

CONSTITUTION, BYLAWS AND CONTINUING RESOLUTIONS
of
GRACE ENGLISH EVANGELICAL LUTHERAN CHURCH
MONONGAHELA, PENNSYLVANIA

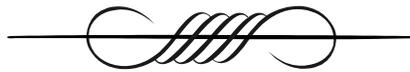


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Revised November 4, 2012



***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 Grace English Evangelical Lutheran Church.
- C1.02.** For the purpose of this constitution and the accompanying bylaws, the congregation of Grace English 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.
- *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. 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.
- *C3.03. 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.
- *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 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 a mission statement which will provide specific direction for its programs.

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 or terminate the call of associates in ministry, deaconesses, and diaconal ministers in conformity with the applicable policy of the Evangelical Lutheran Church in America;
- d. adopt amendments to the constitution, as provided in Chapter 17, and amendments to the bylaws, as specified in Chapter 16, and continuing resolutions, as provided in Chapter 18.
- e. approve the annual budget;
- f. acquire real and personal property by gift, devise, purchase, or other lawful means;
- g. hold title to and use its property for any and all activities consistent with its purpose;
- h. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
- i. elect its Congregation Council, and require the members of the council to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
- j. 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 Southwestern Pennsylvania Synod of the Evangelical Lutheran Church in America.

Chapter 6: CHURCH AFFILIATION

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

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

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

- a. This congregation agrees to be responsible for its life as a Christian community.
- b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
- c. This congregation agrees to call pastoral leadership from the clergy roster of 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 ordained ministers of the Evangelical Lutheran Church in America or to contracting for pastoral services with an ordained minister of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.
- d. This congregation agrees to consider associates in ministry, deaconesses, and diaconal ministers 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.** A congregation may terminate its relationship with this church 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 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 paragraphs g., h., and i. 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 this church, who shall report the termination to the Churchwide Assembly.
- g. 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.

h. 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.¹

i. 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.²

j. If a 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 a 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 program 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 program unit of the churchwide organization before any steps are taken leading to such action.

Chapter 7: PROPERTY OWNERSHIP

***C7.01.** If this congregation ceases to exist, title to undisposed property shall pass to the Southwestern Pennsylvania 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 Southwestern Pennsylvania 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

¹ Grace Lutheran Church, as a member of the Lutheran Church in America at the time of the ELCA's formation, is governed by this provision.

² Grace Lutheran Church was not established by the ELCA, and is therefore not governed by this provision. Because *C6.05. is a required section of the constitution for all ELCA congregations, paragraph i. has been retained, despite its lack of applicability in the case of Grace Lutheran Church.

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.

Chapter 8: MEMBERSHIP

- *C8.01.** Members of this congregation shall be those baptized persons on the roll of this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.
- *C8.02.** Members shall be classified as follows:
- a. **Baptized** members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
 - b. **Confirmed** members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.
 - c. **Voting** members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation.
 - d. **Associate** members are persons holding membership in other Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, 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.
- *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.** Individuals who seek membership within this congregation and who are not received by letter of transfer from another Lutheran congregation must attend the pastor's classes.

Chapter 9: THE PASTOR

- *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.
 - b. Each ordained minister with a congregational call shall, within the congregation:
 - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2) supervise all schools and organizations of this congregation;
 - 3) install regularly elected members of the Congregation Council; and
 - 4) with the council, administer discipline.
 - c. Every pastor shall:
 - 1) strive to extend the Kingdom of God in the community, in the nation, and abroad;
 - 2) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
 - 3) impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and
 - 4) endeavor to increase the support given by the congregation to the work of the church wide organization of the Evangelical Lutheran Church in America (ELCA) and of the Southwestern Pennsylvania 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.** a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which, except in the case of the death of the pastor, shall be terminated only following consultation with the synodical bishop and for the following reasons:

- 1) mutual agreement to terminate the call or the completion of a call for a specific term;
- 2) resignation of the pastor, which shall become effective, unless otherwise agreed, 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, without reflection on the competence or the moral and spiritual character of the pastor;
- 4) the physical or mental incapacity of the pastor;
- 5) disqualification of the pastor through discipline on grounds of doctrine, morality, or continued neglect of duty;
- 6) the dissolution of the congregation or the termination of a parish arrangement; or
- 7) suspension of the congregation as a result of discipline proceedings.

b. When allegations of physical or mental incapacity of the pastor or ineffective conduct of the pastoral office have come to the attention of the bishop of the synod, the bishop in his or her sole discretion may, or 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 shall, investigate such conditions personally in company with a committee of two ordained ministers and one layperson.

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

d. In the case of alleged local difficulties that imperil the effective functioning of the congregation, all concerned persons shall be heard, after which the bishop of the synod together with the committee described in *C9.05.b. shall decide on the course of action to be recommended to the pastor and the congregation. If they agree to carry out such recommendations, no further action shall be taken by the synod. If either party fails to assent, the congregation may dismiss the pastor at a legally called meeting after consultation with the bishop, either (a) by a two-thirds majority 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 simple majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.

e. If, in the course of proceedings described in *C9.05.d., the committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action to the synodical bishop, who may bring charges in accordance with the provisions of the constitution and bylaws of the Evangelical Lutheran Church in America and the constitution of this synod.

f. If, following the appointment of the committee described in *C9.05.b. or d., it should become apparent that the pastoral office cannot be conducted effectively in the congregation(s) being served by the ordained minister due to local conditions, the bishop of the synod may temporarily suspend the pastor from service in the congregation(s) without prejudice and with pay provided through a joint synodical and church wide fund and with housing provided by the congregation(s).

***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:
- a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;
 - b. shall submit a summary of such statistics annually to the synod; and
 - c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- *C9.13.** The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.
- *C9.14.** The parochial records of this congregation shall be maintained by the pastor and shall remain the property of the congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in his or her hands in good order by a departing pastor before the installation of that pastor in another field of labor or the granting by the synod of retired status to the pastor.
- C9.20. Ecumenical pastoral ministry**
- C9.21.** Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, an ordained minister 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 ordained minister in a form proposed by the synodical bishop and approved by the congregation.
- C9.30. Other provisions**
- C9.30.A11.** Another clergy person may perform such pastoral functions in the lives of persons of a parish only by the invitation of the pastor and Congregation Council and with their permission. If time is of the essence, the council may be polled by the secretary. It will be the

minister's duty to invite the requested clergy person. The role of the other clergy person shall be at the discretion of the pastor. Visiting clergy shall generally serve the role of assistant to the pastor in the performance of that function, but may perform other roles at the pastor's discretion.

- C9.30.B11.** For special events that require the use of the building and neither a regularly called pastor or an interim pastor is available to perform pastoral functions, a member may elect to have the service performed by an ordained minister of their choice, with the approval of the Congregation Council.
- C9.30.C11.** The pastor will submit a monthly report to council summarizing his church activities during the month.

Chapter 10: CONGREGATION MEETINGS

- C10.01.** The annual meeting of this congregation shall be held the fourth Friday in October or within ten days thereof. The exact time of this meeting will be determined by the Congregation Council.
- C10.02.** A special Congregation Meeting may be called by the pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of the congregation upon the written request of 10 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 along with the meeting agenda will be presented at the services of worship on the preceding two consecutive Sundays. If possible, notification shall also be made via the congregational newsletter, if a newsletter is published by the congregation. Electronic notice of meetings may be provided in addition to notice by regular mail. The agenda will be posted in prominent locations.
- C10.04.** 10% 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.
- C10.08.** There shall be no business meeting held in the nave of the church.

Chapter 11: OFFICERS

- C11.01.** The officers of this congregation shall be a president, vice president, secretary, and treasurer.
- a. Duties of the officers shall be specified in the bylaws.
 - b. The officers shall be voting members of the congregation.
 - c. Officers of this congregation and the officers of the Congregation Council shall be one and the same. Officers of the Congregation Council shall be voting members of the Congregation Council.
 - d. 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.

- C11.01.10. Duties of the officers**
- C11.01.20. President**
- C11.01.21.** The president shall preside at meetings of the congregation and the church council. In the event of the president's inability to serve, the vice-president shall preside.
- C11.01.30. Vice President**
- C11.01.40. Secretary**
- C11.01.41.** The secretary shall keep accurate minutes of all meetings of the congregation and of the council in a volume provided by the congregation, which shall be preserved permanently in its archives and posted monthly in the narthex or other prominent location. The minutes shall be posted within one week after they have been reviewed and approved by the council.
- C11.01.50. Financial Secretary**
- C11.01.51.** The financial secretary, if such an office is activated, shall receive and keep record of all income from contributing members and other sources.
- C11.01.60. Treasurer**
- C11.01.61.** The treasurer shall keep the books of account of the congregation and shall receive from the financial secretary all funds and disburse them on proper orders, making monthly remittance of benevolence receipts to the treasurer of the synod.
- C11.01.62.** The treasurer shall make written report of all financial transactions to the church council monthly and to the congregation, together with a satisfactory audit, at its annual meetings. Such monthly reports to the congregation shall be posted within one week of being accepted by the congregation council in the narthex or another prominent location. All financial officers shall give corporate surety, in amounts determined by the church council, for which the premium shall be paid by the congregation.**C11.02.**The officers shall be elected by the Congregation Council by written ballot and shall serve for one year. The term shall begin on the first Sunday in January and end on the Saturday prior to the first Sunday in January. The election of the officers shall be completed at the organizational meeting immediately following the installation service.
- C11.03.** No officer shall hold more than one office at a time. No elected officer shall be eligible to serve more than two consecutive terms in the same office.

Chapter 12: CONGREGATION COUNCIL

- C12.01.** The voting membership of the Congregation Council shall consist of the pastor(s) and a minimum of 6 current voting members to a maximum of 12 current voting members of this congregation. The pastor(s) shall have full voting privileges. An effort is to be made to have one of whom shall be a youth and one of whom shall be a young adult. 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.
- C12.02.** The members of the Congregation Council except the pastor(s) shall be elected at the annual congregational meeting. Members shall be eligible to serve no more than two full terms consecutively. Their term of office shall be for 3 years, with the term of office beginning on

the first Sunday in January and ending on the Saturday prior to the first Sunday in January. Newly elected Congregation Council members shall be installed at worship the first Sunday in January.

C12.03. Should a member's place on the Congregation Council become vacant for any reason, the Congregation Council shall elect, by majority vote, a successor until the next annual meeting, at which time a special election shall be held to fill the seat for the remainder of its original term.

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

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

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

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

d. To maintain supportive relationships with the pastor(s) and staff and help them annually to evaluate the fulfillment of their calling or employment.

e. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.

f. To promote a congregational climate of peace and goodwill, and, as differences and conflicts arise, to endeavor to foster mutual understanding.

g. To arrange for pastoral service during the sickness or absence of the pastor.

h. To emphasize partnership with the synod and church wide 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 State 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 may enter into contracts of up to \$1,000 for items not included in the budget.

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 percent 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 church wide organization.

e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to the synodical treasurer.

f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.

- C12.05.01.** Disbursement of special Easter, Christmas, Lenten, or Advent offerings shall be designated at the annual congregational meeting. In the event that the congregation provides no guidance, the disbursement of these funds shall be at the discretion of the Congregation Council.
- C12.05.02.** With the envelope now used by the congregation, all monies received will be disbursed as designated on the envelopes. All undesignated monies will be placed in the current fund. Current Fund and Benevolence Fund will be the only designations on the envelope. The Building Fund designation is eliminated.
- C12.05.03.** Any transfer of money from one designated offering envelope fund, as described in C12.05.02., to another fund must be first approved by the Congregation Council and then presented to the congregation for approval.
- C12.05.04.** The current expenses that are due will be paid in full. All monies remaining in the current fund at year's end are to be held and used in the subsequent year at the discretion of Congregation Council.
- C12.05.05.** All disbursements of church monies aside from regular operating expenses and in excess of \$300 must be approved by majority vote of Congregation Council. Emergency expenditures may be made with the consent of two members of the Congregation Council, one of whom must be an officer. Emergency expenditures shall be subject to review at the next regular meeting of the Congregation Council.
- C12.05.06.** The Congregation Council shall be responsible to see that all offerings collected are counted and verified before leaving the church property for deposit. At least one member of the Congregation Council shall be present for accountability. This Congregation Council member must change on a monthly basis. The Pastor cannot be in control of or count church offerings.
- C12.05.07.** The Congregation Council shall be responsible to see that the contents of the safe deposit box are inventoried and checked at least once a year.
- 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 be responsible for the employment and supervision of the staff of this congregation. Nothing in this provision shall be deemed to affect the congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church.
- C12.20. Others responsibilities and duties of the Congregation Council**
- C12.20.01.** The Congregation Council shall provide for an annual review of the membership roster, parish register, and history book by appointing someone other than the Pastor to accomplish this.
- C12.20.02.** The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.
- C12.20.03.** 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.

- a. Roll call will be taken and recorded in the minutes of each Congregation Council meeting
- b. Congregation Council members are to notify the Pastor, Congregation Council President, or recording secretary prior to any Congregation Council meeting for any excuse for being absent from the meeting.

C12.20.04. 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. The *Nominating Committee* shall consist of the outgoing members of the Congregation Council. The list of nominees shall be posted prominently two weeks prior to the annual meeting of the congregation. Other nominations may be made from the floor at the annual meeting. The nominating committee shall strive to nominate at least two candidates for each vacancy to be filled.

C13.03.01. When a pastoral vacancy occurs, a *Call Committee* consisting of six voting members and one Congregation Council member shall be elected by the Congregation Council. Term of office will terminate upon installation of the newly called pastor.

C13.04. Other committees of this congregation may be formed, as the need arises, by decision of the Congregation Council.

C13.05. Duties of committees of this congregation shall be specified in the continuing resolutions.

C13.06.A11. Standing Committees: At its first meeting in each congregational year the Congregation Council shall appoint as many standing committees as the local and wider concerns of the congregation shall require. Each committee shall be composed of at least one member of the council and, in addition one or more other confirmed members of the congregation. Although appointed by and responsible to the Congregation Council, these committees shall be recognized as representative of the interests of, and performing essential services for, the congregation as a whole. The pastor shall have voice and vote in all committees

C13.06.B11. Except as stipulated in the following paragraphs, the duties of all committees shall be assigned by the Congregation Council along with such instructions as in its judgment are in the best interests of the congregation. All actions of committees shall be subject to review by the council.

C13.06.C11. *Worship Committee:* It shall assist the Congregation Council in seeing that the services of God's house are conducted regularly in accordance with the liturgy of the Evangelical Lutheran Church in America, that competent ushers are recruited and trained, and that hymnals 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 choirs of the congregation. It shall, through the altar guild, arrange for the care of paraments, vestments and musical instruments and assist in the preparation of communion and in consultation with the pastor, the organist and choir director, it shall furnish music supplies appropriate for use in the worship of a congregation of the Evangelical Lutheran Church in

America. It shall assist the pastor in selecting hymns, scheduling acolytes, greeters, and readers.

- C13.06.D11. *Learning Committee:*** This committee, in association with the pastor, shall oversee the conduct and promotion of the school(s) and the activities of all educational organizations within the congregation. It shall encourage the use of teaching and worship materials published 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 the committee on learning shall be to bring the call to the ministry of the Gospel and to other full-time church vocations to the attention of qualified youth of the congregation.
- C13.06.E11. *Witness Committee:*** This committee shall 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 unknown, with the Gospel and attach them to Christ's church. To this end, the committee shall devote itself to deepening spiritual life and shall periodically study the congregation in the context of its surrounding community.
- C13.06.F11. *Social Ministry Committee:*** The purpose of this committee shall be to extend Christian compassion and helpfulness to the ill, the aged, the orphaned, the underprivileged, the imprisoned, and in general to persons of all ages in need of aid in body or soul. It shall strive to enlist in these efforts as many as possible of the individual members and organizations of the congregation. This committee shall further have the duty 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 Christian discussion of facts and issues. It shall lay before the Congregation Council proposals for action issuing from such study and discussion.
- C13.06.G11. *Youth Committee:*** This committee shall insure youth participation in the total life of the church. They shall make the congregation aware that youth are part of the church of today, not the church of tomorrow. This committee shall encourage youth to serve on all committees of Congregation Council to familiarize themselves with the workings of the church. They shall encourage youth participation as greeters, readers, ushers, acolytes and members of Congregation Council. This committee shall supervise the Youth Choir, Nursery (during church), ball teams, service projects and social events of the various youth age groups.
- C13.06.H11. *Church Property Committee:*** This committee shall see to the proper maintenance and protection of all property of the congregation, and shall take care that the same is kept in good repair.
- C13.06.I11. *Finance Committee:*** This committee, of which the treasurer shall be a member ex officio, shall prepare a draft budget for the 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 shall submit such draft budget to the Congregation Council for its action and later presentation to a congregational meeting. The committee shall exercise oversight of all the financial affairs of the congregation to make sure that they are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence moneys to the synodical treasurer. It shall be subject to the approval of the Congregation Council and be responsible for the congregation's investments and its total insurance program. It shall also provide for annual audits of the accounts of the treasurer and the financial secretary, if there be one, as well as of the accounts of the school(s) and organizations within the congregation.
- C13.06.J11. *Stewardship Committee:*** The treasurer shall be a member ex officio of the stewardship committee. 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 its members to

higher levels of proportionate giving for the Lord's work. This committee shall also be responsible for all congregational efforts which lead to informed and grateful giving of time and talent as well as financial support.

- C13.06.K11.** When deemed appropriate, an **Audit Committee** may be formed consisting of at least three voting members who shall be elected by the Congregation Council. Audit Committee members shall not be members of the Congregation Council. Term of office shall be until the completion of the audit with which they are charged. Members shall be eligible for reelection.
- C13.06.L11.** A **Mutual Ministry Committee** shall be appointed jointly by the president and the pastor. Term of office shall be two years, with three members to be appointed each successive year. In the absence of a mutual ministry committee, the duties shall be fulfilled by the executive committee
- C13.07.** The pastor of this congregation shall be *ex officio* a member of all committees and boards of the congregation with the exception of the nominating committee, call committee and audit committee

Chapter 14: ORGANIZATIONS WITHIN THE CONGREGATION

- C14.01.01.** 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, by means of the Congregation Council, which shall provide guidance and oversight in determining their policies and selecting their activities. All organizations shall submit a report to the congregation concerning their membership, work, and finances for inclusion in the annual report of the congregation.
- C14.01.02.** 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 and specified in a continuing resolution.

Chapter 15: DISCIPLINE OF MEMBERS AND ADJUDICATION

- *C15.01.** Denial of the Christian faith as described in this constitution, conduct grossly unbecoming a member of the Church of Christ, or persistent trouble-making in this congregation are sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation will be attempted following Matthew 18:15-17, proceeding through these successive steps: a) private admonition by the pastor, b) admonition by the pastor in the presence of two or three witnesses, and c) citation to appear before the Congregation Council. If, for any reason, the pastor is unable to administer the admonitions required by a. and b. hereof, the president or vice president shall administer such admonitions.
- *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 discipline against a member proceeds beyond counseling and admonition by the pastor, charges against the accused member(s) that are specific and in writing shall be prepared by member(s) of the congregation who shall sign the charges as the accuser(s). The written charges shall be filed with the pastor, who shall advise the Congregation Council of the need to issue a written citation to the accused and the accusers that specifies the time and place of the hearing before the Congregation Council. The written charges shall accompany the written citation to the accused. The written citation that specifies the time and place of the hearing before the Congregation Council and requests the presence of a member charged with the offense shall be sent at least ten days prior to the meeting. If the member charged with the offense fails to appear at the scheduled

hearing, the Congregation Council may proceed with the hearing and may pass judgment in the member's absence.

***C15.03.** Members of the Congregation Council who participate in the preparation of the written charges or who present evidence or testimony in the hearing before the Congregation Council are disqualified from voting upon the question of the guilt of the accused member. Should the allegations be sustained by a two-thirds majority vote of the members of the Congregation Council who are not disqualified but who are present and voting, and renewed admonition prove ineffectual, the council shall impose one of the following disciplinary actions:

- a. censure before the council or congregation;
- b. suspension from membership for a definite period of time; or
- c. exclusion from membership in this congregation.

Disciplinary actions b. and c. shall be delivered to the member in writing.

***C15.04.** The member against whom disciplinary action has been taken by the Congregation Council shall have the right to appeal the decision to the Synod Council. Such right may not be abridged and the decision of the Synod Council shall be final.

***C15.05.** Disciplinary actions may be reconsidered and revoked by the Congregation Council upon receipt of a) evidence that injustice has been done or b) evidence of repentance and amendment.

***C15.06.** For disciplinary actions in this congregation, "due process" shall be observed as specified in 20.41.04. in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.

***C15.07.** No member of a congregation shall be subject to discipline for offenses that the Congregation Council has previously heard and decided, unless so ordered by the Synod Council after an appeal.

***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: BYLAWS

***C16.01.** This congregation may adopt bylaws. No bylaw may conflict with this constitution.

***C16.02.** Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a majority vote of those voting members present and voting.

***C16.03.** 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 by mail of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting.

***C16.04.** Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.

Chapter 17: AMENDMENTS

- *C17.01.** Unless provision *C17.04. 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 5 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 by mail of the proposal together with the council's recommendations at least 30 days in advance of the meeting.
- *C17.02.** An amendment to this constitution, proposed under *C17.01., shall:
- be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those present and voting;
 - be ratified without change at the next annual meeting by a two-thirds majority vote of those present and voting; and
 - have the effective date included in the resolution³ and noted in the constitution.
- *C17.03.** Any amendments to this constitution that result from the processes provided in *C17.01. and *C17.02. shall be sent by the secretary of this congregation to the synod. The amendment shall become effective within 120 days from the date of the receipt of the notice by the synod unless the synod informs this congregation that the amendment is in conflict with the constitution and bylaws of the Evangelical Lutheran Church in America or the constitution of the Southwestern Pennsylvania Synod of the ELCA.
- *C17.04.** 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 simple 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 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 5 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 18: CONTINUING RESOLUTIONS

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

³ Such an effective date must be stated in relation to the requirements of *C17.03. to allow time for synodical review of the amendment.

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.
- C19.02.** This congregation hereby agrees that it will indemnify and defend the following persons should they become the subject of legal action due to actions undertaken in the course of their official duties on behalf of the congregation:
- a. Congregation Council members.
 - b. Officers.
 - c. Employees.
 - d. Agents.
 - e. Other members of any committee of this congregation.

Chapter 20: PARISH AUTHORIZATION

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

- *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 a Parish Council.
- *C20.02.** Whenever a letter of call is being recommended for extension to an ordained minister of the Evangelical Lutheran Church in America or a candidate for the roster of ordained ministers who has been recommended to the congregation by the synodical bishop to serve the congregations of a parish, such letter of call shall be first approved by a two-thirds vote at congregational meetings of each of the congregations forming the parish. If any congregation of the parish should fail to approve extending this call, the other congregation(s) in the same parish shall have the right to terminate the parish arrangement.
- *C20.03.** Any one of the congregations of a parish may terminate the call of a pastor as provided in †S14.13.d. of the synodical constitution of the synod named in *C6.01. In such case, the other congregation(s) in the same parish shall have the right to terminate the parish arrangement.
- *C20.04.** Whenever a parish arrangement is terminated, the call of any rostered person serving that parish is terminated. Should any congregation that formerly was part of the parish arrangement desire to issue a new call to that rostered person, it may do so in accordance with the call process of this church.

Chapter 21: USE OF CONGREGATIONAL PROPERTY AND FACILITIES

C21.10.A11. Congregational functions

- C21.10.B11.** The following policies shall apply to the use of congregational facilities for official functions of the congregation:
- a. Dates shall be cleared through the pastor and Congregation Council.
 - b. Scheduled church functions normally will take precedence.

- c. All decorations are to be carefully removed by the party using the facilities.
- d. No alcoholic refreshments are permitted.
- e. Rules for using kitchen area are posted in the kitchen.
- f. General cleaning shall be done after all functions by those holding them.
- g. Floor shall be dust mopped after each function.
- h. Table tops should be damp cleaned.
- i. Parties using facilities are responsible for all damages incurred.

C21.20.A11. Non-congregational functions

C21.20.B11. The following policies shall apply to the use of congregational facilities apart from official functions of the congregation:

- a. All such functions shall be approved by Congregation Council.
- b. A rental fee of \$100.00 per event must be paid in advance.
- c. Community related functions may be exempted from the rental fee by action of council.
- d. Groups charging admission fees are not permitted.
- e. The rules for use of social hall (as defined in C21.10.B11.) apply to all such occasions.

C21.20.C12. *Insurance requirements for non-congregational functions*

C21.20.D12. Insurance Coverage for individuals or groups using congregational facilities (no rental fee charged): The Church liability will protect the church. However, property damage would be the responsibility of the individual using the space. The Council will request a Certificate of Insurance from this individual or group and the Church will be listed as an Additional Insured.

C21.20.E12. With the rental charge or usage fee, this becomes a lessor's risk and the group should have their own insurance. The Council will request a Certificate of Insurance from this individual or group and the Church will be listed as an Additional Insured. The Church liability always protects the Church.

C21.30.A11. Wedding policy

C21.30.B11. The following policies shall apply to weddings held on congregational property:

- a. In addition to the policies for non-congregational functions described in C21.20 and its contents, the following policies shall apply to weddings held on congregational property. Specific fees and restrictions may be waived at the discretion of the pastor, in consultation with the Congregation Council.
- b. Dates shall be cleared through the pastor and Congregation Council.
- c. Wedding decorations shall be in consultation with the pastor.
- d. No rice is to be thrown within the church building.
- e. A rental fee of \$150.00 must be paid in advance.
- f. As specified in C21.10.B11., no alcoholic refreshments are permitted other than the traditional champagne toast of the bridal party.

C21.40. Congregational property

C.21.40.A11. Use of or borrowing of church furnishings will be by permission of pastor or a member of Congregation Council.

C21.40.B11. Any use of office equipment or musical equipment for personal reasons must be approved by a member of the Congregation Council.

C21.50. Purchasing policy

C21.50.A12. All purchases of goods and services must first be approved by an officer of the council and one other council member. Only approved purchases will be reimbursed from congregation funds.

Chapter 22: OFFERINGS, GIFTS AND MEMORIALS

C22.01. Definitions

C22.01.01 An *offering* shall be defined as:

- a. Any financial contribution made to the congregation and received at a service of worship, or
- b. Any financial contribution made to the congregation by means of an offering envelope, whether received at a service of worship or in any other manner.

C22.01.02 A *gift* shall be defined as any donation made to the congregation, whether material or financial, with the exception of offerings.

C22.01.03 A *memorial* shall be defined as a gift received in memory of a person, or in honor of a person or occasion.

C22.10. Stipulations regarding gifts and memorials

C22.10.A11. All non-monetary memorials and gifts offered to the church must have the approval of the Congregation Council before being accepted. Donation of routine supplies is excepted.

C22.10.B11. Once a memorial or gift is accepted by the Congregation Council in behalf of the congregation, the donor gives up all claims to it. To designate the use of a memorial or gift, the full amount must be given at the time of the contribution, unless council through the congregation approves a major addition to the church. Otherwise, any change with regard to its location, use or maintenance rests solely with Congregation Council.

C22.10.C11. All donors of non-monetary memorials and gifts shall be informed as to the conditions which govern the acceptance of a memorial or gift.

C22.10.D11. The congregation shall be informed of the donation of the memorial or gift through such media as the church bulletin, the monthly publication, or by some other means such as the memorial book.

C22.10.E11. All memorials and gifts are to be recorded in the memorial book left in the care and keeping of the church

C22.10.F11. Since a memorial book is made available, plaques denoting the donor and/or the one memorialized or honored are not to be used.

C22.10.G11. When the memorial is worn out, obsolete, or no longer deemed suitable, it may be disposed of at the discretion of Congregation Council.

C22.10.H11. In the event that it is advisable to replace the memorial, the original donor, or his family shall be given priority in perpetuating the original memorial.

C22.10.I11. Any article donated to the church, the church school, the auxiliaries or organizations of the church shall also be approved by the Congregation Council. No furnishings, such as draperies, pictures, etc., shall be placed on church property without permission of Congregation Council.

Chapter 23: WORSHIP SERVICES

- C23.01.01.** The planning of special church services, including Easter and Christmas, shall be at the discretion of the pastor, the worship committee, and those involved in these services. The schedule of such services shall be approved by the Congregation Council.
- C23.01.02.** The schedule for all worship services shall be decided by the Congregation Council.

Appendix 1: About This Constitution

The *Model Constitution for Congregations of the Evangelical Lutheran Church in America* originally was adopted by the Constituting Convention of this church in Columbus, Ohio, on April 30, 1987. This was done 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 the 1989, 1991, 1993, 1995, 1997, 1999, 2001, 2003, 2005, 2007, and 2009 Churchwide Assemblies.

The model is consistent with the requirements of the constitutional governing documents of the ELCA's churchwide organization and synods.

➤ **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 (neither additions nor deletions). This is in keeping with provision 9.52. in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. This provision stipulates 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. The provisions herein marked by an asterisk are those that are indicated as required in ELCA constitutional provision 9.25.b.

➤ **Review by synod:** In keeping with provisions that apply to all congregations of this church, each congregation is to provide a copy of its governing documents to the synod. As specified by ELCA bylaw 9.53.03. (numbering as listed in the 1991 and subsequent editions):

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 approve or disapprove the proposed changes within 120 days of receipt thereof, and shall notify the congregation of its decision; in the absence of a decision, the changes shall go into effect.

➤ **Codification explanation:** A numerical codification indicates (a) general subject, (b) constitutional provisions, (c) bylaws, and (d) continuing resolutions.

a. Major sectors are designated as chapters. The chapter designation becomes the first number in the codification sequence and is followed by a period. Thus, provisions in “Chapter 8. Membership” are preceded by “8.”

b. Constitutional provisions are codified with two sets of numbers: the chapter number and a two-digit number preceding the second period in the codification. Thus, one constitutional provision related to “Membership” is codified *C8.02.

c. Bylaw provisions are codified with three sets of numbers: the chapter number, the related constitutional provision number, and a two-digit number. Thus, one bylaw provision related to “Membership” would be codified C8.02.01. Because bylaws and continuing resolutions normally are so specifically related to details of each congregation's organization, operation, and life, no model set of bylaws or continuing resolutions is provided. Each congregation may develop its own bylaws and continuing resolutions, but no such bylaws or continuing resolutions may conflict with this constitution, the constitution and bylaws of the Evangelical Lutheran Church in America, and the constitution of the synod, as indicated in *C6.03.e.

d. The Congregation Council may adopt “continuing resolutions,” which may provide descriptions of operational patterns or of the ongoing responsibilities of committees or other units within the organizational structure of the congregation. Within the governing documents of a congregation, continuing resolutions are the provisions most easily amended. Unlike constitutional provisions and bylaws, continuing resolutions may be updated regularly by the Congregation Council without the necessity of calling a regular or special Congregation Meeting. 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 might be numbered C13. to designate the chapter; C13.07. to designate the subject matter within the chapter; and the third set might be numbered

A07. in the codification C13.07.A07. to indicate by the “A” that it is the first continuing resolution regarding that subject and to indicate by the “07” that it was adopted in 2007.

➤ **Ease of use:** The provisions of your congregation’s constitution, the bylaws, and the continuing resolutions that pertain to the same matter should be placed together for clarity and ease in use.

If chapter numbers are considered the major sequence number, constitution numbers as a fraction of the chapter number, and bylaw numbers as a fraction of the constitution number, then the codification can be said to provide a progressive sequence. Thus, *C5.01. will precede C5.03.10., and C9.11.16. will precede *C9.13.

All provisions in the *Model Constitution for Congregations* are prefaced with “C” to distinguish these provisions from comparable ones in the synodical and churchwide constitutions.

➤ **Missing numbers:** As you work with the *Model Constitution for Congregations*, you may notice that certain numbers seem to be missing from the numbering sequence in some chapters. That is intentional. In the style followed here, the number “.10.” and multiples thereof have been reserved for possible use as section headings in future editions. Therefore, in the sequence, for example, of Chapters 1, 9, and 12, these “.10.” numbers do not appear.

➤ **Selection of options:** Alternatives are provided in certain places within the model. Those are noted by square brackets. For example, *C9.01. offers the alternative of election of a call committee by the congregation or by the Congregation Council. One alternative should be chosen in each instance where square brackets appear in the text.

Optional texts are provided in separate paragraphs in Chapters 11 and 12 regarding the Congregation Council and its membership. Each congregation will need to select one of those options for council membership or a variation thereof, subject to approval through the synod’s constitutional review process.

➤ **References to church:** In the governing documents, “Church” with a capital letter is used in references to the one, holy, catholic, and apostolic Church. In references to the Evangelical Lutheran Church in America, the words “church” and “this church” in lower case letters are employed, although, for clarity in this constitution, the full name or “ELCA” normally is used.

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 on the ELCA Web site. The task of amending a constitution is not easy. It is, however, an important endeavor that merits thoughtful work. In your constitutional responsibilities, God grant you wisdom, mutual love, clear understanding of good order, and commitment to the unity of this church in faithful witness to our Lord and Savior, Jesus Christ.

David D. Swartling
Secretary
Evangelical Lutheran Church in America

September 4, 2009

Appendix 2: Document history

November 4, 2012

- Adoption of the following change: C.12.01. (number of council members).

October 21, 2012

- Adoption of the Amendments to the *Model Constitution for Congregations* as approved by the ELCA 2011 Churchwide Assembly.
- Adoption of the following changes: C12.05.02 (envelopes) and C.23.01.02. (summer worship hours).

September 10, 2012

- Changes to the continuing resolutions as approved by Congregation Council, as found in the following chapters: C21. (Use of Congregational Property and Facilities) and C22. (Offerings, Gifts, and Memorials).

February 27, 2011

- This document created based on the ELCA *Model Constitution for Congregations* and existing Grace Lutheran *Constitution* and *Bylaws* documents.