairman of the Council has the privilege of asking the Pastor to serve as acting chairman of the council in his stead. The Council may elect its own vice-chairman to act in the absence of the chairman.

3. The duties and responsibilities of the Church Council shall be to:
 - a. Have general oversight of the life and work of the congregation and coordinate the activities of the boards and committees of the congregation. They may appoint special committees to handle specific ministries, which shall operate under the authority of the Church Council.
 - b. Determine rosters of the baptized, the confirmed, and the voting members of the congregation.
 - c. Perform such other duties and responsibilities as are provided in this constitution and its by-laws.
4. A majority of the members of the Council shall constitute a quorum.
5. The Pastor may be an advisor to all boards and committees.

Article 8 – Indoctrination of Children

As evangelical Lutheran Christians, we recognize it as our duty to rear our children in the nurture and admonition of the Lord and to have them carefully and conscientiously instructed in the articles of our holy Christian faith. We shall do this by God's help at home and in the church.

In order that the children may be adequately taught in the faith of the church and trained in the Word of God, thorough instruction to prepare them for their confirmation shall be given under the direction and supervision of the Pastor with all diligence and faithfulness.

Article 9 – The Pastor

1. The congregation alone shall have the power to call its pastor. Before doing so, the officers of the Congregation may seek the advice and help of the President and/or President's assistant of the Association of Free Lutheran Congregations.
2. The Pastor shall be duly trained, examined, ordained or licensed, and approved by the coordinating committee of the AFLC for the ministry of the Word of God in Lutheran congregations and, so long as he is Pastor of this congregation, he shall encourage and work for the support of the institutions of the Association of Free Lutheran Congregations.
3. The Pastor of this congregation must preach and teach purely Lutheran doctrine, which is in full accord with the Word of God and with the Symbolical Books of the evangelical Lutheran Church.
4. The Pastor shall lead a Christian life and possess the qualifications required by St. Paul, cf. 1 Timothy 3:2-7; Titus 1:7-9.

Article 10 – Property Ownership

1. If this congregation ceases to exist, title to undisposed property shall pass to the Association of Free Lutheran Congregations.
2. If this congregation is removed from membership in the Association of Free Lutheran Congregations, title to property shall continue to reside in this congregation.
3. If two-thirds majority of the voting members of this congregation present at a regularly called and conducted special meeting of the congregation vote to transfer to another Lutheran church body, as per Article 4, title to property shall continue to reside in this congregation.
4. 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, as per Article 4, title to property of this congregation shall continue to reside in this congregation.

Article 11 – Unalterable Articles

In order to preserve and maintain intact the doctrinal and confessional position of this congregation, to bind its Pastor, likewise, to faithfulness thereto in the administration of his sacred office, and to secure and preserve unto all those members of this congregation who remain faithful to this constitution the rightful possession and use of the church property, Articles 2, 3, 4, 5, 8, 9, 10, and 11 may be repealed or altered only at a regular annual meeting with two-thirds majority vote in favor, and ratified at the next annual meeting with two-thirds majority vote in favor.

Article 12 – By-Laws

1. By-laws and Articles of this constitution, except those designated in Article 11 of this constitution may be changed or repealed or new ones added at any business meeting of the congregation by a vote of not less than two-thirds of the voting members present.
2. Changes to the by-laws may be proposed by any voting member provided, however, that such additions or amendments be submitted in writing to the Church Council at least sixty (60) days before a regular or special Congregation meeting called for that purpose and that the Church Council notify the members of the proposal with its recommendations at least thirty (30) days in advance of the Congregation Meeting.
3. Date of revisions is to be noted at the conclusion of the constitution.

BY-LAWS

Section 1 – The Pastoral Call

- a. In calling a Pastor, voting shall be done by ballot. After the congregation, by a majority of at least two-thirds of all the votes cast, has elected a Pastor, a written call signed by the Deacons of the congregation and attested by the chairman of the meeting, shall be transmitted to the Pastor-elect.
- b. By this call the Pastor shall be held to teach, reprove, and comfort in accordance with the Word of God, confession of faith, and the regulations of this congregation.
- c. In the call, the congregation shall bind itself, in accordance with the Word of God, to receive the Pastor-elect as its Pastor and Spiritual Advisor, to tender him Christian respect and obedience, to pray for him and show him all manner of good will. It shall also supply his temporal needs in such a manner that he may be able, as much as possible, to devote all his time and talents to the performance of his official duties.
- d. The Pastor of the congregation shall neither arbitrarily leave nor shall he be arbitrarily dismissed.
- e. If the Pastor deems it advisable to accept a call to another pastorate or to another position, he shall determine the date of his termination in consultation and agreement with the Church Council.
- f. If the congregation deems a change of pastors advisable, the matter shall first be discussed with the Pastor at a meeting of the Church Council. If this fails to result in a peaceful adjustment of the difficulties to the satisfaction of the congregation and of the Pastor, they may consult with the proper Association officials of the church.
- g. Sufficient cause for a Pastor's removal shall be:
 - 1) Persistent adherence to false doctrine and practice,
 - 2) Offensive deportment,
 - 3) Official incapacity,
 - 4) Unfaithfulness in his office.

Section 2 – Membership

- a. Persons who wish to be received into this congregation by transfer of membership from other Lutheran congregations or by renewal of membership, shall make their desire known to the Pastor, Chairman, or Vice-chairman of the Church Council, who shall bring the matter to the attention of the Church Council for approval. In case any applicant is protested, an investigation shall be made by the Church Council, and the final decision shall rest with the congregation. Upon being received as members their name(s) shall be properly announced to the congregation.
- b. Members who wish to transfer their membership to another Lutheran congregation may make their wish known to the Pastor or to the Chairman or Vice-chairman of the Church Council. If

they are members in good standing and have just cause for making this transfer, the Pastor shall recommend them for membership at the desired place with a Letter of Transfer. If this is not the case, then the Pastor may confer with the Deacons of this congregation. The final decision rests with the Church Council.

- c. The congregation shall, in the event of the moving of a member from the community it serves, encourage the member to request a transfer to a congregation which can serve him effectively. Should the member fail to request a transfer, a congregation in the resident's community may be notified.

Section 3 – Meetings

- a. An annual congregational business meeting shall be held at the beginning of each secular year; the exact day and hour to be announced at least once by the Church Council – published at least seven (7) days in advance.
- b. Special congregational meetings shall be held when deemed necessary by the Church Council or the Pastor in consultation with the Church Council. The announcement of such special meeting is to be made twice orally or through the weekly church bulletin. Should individual members desire a meeting of the congregation, they may present their request to the Church Council in writing and state the purpose for which they desire such a meeting. The Church Council shall have power to grant or to deny such a request. The call for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted.
- c. The chairman of each Church Council Board shall have the authority to call a meeting of their boards.
- d. Meetings of the Church Council may be called by the Pastor with consultation of the Council Chairman or Vice-chairman or by any member of the Church Council.
- e. A majority of the Church Council together with ten (10) percent or more voting members of the congregation present at the annual meeting or any special called meeting of the congregation shall constitute a quorum.
- f. All meetings shall be conducted according to Robert's Rules of Order except where they may conflict with the provisions of this constitution.

Section 4 – Election of the Church Council

- a. A nominating committee shall consist of six (6) members of the congregation. This committee shall also serve as tellers. The Pastor shall be an advisor to this committee.
- b. The following shall be members of the nominating committee: one (1) Trustee appointed by the Chairman of the Trustees; a member from the congregation appointed by the Board of Trustees;

One (1) Deacon appointed by the Chairman of Deacons; a member from the congregation appointed by the Deacons; one (1) Elder appointed by the Chairman of Elders; a member of the congregation appointed by the Elders; also the Pastor as an advisor.

- c. The nominating committee shall place on the ballot at least one (1) member of the congregation for each vacancy to be filled in all bodies of the Church Council.
- d. The congregation shall have power to nominate additional members of the congregation, with the nominee's approval, for each vacancy to be filled, but such nominations must be handed to the Congregation Chairman or Vice-chairman in writing and signed by one (1) member of the church, such communication being presented no later than one day before the meeting. When this provision has been met, such nominees shall be given place at the meeting on the regular printed ballot.
- e. All voting shall be done by ballot during the annual meeting of the congregation and shall be under the supervision of the Church Council.
- f. In nominating and voting for the Church Council, members of the congregation shall be prayerfully minded that all who hold office in the church must be devout and sincere in their Christian life and church membership, showing regularity and faithfulness in worship and at the communion table of the Lord. No other qualification may be substituted for this. Nominees should also be proved efficient in business, willing in service, generous in giving. The Church Council is a holy council and every member of it should be of spiritual mind and pious heart.
- g. Vacancies within the Church Council shall be filled by appointment – Trustees appointing Trustees, Deacons appointing Deacons, and Elders appointing Elders.

Section 5 – Nominations, Election, and Duties of Treasurer

- a. The treasurer may be elected to serve for a period of three (3) years and may succeed himself/herself. The Treasurer shall not be a voting member of the Church Council. If the congregation desires, a person from outside the membership of the congregation may be employed to serve and carry out the responsibilities of the Treasurer, and this person would be selected and hired by the Church Council.
- b. The duties of the Treasurer will be that all monies will be deposited in the bank in the name of the congregation. The Treasurer pays out the monies as ordered by the Church Council. He/she keeps books of all monies which are placed in his charge. The books are internally reviewed each year by an internal review committee appointed by the Trustees before the annual meeting of the congregation. At the end of each year he/she makes an annual report of all monies of the congregation. The Treasurer is expected to regularly attend the Church Council meetings so that the Church Council is updated at least monthly on financial matters. The Office of the Treasurer and Financial Secretary shall not be of the same household.

Section 6 – Nomination, Election, and Duties of the Financial Secretary

- a. The term of this office shall be for a period of three (3) years. The Financial Secretary may succeed himself/herself in office. The position of Financial Secretary may not be consolidated with the position of Treasurer. This position may be filled from outside the membership of the congregation if the congregation approves. The Church Council would select and hire the individual to fill this position.
- b. The duties of the Financial Secretary shall be to maintain records of all contributions and see that they are posted to the proper account and credited to the donor. The Financial Secretary, according to the direction of the congregation, may send out individual quarterly statements to the membership showing all monies received from that individual member and to which accounts monies have been contributed.

Section 7 – Nominations, Election, and Duties of the Ushers

- a. There shall be four (4) co-captains serving a two (2) year term. There shall be two (2) nominees placed on the ballot each year for usher co-captains. Co-captains will select ushers from voting members of the congregation.
- b. The nominating committee shall nominate communicant voting members of good standing for each vacancy of the co-captains.
- c. The ushers shall perform the duties which usually pertain to their office and serve under the authority of the Deacons.

Section 8 – The Sunday School, The Adult Bible Class, The Vacation Bible School and The Confirmation Program

- a. The Sunday School, the Adult Bible Class, the Vacation Bible School, and the Confirmation Program in their departments shall be under the supervision of the Elders.
- b. Subject to the control of the congregation, the business affairs of these and other teaching agencies of this congregation shall be managed by the respective teachers, the Pastor, and any other officers which said teaching agencies may have.
- c. After consultation with the Pastor, the nominating committee has the responsibility to place at least one (1) name on the congregational ballot each year for the office of Assistant Superintendent to serve a two (2)-year term, the first year as Assistant Superintendent and the second year as Superintendent. This will provide the Sunday School Department with two administrative personnel every year: one assistant superintendent and one superintendent.
- d. The other Sunday School officer, namely Treasurer, will be selected by the Superintendent in consultation with the Elders.

Section 9 – Communion

All who believe that Jesus Christ is their Lord and Savior, who believe that He is present with His Body and Blood to confirm the forgiveness of sins, who remember His sacrificial death at the cross, and who come in repentance and gratitude, are invited to receive the Sacrament of the Lord's Supper.

Section 10 – Church Discipline

- a. 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.
- b. A member charged with the offense shall appear before the Church Council having received a written notice, specifying the exact charges that have been made against the member, at least ten (10) days prior to the meeting.
- c. Should the allegations be sustained by a two-thirds majority vote of the Church Council, the Council shall impose one of the following disciplinary actions:
 1. Censure before the council or congregation;
 2. Suspension from membership for a definite period of time; or
 3. Exclusion from membership in this congregation.

Disciplinary actions 1 and 2 shall be delivered to the member in writing.

- d. The member against whom disciplinary action has been taken by the Church Council shall have the right to appeal the decision to the congregation. Such right may not be abridged and the decision of the congregation shall be final.
- e. 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.

Section 11 – Marriage Statement/Wedding Policy

TO THE BRIDE AND GROOM

St. Paul's wedding policy is based upon the Word of God, the holy Bible. It was God who instituted marriage (Genesis 2). You have His promise that He will bless all who enter this holy estate according to His will and purpose. Let Jesus' self-sacrificing love be the glue that binds the two of you together; and your married life will be filled with the joy, the peace, and the satisfaction that only God can give you. The wedding ceremony is designed to worship God and to seek His presence in your marriage. The pastor will discuss with you the service details so that everything is Christ-centered. Non-Christian ideas have no place in this special event. In the pre-marriage sessions with the pastor you will discuss many things pertaining to a biblical marriage.

Jesus said, "Have you not read that He who created them from the beginning made them male and female, and said, 'For this reason a man shall leave his father and mother and be joined to his wife, and the two shall become one flesh'? So they are no longer two, but one flesh. What therefore God has joined together, let no man separate." (Matthew 19:4-6) Based upon the Word of God, marriage is defined as a union of one man (the groom) and one woman (the bride).* The policy statement reflects this definition throughout.

* (The above definition prohibits all "same sex" marriages, all "plural" marriages, and all "transgender" marriages. By action of the St. Paul's Evangelical Lutheran Church Council, Gifford, Illinois, April 10, 2014). Approved by St. Paul's congregation at the January 25, 2015 annual meeting.

Original constitution, formulated by the Evangelical Lutheran Synod of Iowa and Other States, was adopted on May 21, 1906.

A new constitution was accepted unanimously at a congregational meeting January 24, 1943.

Article 7 and Section 3, 4, and 5 of the By-laws were revised at the annual meeting on January 9, 1963. The revised constitution and by-laws including the additions and the deletions were unanimously approved and adopted at a special congregational meeting held May 5, 1975.

Revised constitution and by-laws including additions and deletions in consideration of model constitution Proposed by the Evangelical Lutheran Church in America was unanimously approved and adopted at St. Paul's annual meeting, January 18, 1988.

Revised constitution and by-laws including additions and deletions due to St. Paul's disassociating from the Evangelical Lutheran Church in America; and affiliating with the Association of Free Lutheran Congregations was approved and adopted at St. Paul's annual meeting, January 23, 2005 and ratified at the St. Paul's annual meeting, January 22, 2006.

Additional revisions were approved and adopted at St. Paul's annual meeting, January 21, 2007 and ratified at the St. Paul's annual meeting, January 20, 2008.

Revised Constitution Article 6 Paragraph 3 as recorded in the minutes of the annual meeting held on January 23, 2011.

Additional revisions were approved and adopted at St. Paul's annual meeting, January 27, 2013

The Marriage Statement /Wedding Policy to be included in the church by-laws was approved by a voice vote at St. Paul's annual meeting, January 25, 2015.