



**Evangelical Lutheran  
Church in America**

God's work. Our hands.

**CONSTITUTION  
FOR  
TRINITY LUTHERAN CHURCH  
WAUSEON, OH  
OF THE  
EVANGELICAL LUTHERAN  
CHURCH IN AMERICA®  
2016**

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***APPROVED AT ANNUAL CONGREGATIONAL MEETING  
JANUARY 17, 2016***

***Including Council enacted 2016 Continuing Resolutions  
AMENDED AT ANNUAL MEETING, JANUARY 22, 2017  
And including BYLAWS APPROVED JANUARY 22, 2017***

## INTRODUCTION to the *Model Constitution for Congregations*

The *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, like the other governing documents of this church, is an ecclesial, legal, and missional document that reflects the underlying theology and doctrines of this church as well as its polity and governance structures. As the guiding document of one of the three expressions of this church, it reflects that congregations, while fully the church, are not the whole church; they are in an interdependent relationship with synods and the churchwide organization and are part of the one, holy, catholic, and apostolic Church. As such, the *Model Constitution for Congregations* is deeply rooted in the Gospel of Jesus Christ, the Lutheran Confessions, and the history of this church.

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 thirteenth Churchwide Assembly in 2013. 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 constitutional 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.

► **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 17 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 Chapter 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 lower case 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.

DAVID D. SWARTLING  
Secretary  
Evangelical Lutheran Church in America  
September 15, 2013

**CONSTITUTION**  
**for**  
**TRINITY LUTHERAN CHURCH, WAUSEON, OH**  
**of the**  
**EVANGELICAL LUTHERAN CHURCH IN AMERICA®**

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**\*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 *The Trinity Lutheran Church of Wauseon, Ohio.*
- C1.02.** For the purpose of this constitution and the accompanying bylaws, the congregation of *The Trinity Lutheran Church of Wauseon, Ohio* is hereinafter designated as "this congregation."
- C1.11.** This congregation shall be incorporated under the laws of the State of Ohio.

**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.

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\* Required provision

- c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.
- \*C2.03. This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.
  - \*C2.04. This congregation accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.
  - \*C2.05. This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.
  - \*C2.06. This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.
  - \*C2.07. This congregation confesses the Gospel, recorded in the Holy Scripture and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

### **Chapter 3.**

#### **NATURE OF THE CHURCH**

- \*C3.01. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority.
- \*C3.02. This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian Unity throughout the world.
- \*C3.03. The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the 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 a mission statement which will provide specific direction for its programs.
- \*C4.06.** References herein to the nature of the relationship between the three expressions of this church—congregations, synods, and the churchwide organization—as being interdependent or as being in a partnership relationship describe the mutual responsibility of these expressions in God's mission and the fulfillment of the purposes of this church as described in this chapter, and do not imply or describe the creation of partnerships, co-ventures, agencies, or other legal relationships recognized in civil law.

## **Chapter 5.**

### **POWERS OF THE CONGREGATION**

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



- h. hold title to and use its property for any and all activities consistent with its purpose;
  - i. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
  - j. elect its officers, and Congregation Council, and require them to carry out their duties in accordance with the constitution, and bylaws, and 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 Northwestern Ohio 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 *bylaws*. The purpose of the mission endowment fund is to provide for mission work beyond the operational budget of this congregation.

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

## Chapter 8.

### MEMBERSHIP

- \*C8.01. Members of this congregation shall be those baptized persons on the roll of this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.
- \*C8.02. Members shall be classified as follows:
  - a. *Baptized* members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
  - b. *Confirmed* members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.

- c. **Voting** members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.
- d. **Associate** members are persons holding membership in other Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. These individuals have all the privileges and duties of membership except voting rights or other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.
- e. **Seasonal** members are voting members of other ELCA congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, including exercising limited voting rights in this congregation. The Congregation Council may grant seasonal membership to such persons provided that this congregation is a member of a synod where the Synod Council has approved seasonal member voting on its territory. Such seasonal members shall have all the privileges and duties of voting members except that:
  - 1) they shall not be eligible for elected office in, or for membership on the Congregation Council or on a call committee of, this congregation;
  - 2) they shall not have the right to vote on any matter concerning or affecting the call or termination of call of any minister of this congregation;
  - 3) they shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with the ELCA;
  - 4) they shall not be eligible to serve as voting members from this congregation of the Synod Assembly or the Churchwide Assembly;
  - 5) they shall not, even if otherwise permitted by this congregation, vote by proxy or by absentee ballot; and
  - 6) they shall not, within any two calendar month period, exercise voting rights in this congregation and in the congregation where they remain voting members.

**MEMBERSHIP BYLAWS**

- C8.02.01** *A Voting member (C8.02.c) is considered an Active member, and has therefore met both requirements (communing and contributing of record within the current or preceding calendar).*
- C8.02.02** *An Inactive member has met only one of the requirements (either communing or contributing of record during the current or preceding calendar year). Inactive members shall be referred to Evangelism*

*Committee as a special concern to encourage them to be restored to Active/Voting member status.*

- C8.02.03** *A member shall be removed from the membership roll for not meeting either requirement (communing and contributing of record within the previous 2 years). Any member that is eligible for removal, shall be given written notice prior to removal in order to provide the opportunity to reactivate their membership status.*
- \*C8.03.** All applications for confirmed membership shall be submitted to and shall require the approval of the Congregation Council.
- \*C8.04.** It shall be the privilege and duty of members of this congregation to:
- a. make regular use of the means of grace, both Word and sacraments;
  - b. live a Christian life in accordance with the Word of God and the teachings of the Lutheran church; and
  - c. support the work of this congregation, the synod, and the churchwide organization of the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards.
- \*C8.05.** Membership in this congregation shall be terminated by any of the following:
- a. death;
  - b. resignation;
  - c. transfer or release;
  - d. disciplinary action in accordance with ELCA constitutional provision 20.41. and the accompanying *bylaws*; or
  - e. removal from the roll due to inactivity in accordance with the provisions of this constitution and its *bylaws*.
- Such persons who have been removed from the roll of members shall remain persons for whom the Church has a continuing pastoral concern.

## **Chapter 9.**

### **ROSTERED MINISTERS**

#### **Ministers of Word and Sacrament (Pastors)**

- \*C9.01.** Authority to call a pastor shall be in this congregation by at least a two-thirds ballot 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.
- \*C9.02.** Only a member of the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Sacrament who has been recommended for the congregation by the synodical bishop may be called as a pastor of this congregation.
- \*C9.03.** Consistent with the faith and practice of the Evangelical Lutheran Church in America,
- a. Every Minister of Word and Sacrament shall:
    - 1) preach the Word;

- 2) administer the sacraments;
  - 3) conduct public worship;
  - 4) provide pastoral care;
  - 5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
  - 6) impart knowledge of this church and its wider ministry through distribution of its communications and publications;
  - 7) witness to the Kingdom of God in the community, in the nation, and abroad; and
  - 8) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.
- b. Each pastor with a congregational call shall, within the congregation:
- 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
  - 2) relate to all schools and organizations of this congregation;
  - 3) install regularly elected members of the Congregation Council;
  - 4) with the council, administer discipline; and
  - 5) endeavor to increase the support given by the congregation to the work of the ELCA churchwide organization and of the *Northwestern Ohio* 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 a 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 rostered minister providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.
- \*C9.08. This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting related to the Evangelical Lutheran Church in America.
- \*C9.09. When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- \*C9.11. With the approval of the bishop of the synod, the congregation may depart from \*C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of the congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of \*C9.05.a.
- \*C9.12. The pastor of this congregation:
  - a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;
  - b. shall submit a summary of such statistics annually to the synod; and
  - c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- \*C9.13. The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

**\*C9.14.** The parochial records of this congregation shall be maintained by the pastor and shall remain the property of the congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in his or her hands in good order by a departing pastor before the installation of that pastor in another field of labor or the granting by the synod of retired status to the pastor.

**C9.15.** Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, 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.

**Ministers of Word and Service (Deacons)**

**\*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*.
- C10.02. 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 of the voting members. The president of the Congregation Council shall call a special meeting upon request of the synodical bishop. The call for each special meeting shall specify the purpose for which it is to be held, and no other business shall be transacted.
- C10.03. Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail or electronic means, as permitted by state law, to all *voting* members at least 10 days in advance of the date of the meeting.
- C10.04. 15% of the voting members shall constitute a quorum.
- C10.05. Voting by proxy or by absentee ballot shall not be permitted.
- C10.06. All actions 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 president, vice president, and secretary.
  - a. Duties of the officers shall be specified in the *bylaws*.
  - b. The officers shall be voting members of the congregation.
  - c. Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.

- d. The congregation shall elect a vice-president to serve a 2-year term; the person shall serve the first year as vice-president and the second year as president. The congregation shall elect a secretary for a term of 2 years.
- e. The treasurer of this congregation will be a paid staff position with voice and vote on the council.

**OFFICERS BYLAWS**

- C11.01.01** *The President shall preside over meetings of the Council and of the congregation.*
- C11.01.02** *The Vice-President shall preside over meetings of the Council and of the congregation in the absence of the President.*
- C11.01.03** *The Secretary shall keep the minutes of Council and the congregation and shall put all such records on file in the church office, also to include all Committee Reports and Correspondence received.*
- C11.01.04** *The Treasurer shall be bonded and shall be custodian of all funds of the congregation, and shall disburse all such funds in accordance with the decisions of the congregation and/or in accordance with the Constitution. The Treasurer shall report regularly to the Council and present an audited year-end financial report at the annual congregational meeting. The Treasurer will shall also be a member of the Stewardship Committee and will be responsible for formulating the proposed annual budget for that committee to recommend to Council.*
- C11.02.** The congregation shall elect its officers and they shall be the officers of the congregation. The officers shall be elected by written ballot and shall serve until their successors are elected. Their terms shall begin at the close of the annual meeting.
- 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 not more than 14 members of the congregation, at least one of whom shall be a youth and at least 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 by written ballot to serve for 2 years or until their successors are

elected. Such members shall be eligible to serve no more than two full terms consecutively. Their terms shall begin at the close of the annual meeting.

**THE CONGREGATIONAL COUNCIL BYLAWS**

- C12.02.01** *The Congregational Council shall consist of the Pastor(s) and 17 active members including the following: President, Vice-President, Secretary, Treasurer, 2 deacons, 2 trustees, Worship Chair, Parish Education Chair plus a designated Youth Representative, Evangelism Chair, Stewardship Chair, Personnel Chair, Outreach Chair, a TWELCA Representative and a LMM Representative.*
- C12.03.** Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor to complete the unfulfilled 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 rostered minister(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 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 directors 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 Ohio, 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 \$5000 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 \$5000 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.

***Continuing Resolutions***

- C12.05A16** *When expenditures are made for which there exists designated funds outside of the approved annual budget, the Congregation Council establishes that such special funds will be expended first, and that the annual budget fund for same shall be accessed when the special (designated) fund for that category is depleted.*
- C12.05C16** *The annual budget approved at the annual congregational meeting, shall be a unified budget. Upon approval of the annual budget, each committee shall manage their respective area of the budget with council oversight; this means that each committee shall decide how to allocate line items within the total budgeted amount for their committee without requiring approval unless they will exceed that committee total.*
- 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 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.

- C12.09.** 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.
- C12.13.** The Congregation Council and its committees may hold meetings by remote communication, including electronically and by telephone conference, and, to the extent permitted by state law, notice of all meetings may be provided electronically.

### Chapter 13.

#### CONGREGATION COMMITTEES

- C13.01.** The officers of this congregation, the treasurer and the pastor(s) shall constitute the *Executive Committee*.
- C13.02.** A *Nominating Committee* of five voting members of this congregation, two of whom, if possible, shall be outgoing members of the Congregation Council, shall be appointed by the Congregation Council for a term of one year. Members of the Nominating Committee are not eligible for consecutive re-appointment.
- 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.** *Mutual Ministry Committees* (in the absence of a mutual ministry committee, the duties shall be fulfilled by the executive committee) shall be appointed jointly by the president and the rostered minister. Term of office shall be two years, with two members to be appointed each successive year.
- C13.05.** When a pastoral vacancy occurs, a *Call Committee* of 12 voting members representing a cross-section of this congregation shall be appointed by the Congregation Council. Term of office will terminate upon installation of the newly called pastor.

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<sup>1</sup> For use if the pastor is president of the congregation under two of the options in C11.02.

**C13.06.** Other committees of this congregation may be formed, as the need arises, by decision of the Congregation Council.

**C13.07.** Duties of committees of this congregation shall be specified in the *bylaws* or continuing resolutions.

**CONGREGATION COMMITTEES BYLAWS**

**C13.07.01**      ***Worship Committee***

*The Worship Committee shall consist of a chair that is the elected council representative, the Pastor(s), the Senior Choir Director, the Youth Choir Director, the Bell Choir Director, the Worship Team Leader and at least one representative for the worship accompanists, and other active confirmed members as needed. The primary responsibilities of the Worship Committee shall include:*

- a. ensuring that the liturgical and musical portions of worship and special services are reverently and theologically appropriate;*
- b. purchasing and maintaining all items and services necessary for worship and music ministry;*
- c. assist the Personnel Committee in interviewing and making recommendations to the Council concerning the hiring or appointment of music directors and musicians;*
- d. provide assistance to the Pastor(s) regarding music selection and worship planning;*
- e. make recommendations to Council regarding worship scheduling;*
- f. arrange for special music as needed;*
- g. arrange for training of directors and musicians as needed;*
- h. report to council after each meeting, in writing or in person.*

**C13.07.02**      ***Parish Education Committee***

*The Parish Education Committee shall consist of a chair that is the elected council representative, the Pastor(s), Youth Coordinator(s), Senior Youth Coordinator(s), Sunday School Superintendent and other active confirmed members as needed. The primary responsibilities of the Parish Education Committee shall include:*

- a. providing the opportunity for all members to be instructed in the Word of God with a unified pre-school through adult curriculum as well as other opportunities;*
- b. supervising all aspects of the administration and operation of the education programs of the congregation;*
- c. annually appointing the teachers of the Sunday/Wednesday education programs and providing for background checks as needed;*
- d. developing, organizing and supervising all youth activities of the congregation;*
- e. encouraging youth to participate in the total life and*

*work of the church, which includes a seat at council each month for one confirmed youth;*

*f. report to council after each meeting, in writing or in person.*

**C13.07.03**

***Evangelism Committee***

*The Evangelism Committee shall consist of a chair that is the elected council representative, the Pastor(s), and other active confirmed members as needed. The primary responsibilities of the Evangelism Committee shall include:*

- a. developing, organizing and supervising the congregation's evangelism program for seeking and retaining members;*
- b. planning and overseeing public relations, advertising and media relations for the church in collaboration with the Office Manager;*
- c. organizing the reception of new members;*
- d. determining, contacting and hopefully restoring the spiritually inactive of our congregation;*
- e. in the event restoration to active membership is not possible, making recommendation to the Council for the removal of members from the roll due to inactivity (C8.02.e and B1.03);*
- f. provide for the general spiritual care of the congregation, including oversight of Parish Nursing program and Stephen Ministry program;*
- g. report to council after each meeting, in writing or in person.*

**C13.07.04**

***Outreach Committee***

*The Outreach Committee shall consist of a chair that is the elected council representative, the Pastor(s), and a representative from every ministry in the congregation that exists to help those in need; including but not limited to Caring Cupboard food pantry, coat ministry, community meals, emergency care & share, endowment committee, Lutheran World Relief efforts, migrant ministry and any other ministry recognized by the council. The primary responsibilities of the Outreach Committee shall include:*

- a. increasing the congregation's awareness of and concern for the needs of our world, our community and our church members;*
- b. organizing the support and collaboration of related social service agencies in our world and our community;*
- c. organizing service projects (including God's Work, Our Hands Day), resources and fund-raising within the congregation to address identified outreach needs;*
- d. share information and encourage collaboration between the various outreach ministries within our congregation;*

*e. report to council after each meeting, in writing or in person.*

**C13.07.05**

***Stewardship Committee***

*The Stewardship Committee shall consist of a chair that is the elected council representative, the Pastor(s), the Treasurer, the Financial Secretary, and other active confirmed members as needed. The primary responsibilities of the Stewardship Committee shall include:*

- a. providing the means by which each member of the congregation can exercise his/her stewardship of time, talent and possessions which may include an annual opportunity to make commitments;*
- b. overseeing the environmental stewardship of the congregation;*
- c. making recommendations to the Council concerning memorial gifts and bequests;*
- d. administer the Thrivent mini grant/loan program as long as Thrivent Choice dollars are available;*
- e. responsible for establishing the Mission Support calendar for each succeeding year;*
- f. submit orders for giving envelopes;*
- g. call for committee budget requests in order to assist Treasurer in drafting a proposed budget each year for approval at the annual meeting;*
- h. seek information, monitor and make recommendations to Council concerning appropriate accounting and investment of church monies;*
- i. report to council after each meeting, in writing or in person.*

**C13.07.06**

***Parish Personnel***

*The Parish Personnel Committee shall consist of a chair that is the elected council representative, the Pastor(s), and the Mutual Ministry appointees. The primary responsibilities of the Parish Personnel Committee shall include:*

- a. create and maintain appropriate job descriptions for all paid staff;*
- b. advertise open positions, review applications, interview and recommend candidates to Council for hire;*
- c. encourage positive and healthy relationships between the congregation and those called by or employed by the congregation;*
- d. report to council after each meeting, in writing or in person.*

**C13.07.07**

***Deacons***

*The Deacon Team, under the direction of the Stewardship Committee, shall be responsible for the opening and recording of individual envelopes, checks and/or cash donations by a known*

donor. Donations shall be recorded in accordance with the donor's intent on the counting report sheet, so that the Financial Secretary may give proper credit and report deposits accurately. The Deacons, under the direction of the Pastor, shall have charge over organizing the hymnals in the pews; restocking the pews with communion cards, pew envelopes and pencils; refilling the eternal flame candle; changing the hymn boards; and reserving seating as needed. Deacons shall oversee ushering at each service.

**C13.07.08**

**Trustees**

The Trustees shall have responsibility to care for the property and physical structure(s) of the congregation. Such responsibilities shall include, but are not limited to the following: keeping the buildings and contents in good repair, creating a project prioritization list for approval at the annual meeting for issues other than budgeted maintenance, and arrange for property insurance coverage. The Trustees shall make inspection of the property and structures annually and report the condition of same to the Council.

**C13.07.09**

**Lutheran Men in Mission**

Lutheran Men in Mission shall consist of a council representative, those who oversee the dartball league, those who oversee the scholarship program, those who oversee men's bible studies, those who oversee mentoring of youth, and those who oversee outreach projects. The primary responsibilities of Lutheran Men in Mission shall include:

- a. promoting activities to all the confirmed men in the congregation and any others that are invited by the men of this congregation;
- b. providing a representative to attend Outreach Committee meetings in regards to any outreach projects that the men are overseeing;
- c. report to council after each meeting, in writing or in person.

**C13.07.10**

**Apostles' Round Table**

The Apostles' Round Table shall be a monthly gathering, conducted by Pastor(s) for the purpose of bible study and prayer for the purpose of developing Biblical leaders within this congregation. Every group represented in the Bylaws shall send their council representative or a designated leader to participate in this gathering. The Apostles' Round Table shall also be open to anyone in the congregation who wishes to participate or is interested in leadership opportunities in the congregation. Groups not listed in the Bylaws that are required to send a leader or council representative include TWELCA, the Trinity Lutheran Church Child Center Board, and any others that the council identifies.

**C13.07.11**

**Good News! Amen! Visioning Team (ad hoc)**

The Good News! Amen! Committee shall be an ad hoc committee and

*consist of a chair that is appointed by Council, the Pastor(s), and other appointed active confirmed members as needed. The primary responsibilities of the Good News! Amen! Committee shall include:*

- a. surveying the congregation, as requested by council, to receive input and/or feedback as needed;*
- b. provide analysis and recommendations, based on congregational data collected, for the vision and planning of the congregation;*
- c. periodically evaluate the fulfillment of the congregation's envisioned mission and make recommendations for adjustments as needed;*
- d. be a resource for council, committees and organizations of this congregation regarding ways to help them fulfill the mission;*
- e. report to council after each meeting, in writing or in person.*

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

#### **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.

#### ***EMERGENCY CARE AND SHARE BYLAWS***

**C14.01.01**      **A.      *Name***

*The name of this group, according to Continuing Resolution #1 as approved by the Trinity Council in June 1992, is Trinity Care & Share.*

**B.      *Mission Statement of the Group***

*The purpose of the Trinity Emergency Care & Share Committee shall be:*

- 1.      to provide financial and non-financial assistance for members of Trinity and/or secure needed resources in an emergency situation, utilizing others in our church family to help as needed, and*
- 2.      to be good stewards of available resources.*

**C.      *Organization***

**Committee**

*It is strongly recommended that the committee members that are*

*appointed be empathetic and sensitive to the needs of others.*

1. *The Trinity Emergency Care & Share Committee will be comprised of the following members: the pastor or pastor's appointee, plus 4 additional active members, one of whom will serve as a representative on the Outreach Committee.*
2. *The terms for the committee members, except for the pastor, shall be a 2-year appointment with one renewal (optional) for a total of 4 years.*
3. *Two people will be appointed each year for a 2-year term. Each year the council will make one appointment and the pastor will make one appointment.*
4. *The chair will be someone in their 2<sup>nd</sup> year. The vice-chair will be someone in their 1st year of service that will become chair in their 2<sup>nd</sup> year.*

Duties

1. *Pastor(s) will have "discretionary" access to provide assistance without having to contact the committee with the request for up to \$50 for an immediate need. The pastor will contact the Treasurer to secure the needed funds, or may access petty cash. Report of money used from this fund will be recorded by the Treasurer and the committee Chair is to be notified.*
2. *Community persons requesting assistance will be referred to the FISH organization, or another appropriate agency on our referral list.*
3. *A \$500 monetary limit per calendar year will be set for any one Trinity household assisted. This amount can be reviewed, and any change in the amount proposed by the committee must first be reviewed by the Outreach Committee.*
4. *Non-financial assistance will be referred to the Outreach Committee for consideration and implementation.*
5. *Trinity Emergency Care & Share Committee will maintain accurate records and report quarterly to Outreach Committee the number of people served, total monies disbursed and types of needs fulfilled.*
6. *Trinity Emergency Care & Share monies will come through Mission Support. If more money is needed than is available in the account, the chairperson shall contact the Outreach Committee for further consideration.*
7. *The chairperson will guide and direct the Trinity Emergency Care & Share Committee, will fill vacancies on the committee by contacting the pastor, and will serve as the primary contact person for all emergency requests. The chairperson will also maintain the confidential records to*

include name, date, amount and reason for assistance.

8. The committee will not hold regular meetings unless deemed necessary at the discretion of the chairperson. The chairperson will contact committee members for input when a request has been made. Decisions to fulfill a request will be made by consensus of the members of the committee.

## **BYLAWS OF THE ENDOWMENT FUND**

### **C14.01.02**

#### **A. Name**

The name of the fund shall be *The Endowment Fund of The Trinity Lutheran Church, Wauseon, Ohio.* (Hereinafter referred to as the "Fund".)

#### **B. Mission Statement of the Fund**

The purpose of the Fund is to provide a means whereby gifts to Trinity Lutheran Church (hereinafter referred to as "this Congregation") may be held in perpetuity with the income therefrom used to fulfill the purpose of this Congregation in Christian ministry and mission. Current and future generations should not look at this fund as a substitute for membership support for the day to day operation, maintenance, and mission support of this Congregation. These funds should be looked at as an opportunity to facilitate projects, endeavors, missions, scholarships, social ministries, and as a collateral for bank loans to bring into reality ambitious projects not otherwise possible to undertake.

#### **C. Organization**

##### **1. Endowment Fund Committee**

The Fund shall be administered by the Endowment Fund Committee (hereinafter referred to as the "Committee") which shall be comprised of five (5) members, plus the pastor as an additional ex officio member.

Terms shall be three (3) year appointments on a rotating basis.

The Committee member shall be appointed by the Congregational Council from the voting membership of this Congregation.

##### **2. Duties**

The Committee shall have the primary responsibility to promote, receive, invest, administer, and disburse the assets of the Fund.

Specifically, the Committee shall:

- a. Develop long range strategies for fund management;
- b. Be encouraged to personally support the Fund;
- c. Help identify and cultivate potential



*supporters, and play an active part in the continuing educational process of the congregation in regard to the opportunities available through charitable estate and pension planning;*

- d. Evaluate requests for funds and recommend disbursements to the Congregational Council for approval;*
- e. Set investment standards reasonably achievable by fund managers;*
- f. Evaluate the performance of the fund managers;*
- g. Maintain liaison with the congregational Council and the Pastor(s);*
- h. And maintain The Book of Record as described in Paragraph E. This Book of Record shall be maintained by the Secretary/Treasurer of the Committee.*

*3. Meetings*

*The Committee shall have an annual organizational meeting each February at a place determined by the Committee. Other meetings of the Committee shall be held as determined to be necessary by the members in order to efficiently conduct the business of the Committee. Meetings may be called by the Committee Chairperson, Committee members, the Congregational Council President, or the Pastor(s) upon proper notification. At all meetings a majority of the Committee members shall constitute a quorum, which number shall be required for approval or disapproval of any action of the Committee. No action or recommendation of the Committee shall be in conflict with this Congregation Constitution, its amendments, or bylaws.*

*4. Committee Officers*

*At the annual organizational meeting, the Committee shall elect a Chairperson, Vice Chairperson and Secretary/Treasurer who shall assume their respective offices upon election. These officers shall hold office until the next annual organizational meeting, or until their successors have been duly qualified and elected.*

*5. Investment of the Fund*

*The Committee shall elect a Secretary/Treasurer who shall care for the monies of the Fund, and shall invest the same upon the direction of the Committee. The assets of the Fund may be invested as the Committee may deem prudent and reasonable. The monies of the Fund shall be invested*

*in the ELCA Foundation Endowment Management System, or other appropriate investments as the committee deems necessary. The principal of the Endowment Fund shall be held in trust in perpetuity unless the terms of any gift, bequest or devise direct that the principal or part thereof may or shall be expended.*

6. *Sources of Income, Gift Designations and Fulfillment of Donor's Intent*

a. *All bequests, gifts, devises and memorial gifts made to this Congregation and specifically designated to the Fund shall be placed in and become a part of the Fund.*

b. *All bequests, gifts, and devises made to this Congregation, from the memorial fund, that are determined, after a two year period, to be undesignated by the Congregational Council and after diligent attempts to contact the family, shall also be placed in the Fund.*

c. *Only those bequest, gifts, devises and memorial gifts in the amount of \$10,000 or more to the Fund made for a specific purpose shall be held, invested, distributed and disbursed in accordance with the expressed wishes of the donor as approved by the Committee.*

d. *If the Committee determines that it is impractical to carry out said purpose, with the approval of the Congregational Council, the Committee shall have the authority to apply the same for some other purpose as nearly like the designated purpose as possible in order that the intent of the donor shall not fail.*

7. *Retaining of Real and Personal Property*

*Real and/or Personal Property received and administered by the Committee may be retained in the form received or sold and reinvested as herein provided.*

*Documents transferring ownership of real and personal property will be executed in compliance with the Congregational Constitution.*

8. *Commingling of Fund*

*The assets of the Fund shall be managed as a single and commingled fund, provided, however, that the Treasurer shall provide that the books of account are maintained with respect to contributions containing restrictions which under the terms and conditions of the restrictions must be accounted for separately so that at all times it shall be possible to determine the share of such contributions in the*

*commingled assets.*

9. Fund Expenditures

*Except for gift designations to the fund which are subject to Section C, paragraph 6, Subparagraph c., the Committee shall expend annual earnings from the Fund for the purposes authorized in the Endowment Fund Mission Statement (Section B). The earnings will be disbursed as follows:*

*At least twenty-five percent of the total annual earnings shall be disbursed for benevolence purposes outside the Congregation.*

*The remaining annual earnings shall be designated at the discretion of the Committee for use within the congregation or may be retained to insure growth of the fund.*

*The recipients of the disbursements shall be recommended by the Committee and approved by the Congregational Council.*

10. Maintenance of Tax Exempt Status

*The Committee shall exercise the power and authority vested in it under these bylaws in compliance with the requirements of state and federal laws so that at all times this Congregation qualifies as an organization exempt from state and federal taxation, and so as to assure the deductibility or exemption from tax under state and federal laws of gift, grants, bequests and devises to this congregation and the Fund.*

11. Emergency Use of Principal

*In the event of a catastrophe or dire emergency, this Congregation may, upon recommendation of the Congregational Council, authorize the loan of a specific amount of the principal for a specific purpose. Any proposal for use of any portion of the principal shall require prior notification, by mail, to this Congregation, thirty (30) days prior to the congregational meeting. Such a proposal may be dealt with only at a congregational meeting.*

*As per Article 10.04 of the Congregational Constitution, fifteen percent of the voting members need to be present. A three-fourths (3/4) majority of those present is needed to authorized the use of the principal.*

**D. Reports**

1. Separate Account

*The assets and income of said Fund shall at all times be operated as and accounted for as a distinct fund, separate and apart from all other funds of this Congregation.*

2. Audits

*The accounts of the Fund shall be audited once a year by the audit committee as Appointed by the Congregation Council. Members of the audit committee shall not be affiliated in any way with the Fund.*

3. Annual Reports

*A full report of the operation of the Fund shall be included with the Annual Report to the Congregation.*

4. Reports to Congregational Council

*Semi-annual reports of income, expenditures, additions and plans for expenditures shall be submitted to the Congregational Council for approval.*

**E. The Book of Record**

*All gifts to the Fund shall be recorded by the Committee in the Endowment Fund Book of Record. The record shall include the nature of the gift and the date given. The name of the donor shall be included. The Secretary/Treasurer of the Committee is responsible for maintaining the Book of Record as well as an electronic version of the Book of Record, and communicating changes to the Congregational Treasurer who will also have an electronic copy.*

**F. Amendments**

*Any changes to these bylaws may be recommended by the Committee, following the procedures set forth in the Congregational Constitution.*

**Continuing Resolution**

**C14.01B16** *All organizations within this Congregation shall abide by state and local laws including those requiring permits and/or licenses for events such as raffles, bingo, gaming, or those that would serve alcohol. Holding an event at a facility that already has such permits and/or licenses is acceptable. Any Church affiliated events held in a Congregation member's home where alcohol is to be served can be done so at the home owner's discretion, should that individual choose to accept that liability. Trinity Lutheran Church and property is an alcohol free premise, with the exception of the alcohol served for the purpose of Holy Communion.*

**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 and specified in a continuing resolution.*

**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 lay persons 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:

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

## **Chapter 16.**

### **AMENDMENTS**

- \*C16.01.** Unless provision \*C16.04. is applicable, those sections of this constitution that are not required, in accord with the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, may be amended in the following manner. Amendments may be proposed by at least 10 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 those voting members present and voting;
  - b. be ratified without change at the next annual meeting by a two-thirds vote of those voting members present and voting; and

- c. have the effective date included in the resolution<sup>2</sup> and noted in the constitution.
- \*C16.03.** Any amendments to this constitution that result from the processes provided in \*C16.01. and \*C16.02. shall be sent by the secretary of this congregation to the synod. The synod shall notify the congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.
- \*C16.04.** This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* as most recently amended by the Churchwide Assembly. Such amendments may be approved by a majority vote of those voting members present and voting at any legally called meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to the congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of at least two (2) voting members of the congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

## **Chapter 17.**

### **BYLAWS**

- \*C17.01.** This congregation may adopt bylaws. No bylaw may conflict with this constitution.
- \*C17.02.** Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a two-thirds vote of those voting members present and voting.
- \*C17.03.** Changes to the bylaws may be proposed by any voting member, provided that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify this 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.

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<sup>2</sup> 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 18.**

### **CONTINUING RESOLUTIONS**

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

## **Chapter 19.**

### **INDEMNIFICATION**

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

## **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 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.

