



THE CONSTITUTION AND BYLAWS OF THE CONGREGATION

CHRIST EVANGELICAL LUTHERAN CHURCH
1125 Mahoning Street
Milton, Pennsylvania 17847

2019

A CONGREGATION OF THE UPPER SUSQUEHANNA SYNOD OF THE
EVANGELICAL LUTHERAN CHURCH IN AMERICA

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INTRODUCTION

The *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, like the other governing documents of this church, reflects the theology and polity of this church as it organizes itself to preach the gospel of Jesus Christ, share the sacraments, reach out to the neighbor with good news and share the love of God in the world. Each expression of this church — churchwide, synod, and congregation — is held together in a relationship of interdependence that encourages each to respond to its context. These documents also demonstrate our commitment to seeing ourselves with others as part of the one, holy, catholic, and apostolic Church. As such, the *Model Constitution for Congregations* is deeply rooted in Scripture, the Lutheran Confessions, and the history of this church and its predecessors.

The *Model Constitution for Congregations* was adopted by the Constituting Convention of the Evangelical Lutheran Church in America, as required by the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. This current edition of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* contains changes adopted by all churchwide assemblies, including the fourteenth Churchwide Assembly in 2016. It is consistent with the requirements of the governing documents of the ELCA's churchwide organization and synods, and it provides organizational flexibility to recognize the context of local congregations.

► **Required provisions:** Sections of this constitution marked by an asterisk [*] are required when a congregation amends its governing documents. These sections must be used without alteration or amendment of the text in any manner (*i.e.*, neither additions nor deletions are permissible). This requirement is based on provision 9.52. in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. This provision requires that when a congregation of this church “wishes to amend any provision of its governing documents, the governing documents of that congregation shall be so amended to conform to 9.25.b.” in the churchwide constitution. Provisions in the *Model Constitution for Congregations* identified by an asterisk [*] are those required under ELCA constitutional provision 9.25.b.

► **Review by synod:** Each congregation of this church is to provide a copy of its governing documents, and any amendments thereto, to its synod. In accordance with ELCA bylaw 9.53.03., amendments to a congregation constitution become effective *only* when approved by the synod. This bylaw provides:

All proposed changes in the constitution or incorporation documents of a congregation shall be referred to the synod with which the congregation is affiliated. The synod shall notify the congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them. The synod shall recognize that congregations may organize themselves in a manner which they deem most appropriate.

No governing document amendment will be approved by a synod if it conflicts with the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. In order to meet constitutional requirements and to avoid potential problems, all proposed amendments to a congregation's constitutional provisions, bylaws, and continuing resolutions should be submitted to the synod for review.

► **Amendment consistent with the Model Constitution for Congregations:** A congregation that amends its constitution to be in conformity with the *Model Constitution for Congregations* will report these changes to its synod. The amendments become effective upon adoption by the congregation, *C16.04. While synod approval is not required, it is wise to work with the synod in preparing to present these amendments to the congregational meeting.

► **Codification explanation:** The *Model Constitution for Congregations* is organized into chapters by general subject matter and codified as (a) constitutional provisions, (b) bylaws, and (c) continuing resolutions. Each provision is preceded by a capital “C.” If a constitutional provision is mandatory, it will be preceded by an asterisk, “*C.”

- a. Constitutional provisions are codified with two sets of numbers, preceded by a “C”: the chapter number, followed by a period, and a two-digit number. A period follows the two-digit number. Thus, one required constitutional provision related to “Membership” in Chapter 8 is codified as “*C8.02.” A provision in Chapter 12 relating to a report by the Congregation Council to the congregation at an annual meeting is codified as “C12.09.” Constitutional provisions are adopted and amended in accordance with Chapter 16 titled “Amendments.”
- b. Bylaw provisions follow constitutional provisions to which they apply. They are not intended to be organized in a separate document at the end of the constitutional provisions. Bylaws are codified with three sets of numbers: the chapter number (preceded by a “C”), the related constitutional provision number, and a two-digit number. There are periods after the chapter number, after the reference to the constitutional provision, and after the bylaw number. Thus, a bylaw provision related to “Membership” would be codified as “C8.02.01.” A bylaw relating to the contents of an annual report by the Congregation Council to the congregation at an annual meeting would be codified as “C12.09.01.” Because bylaws and continuing resolutions normally relate to specific practices and details of each congregation's organization, operation, and life, there is not a model set of bylaws or continuing resolutions. Thus, each congregation has discretion and may develop its own bylaws and continuing resolutions, including bylaws and continuing resolutions under required constitutional provisions, but no such bylaw or continuing resolution may

conflict with constitutional provisions in the *Model Constitution for Congregations*, the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, or the constitution of the synod, as indicated in *C6.03.e. Bylaws are adopted and amended in accordance with Chapters 16 and 17.

- c. Continuing resolutions are intended to provide descriptions of operational patterns and practices or of the ongoing responsibilities of committees or other units within the organizational structure of the congregation. They follow the relevant constitutional provision or bylaw to which they refer. Continuing resolutions also are codified with three sets of numbers, except that the third set is preceded by a capital letter. Thus, a continuing resolution describing congregational committees in Chapter 13 might be numbered “C13.07A13.” The initial numbers “C13.07” indicate that the continuing resolution relates to the designated constitutional provision, which in this case provides that the duties of congregational committees may be specified in bylaws or continuing resolutions. The final letter and numbers “A13” designate that this is the first continuing resolution “A” and the year that it was adopted, in this example 2013. Continuing resolutions are adopted and amended in accordance with Chapter 18. Unlike constitutional provisions and bylaws which are adopted by the congregation at a legally called and conducted meeting, continuing resolutions may be adopted either by a congregational meeting or by the Congregation Council.

► **Missing numbers:** You will notice that certain numbers are missing from the numbering sequence in some chapters. These omissions are intentional. For example, in some chapters the number “.10.” and multiples thereof have been reserved for possible use as section headings in future editions.

► **Selection of options:** Alternatives are provided in some places within the *Model Constitution for Congregations*. Alternatives are noted by brackets or blank lines. For example, constitutional provision *C9.01. offers the alternative of election of a call committee by the congregation or by the Congregation Council. Only one alternative should be chosen in each instance where brackets appear in the text. In other provisions, alternative provisions are provided. Thus, in Chapters 11 and 12, regarding “Officers” and “Congregation Council,” options are provided separated by the word “or.” Each congregation should select one of those options, subject to approval through the synod’s constitutional review process. Where a blank line appears, such as in C1.01. or C10.02., the appropriate word, phrase, or number determined by the individual congregation should be inserted.

► **References to church:** In the governing documents, “Church” with a capital letter refers to the one, holy, catholic, and apostolic Church. The words “church” or “this church” in lowercase letters refer to the Evangelical Lutheran Church in America. The specific congregation may be identified, as provided in C1.02., as “this congregation.”

► **Guidelines:** A list of guidelines for a congregation engaging in review and amendment of its constitution is available through each synod office and at ELCA.org.

► **Consultation and concluding comments:** Each synod has a process to review proposed amendments to congregational constitutions. The work of both congregations in amending their governing documents and the synod in reviewing proposed amendments is facilitated by consultation and cooperation *before* proposed amendments are acted upon by the congregation. In addition, each congregation should establish a process for periodic review of its governing documents. You are encouraged to contact your synod office to assist your congregation in its periodic review of governing document provisions and to assess whether problems may exist with respect to proposed amendments.

The important task of amending a constitution is challenging. It is, however, an essential endeavor that merits thoughtful work. In addressing your constitutional responsibilities, may God grant you and your colleagues wisdom, discernment, and commitment to the unity of this church in faithful witness to our Lord and Savior, Jesus Christ.

Secretary Wm Chris Boerger
Evangelical Lutheran Church in America
August 17, 2016

CONSTITUTION OF THE CONGREGATION CHRIST EVANGELICAL LUTHERAN CHURCH MILTON, PENNSYLVANIA

PREAMBLE

We, baptized members of the Church of Christ, responding in faith to the call of the Holy Spirit through the Gospel, desiring to unite together to preach the Word, administer the sacraments, and carry out God's mission, do hereby adopt this constitution and solemnly pledge ourselves to be governed by its provisions. In the name of the Father and of the Son and of the Holy Spirit.

Chapter 1.

NAME AND INCORPORATION

- C1.01.** The name of this congregation shall be Christ Evangelical Lutheran Church.
- C1.02.** For the purpose of this constitution and the accompanying bylaws, the congregation of Christ Evangelical Lutheran Church is hereinafter designated as "this congregation."
- C1.11.** This congregation shall be incorporated under the laws of the Commonwealth of Pennsylvania.

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.

*Required Provision

- *C2.07. This congregation confesses the Gospel, recorded in the Holy Scripture and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

Chapter 3.

NATURE OF THE CHURCH

- *C3.01. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority.
- *C3.02. This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian unity throughout the world.
- *C3.03. The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. The Evangelical Lutheran Church in America, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.
- *C3.04. This church, inspired and led by the Holy Spirit, participates in The Lutheran World Federation as a global communion of churches, engaging in faithful witness to the gospel of Jesus Christ and in service for the sake of God's mission in the world.
- *C3.05. The name Evangelical Lutheran Church in America (ELCA or "this church") as used herein refers in general references to this whole church, including its three expressions: congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.

Chapter 4.

STATEMENT OF PURPOSE

- *C4.01. The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world.
- *C4.02. To participate in God's mission, this congregation as a part of the Church shall:
 - a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
 - b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
 - c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
 - d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, and standing with the poor and powerless, and committing itself to their needs.
 - e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
 - f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.
- *C4.03. To fulfill these purposes, this congregation shall:
 - a. Provide services of worship at which the Word of God is preached and the sacraments are administered.

- b. Provide pastoral care and assist all members to participate in this ministry.
 - c. Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregation.
 - d. Teach the Word of God.
 - e. Witness to the reconciling Word of God in Christ, reaching out to all people.
 - f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
 - g. Motivate its members to provide financial support for the congregation's ministry and the ministry of other parts of the Evangelical Lutheran Church in America.
 - h. Foster and participate in interdependent relationships with other congregations, the synod, and the churchwide organization of the Evangelical Lutheran Church in America.
 - i. Foster and participate in ecumenical relationships consistent with churchwide policy.
- *C4.04.** This congregation shall develop an organizational structure to be described in the bylaws. The Congregation Council shall prepare descriptions of the responsibilities of each committee, task force, or other organizational group and shall review their actions.
- *C4.05.** This congregation shall, from time to time, adopt mission and vision statements which will provide specific direction for its programs.

C4.05.01.A19

Milton Lutheran Parish Mission Statement: Serving God through faith formation, worship, service, evangelism, and fellowship.

Milton Lutheran Parish Vision Statement: Our energy is ignited by being active and intentional in faith formation, worship, service, evangelism, and fellowship. Guided and directed by the Word and Spirit, we are empowered to be a transforming community for Jesus.

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

Chapter 5.

POWERS OF THE CONGREGATION

- *C5.01.** The powers of this congregation are those necessary to fulfill its purpose.
- *C5.02.** The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws.
- *C5.03.** Only such authority as is delegated to the Congregation Council or other organizational units in this congregation's governing documents is recognized. All remaining authority is retained by the congregation. The congregation is authorized to:
- a. call a pastor as provided in Chapter 9;
 - b. terminate the call of a pastor as provided in Chapter 9;
 - c. call a minister of Word and Service;
 - d. terminate the call of a minister of Word and Service in conformity with the constitution of the Evangelical Lutheran Church in America;
 - e. adopt amendments to the constitution, as provided in Chapter 16, amendments to the bylaws, as specified in Chapter 17, and continuing resolutions, as provided in Chapter 18;
 - f. approve the annual budget;
 - g. acquire real and personal property by gift, devise, purchase, or other lawful means;
 - h. hold title to and use its property for any and all activities consistent with its purpose;
 - i. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;

- j. elect its officers, and Congregation Council, and committees, and require them to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
 - k. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.
- *C5.04.** This congregation shall choose from among its voting members laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected by the congregation and other qualifications shall be as prescribed in guidelines established by the Upper Susquehanna Synod of the Evangelical Lutheran Church in America.
- C5.05.** This congregation shall have a mission endowment fund that will operate as specified in this congregation's continuing resolutions. The purpose of the mission endowment fund is to provide for mission work beyond the operational budget of this congregation.

C5.05.1.A19 RESOLUTION TO IMPLEMENT THE INVESTMENT FUND

WHEREAS, Christian Stewardship involves the faithful management of all God's gifts, and
 WHEREAS, Christians can give to the work of the church through planned giving, and
 WHEREAS, It is the desire of the congregation to encourage, receive and administer these donations in a prudent manner:

THEREFORE BE IT RESOLVED, that this congregation, in a meeting in 2007, approved and established THE ENDOWMENT FUND (hereinafter called the "FUND") OF CHRIST EVANGELICAL LUTHERAN CHURCH;

BE IT FURTHER RESOLVED, at a meeting in 2019, the name of the endowment fund was changed to the INVESTMENT FUND OF CHRIST EVANGELICAL LUTHERAN CHURCH. The INVESTMENT FUND includes a Mission Endowment Fund as well as other long-term investment funds.

BE IT FURTHER RESOLVED, the purpose of the MISSION ENDOWMENT FUND is to enhance the facilities, the social ministry, and mission, and the programs of the congregation, apart from the general operating budget of the congregation:

BE IT FURTHER RESOLVED, the Endowment Fund committee (hereinafter called the "COMMITTEE") shall be the custodian of the FUND:

BE IT FURTHER RESOLVED, the following plan of operation sets forth the administration and management of the FUND.

PLAN OF OPERATION

1. THE COMMITTEE is made up of three members to serve a three-year term beginning on January 1 and ending on December 31 as follows:
 - a. One member, elected by the Congregation to serve a three-year term
 - b. One Congregation Council member, appointed by Congregational Council, to serve a three-year term.
 - c. One member appointed by Congregation Council (but not necessarily a member of council) to serve a three-year term.
 - d. The Pastor shall sit on the committee in a non-voting, advisory position. The committee shall meet at least quarterly.
 - e. Elected members of this committee shall be eligible to serve no more than two full terms consecutively.
 - f. Terms will be staggered so that one member should be elected or appointed each year.

The committee members may request other members of the congregation to serve as advisory members and, at the expense of FUND income, may provide for such professional counseling on investments, accounting, or legal matters as it deems to be in the best interest of the FUND.

Members of the COMMITTEE shall not be liable for any investment losses which may be incurred, except to the extent such losses shall have been caused by bad faith or gross negligence. No member shall be personally liable as long as he/she acts in faith and with ordinary prudence. Each member shall be liable only for his/her own willful misconduct, and shall not be liable for acts or omissions of any other member. No member shall engage in any self dealing or transactions with the FUND in which the member has direct or indirect financial interest and shall at all times refrain from any conduct in which his/her personal interests would conflict with the interest of the FUND.

All assets are to be held in the name of CHRIST EVANGELICAL LUTHERAN CHURCH INVESTMENT FUND.

Recommendations to hold, sell, exchange, rent, lease, transfer, convert, invest, reinvest, and in all other respects to manage and to control the assets of the FUND, are to be made by the COMMITTEE with subsequent execution by a delegated member of the COMMITTEE.

2. MISSION ENDOWMENT FUND ACCUMULATION AND DISTRIBUTION OF INCOME

The **MISSION ENDOWMENT FUND** has an initial investment of \$104,000. This special fund is to be used for benevolent causes outside of normally budgeted expenses. The principle of the account shall be invested in a moderately conservative fund, and only the earnings on the original investment is to be used, therefore the balance of this fund may not fall below the \$104,000 original balance.

Future deposits to the endowment fund shall be considered to be principal and only the income from these future deposits is to be spent.

Income from this fund shall be distributed as deemed necessary and/or feasible to enhance the programs of the congregation, as determined by Council, and subject to the spending limitations set forth in the Constitution. (\$10,000 or more requires congregational approval).

3. DISTRIBUTION OF PRINCIPAL

The principal of this fund may be invaded or borrowed by the congregation only upon recommendation of council and upon a vote of at least two-thirds of the members of the congregation present and entitled to vote at two congregational meetings held at least 30 days apart provided that notice shall be given in the call for said meetings that invasion of principal or borrowing of principal of the specified fund will be considered.

4. AMENDING THE RESOLUTION

Any amendment to this resolution, which will change, alter or amend the purpose for which the FUND is established shall be adopted by a two-thirds vote of the members of the congregation present at a meeting called specifically for the purpose of amending this resolution.

5. DISPOSITION OR TRANSFER OF THE FUND

In the event CHRIST EVANGELICAL LUTHERAN CHURCH ceases to exist, either through merger or dissolution, disposition or transfer of the FUND shall be in accordance with the approved congregational constitution.

6. ADOPTION OF THE RESOLUTION

This resolution, recommended by the council and accepted by the congregation is hereby adopted.

C5.05.2.A19 CHRIST EVANGELICAL LUTHERAN CHURCH GENERAL INVESTMENT FUNDS

1. Christ Evangelical Lutheran Church holds several general investment funds as described below:
 - a. The **General Purpose Fund** was created from a bequest with an initial investment of \$200,267. The principle of the account shall be invested in a moderately conservative fund. The principle and all earnings may be used for any purpose.
 - b. The **Property Fund** was created from a bequest and shall be invested in a moderately conservative fund. The principal and all earnings may be used for property related expenses.
 - c. **The Housing Allowance Fund** was established from the sale of the former parsonage in 1993 with an original investment of \$91,000 and is to be used to partially offset the cost of the Pastor's annual housing allowance. The principle of this fund shall be invested in a moderately conservative fund and the earnings and original investment may be used.
 - d. **Miscellaneous Church Funds** is a collection of several long-term accounts that are not held in the general checking account. This fund contains the Kitchen Fund, Pleibel Flower Fund, Library Fund, Church Vocations Fund, and Memorials Fund. The principle and earnings of this fund shall be invested in a moderately conservative fund and the earnings and original investment may be used.
2. The former Emergency Reserve Fund has been dissolved and the balance has been added to the General Purpose Fund.

C5.06. There shall be a **Parish Memorial Fund**. Members and friends of this congregation shall be encouraged to memorialize their loved ones by contributions to this fund. All individuals or families who request that such contributions be made shall be given the opportunity to designate the contributions received in memory of their loved one(s) in one of two ways.

- 1) The contributions may be used in any way that will enhance the worship or educational ministries of the congregation, such use to be determined by the Congregation Council in accordance with the directives set down in the constitution for disbursing congregational funds (C12.05.); or
- 2) The contributions may be applied to the purchase of a specified memorial gift to the congregation, the acceptance of such gifts to be approved by the Congregation Council.

C5.07. There shall be a **Church Vocations Scholarship Fund**. One of the primary responsibilities of a congregation of the Church of Jesus Christ is to seek out, encourage, and support persons within the household of faith who demonstrate a desire to devote their lives to a church vocation. Therefore, the members and friends of this congregation shall be encouraged to consider this fund as a worthy option when designating the use of memorial contributions received by the church for their loved one(s), or for their special gifts for the work of our Lord. This fund shall be used by the Congregation Council to provide financial assistance to daughters or sons of the congregation who are engaged in the educational process of preparing for and ultimately entering upon a life's work for our Lord and his Church.

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 Upper Susquehanna Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.
- ***C6.02.** This congregation accepts the Confession of Faith and agrees to the Purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.
- ***C6.03.** This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:
 - a. This congregation agrees to be responsible for its life as a Christian community.

- b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
 - c. This congregation agrees to call pastoral leadership from the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services with a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.
 - d. This congregation agrees to consider ministers of Word and Service for call to other staff positions in the congregation according to the procedures of the Evangelical Lutheran Church in America.
 - e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America and with the constitution of the synod.
- *C6.04.** Affiliation with the Evangelical Lutheran Church in America may be terminated as follows:
- a. This congregation takes action to dissolve.
 - b. This congregation ceases to exist.
 - c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America.
 - d. This congregation follows the procedures outlined in *C6.05.
- *C6.05.** This congregation may terminate its relationship with the Evangelical Lutheran Church in America by the following procedure:
- a. A resolution indicating the intent to terminate its relationship must be adopted at a legally called and conducted special meeting of the congregation by a two-thirds vote of the voting members present. Such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time the congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the Congregation Council. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.
 - b. The secretary of the congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall mail a copy of the resolution to voting members of the congregation. This notice shall be submitted within 10 days after the resolution has been adopted.
 - c. The bishop of the synod and the congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the synod of the notice as specified in paragraph b. above.
 - d. If the congregation, after such consultation, still seeks to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of the meeting shall be mailed to all voting members and to the bishop at least 10 days in advance of the meeting. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.
 - e. A copy of the resolution, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, shall be sent to the bishop within 10 days after the resolution has been adopted, at which time the relationship between the congregation and this church shall be terminated subject to paragraph g. below. Unless this notification to the bishop also certifies that the congregation has voted by a two-thirds vote to affiliate with another Lutheran

denomination, the congregation will be conclusively presumed to be an independent or non-Lutheran church.

- f. Notice of termination shall be forwarded by the bishop to the secretary of the ELCA, who shall report the termination to the Churchwide Assembly.
- g. This congregation shall abide by these covenants by and among the three expressions of this church:
 - 1) Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in *C6.05. shall be required to receive Synod Council approval before terminating their membership in this church.
 - 2) Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to receive synodical approval before terminating their membership in this church.
 - 3) Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church.
- h. If this congregation fails to achieve the required two-thirds vote of voting members present at the congregation's first meeting as specified in paragraph a. above, another special meeting to consider termination of relationship with this church may be called no sooner than six months after that first meeting. If this congregation fails to achieve the required two-thirds vote of voting members present at the congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of *C6.05. and may begin no sooner than six months after that second meeting.

***C6.06.** If this congregation considers relocation, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.

***C6.07.** If this congregation considers developing an additional site to be used regularly for worship, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action.

Chapter 7.

PROPERTY OWNERSHIP

***C7.01.** If this congregation ceases to exist, title to undisposed property shall pass to the Upper Susquehanna Synod of the Evangelical Lutheran Church in America.

***C7.02.** If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline, title to property shall continue to reside in this congregation.

***C7.03.** If a two-thirds majority of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation, provided the process for termination of relationship in *C6.05. has been followed. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Upper Susquehanna Synod.

***C7.04.** If a two-thirds majority of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body and have followed the process for termination of relationship in *C6.05., title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the established synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the

Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America.

- C7.05.** Notwithstanding the provisions of *C7.02. and *C.7.03. above, where this congregation has received property from the synod pursuant to a deed or other instrument containing restrictions under provision 9.71.a. of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, this congregation accepts such restrictions and:
- Shall not transfer, encumber, mortgage, or in any way burden or impair any right, title, or interest in the property without prior approval of the Synod Council.
 - Shall—upon written demand by the Synod Council, pursuant to †S13.23. of the constitution of the Upper Susquehanna 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:
- 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.
 - 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.
 - Voting** members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation.
 - Associate** members are persons holding membership in other Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, or persons who wish to retain a relationship with this congregation while being members of other congregations. They have all the privileges and duties of membership except voting rights and eligibility for elected offices or membership on the Congregation Council of this congregation.
 - Seasonal** members are voting members of other ELCA congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, including exercising limited voting rights in this congregation. The Congregation Council may grant seasonal membership to such persons provided that this congregation is a member of a synod where the Synod Council has approved seasonal member voting on its territory. Such seasonal members shall have all the privileges and duties of voting members except that:
 - they shall not be eligible for elected office in, or for membership on the Congregation Council or on a call committee of, this congregation;
 - 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;
 - they shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with the ELCA;
 - they shall not be eligible to serve as voting members from this congregation of the Synod Assembly or the Churchwide Assembly;

- 5) they shall not, even if otherwise permitted by this congregation, vote by proxy or by absentee ballot; and
 - 6) they shall not, within any two calendar month period, exercise voting rights in this congregation and in the congregation where they remain voting members.
- *C8.03.** All applications for confirmed membership shall be submitted to and shall require the approval of the Congregation Council.
- *C8.04.** It shall be the privilege and duty of members of this congregation to:
- a. make regular use of the means of grace, both Word and sacraments;
 - b. live a Christian life in accordance with the Word of God and the teachings of the Lutheran church; and
 - c. support the work of this congregation, the synod, and the churchwide organization of the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards.
- *C8.05.** Membership in this congregation shall be terminated by any of the following:
- a. death;
 - b. resignation;
 - c. transfer or release;
 - d. disciplinary action by the Congregation Council; or
 - e. removal from the roll due to inactivity 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.
- C8.05.01.A19** When such members have failed to receive Holy Communion and to make a contribution of record during the current or preceding year, they may be removed from the roll of members by the Congregation Council. This procedure may take place only after such members have been, whenever possible, counseled about the matter.

Chapter 9.

ROSTERED MINISTER

- *C9.01.** Authority to call a pastor shall be in this congregation by at least a two-thirds majority ballot vote of members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod.
- *C9.02.** Only a member of the clergy roster of the Evangelical Lutheran Church in America or a candidate for the roster of ordained ministers who has been recommended for the congregation by the synodical bishop may be called as a pastor of this congregation.
- *C9.03.** Consistent with the faith and practice of the Evangelical Lutheran Church in America,
- a. Every ordained minister 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.
 - 6) impart knowledge of this church and its wider ministry through distribution of its communications and publications;
 - 7) witness to the Kingdom of God in the community, in the nation, and abroad; and
 - 8) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.

- b. Each pastor with a congregational call shall, within the congregation:
 - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2) relate to all schools and organizations of this congregation;
 - 3) install regularly elected members of the Congregation Council;
 - 4) with the council, administer discipline; and
 - 5) endeavor to increase the support given by the congregation to the work of the ELCA churchwide organization and of the Upper Susquehanna Synod of the ELCA.

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

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

- a. The call of this congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or, following consultation with the synodical bishop, for the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the pastor, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the pastoral office effectively in the congregation in view of local conditions;
 - 4) physical disability or mental incapacity of the pastor;
 - 5) suspension of the pastor through discipline for more than three months;
 - 6) resignation or removal of the pastor from the roster of Ministers of Word and Sacrament of this church;
 - 7) termination of the relationship between this church and the congregation;
 - 8) dissolution of the congregation or the termination of a parish arrangement; or
 - 9) suspension of the congregation through discipline for more than six months.
- b. When allegations of physical disability or mental incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,
 - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament as disabled. Upon removal of the disability and the restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.
- d. In the case of alleged local difficulties that imperil the effective functioning of the congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the pastor and then to the congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by the congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, the congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and

voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.

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

- *C9.06.** At a time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.
- *C9.07.** During the period of service, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any ordained pastor providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.
- *C9.08.** This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting related to the Evangelical Lutheran Church in America.
- *C9.09.** When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- *C9.11.** With the approval of the bishop of the synod, the congregation may depart from *C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of the congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.05.a.
- *C9.12.** The pastor of this congregation:
- shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;
 - shall submit a summary of such statistics annually to the synod; and
 - shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- *C9.13.** The pastor shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.
- *C9.14.** The parochial records of this congregation shall be maintained by the pastor and shall remain the property of the congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in his or her hands in good order by a departing pastor before the installation of that pastor in another field of labor or the granting by the synod of retired status to the pastor.
- C9.15.** Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between the congregation and the pastor in a form proposed by the synodical bishop and approved by the congregation.
- *C9.21.** Authority to call a minister of Word and Service shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call

is issued, the officers, or a committee elected by the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod.

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

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

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

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

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

- a. The call of a congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or, following consultation with the synodical bishop, for the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the deacon, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the ministry of Word and Service effectively in this congregation in view of local conditions;
 - 4) physical disability or mental incapacity of the deacon;
 - 5) suspension of the deacon through discipline for more than three months;
 - 6) resignation or removal of the deacon from the roster of Ministers of Word and Service of this church;
 - 7) termination of the relationship between this church and this congregation;
 - 8) dissolution of this congregation or the termination of a parish arrangement; or
 - 9) suspension of this congregation through discipline for more than six months.
- b. When allegations of physical disability or mental incapacity of the deacon under paragraph a.4) above, or ineffective conduct of the office of minister of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,
 - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod

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

- d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the deacon, if appropriate. If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

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

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

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

***C9.28.** With the approval of the bishop of the synod, this congregation may depart from *C9.25.a. and call a deacon for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the deacon and representatives of this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.25.a.

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

***C9.31.** The deacon(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

Chapter 10.

CONGREGATION MEETING

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

C10.01.01.A19 There shall be an annual Congregation Meeting of the Christ Evangelical Lutheran congregation on the earliest feasible Sunday in March of each year for the purpose of receiving the annual reports of the congregation for the proceeding year and for the enactment of church business.

- C10.02.** A special Congregation Meeting may be called by the pastor, the Congregational Council, or the president of this congregation, and shall be called by the president of the congregation upon the written request of 25 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 10 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. Electronic notice of meetings may be provided in addition to notice by regular mail.
- C10.04.** Twenty-five percent of voting members shall constitute a quorum.
- C10.05.** Voting by proxy or by absentee ballot shall not be permitted.
- C10.06.** All actions approved by the congregation shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution or by state law.
- C10.07.** *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all meetings of this congregation.

Chapter 11. OFFICERS

- C11.01.** The officers of this congregation shall be a president, vice president, secretary, and treasurer.
- Duties of the officers shall be specified in the bylaws.
 - The officers shall be voting members of the congregation.
 - Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.
 - If the Congregation Council elects its officers, the president, vice president, and secretary shall be selected from the elected membership of the Congregation Council. If the treasurer is not selected from the elected membership of the Congregation Council, the treasurer shall have voice but not vote at the meetings of the Congregation Council.
- C11.02.** The Congregation Council shall elect its officers and they shall be the officers of the congregation. The officers shall be elected by written ballot and shall 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.
- C11.02.01.A19** In accordance with C11.02.a. of the constitution, the duties of the officers of this congregation shall be as follows:
- The president shall preside at all Congregation Meetings and meetings of the Congregation Council. In the event of the president's inability to serve, the vice-president shall preside.
 - The secretary (or secretary-treasurer) shall keep accurate minutes of all Congregation Meetings and meetings of the Congregation Council in a volume provided by the congregation, which shall be permanently preserved in the congregation's archives.
 - The treasurer (or secretary-treasurer) shall keep the books of account of the congregation, shall receive all funds of the congregation and disburse them on proper orders, and shall make a monthly remittance of benevolence receipts to the treasurer of the synod.
 - The treasurer (or secretary-treasurer) shall make a monthly written report of all financial transactions to the Congregation Council. The treasurer shall make an annual written report to the congregation, together with a financial review to be completed by the end of the next calendar year. The results of the financial review will be included in the Congregational Council meeting minutes.

- C11.03.** The offices of secretary and treasurer may be combined into one office, the person serving in that office being elected the secretary-treasurer. No other elected officer shall hold more than one office at a time. The president shall be eligible to serve no more than two consecutive one-year terms.
- C11.03.01.A19.** If any elected officer resigns or fails to fulfill their duties, that office shall be declared vacant by the Congregation Council, which shall appoint a successor to fill the vacancy for the unexpired term.

Chapter 12.

CONGREGATION COUNCIL

- C12.01.** The voting membership of the Congregation Council shall consist of the pastor and 9 members of the congregation. Any voting member of the congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from four successive regular meetings of the Congregation Council without cause. Consistent with the laws of the state in which this congregation is incorporated, the congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.
- C12.01.01.A19.** If a Congregational Council member fails to attend worship service for four consecutive months as recorded by the attendance records kept by the Parish Administrative Assistant, the member's place on the Congregation Council shall be declared vacant.
- C12.02.** The members of the Congregation Council except the pastor shall be elected at a legally called meeting of the congregation during the month of November. Their term of office shall be for three years, with the term of office beginning on January 1 and ending on December 31. Newly elected Congregation Council members shall be installed at worship the Sunday prior to the date they assume office. Such members shall be eligible to serve no more than two full terms consecutively.
- C12.02.01.A19.** The tenure of Congregation Council members shall be so arranged that one-third of the terms expire annually.
- C12.03.** Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor until the next annual meeting.
- C12.04.** The Congregation Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:
- a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
 - b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
 - c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
 - d. To maintain supportive relationships with the pastor and staff and help them annually to evaluate the fulfillment of their calling or employment.
 - e. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
 - f. To promote a congregational climate of peace and goodwill, and, as differences and conflicts arise, to endeavor to foster mutual understanding.
 - g. To arrange for pastoral service during the sickness or absence of the pastor.

- h. To emphasize partnership with the synod and churchwide organization of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.
- i. To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.
- j. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.

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

- a. The Congregation Council shall be the board of trustees of this congregation, and as such shall be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the Commonwealth of Pennsylvania except as otherwise provided herein.
- b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of the congregation.
- c. The Congregation Council and/or ministry groups may enter into contracts of up to \$10,000 for items not included in the budget when justified by emergency or unique need.
- d. The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations of more than \$10,000 in excess of the anticipated receipts only after approval by a Congregation Meeting. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in partnership with the synod and churchwide organization.
- e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to the synodical treasurer.
- f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.
- g.A19.** In order to promote good financial stewardship, the Congregation Council shall solicit a minimum of two (2) and preferably three (3) bids for any expenditure exceeding \$5,000 or as directed by council. The work shall then be awarded to the lowest evaluated bidder. The bid evaluation process will compare all bids and attempt to make all bids as equal as possible in the scope and quality of work to be done and the details of the work.

C12.05.01.A09. FISCAL RESPONSIBILITIES POLICY

1.1 OFFERINGS AND OTHER INCOME

- 1.1.1 Any offerings, donations for use of facilities, or other income received by the mail or in person at the church office shall be recorded in a log by the Parish Office Administrator and deposited in the church safe. The log shall indicate the name or envelope number of the sender, and the purpose and amount of the gift, if the sender indicates it on the outside of the mailing or verbally to the Parish Office Administrator.
- 1.1.2 Offerings received at services other than regular Sunday morning services shall be inserted into an envelope marked with the date of the service, signed by the depositor, and deposited in the church safe as received with no documentation. These offerings shall be counted with the regular Sunday offerings. Council shall designate persons to be responsible for depositing the offerings in the church safe. The designated persons must inform the Council President if they are unable to perform their duties.
- 1.1.3 Offerings and other income shall be counted and properly recorded on the Offering Tally Sheet. The counting shall be done by two or more persons and the form shall be signed by

two persons. Offerings and other income shall be counted immediately following the Sunday morning services, or at the latest the following Monday evening. If the offering count is delayed until Monday, the Treasurer must be notified by the persons responsible for counting the offering that week. Offerings and income described in 1.1.1 and 1.1.2 above shall be included in the count and recorded on the Offering Tally Sheet. Council shall designate persons to be responsible for counting the offerings. The designated persons must inform the Council President (or designated point person) if they are unable to perform their duties.

- 1.1.4 One copy of the Offering Tally Sheet shall be made. The original Offering Tally Sheet is wrapped around the offering envelopes and placed in the Parish Office Administrator's mailbox. The copy of the Offering Tally Sheet is placed in the Treasurer's mailbox.
- 1.1.5 The offering counters should prepare a deposit slip and place this and the offerings in a sealed envelope and deposit it into the night deposit box at PinPoint Credit Union.
- 1.1.6 Simply Giving (offerings automatically deposited in the church's bank account) confirmations arrive at the church office twice per month via email to the Treasurer. Copies of the email are included in the monthly payment folder.

1.2 FUNDRAISERS AND SPECIAL PROJECTS

- 1.2.1 The person in charge of the fundraiser or special project shall complete the Fundraiser Deposit Form listing the activity to be credited with the funds, along with a list of checks and cash included. The form must be signed. The person in charge should make two copies of the form: give one copy to the Treasurer and keep one copy. The person in charge should place the original form along with the cash and checks in a sealed envelope and place the envelope in the church safe. The envelope should be marked "To the Treasurer" and list the fundraising event or special project.
- 1.2.2 The person in charge should then notify the Treasurer that these funds have been placed in the church safe.
- 1.2.3 The offering counters should open any fundraiser or special project envelopes. The funds should be counted and recorded on the backside of the Offering Tally Sheet.

1.3 PAYMENTS

- 1.3.1 Payments for wages, utilities, and other expenses shall be paid by checks or electronic transfer issued through the checking account described in Item 4.2 below.
- 1.3.2 The Treasurer shall pay other salaried staff members according to the current budget approved by the Congregation.
- 1.3.3 The Treasurer shall pay hourly staff members upon submittal of timesheets at the hourly rate according to the current budget approved by the Congregation.
- 1.3.3 The Treasurer shall pay utilities based upon the monthly bills received from the utility. All utilities are paid directly from the checking account through the utilities' autopay programs.
- 1.3.5 All other payments shall be authorized by a Ministry (or Fundraiser) Group chairperson, or Ministry (or Fundraiser) Group member. All manual checks require a check request form, which includes the payee, the dollar amount, the date due, designated account, authorized person's signature. Any amount over \$500 requires two authorized person's signatures.
- 1.3.6 The Treasurer shall prepare monthly reports listing receipts and expenses (Monthly Account Register) and is placed in the monthly financial folder.

1.4 DEPOSITS

- 1.4.1 The Offering Counters shall be responsible for preparing a deposit slip for weekly offerings, fundraisers, and special projects received as described above in 1.1 and 1.2 and making the bank deposit.

- 1.4.2 The Treasurer shall compare the Offering Tally Sheet to the bank deposit slip for Offerings and likewise for Fundraisers and Special Projects and immediately notify the Offering Counters of any discrepancies. If any revisions are to be made, a copy of the revised form is to be given to the Parish Office Administrator to update Shepherd's Staff and file.

1.5 BANK AND INVESTMENT ACCOUNTS

- 1.5.1 All church business, with the exception of payroll and the Pastor's discretionary fund, shall be handled through one bank savings and checking account.¹
- 1.5.2 This account shall hold all funds designated as Current Expenses, Benevolences, Special Projects and the Building Fund that is funded through offerings. Note that there may also be a Building Fund that is funded through bequests that is to be part of the general investment account described under 1.5.8 below.
- 1.5.3 All checks over \$500 must be signed by any two authorized persons.
- 1.5.4 The only authorized persons to sign checks are the Council President, Vice President, Secretary, and Treasurer. In the event that one of the four officers are related to the Treasurer, Council may designate another authorized signer.
- 1.5.5 Checks shall be issued a minimum of twice per month,
- 1.5.6 The monthly bank statements for this account are to be reconciled by a person(s) designated by Council with a copy to be sent to the Treasurer and a copy to be sent to the Parish Office Administrator for filing. In no circumstances is the person responsible for the bank reconciliation allowed to be an authorized signer of the checking account.
- 1.5.7 The Pastor's discretionary fund is a separate account that is to be used solely at the Pastor's discretion to help congregation members and the community at large who may be in need of temporary assistance for their basic needs including, but not limited to, rent, utilities, and food.
- 1.5.7.1 The discretionary fund is held in a separate bank account.²
- 1.5.7.2 The treasurer is the only authorized signer of this account.
- 1.5.7.3 The Treasurer is responsible for reconciliation of the monthly bank statements (only the bank statement and NOT copies of the checks) and shall provide a copy to the Pastor and the Parish Administrative Assistant for filing.
- 1.5.7.4 Any offerings or other income for the discretionary fund shall be given to the Council President to deposit promptly into the Discretionary Fund Bank Account.
- 1.5.7.5 This account is not subject to audit.
- 1.5.7.6 The Treasurer is to provide Council with a quarterly statement of this account showing the account balance, income, and disbursement amounts.
- 1.5.8 The long-term investments of the church including the Mission Endowment Fund are to be invested in a single investment account.³
- 1.5.8.1 The Finance Committee shall recommend an investment strategy for these funds to Council for their review and approval.
- 1.5.8.2 This investment strategy shall be reviewed at least on an annual basis each February by the Finance Committee with a report to Council at the March meeting.
- 1.5.8.3 The Treasurer shall be the manager of this account and be responsible for deposits to this account. Deposits shall be made by check from the banking account per 1.5.1 above. The Treasurer shall prepare a list of funds invested in this account and update it quarterly for presentation to Council showing deposits, withdrawals, and current balance for each fund. A copy of the quarterly report shall be sent to the Parish Office Administrator for filing. Any withdrawals from this fund must be authorized by Council. The Treasurer would then proceed to write a check from the investment account to be disbursed to the appropriate party. Checks shall be signed as per 1.5.4 above.

1.6 BUSINESS CHARGE ACCOUNTS

- 1.6.1 The church maintains charge accounts at several businesses. The use of these accounts is to be limited to authorized users so that spending can be accounted for properly.
- 1.6.2 Authorized users are Church Staff and Ministry Chairpersons. These users are responsible for properly accounting for the purchases.

1.7 RECORDKEEPING

- 1.7.1 The Administrative Assistant's copies of the financial records shall be the source used by any congregation member wishing to review the financial records.
- 1.7.2 The financial records may only be reviewed in the church office during normal office hours. Financial records may not be copied.
- 1.7.3 Ministry chairpersons and fundraiser chairpersons shall direct requests for financial reports to the Treasurer.
- 1.7.4 All original church financial records shall be kept in the church office.
- 1.7.5 Financial records shall be kept for 7 years before they may be discarded.

Notes

¹The checking account is currently (August 2019) held at PinPoint Federal Credit Union, Center Street, Milton.

²The Pastor's discretionary account is currently (August 2019) held at PinPoint Federal Credit Union, Center Street, Milton.

³The investment account is currently (August 2019) held with Thrivent.

- C12.06.** The Congregation Council shall see that the provisions of this constitution, its bylaws, and the continuing resolutions are carried out.
- C12.07.** The Congregation Council shall provide for an annual review of the membership roster.
- C12.08.** The Congregation Council, in partnership with Staff Support and Parish Relations Committee, shall be responsible for the employment and supervision of staff of this congregation. Nothing in this provision shall be deemed to affect the congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church.
- C12.09.** The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.
- C12.11.** The Congregation Council shall normally meet once a month. Special meetings may be called by the pastor or the president, and shall be called by the president at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.
- C12.12.** A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the pastor or interim pastor, except when the pastor or interim pastor requests or consents to be absent and has given prior approval to the agenda for a particular regular or special meeting, which shall be the only business considered at that meeting. Chronic or repeated absence of the pastor or interim pastor who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synodical bishop.

Chapter 13.

CONGREGATION COMMITTEES

- C13.01.** The officers of this congregation and the pastor shall constitute the *Executive Committee*.
- C13.02.** A *Nominating Committee* of six voting members of this congregation, two of whom, if possible, shall be outgoing members of the Congregation Council, shall be elected at the annual meeting for a term of one year. Members of the Nominating Committee are not eligible for consecutive re-election.
- C13.03.** An *Audit Committee* of three voting members shall be elected by the Congregation Council. Audit Committee members shall not be members of the Congregation Council. Term of office shall be three years, with one member elected each year. Members shall be eligible for re-election.
- C13.04.** A *Staff Support and Parish Relations Committee* shall be appointed by the Congregation Council at its first meeting of the year. This committee shall consist of six members, one of whom shall be a member of the Congregation Council. Members of the committee shall be appointed to serve a term of three years, with one-third of the membership being appointed each year.
- C13.04.02.A07** Staff Support Ministry should be involved in the final interview and selection of an applicant for a paid non-rostered staff position. Based on their final selection, they should make a recommendation to the Congregation Council for a final approval. Upon final approval from the Congregation Council, Staff Support Ministry should participate in the orientation of a new staff person. Orientation should include explanations of responsibilities, payroll, benefits, supervisor, Staff Support contact person, and any other necessary explanations. Clarification: “should be involved” and “participate in orientation” does not mean everyone in the ministry group should be present during these procedures but a selected person or persons designated from this ministry group by this ministry group.
- C13.06.** Other committees of this congregation may be formed, as the need arises, by decision of the Congregation Council.
- C13.07.** Duties of committees of this congregation shall be specified in the bylaws.
- C13.07.01.A07** Except as stipulated in the following paragraphs, the duties of all committees shall be defined by the Congregation Council (C4.04.), along with such instructions as in its judgment are in the best interests of the congregation. Committees are authorized to spend funds allotted to them in the budget and in accordance with the directives set down in the constitution for disbursing congregational funds (C12.05.) All committee actions shall be subject to review by the Congregation Council.
- A. There shall be a *Committee on Christian Education*. This committee, in association with the pastor, shall oversee the conduct and promotion of the school(s) and the activities of all organizations dealing with the education process within the congregation. It shall appoint such officers as are necessary for the directing of the church’s educational programs and shall, in conjunction with these officers, recruit and approve the staff of teachers. It shall encourage the use of teaching and worship materials published for or approved by the Evangelical Lutheran Church in America, and seek to introduce the church’s periodicals and books of family devotion into the homes of the congregation. One of the primary aims of this committee shall be to bring the call to the holy ministry of Word and Sacrament and to other church vocations to the attention of qualified persons in the congregation.
 - B. There shall be a *Committee on Church Property*. This committee shall strive to assure the proper maintenance and protection of all the congregation’s properties, facilities, furnishings, and equipment excepting equipment maintained by other committees.
 - C. There shall be a *Committee on Worship and Music*. It shall assist the Congregation Council in assuring that the worship of the congregation is conducted regularly and in accordance with the liturgies of the Evangelical Lutheran Church in America, that competent acolytes, worship assistants, and greeter/ushers are recruited and trained, and that worship books and other devotional materials are provided and properly cared for. This committee shall supervise and strive to advance the welfare and effective service of the choir(s) and the music ministry of the congregation. It shall arrange for the proper care of payments, appointments, vestments,

and musical instruments (including but not limited to pianos, organ, bells and sound equipment), and, in consultation with the pastor, the organist, and the choir director(s), it shall provide sheet music and worship/music equipment appropriate or use in the worship of a congregation of the Evangelical Lutheran Church in America.

- D. There shall be a ***Committee on Finance and Stewardship***, on which the treasurer (or secretary-treasurer) shall be a member. It shall prepare a draft budget for each succeeding year, including this congregation's full indicated share in support of the wider ministry being carried on in its behalf by the Evangelical Lutheran Church in America and the synod, and it shall submit such draft budget to the Congregation Council for its action and subsequent presentation to the congregation at a legally called and conducted special Congregation Meeting in the month of November (See Bylaws Section Five and C12.02.). This committee shall exercise oversight of all the financial affairs of the congregation to assure that they are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to the treasurer of the synod. It shall, subject to the approval of the Congregation Council, be responsible for the congregation's investments and its total insurance program. It shall also provide for annual review of the accounts of the treasurer (or secretary-treasurer), as well as of the accounts of the school(s) and organizations within the congregation. Also, it shall be the function of this committee to evoke and promote the expression of Christian faith in daily living; to teach the Christian use of money; to diffuse knowledge of the congregation's local, national, and worldwide ministries; and to lead all members of the congregation to higher levels of proportionate giving for the work of our Lord. In short, this committee shall be responsible for all congregational efforts which lead to informed and grateful giving.
- E. There shall be a ***Committee on Evangelism and Social Ministry***. This committee shall work to stimulate and lead all members of the congregation in continuous and, from time to time, concerted endeavors to reawaken the spiritually indifferent and to reach others, who are as yet unwon, with the Gospel and invite them to become a part of the assembly of believers, Christ's Church. To this end, this committee shall devote itself to deepening spiritual life and shall periodically study the congregation in the context of its surrounding community. Further, this committee shall extend Christian compassion and helpfulness to the ill, the aged, the orphaned, the underprivileged, the imprisoned, and in general, to all persons in need of aid in body or soul. The committee shall strive to enlist in these efforts as many individual members and organizations in the congregation as is possible. Finally, it shall be the duty of this committee to study social conditions, primarily in the local community, in order to bring the cleansing and healing light of Christian truth to bear upon critical problems through thoughtful discussion of the facts and issues.

C13.08. The pastor of this congregation shall be *ex officio* a member of all committees and boards of the congregation. The president of this congregation shall be *ex officio* a member of all committees and boards of the congregation, except the Nominating Committee.

C13.09.A19. Committee Reports All committee reports should be submitted in writing. Committee reports are requested the Sunday before the normally scheduled once a month Congregation Council meeting.

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 Congregation Council.

Chapter 15.

DISCIPLINE OF MEMBERS AND ADJUDICATION

- *C15.01.** Persistent and public denial of the Christian faith, willful or criminal conduct grossly unbecoming a member of the Church of Christ, continual and intentional interference with the ministry of the congregation, or willful and repeated harassment or defamation of member(s) of the congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will be attempted following Matthew 18:15–17, proceeding through these successive steps, as necessary: a) private counsel and admonition by the pastor, b) censure and admonition by the pastor in the presence of two or three witnesses, c) written referral of the matter by the Congregation Council to the vice president of the synod, who will refer it to a consultation panel drawn from the Consultation Committee of the synod, and d) written referral of the matter by the consultation panel to the Committee on Discipline of the synod. If, for any reason, the pastor is unable to administer the admonitions required by paragraphs a. and b. hereof, those steps may be performed by another pastor chosen by the Executive Committee of the Congregation Council.
- *C15.02.** The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If the counseling, censure, and admonitions pursuant to *C15.01. do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three laypersons and two ministers of Word and Sacrament). A copy of the written charges shall be provided to the consultation panel and the accused member(s). The consultation panel, after requesting a written reply to the charges from the accused member(s), shall consider the matter and seek a resolution by means of investigation, consultation, mediation, or whatever other means may seem appropriate. The panel's efforts to reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it.
- *C15.03.** If the consultation panel fails to resolve the matter, that panel shall refer the case in writing, including the written charges and the accused member's reply, to the Committee on Discipline of the synod for a hearing. A copy of the panel's written referral shall be delivered to the vice president of the synod, the Congregation Council, and the accused member(s) at the same time it is sent to the Committee on Discipline of the synod. The Executive Committee of the Synod Council shall then select six members from the Committee on Discipline to decide the case and shall appoint a member of the Synod Council to preside as nonvoting chair. Those six members, plus the nonvoting chair, comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the parties to the case.
- *C15.04.** The discipline hearing panel shall commence and conduct the disciplinary hearing in accordance with the provisions governing discipline of congregation members prescribed in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- *C15.05.** By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:
- suspension from the privileges of congregation membership for a designated period of time;
 - suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
 - termination of membership in the congregation; or
 - termination of membership in the congregation and exclusion from the church property and from all congregation activities.
- *C15.06.** The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the *Constitution, Bylaws, and*

Continuing Resolutions of the Evangelical Lutheran Church in America. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next council meeting.

***C15.07.** No member of the congregation shall be subject to discipline a second time for offenses that a discipline hearing panel has heard previously and decided pursuant to this chapter.

***C15.10. Adjudication**

***C15.11.** When there is disagreement among factions within this congregation on a substantive issue that cannot be resolved by the parties, members of this congregation shall have access to the synodical bishop for consultation after informing the chair of the Congregation Council of their intent. If the consultation fails to resolve the issue(s), the Consultation Committee of the synod shall consider the matter. If the Consultation Committee of the synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final.

Chapter 16.

AMENDMENTS

***C16.01.** Unless provision *C16.04. is applicable, those sections of this constitution that are not required, in accord with the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, may be amended in the following manner. Amendments may be proposed by at least a quorum of voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members of the proposal together with the council's recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.

***C16.02.** An amendment to this constitution, proposed under *C16.01., shall:

- a. be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those voting members present and voting;
- b. be ratified without change at the next annual meeting by a two-thirds vote of those voting members present and voting; and
- c. have the effective date included in the resolution² and noted in the constitution.

***C16.03.** Any amendments to this constitution that result from the processes provided in *C16.01. and *C16.02. shall be sent by the secretary of this congregation to the synod. The synod shall notify the congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.

***C16.04.** This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* as most recently amended by the Churchwide Assembly. Such amendments may be approved by a majority vote of those voting members present and voting at any legally called meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to the congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of at least two (2) voting members of the congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

Chapter 17.

BYLAWS

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

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

Chapter 18.

CONTINUING RESOLUTIONS

- *C18.01. The congregation in a legally called meeting or the Congregation Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.
- C18.01.01.A07 The constitution shall be reviewed following each Churchwide Assembly.
- *C18.02. Continuing resolutions shall be enacted or amended by a majority vote of a meeting of the congregation or a two-thirds vote of all voting members of the Congregation Council.

Chapter 19. INDEMNIFICATION

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

Chapter 20.

PARISH AUTHORIZATION

- C20.01. This congregation may unite in partnership with one or more other congregations recognized by the synod named in *C6.01. to form a parish. Except as provided in *C20.02. and *C20.03., a written agreement, developed in consultation with the synod and approved by the voting members of each congregation participating in the parish, shall specify the powers and responsibilities that have been delegated to the Parish Council. The Parish Agreement shall identify which congregation of the parish issues calls on behalf of the member congregations or shall establish a process for identifying which congregation issues calls on behalf of the member congregations.
- C20.02. One congregation of a parish shall issue a call on behalf of the member congregations to a minister of Word and Sacrament or a candidate for the roster of Ministers of Word and Sacrament who has been recommended by the synodical bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.
- C20.03. One congregation of a parish may issue a call on behalf of the member congregations to a minister of Word and Service or a candidate for the roster of Ministers of Word and Service who has been recommended by the synodical bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.

- C20.04.** Any one of the congregations of the parish may terminate their relationship with the pastor as provided in †S14.18.d. of the synodical constitution of the synod named in *C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.
- *C20.05.** Any one of the congregations of the parish may terminate their relationship with a minister of Word and Service as provided in †S14.43.d. of the synodical constitution of the synod named in *C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.
- *C20.06.** Whenever a parish agreement is terminated, the call of any rostered minister serving that parish is terminated. Should any congregation that was formerly part of the parish agreement desire to issue a new call to that rostered minister, it may do so in accordance with the call process of this church.

Congregation adopted amendments to the *Model Constitution for Congregations* as approved by the 2016 Churchwide Assembly of the ELCA