

The document below is the proposed constitution of Gloria Dei Lutheran Church, Highland, Indiana. Our constitution needs significant updating in order to include language required by the Indiana-Kentucky (I-K) Synod of the Evangelical Lutheran Church in America.

Upon review of the proposed constitution, two specific changes were recommended by the Indiana-Kentucky Synod, in addition to the newly required language.

1. Paragraph C5.05 refers to our endowment fund. The I-K Synod recommends that we add endowment fund bylaws directly to our constitution. Therefore, in addition to changing the wording in Paragraph C5.05, the amended constitution now includes a new bylaw (C5.05.01), which is the entirety of our current endowment fund bylaws. This bylaw has already been approved and adopted by the congregation. It simply has a new “home” within our constitution.
2. Paragraph C12.01 states that the number of Church Council members is 12. The I-K Synod recommended that a minimum number also be stated. Therefore, language was added to specify that the Council consist of “...the pastor(s) and a minimum of 9 and maximum of 12 members of the congregation.”
3. The remaining additions to the constitution are **required**. Over the years, these required sections to our constitution have expanded significantly. Most of the additional wording is in the form of more descriptive and/or procedural details. While the additional wording is significant, the meaning and purpose of our constitution remains consistent.

All new language or significantly altered language in the proposed constitution is highlighted in yellow.

In addition, the proposed bylaw paragraph number (C5.05.01), as well as any existing bylaw paragraph numbers are also highlighted in blue. This is just to show our own amendments to our constitution over the years.

**CONSTITUTION**  
**for**  
**GLORIA DEI LUTHERAN CHURCH**  
**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 Gloria Dei Lutheran Church of Highland, Indiana.
- C1.02.** For the purpose of this constitution and the accompanying bylaws, the congregation of Gloria Dei Lutheran Church is hereinafter designated as "this congregation."
- C1.11.** This congregation shall be incorporated under the laws of the State of Indiana.

**Chapter 2.**

**CONFESSION OF FAITH**

- \*C2.01.** This congregation confesses the Triune God, Father, Son, and Holy Spirit.
- \*C2.02.** This congregation confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.
- a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.
  - b. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.
  - c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.

- \*C2.03. This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.
- \*C2.04. This congregation accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.
- \*C2.05. This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.
- \*C2.06. This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.
- \*C2.07. This congregation confesses the Gospel, recorded in the Holy Scripture and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

### **Chapter 3.**

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

- \*C3.01. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority.
- \*C3.02. **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, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, embracing and welcoming racially and ethnically diverse populations, and standing in solidarity with the poor and oppressed 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 this congregation's ministry and the ministry of the other expressions of the Evangelical Lutheran Church in America.

- h. Foster and participate in interdependent relationships with other congregations, the synod, and the churchwide organization of the Evangelical Lutheran Church in America.
- 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. Such descriptions shall be contained in continuing resolutions in the section on the Congregation Committees.

**\*C4.05.** This congregation shall adopt and periodically review a mission statement which will provide specific direction for its programs.

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

## **Chapter 5.**

### **POWERS OF THE CONGREGATION**

**\*C5.01.** The powers of this congregation are those necessary to fulfill its purpose.

**\*C5.02.** The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws.

**\*C5.03.** Only such authority as is delegated to the Congregation Council or other organizational units in this congregation’s governing documents is recognized. All remaining authority is retained by this congregation.

This 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 Congregation Council, and committees, and require them to carry out their duties in accordance with the constitution and bylaws; and
- k. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.

**\*C5.04.** This congregation shall elect 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 this congregation and other qualifications shall be as prescribed in guidelines established by the Indiana-Kentucky Synod of the Evangelical Lutheran Church in America.

**C5.04.01** Expenses for elected voting members of the congregation to attend assemblies of synod and conferences, including travel, except any paid by the synod, shall be paid by the congregation.

**C5.05.** This congregation shall have an endowment fund that will operate as specified in this congregation's bylaws, as follows.

**C5.05.01** Part I. ESTABLISHMENT AND PURPOSE

- A. Gloria Dei Lutheran Church shall have a Congregational Endowment Fund. It shall be one of the funds of the congregation.
- B. The purpose of the Fund shall be to further proclaim the gospel and ministry of our Lord Jesus Christ by:
  - 1. Receiving donations, gifts, and bequests; and
  - 2. Earning investment income on the principal within the fund; and
  - 3. Providing financial support or seed money above and beyond the normal scope of the congregation's budget for:
    - a. Local/regional ministry projects,
    - b. National/worldwide ministry projects,
    - c. Leadership development (e.g., education scholarships, etc.).
- C. The Fund may receive gifts, donations and bequests undesignated as to their use. Ministry projects shall include, but not limited to, support for under-served local, regional, national, and worldwide ministries, leadership development, and unbudgeted major building and equipment repair/replacement which were not anticipated in the annual operating budget of the church.

Part II. PARAMETERS

Use of the Endowment Fund shall be subject to the following limitations:

- A. Gifts to the Endowment Fund may be received in accordance with the provisions of the Congregational Gift Policy.
- B. Income generated by designated donations, gifts, and bequests to the Fund shall be used in accordance with the donor's directive for activities, programs, and projects which are consistent with the purpose of the Fund.

- C. Proposed disbursements from the Fund are presented by the Endowment Committee to the Church Council who may approve the proposal by majority vote.
- D. Endowment Fund resources are not recommended to fund the church's Operating Budget shortfalls. See Part IX.
- E. Guidelines for the allocation of funding include:
  - 1. Building improvements – 40%
  - 2. Outreach efforts – 30%
  - 3. Other ministries – 30%Unused funds in any of these categories may be used by the remaining categories, or rolled over to accommodate future planned expenditures, if needed.
- F. Assets of the Fund shall not be loaned to the congregation or any organization with which it is associated, or to any person or organization for any reasons.

### Part III. COMMITTEE

The Endowment Fund shall be managed by a committee to be comprised of five members of Gloria Dei Evangelical Lutheran Church. This panel shall be called the Endowment Committee.

- A. At an annual Congregational meeting, the Church Council shall place in nomination no less than four (4) congregational members at-large to serve on the Endowment Committee. The term of office shall be three years with the first slate serving staggered terms. The Church Council shall appoint one (1) member of the Council to serve as an ex-officio (voting) member of the Committee. The Pastor shall be an ex-officio (non-voting) member of the Committee. The initial Fund Committee members shall designate their terms of service for the first iteration of Fund members. Thereafter, two (2) members will be elected each of two years, and one member elected in the third year. Only one member of any household shall serve on the Committee at any one time. No member shall serve more than three (3) consecutive three (3) year terms. After a lapse of one (1) year, that former committee member may be re-elected.
- B. The Endowment Committee shall meet as needed, at least quarterly, and report to the Church Council within 30 days following each meeting.
- C. Members of the Committee shall receive a copy of the Endowment Fund Bylaws, a copy of the Congregational Gift Policy, participate in an orientation session, and become acquainted with the function and purpose of the Ministry. Members shall assume the responsibility to educate the congregation concerning the Fund, and to adopt and implement strategies which promote giving to the Fund. Members shall determine and implement procedures and policies for soliciting, processing, and disbursing grant requests in accordance with the requirements and guidelines of the Endowment Fund.

- D. The Committee shall have general administrative powers over the Endowment Fund and be responsible for the promotion and maintenance of the Ministry. This shall include the direction of all undesignated gifts, investments and related activities.
- E. The Committee shall solicit recommendations regarding the funding of projects and programs consistent with the purpose of the Endowment Ministry. Written proposals must be submitted timely and use the form and means of submission approved by the Committee.
- F. The Endowment Committee shall evaluate the submitted proposals and submit to the church council proposals for approval. The Committee shall provide a report of the programs currently being supported and shall designate the number of new proposals to be initiated according to the disbursement policies of the Endowment Fund.
- G. The Committee may establish such written rules and policies beyond what is set forth in these Bylaws as may be necessary for the conduct of its business. It may adopt standards and goals to guide in the disbursement of income from the Fund, which it may amend, all within the stated purposes of the Fund.
- H. If the Church Council determines that the Endowment Committee is not fulfilling its responsibilities as provided by these Bylaws, the Council may call for a special meeting of the congregation and offer recommendations to rectify the situation. At any time a Fund committee is not functioning, the Church Council shall manage the Fund for a period not to exceed ninety days.
- I. Any vacancy occurring on the Endowment Committee shall be filled by the Church Council until the unexpired term of his or her office expires.
- J. The Executive Committee of the congregation shall provide for the nomination of potential members of the Endowment Committee and report same to the annual congregational meeting in the same manner as for other offices and committees.

Part IV. OFFICERS

The Endowment Committee shall elect its own officers. These shall include but are not limited to:

- A. Chair: This person shall preside at all meetings following Robert's Rules of Order, Revised Edition. The Chair shall co-sign all remittances for expenditures and disbursements as defined in Part XI.F. The Chair or Committee shall designate an acting Chair in that person's absence or temporary inability to serve. The President of the Church Council (or in his or her absence, the Church Council Treasurer) shall be the other co-signer of remittances.
- B. Secretary: This person shall maintain complete and accurate minutes of all meetings of the Endowment Fund and supply a copy thereof to each committee member and the Church Council within thirty (30)



days after the meeting. The secretary shall maintain a separate current record of all committee proceedings for congregational reference indicating the dates resolutions and motions that were acted upon.

- C. Treasurer: This person shall be responsible for monitoring the receipt and disbursement of endowment funds and shall maintain complete, accurate, and up-to-date financial records to reflect the current financial status. The Treasurer shall prepare remittances for the Endowment Fund as defined in Part XI.F., to be signed by the Chair and the President of the Church Council (or in his or her absence, the Church Council Treasurer). The Fund Treasurer shall in no case be the Treasurer of the congregation. The Endowment Fund Treasurer shall submit a written report annually to the congregation at its Annual Meeting. This report shall then become part of the congregation's annual report. All financial records shall be submitted annually for audit or at the request of the Committee.

#### Part V. FUND MANAGEMENT

- A. The Endowment Fund may, at any time, receive gifts, donations, and bequests from any individual, firm, or organization in money, securities, or any other form of property including (by way of explanation and not limitation) direct gifts for the purpose of the Fund, gifts in memory of a deceased person or in appreciation or in recognition of a living person, gifts in the form of a plan or bequest under a will or trust instrument. Also, gifts or proceeds of an insurance annuity, trust policies or contracts. Such gifts are subject to the approval of the Endowment Committee, especially where real estate, or other gifts in kind may be offered. See Congregational Gift Policy.
- B. The Endowment Committee shall manage, indirectly, donations which are placed with the investment organization in a prudent manner recognizing the Endowment Committee's fiduciary responsibility to the Fund and the Congregation. The purpose of such investments shall be to seek both income and capital appreciation while:
1. Requiring the safety of the principal as the primary consideration and,
  2. Requiring diversification of investments.
  3. The Endowment Committee shall separate and maintain the assets of the Endowment fund, distinct and independent from the funds and property otherwise belonging to the Church. The Endowment Committee shall not be required to make physical segregation of the assets of the ministry funds in order to conform to the directions of any donors, though it may establish separate accounts in its accounting records. The asset management organization may provide financial reports which are adequate for reporting to the congregation.

- C. Although safety and security of all Fund assets is being sought at all times, it is recognized that losses may occur due to circumstances beyond the control of the Fund Committee; i.e., market conditions, economic changes, etc.
- D. Individuals who desire to support the Fund should designate their gift, donation, or bequest to: “Gloria Dei Lutheran Church Endowment Fund, 3711 Ridge Rd., Highland, IN,” with proper accompanying documentation.
- E. Specific categories to which donors may make gifts or bequests for religious charitable or educational purposes are as follows: See Congregational Gift Policy.
  - 1. Undesignated Funds:

The Unrestricted Funds category is for undesignated gifts and bequests with no restriction as to its use. There is no minimum or maximum contribution amount.

    - a. Undesignated contributions to the Fund may be received by the Endowment Committee at any time by a simple majority vote.
    - b. The interest and dividend income from undesignated gifts and bequests to the Endowment Fund may be expended or disbursed only within the purpose of Part I and parameters of Part II above. This shall require a majority vote of the Endowment Committee and a majority vote of the Church Council.
  - 2. Donor Designated Funds:

The Donor Designated funds category is for gifts approved by the Endowment Committee that are designated by the donor with restrictions as to its use.

    - a. Gifts and bequests may be given by the donor with special terms or conditions as to the use of the gift and/or of the income providing that such designated use is consistent with the purpose of Part I and Part II above. The Endowment Committee, after a simple majority vote, shall submit to the Church Council its recommendation on the acceptability of such a gift or bequest. The acceptance of such a gift shall be by a simple majority of the Endowment Committee.
    - b. The income from designated gifts and bequests to the Endowment Fund is to be used only in accord with the purpose of Part I and Part II and as provided for by the donor. This shall require a majority vote of the Endowment Committee and a majority vote of the Church Council.

#### Part VI. FINANCIAL INSTITUTIONS

In order to properly manage the funds, the Committee shall maintain accounts with such financial institutions authorized by the Church Council. After due vetting of eligible financial institutions, the Endowment Committee shall submit its recommendation to the

Church Council for their approval. Endowment funds may only be placed with investment institutions who have the success of the Endowment Fund as their primary objective, as opposed to personal gain. All investment funds shall be placed with reputable outside investors. An agreement entered for the management of the Fund shall require a two-thirds (2/3) approval of the Church Council. Appropriate Endowment Committee members shall provide all signatures any documents may require.

**Part VII. FISCAL YEAR AND ACCOUNTABILITY**

For tax, accounting, or other purposes, the fiscal year of the Endowment Fund shall be the fiscal year of Gloria Dei Lutheran Church. The Committee shall submit at a designated Congregational meeting the itemized written statements accurately reflecting the position of the Endowment Fund income and principal accounts, the receipts, expenditures, disbursements, and change from the previous fiscal year.

The Fund shall be subject to the annual internal Financial Review (Audit) as required for congregational funds and accounts. The Committee shall maintain a complete and accurate record of accounts and may employ such professional assistance, as it deems necessary in this task. Every effort shall be made by the parties in authority to avoid conflict of interest or the perception of conflict of interest. No member shall engage in any self-dealing or transactions with the Fund in which the member has direct or indirect interest and at all times refrain from conduct in which his/her interests would conflict with the interest of the Fund.

**Part VIII. MEETINGS**

Quorum: The affirmative vote of a majority of the Endowment Committee shall be necessary to carry any motion or resolution of the Committee. A quorum of the Endowment Committee shall consist of three (3) voting members. When only three (3) voting members are present, a unanimous vote shall be required to carry any motion for resolution.

- A. Regular: The Endowment Fund Committee shall meet no less than quarterly and shall be called by the Committee Chair.
- B. Special: The Chair or two (2) members of the Committee may call special meetings. All Committee members shall receive at least forty-eight hours prior written, or oral notice of such meetings.

**Part IX. FISCAL EXIGENCY OF THE CHURCH CONGREGATION**

Should the Committee determine that the congregation is in dire need of the assets, or a portion of the assets in the Fund resulting from an emergency of such a nature that the future of the congregation is at stake, and the only recourse is to use the Fund assets, the Committee may, upon a majority vote, recommend such authorizing action to the Church Council. In the event of the dissolution of the congregation,

any remaining balance in the Fund shall be turned over to the Indiana-Kentucky Synod of the ELCA.

**Part X. AMENDING OF THE FUND BYLAWS**

Any amendments to these Bylaws, which will change, alter, or amend the purpose for which the Fund is established, and/or its distributions, shall be adopted by a two-thirds vote of properly called congregational meeting.

**Part XI. DEFINITIONS:**

- A. The term "Congregation" in this document refers to members in good standing of Gloria Dei Lutheran Church located 3711 Ridge Rd., Highland, IN.
- B. The term "Congregational member" shall have the same meaning as that described in the Constitution of Gloria Dei Lutheran Church and in the Bylaws of the Congregation.
- C. The term "Gloria Dei Lutheran Church" shall denote the Gloria Dei Lutheran Church in Highland, IN.
- D. The terms "Congregational Endowment", "Endowment", "Endowment Fund", and "Fund" shall mean the Gloria Dei Lutheran Church Endowment Fund. It shall be one of the Funds of the congregation.
- E. The terms "Endowment Committee", "Fund Committee", and "Committee" denote the Gloria Dei Lutheran Church Endowment Committee.
- F. The terms "Expenditure", "expenditures", and "expended" shall mean the use of funds to pay administrative costs of the Fund. The terms "disbursement", "distribution", and "transfer" shall mean any funds used in support of ministry programs approved by the Congregational Council.
- G. The terms "Program", "Project", or "Scholarship" shall mean the ministry initiatives which the Fund supports.

**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 Indiana-Kentucky 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 this 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 is 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 or in accordance with provision 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America.
- d. The Indiana-Kentucky Synod takes charge and control of the property of this congregation to hold, manage, and convey the same on behalf of the synod pursuant to †S13.24. of the synod constitution. This congregation shall have the right to appeal the decision to the next Synod Assembly.
- e. This congregation follows the procedures outlined in \*C6.05.

**\*C6.05.** This congregation may terminate its relationship with the Evangelical Lutheran Church in America by the following procedure:

- a. A resolution indicating the intent to terminate its relationship must be adopted at two legally called and conducted special meetings of this congregation by a two-thirds vote of the voting members present at each meeting. The first such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time this congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the Congregation Council. Unless the bishop and/or the bishop's

designees are voting members of this congregation, they shall have voice but not vote at the first meeting.

- b. Within 10 days after the resolution has been voted upon at the first meeting, the secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall send copies of the resolution and certification to voting members of this congregation.
- c. If the resolution was adopted by a two-thirds vote of the voting members present at the first meeting, the bishop of the synod and this congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the bishop of the attestation and certification as specified in paragraph b. above.
- d. If this congregation, after such consultation, is still considering termination of its relationship with this church, 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 second meeting shall be sent to all voting members and to the bishop at least 10 days in advance of the meeting. Unless the bishop and/or the bishop's designees are voting members of this congregation, they shall have voice but not vote at the second meeting.
- e. Within 10 days after the resolution has been voted upon, the secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the second special meeting was legally called and conducted and certifying the outcome of the vote, and shall send copies of the resolution and certification to the voting members of the congregation. If the resolution was adopted by a two-thirds vote of the voting members present at the second meeting, the relationship between the congregation and this church shall be terminated subject to Synod Council approval as required by paragraphs f. and g. below.
- f. Unless this notification to the bishop also certifies that this congregation has voted to affiliate with another Lutheran denomination, this congregation shall be deemed an independent or non-Lutheran church, in which case \*C7.04. shall apply.
- g. This congregation shall abide by these covenants by and among the three expressions of this church:
  - 1) Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in \*C6.05. shall be required to receive Synod Council approval before terminating their membership in this church.
  - 2) Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in \*C6.05., to receive synod approval before terminating their membership in this church.
  - 3) Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the

foregoing provisions in \*C6.05., to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church.

- h. If this congregation fails to achieve the required two-thirds vote of voting members present at this congregation's first meeting as specified in paragraph a. above or fails to achieve the required two-thirds vote of voting members present at this congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of \*C6.05. and may begin no sooner than six months after the meeting at which the two-thirds vote was not achieved.

**\*C6.06.** If this congregation 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 taken.

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

## **Chapter 7.**

### **PROPERTY OWNERSHIP**

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

**\*C7.02.** If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline or pursuant to 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America, title to property shall continue to reside in this congregation.

**\*C7.03.** If 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 Indiana-Kentucky Synod.

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

Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America. In neither case does title to this congregation's property transfer to the synod.

**\*C7.05.** Notwithstanding the provisions of \*C7.02. and \*C7.03. above, where this congregation has received property from the synod pursuant to a deed or other instrument containing restrictions under provision 9.71.a. of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, this congregation accepts such restrictions and:

- a. Shall not transfer, encumber, mortgage, or in any way burden or impair any right, title, or interest in the property without prior approval of the Synod Council.
- b. Shall—upon written demand by the Synod Council, pursuant to †S13.23. of the constitution of the Indiana-Kentucky Synod —reconvey and transfer all right, title, and interest in the property to the synod.

## Chapter 8. MEMBERSHIP

**\*C8.01.** Members of this congregation shall be those baptized persons on the roll of this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.

**\*C8.02.** Members shall be classified as follows:

- a. **Baptized** members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
- b. **Confirmed** members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.
- c. **Voting** members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of this congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws. They shall not have voted as a seasonal member of another congregation of this church in the previous two calendar months.



- d. *Associate* members are persons holding membership in other 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 congregations of this church who wish to retain such membership but desire to participate in the life and mission of this congregation, including exercising limited voting rights in this congregation. The Congregation Council may grant seasonal membership to such persons provided that this congregation is a member of a synod where the Synod Council has approved seasonal member voting on its territory. Such seasonal members shall have all the privileges and duties of voting members except that:
  - 1) they shall not be eligible for elected office in, or for membership on the Congregation Council or on a call committee of, this congregation;
  - 2) they shall not have the right to vote on any matter concerning or affecting the call or termination of call of any minister of this congregation;
  - 3) they shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with this church;
  - 4) they shall not be eligible to serve as voting members from this congregation of the Synod Assembly or the Churchwide Assembly;
  - 5) they shall not, even if otherwise permitted by this congregation, vote by proxy or by absentee ballot; and
  - 6) they shall not, within any two calendar month period, exercise voting rights in this congregation and in the congregation where they remain voting members.

**\*C8.03.** All applications for confirmed membership shall be submitted to and shall require the approval of the 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.

**C8.04.01** Procedure for Members to Address the Council

Any voting member of the congregation may address the congregation council regarding matters of congregation concern. Normally, that shall be done by the member speaking to the chairman or a member of the appropriate committee of the council. The member who wants to

address the council itself shall send a letter to the council, stating the concern. If written communication is not satisfactory, the member may request, through the council president, voice at a regular meeting of the council.

- \*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 Chapter 20 of the constitution and bylaws of the Evangelical Lutheran Church in America; or
  - e. removal from the roll due to inactivity in accordance with the provisions of this constitution and its bylaws.

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

#### **C8.05.01** Removal From Membership

The council may remove from the congregational roll any member who has neither made a financial contribution of record nor participated in Holy Communion for two years. The member considered for removal from the roll shall receive from the council notification, by registered mail, at least one month in advance of such proposed action and, after such action has been taken, shall have the right of appeal to the council. That person shall be considered a confirmed member while his appeal is in process. The person removed may be restored to the roll upon request to the Congregation Council after participating in Holy Communion with the congregation and making a financial contribution of record. The council may remove from the congregational roll any member who, at least a year previous, has established permanent residence at a location beyond a reasonable commuting distance from the congregation's building and the person who has moved away has not attended or made a contribution within the current or previous year.

### **Chapter 9.**

#### **ROSTERED MINISTER**

- \*C9.01.** Authority to call a pastor 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.
- \*C9.02.** 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 this

congregation by the synod 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 available channels of effective communication;
  - 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, advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations.
- 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;
  - 5) endeavor to increase the support given by the congregation to the work of the churchwide organization and of the Indiana-Kentucky Synod; and
  - 6) encourage adherence to covenantal relationship with this church as expressed in the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.

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

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

- a. The call of this congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the pastor's death or, following consultation with the synod bishop, for any of 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 this congregation in view of local conditions;
  - 4) inability to conduct the pastoral office effectively in view of disability or 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 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 disability or 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, who has 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 disability or incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament with disability status. Upon resumption of the ability to conduct the office effectively, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.
- d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the pastor and then to this congregation. The recommendations of the bishop's committee must

address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the synod.

- e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, this congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

**\*C9.06.** 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 this 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.

**\*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, this congregation may depart from \*C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of this

congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of \*C9.05.a.

- \*C9.12.** The pastor of this congregation:
- a. shall keep accurate records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from this 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 ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.
- C9.13.01** The pastor(s) shall submit a written report of his or her ministry to the congregation at its annual meeting.
- C9.13.02** Expenses of the pastor incident to attendance at assemblies of the synod and conferences shall be paid by the congregation.
- \*C9.14.** The records of this congregation shall be maintained by the pastor and shall remain the property of this congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in the secretary's hands in good order by a departing pastor before the installation of that pastor in another call or approval of a request for change in roster status.
- C9.15.** Under special circumstances, subject to the approval of the synod bishop and the concurrence of this congregation, a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between this congregation and the pastor in a form proposed by the synod bishop and approved by this congregation.
- \*C9.21.** Authority to call a deacon 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 synod 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, advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations;
- 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 this church 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 this congregation shall be as follows:

- a. The call of this congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the deacon's death or, following consultation with the synod bishop, for any of 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) inability to conduct the office effectively in view of disability or 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 disability or 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, who has 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 disability or 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 with disability status. Upon resumption of the ability to conduct the office effectively, 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. This congregation shall make satisfactory settlement of all financial obligations to a former deacon before calling a successor. A deacon shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting.
- \*C9.27. 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 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.** This congregation shall have at least one regular meeting per year. The regular meeting(s) of the congregation shall be held at the time(s) specified in the bylaws. Consistent with the laws of the State of Indiana, the bylaws shall designate one regular meeting per year as the annual meeting of this congregation.

#### **C10.01.01**

The congregation Meeting

- a. The annual congregational meeting shall be held on a Sunday in January as designated by the Congregation Council at the preceding regular November Congregation Council meeting. In the event that the annual congregational meeting cannot be held on the scheduled date, the Congregation Council shall reschedule the meeting as soon as possible.
- b. Nominations for members to be elected to the congregation council at its annual meeting may be made at the worship services on the two Sundays preceding that meeting and at the meeting.

- C10.02.** A special Congregation Meeting may be called by the pastor, the Congregation Council, or the president<sup>1</sup> of this congregation, and shall be called by the president of this congregation upon the written request of 10 percent of the voting members. The president of the Congregation Council shall call a special meeting upon request of the synod 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.** Ten percent of the voting members shall constitute a quorum.
- C10.05.** Voting by proxy or by absentee ballot shall not be permitted.
- C10.06.** All actions approved by this congregation shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution or by state law.
- C10.07.** *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all meetings of this congregation.
- C10.08.** This congregation may hold meetings by remote communication, including electronically and by telephone conference, as long as there is an opportunity for simultaneous aural communication or its equivalent. To the extent permitted by state law, notice of all meetings may be provided electronically.
- C10.09.** “*Ex officio*” as used herein means membership with full rights of voice and vote unless otherwise expressly limited.

## **Chapter 11.**

### **OFFICERS**

- C11.01.** At its first regular meeting following the election of the new Congregation Council, the council shall elect a president, a vice president, a secretary, a treasurer, and a financial secretary, who will serve both the council and the congregation in their several capacities.
- C11.01.01** Term of office for the president, vice president, secretary, treasurer, and financial secretary shall continue from the time of their election until the next regular Congregation Council meeting following the election of new Congregation Council members.
- C11.02.** The president and the vice president shall be chosen from the membership of the Congregation Council. The other officers, if not members of the council, shall be accorded the privilege of voice without vote in its meetings.
- C11.03.** All officers shall be voting members of the congregation. If any of them ceases to be such, that office shall at once be declared vacant by the council, which shall fill the vacancy for the unexpired term.
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- C11.04.** The president shall preside at all congregation meetings and all meetings of the Congregation Council. In the event of the president's inability to serve, the vice president shall preside.
- C11.05.** The secretary shall keep accurate minutes of all meetings of the congregation and of the council in a volume provided by the congregation, which shall be preserved permanently in its archives.
- C11.06.** The financial secretary shall keep a record of all income from contributing members and other sources. This income shall be documented on summary sheets supplied by the finance committee.
- C11.07.** The treasurer shall keep the books of account of the congregation and shall disburse all funds on proper orders, making regular remittance to the treasurer of the synod of monies to meet its budgeted benevolence agreement.
- C11.08.** The treasurer and the financial secretary shall make written report of all financial transactions to the Congregation Council each month and to the congregation at its annual meeting. All financial officers shall give corporate surety, in amounts determined by the Congregation Council, for which the premium shall be paid by the congregation. Fidelity coverage provided by the Evangelical Lutheran Church in America shall be deemed a fulfillment of this requirement.
- C11.09.** No officer shall hold more than one office at a time. No elected officer shall be eligible to serve more than three consecutive terms in the same office.

**Chapter 12.**

**CONGREGATION COUNCIL**

- C12.01.** The membership of the Congregation Council shall consist of the pastor(s) and a minimum of 9 and maximum of 12 members of the congregation. Any voting member of the congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member (a) ceases to be a voting member of the congregation or (b) is absent from three successive regular meetings of the Congregation Council without cause.
- C12.02.** Elected members of the Congregation Council shall be chosen by ballot for terms of three years by a majority vote at the annual Congregational Meeting. Newly elected Congregation Council members shall be installed at worship the Sunday following their election. Their terms of office shall begin following their installation. Their tenure shall be so arranged that one-third of the terms expire annually. A member of the Congregation Council shall not be eligible for re-election or appointment to the council until after the expiration of one year following any full term of office. Eighteen months or more shall be considered a full term.
- C12.03.** Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a

successor until the next annual meeting. Individuals who have served less than one half of a regular term shall be eligible for nomination and possible election to a full term.

**C12.04.** All elections of members of the Congregation Council shall be by written ballot and the results recorded by the secretary. A majority of votes cast shall be necessary for election. When an election does not result in filling all vacancies, the unelected nominees receiving the highest number of votes cast shall be placed on the next ballot, the number of nominees not to exceed twice the number of remaining positions to be filled.

**C12.05.** 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 support of 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.

**C12.06.** 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 managing 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 Indiana, 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 this congregation.
- c. The Congregation Council may enter into contracts of up to 1% of the total annual budget 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 1% 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 collaboration 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 mission support monies to the synod.
- f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.

- C12.07.** The Congregation Council shall see that the provisions of this constitution and its bylaws are carried out.
- C12.08.** The Congregation Council shall provide for an annual review of the membership roster.
- C12.09.** The Congregation Council shall be responsible for the appointment and supervision of the salaried lay workers of this congregation.
- C12.10.** 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 such person requests or consents to be absent and has given prior approval to an agenda of routine matters which shall be the only business of the meeting.
- C12.13.** No member of the Congregation Council shall vote on any issue with which that member has a conflict of interest.

## Chapter 13.

### CONGREGATION COMMITTEES

- C13.01.** The officers of this congregation and the pastor shall constitute the *Executive Committee*.
- C13.02.** A *Nominating Committee* of six voting members of this congregation, two of whom, if possible, shall be outgoing members of the Congregation Council, shall be elected at the annual meeting for a term of one year. Members of the Nominating Committee are not eligible for consecutive re-election.
- C13.02.01** *Nominating Committee.* The Nominating Committee shall present its slate of nominees to the congregation at least two Sundays preceding the date of the annual congregation meeting.
- C13.02.02** *Memorial Committee.* There shall be a Memorial Committee of four persons who shall be appointed by the Congregation Council at their regular June meeting each year. One of the committee members shall be designated as chairman by the Congregation Council. The terms of the committee members shall be for two years, with half of the membership being replaced each year. They shall not be eligible to serve successive terms. The committee shall make recommendations to the congregation council for usage of all funds given to the congregation as specified memorial gifts. The committee shall meet a least twice in each calendar year.
- 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.
- C13.03.01** *Audit Committee.* The Congregation Council at its March meeting each year, shall appoint a chairman of the Audit Committee from among the committee members. This committee, as soon as practical after the close of the calendar year, shall audit the records of the treasurer of the congregation, the treasurer of the Women of the Evangelical Lutheran Church in America congregational unit, and the treasurer(s) of any other auxiliary or organization of the congregation which receives and disburses monies. This committee shall report its findings, in writing, to the congregation at its next annual meeting and shall also report those findings to the Evangelical Lutheran Church in America upon request and on the date and in the form requested.
- C13.04.** A *Mutual Ministry Committee* shall be appointed jointly by the president or vice president and the pastor. The vice president shall be an ex officio member of this committee. Term of office shall be two years, two members to be appointed each successive year. Committee members will hold no other office in the congregation during their term nor shall they be on the congregation's staff. The vice president shall chair the committee unless the vice president is the pastor, in which case the council shall appoint a chairman for a one-year term. The chairman will be in addition to the other four appointed members. On

occasions when the committee is concerned with the performance of a specific staff person, one additional voting member of the congregation may be selected, by and at the option of the staff person under concern, to be a voting member of this committee while this specific case is under consideration.

**C13.04.01 Mutual Ministry Committee.** In order to provide for the pastor(s) and lay staff and to advise them about conditions within the congregation, and to interpret to the congregation the ministry of its pastor(s) and lay staff, there shall be a Mutual Ministry committee. This committee is to meet at least four times each year and is to be directly responsible to the Congregation Council. It shall provide to the council written reports of each meeting, except those of a confidential nature. The council, however, is to be advised when a confidential meeting has taken place. Its duties shall include:

- a. to identify staff needs of the congregation and to maintain job descriptions for all paid staff persons;
- b. to serve as a confidential support group for the pastor(s) and as a personnel committee for the lay staff;
- c. to review annually the ministry of the pastor(s) and, with the pastor(s), set pastoral goals for submission to the Congregation Council;
- d. to review annually the details of compensation for the pastor(s) and other paid staff members;
- e. to provide encouragement and direction for the continuing education of the pastor(s) and paid lay staff;
- f. to serve as an open communication channel regarding attitudes and conditions within the congregation and as agents of reconciliation in times of conflict within the congregation.

**C13.05.** When a vacancy occurs in a position for which this congregation calls a rostered minister, a *Call Committee* of six voting members shall be elected by the Congregation Council. Term of office will terminate upon installation of the newly called rostered minister. Members of the Congregation Council shall not exceed one- third of this committee's membership.

**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. All congregation committees shall be responsible to the congregation through the Congregation Council.

**C13.07.01** There shall be the following standing committees:

- a) Worship
- b) Learning
- c) Service
- d) Witness
- e) Support

**C13.07.12** At its first regular meeting each year the Congregation Council, after consultation with the pastor, shall appoint a chairman of each standing committee. Such chairman shall take office immediately.

**C13.07.13** The newly appointed chairman of each standing committee shall appoint the other members of that committee before the next regular meeting of the Congregation Council, subject to approval by the Congregation Council.

**C13.07.14** Each standing committee shall serve for a period of one year following its appointment and until its successors are appointed.

**C13.07.15** With the approval of the Congregation Council, each standing committee may appoint as many task forces or sub-committees as it considers necessary.

**C13.07.16** Each month each standing committee shall present a written report to the Congregational Council.

**C13.07.17** The pastor shall have voice and vote in all standing committees.

**C13.07.18** All committee chairmen and members shall be voting members of the congregation.

**C13.07.19** The following is a functional guideline for each of the standing committees:

- a) **Worship Committee.** This committee shall identify, plan for, and oversee the worship needs of this congregation. It shall provide for personnel, equipment, and supplies required for Sunday and other scheduled worship services. It shall make recommendation to the Congregation Council for the hiring, duties, and remuneration of the choir director, organist, other musicians, and any other lay professionals related to the worship services. It shall be responsible for the ordering of supplies for worship. In consultation with the pastor, organist, and choir director, it shall be responsible for the ordering and maintaining of choral and organ music. It shall arrange for the care of paraments, vestments, service books, and musical instruments. It shall assist the Congregation Council in seeing that the congregation's worship services are conducted in accordance with the practices of the Evangelical Lutheran Church in America. It shall be responsible for the recruitment and training of choir members, ushers, acolytes, and those responsible for preparing the altar for worship. If there is an altar guild, this committee shall oversee its work and annually appoint its chairman. This committee shall endeavor to introduce into the homes of the congregation devotional periodicals of the Evangelical Lutheran Church in America. The organist and choir director shall be consultants to this committee and shall have voice without vote in its meetings.
- b) **Learning Committee.** This committee shall provide for and encourage participation in educational opportunities for the congregation's members of all ages, including, but not limited to, a Sunday Church School. It shall assist the pastor in supervising



the schools of the congregation and cooperate with and give assistance to organizations and auxiliaries of the congregation in their educational efforts. It shall promote the educational programs of the Evangelical Lutheran Church in America and its Indiana-Kentucky Synod. This committee shall provide for a ministry to and with the youth of this congregation. It shall bring to the youth of the congregation the call to the ordained ministry and other full-time church vocations. This committee shall be responsible for the identification, recruitment, and training of teachers for the schools of this congregation. It shall oversee the congregation's library, including audio-visual equipment. It shall encourage the use of Evangelical Lutheran Church in America curriculum and literature in its work and shall attempt to introduce the ELCA's periodicals into the homes of this congregation.

- c) **Service Committee.** This committee shall identify needs of society within the congregation, local community, and world; communicate to the congregation what those needs are; propose ways of ministering to those needs; and enlist members of the congregation to give themselves and their resources to meet those needs and others that they may be aware of, as a fitting response to the love of God as shown in the death and resurrection of Jesus Christ. It shall encourage the leaders of congregational youth organizations to provide for those younger members' service opportunities to enable them to learn of social needs and to work to remedy them. This committee will be responsible for promoting the causes of fostering justice, overcoming oppression, alleviating suffering, establishing peace, and caring for the earth. It shall also be responsible for initiating, advertising, and recruiting participants for such congregational projects as are necessary to accomplish these goals. It shall make itself aware of material and services available to it from the Evangelical Lutheran Church in America and agencies of the community.
- d) **Witness Committee.** This committee shall work to deepen the faith of members of the congregation, return former members to the Christian community, and encourage the members to provide individual and corporate witnessing to Jesus Christ among all people. This committee shall present to the council at its November meeting each year a list of those members of the congregation who have neither participated in Holy Communion nor made a financial contribution of record during that calendar year. It shall identify, recruit, and train members of this congregation to call upon and witness to neighborhood residents who are not part of a local congregation of Christians. It shall be responsible for furthering the social interaction between members of the congregation for the purpose of mutual support and encouragement to greater ministry. It shall, therefore, provide for

social events for the entire congregation and encourage social events for specific age or interest groups. It shall oversee adult organizations of the congregation, such as singles' groups, couples' groups and men's groups.

- e) **Support Committee.** This committee shall undergird the work of the other four standing committees, which enable the functions of the congregation. To do that, it shall provide for the facilities and funds for the mission of the congregation. It shall be responsible for leading members of the congregation toward greater stewardship of their money, skills, and time; providing for and maintaining the building(s), grounds, equipment, and insurance necessary for the mission of the congregation; preparing an annual budget proposal for the Congregation Council; overseeing the work of the financial secretary and treasurer; and recommending to the Congregation Council policies for use of the congregation's building(s), grounds, and equipment. This committee shall have at least three subcommittees: property, finance, and stewardship. The **Property** Subcommittee shall be concerned with the proper maintenance of the building(s), grounds, and equipment of the congregation, except for musical instruments and audio-visual equipment. It shall oversee the work of the custodian, including providing a job description for the position. The **Finance** Subcommittee shall review the monthly reports of the financial secretary and treasurer and, when appropriate, make recommendations to the council concerning the securing and spending of funds. It shall prepare an annual congregational budget for recommendation to the Congregation Council. It shall oversee the work of the financial secretary and treasurer and make recommendations to the congregation council for the conduct of those two offices. It shall be especially concerned to see that the treasurer pays all bills promptly and monthly forwards all benevolence monies to their designated agencies. The **Stewardship** Subcommittee shall work with the congregation to encourage liberal contributions of money, skills, and time to the work of Christ, particularly as that work is done by and through Gloria Dei Lutheran Church. It shall be responsible for an annual funding effort among the members of the congregation. The financial secretary and treasurer shall be *ex officio* members of the support committee.

- C13.08.** Vacancies occurring *ad interim* in the committees named in this chapter shall be filled by appointments made by the Congregation Council. The pastor of this congregation shall be *ex officio* a member of all committees and boards of this congregation.

## **Chapter 14.**

### **ORGANIZATIONS WITHIN THIS CONGREGATION**

- C14.01.** All organizations within this congregation shall exist to aid it in ministering to the members of this congregation and to all persons who can be reached with the Gospel of Christ. As outgrowths and expressions of this congregation's life, the organizations are subject to its oversight and direction. This congregation at its meeting shall determine their policies, guide their activities, and receive reports concerning their membership, work, and finances.
- C14.02.** Special interest groups, other than those of the official organizations of the Evangelical Lutheran Church in America, may be organized only after authorization has been given by the Congregation Council.

## **Chapter 15.**

### **DISCIPLINE OF MEMBERS AND ADJUDICATION**

- \*C15.01.** Persistent and public denial of the Christian faith, willful or criminal conduct grossly unbecoming a member of the Church of Christ, continual and intentional interference with the ministry of this congregation, or willful and repeated harassment or defamation of member(s) of this congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will be attempted following Matthew 18:15–17, proceeding through these successive steps, as necessary: a) private counsel and admonition by the pastor, b) censure and admonition by the pastor in the presence of two or three witnesses, c) written referral of the matter by the Congregation Council to the vice president of the synod, who will refer it to a consultation panel drawn from the Consultation Committee of the synod, and d) written referral of the matter by the consultation panel to the Committee on Discipline of the synod. If, for any reason, the pastor is unable to administer the admonitions required by paragraphs a. and b. hereof, those steps may be performed by another pastor chosen by the Executive Committee of the Congregation Council.
- \*C15.02.** The process for discipline of a member of this congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If the counseling, censure, and admonitions pursuant to \*C15.01. do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three laypersons and two rostered ministers). 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 this congregation; or
  - d. termination of membership in this congregation and exclusion from the church property and from all congregation activities.
- \*C15.06. The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next council meeting.
- \*C15.07. No member of this congregation shall be subject to discipline a second time for offenses that a discipline hearing panel has heard previously and decided pursuant to this chapter.
- \*C15.10. **Adjudication**
- \*C15.11. When there is disagreement between or among factions within this congregation on a substantive issue which cannot be resolved by the parties, members of this congregation may petition the synod bishop for consultation after informing the president of this congregation of their intent to do so. The synod bishop shall seek a timely resolution of the dispute. If the issue relates directly to the pastor, the bishop may begin the process in †S14.18.d. In all other matters, if the bishop's consultation fails to resolve the issue, the bishop shall refer the matter to the Consultation Committee of the synod, which shall undertake

efforts to find an appropriate solution. If the Consultation Committee's efforts fail to resolve the dispute, the entire matter shall be referred to the Synod Council for adjudication by whatever process the Council deems necessary. The Synod Council's decision shall be final.

## **Chapter 16.**

### **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 25 voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify this congregation's members of the proposal together with the council's recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.
- \*C16.02.** An amendment to this constitution, proposed under \*C16.01., shall:
- a. be approved at any legally called meeting of this congregation by a majority vote of those voting members present and voting; and
  - b. be ratified without change at the next regular meeting of this congregation by a two-thirds vote of those voting members present and voting.
- \*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 this congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.
- \*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 this congregation without presentation at a prior meeting of this congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to this congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of at least two (2) voting members of this congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of this congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following the congregation's 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. Adopted or amended bylaws shall be sent by the secretary of this congregation to the synod.

## **Chapter 18.**

### **CONTINUING RESOLUTIONS**

- \*C18.01. This congregation in a legally called meeting or the Congregation Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.
- \*C18.02. Continuing resolutions shall be enacted or amended by a majority vote of a meeting of this congregation or a two-thirds vote of all voting members of the Congregation Council.
- \*C18.03. Adopted or amended continuing resolutions shall be sent by the secretary of this congregation to the synod.

## **Chapter 19.**

### **INDEMNIFICATION**

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

## **Chapter 20.**

### **PARISH AUTHORIZATION**

- \*C20.01.** This congregation may unite with one or more other congregations recognized by the synod named in \*C6.01. to form a parish. Except as provided in \*C20.02. and \*C20.03., a written agreement, developed in consultation with the synod and approved by the voting members of each congregation participating in the parish, shall specify the powers and responsibilities that have been delegated to the Parish Council. The Parish Agreement shall identify which congregation of the parish issues calls on behalf of the member congregations or shall establish a process for identifying which congregation issues calls on behalf of the member congregations.
- \*C20.02.** One congregation of a parish shall issue a call on behalf of the member congregations to a minister of Word and Sacrament or a candidate for the roster of Ministers of Word and Sacrament who has been recommended by the synod bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregation meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.
- \*C20.03.** One congregation of a parish may issue a call on behalf of the member congregations to a minister of Word and Service or a candidate for the roster of Ministers of Word and Service who has been recommended by the synod bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregation meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.
- \*C20.04.** Any one of the congregations of the parish may terminate their relationship with the pastor as provided in †S14.18.d. of the synod constitution of the synod named in \*C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.
- \*C20.05.** Any one of the congregations of the parish may terminate their relationship with a minister of Word and Service as provided in †S14.43.d. of the synod constitution of the synod named in \*C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.
- \*C20.06.** Whenever a parish agreement is terminated, the call of any rostered minister serving that parish is terminated. Should any congregation that was formerly part of the parish agreement desire to issue a new call to that rostered minister, it may do so in accordance with the call process of this church.