



# Evangelical Lutheran Church in America

God's work. Our hands.

**The Constitution, Bylaws,  
and Continuing Resolutions  
of St. Peter's Lutheran Church,  
York, Pennsylvania  
based on the**

**MODEL CONSTITUTION  
FOR  
CONGREGATIONS  
OF THE  
EVANGELICAL LUTHERAN  
CHURCH IN AMERICA®**

**2011**

adopted by the Congregation on 20 November 2011  
revised November 19, 2017

## INTRODUCTION

The *Model Constitution for Congregations of the Evangelical Lutheran Church in America* originally was adopted by the Constituting Convention of this church in Columbus, Ohio, on April 30, 1987. This was done as required by the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.

This current edition of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* contains changes adopted by the 1989, 1991, 1993, 1995, 1997, 1999, 2001, 2003, 2005, 2007, 2009, and 2011 Churchwide Assemblies.

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

► **Required provisions:** Sections of this constitution marked by an asterisk [\*] are required when a congregation amends its governing documents. These sections must be used without alteration or amendment of the text in any manner (neither additions nor deletions). This is in keeping with provision 9.52. in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. This provision stipulates that when a congregation of this church "wishes to amend any provision of its governing documents, the governing documents of that congregation shall be so amended to conform to 9.25.b." in the churchwide constitution. The provisions herein marked by an asterisk are those that are indicated as required in ELCA constitutional provision 9.25.b.

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

All proposed changes in the constitution or incorporation documents of a congregation shall be referred to the synod with which the congregation is affiliated. The synod shall approve or disapprove the proposed changes within 120 days of receipt thereof, and shall notify the congregation of its decision; in the absence of a decision, the changes shall go into effect.

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

- a. Major sectors are designated as chapters. The chapter designation becomes the first number in the codification sequence and is followed by a period. Thus, provisions in "Chapter 8. Membership" are preceded by "8."
- b. Constitutional provisions are codified with two sets of numbers: the chapter number and a two-digit number preceding the second period in the codification. Thus, one constitutional provision related to "Membership" is codified \*C8.02.
- c. Bylaw provisions are codified with three sets of numbers: the chapter number, the related constitutional provision number, and a two-digit number. Thus, one bylaw provision related to "Membership" would be codified C8.02.01. Because bylaws and continuing resolutions normally are so specifically related to details of each congregation's organization, operation, and life, no model set of bylaws or continuing resolutions is provided. Each congregation may develop its own bylaws and continuing resolutions, but no such bylaws or continuing resolutions may conflict with this constitution, the constitution and bylaws of the Evangelical Lutheran Church in America, and the constitution of the synod, as indicated in \*C6.03.e.
- d. The Congregation Council may adopt "continuing resolutions," which may provide descriptions of operational patterns or of the ongoing responsibilities of committees or other units within the organizational structure of the congregation. Within the governing documents of a congregation, continuing resolutions are the provisions most easily amended. Unlike constitutional provisions and bylaws, continuing resolutions may be updated regularly by the Congregation Council without the necessity of calling a regular or special Congregation Meeting. Continuing resolutions also are codified with three sets of numbers except that the third set is preceded by a capital letter. Thus, a continuing resolution might be numbered C13. to designate the chapter; C13.07. to designate the subject matter within the chapter; and the third set might be numbered A07. in the codification C13.07.A07. to indicate by the "A" that it is the first continuing resolution regarding that subject and to indicate by the "07" that it was adopted in 2007.

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

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

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

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

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

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

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

The specific congregation may be identified, as provided in C1.02., as “this congregation.”

► **Guidelines:** A list of guidelines for a congregation engaging in review and amendment of its constitution is available through each synod office and on the ELCA website ([www.elca.org/secretary/Constitutions/ModelGuide.pdf](http://www.elca.org/secretary/Constitutions/ModelGuide.pdf)).

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

David D. Swartling  
Secretary  
Evangelical Lutheran Church in America  
September 15, 2011

**The Constitution, Bylaws, and Continuing Resolutions  
of St. Peter's Lutheran Church, York, Pennsylvania**  
based on the

**MODEL CONSTITUTION  
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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 St. Peter's Lutheran Church.  
C1.02. For the purpose of this constitution and the accompanying bylaws, the congregation of St Peter's Lutheran Church is hereinafter designated as "this congregation."  
C1.11. This congregation shall be incorporated under the laws of the State of Pennsylvania.

**Chapter 2.**

**CONFESSION OF FAITH**

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

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\*Required provision

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.
- \*C3.03. The name Evangelical Lutheran Church in America (ELCA or "this church") as used herein refers in general references to this whole church, including its three expressions: congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.
- \*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.
- \*C3.0305. The name Evangelical Lutheran Church in America (ELCA or "this church") as used herein refers in general references to this whole church, including its three expressions: congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.

### **Chapter 4.**

#### **STATEMENT OF PURPOSE**

- \*C4.01. The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world.
- \*C4.02. To participate in God's mission, this congregation as a part of the Church shall:
  - a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.

- b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
  - c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
  - d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, and standing with the poor and powerless, and committing itself to their needs.
  - e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
  - f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.
- \*C4.03. To fulfill these purposes, this congregation shall:**
- a. Provide services of worship at which the Word of God is preached and the sacraments are administered.
  - b. Provide pastoral care and assist all members to participate in this ministry.
  - c. Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregation.
  - d. Teach the Word of God.
  - e. Witness to the reconciling Word of God in Christ, reaching out to all people.
  - f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
  - g. Motivate its members to provide financial support for the congregation's ministry and the ministry of other parts of the Evangelical Lutheran Church in America.
  - h. Foster and participate in interdependent relationships with other congregations, the synod, and the churchwide organization of the Evangelical Lutheran Church in America.
  - i. Foster and participate in ecumenical relationships consistent with churchwide policy.
- \*C4.04. This congregation shall develop an organizational structure to be described in the bylaws. The Congregation Council shall prepare descriptions of the responsibilities of each committee, task force, or other organizational group and shall review their actions. Such descriptions shall be contained in continuing resolutions in the section on the Congregation Committees.**
- C4.04.A10** *The organizational structure of the congregation shall include:*
- a. *the Congregation Council with oversight of all ministry;*
  - b. *the Christian Formation Planning Team or other entity to plan and oversee the ministry of Worship and Music and Christian Education through its working groups.*
  - c. *the Stewardship Planning Team or other entity to plan and oversee the ministry of property, financial, and spiritual gifts stewardship through its working groups.*
  - d. *the Community Outreach Planning team or other entity to plan and oversee the ministry of evangelism, youth discipleship, global mission, social ministry, and communication through its working groups.*
  - e. *Other planning teams and working groups as needed.*
- \*C4.05. This congregation shall, from time to time, adopt a mission statement which will provide specific direction for its programs.**
- C4.05.01** The current mission statement of this congregation is: We are on a mission! As disciples and stewards of Jesus Christ, we, the members of St. Peter's Lutheran Church, are committed to the preaching and teaching of the Word of God to all people. We will reach out to one another and to others, giving and receiving, in worship, fellowship, and witness to Jesus Christ.
- \*C4.06. References herein to the nature of the relationship between the three expressions of this church—congregations, synods, and the churchwide organization—as being interdependent or as being in a partnership relationship describe the mutual responsibility of these expressions in God's**

mission and the fulfillment of the purposes of this church as described in this chapter, and do not imply or describe the creation of partnerships, co-ventures, agencies, or other legal relationships recognized in civil law.

## **Chapter 5.**

### **POWERS OF THE CONGREGATION**

- \*C5.01. The powers of this congregation are those necessary to fulfill its purpose.
- \*C5.02. The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws.
- \*C5.03. Only such authority as is delegated to the Congregation Council or other organizational units in this congregation's governing documents is recognized. All remaining authority is retained by the congregation. The congregation is authorized to:
  - a. call a pastor as provided in Chapter 9;
  - b. terminate the call of a pastor as provided in Chapter 9;
  - c. call a minister of Word and Service;
  - d. or terminate the call of a minister of Word and Service in conformity with the applicable policy 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, Endowment Committee and require them to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
  - k. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.
- \*C5.04. This congregation shall choose from among its voting members laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected by the congregation and other qualifications shall be as prescribed in guidelines established by the Lower Susquehanna Synod of the Evangelical Lutheran Church in America.
- C5.05. This congregation shall have a mission endowment fund that will operate as specified in this congregation's bylaws. The purpose of the mission endowment fund is to provide for mission work beyond the operational budget of this congregation.
  - C5.05.01 The Endowment Fund of this congregation shall provide funds for new ministries, appeals, special projects and major capital expenditures that are not within the scope of the current operating budget.
  - C5.05.02 The Endowment Fund receives monies from bequests, lifetime gifts, memorial gifts, or other gifts so designated.
  - C5.05.03 The Endowment Fund Committee acts as custodian of the Fund and administers the Fund according to the Plan of Operation adopted by the congregation and on file in the church office.

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

- b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
- c. This congregation agrees to call pastoral leadership from the roster of ministers of Word and Sacrament of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of ministers of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services with a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.
- d. This congregation agrees to consider ministers of Word and Service for call to other staff positions in the congregation according to the procedures of the Evangelical Lutheran Church in America.
- e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America and with the constitution of the synod.

**\*C6.04.** Affiliation with the Evangelical Lutheran Church in America may be terminated as follows:

- a. This congregation takes action to dissolve.
- b. This congregation ceases to exist.
- c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America.
- d. This congregation follows the procedures outlined in \*C6.05.

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

- a. A resolution indicating the intent to terminate its relationship must be adopted at a legally called and conducted special meeting of the congregation by a two-thirds vote of the voting members present. Such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time the congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the congregation council. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.
- b. The secretary of the congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall mail a copy of the resolution to voting members of the congregation. This notice shall be submitted within 10 days after the resolution has been adopted.
- c. The bishop of the synod and the congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the synod of the notice as specified in paragraph b. above.
- d. If the congregation, after such consultation, still seeks to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of the meeting shall be mailed to all voting members and to the bishop at least 10 days in advance of the meeting. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.
- e. A copy of the resolution, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, shall be sent to the bishop within 10 days after the resolution has been adopted, at which time the relationship between the congregation and this church shall be terminated subject to paragraph g. below. Unless this notification to the bishop also certifies that the congregation has voted by a two-thirds vote to affiliate with another Lutheran denomination, the congregation will be conclusively presumed to be an independent or non-Lutheran church.

- f. Notice of termination shall be forwarded by the bishop to the secretary of the ELCA, who shall report the termination to the Churchwide Assembly.
- g. This congregation shall abide by these covenants by and among the three expressions of this church:

- 1). Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in \*C6.05. shall be required to receive synod council approval before terminating their membership in this church.

- 2). Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in \*C6.05., to receive synodical approval before terminating their membership in this church.

- 3). Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in \*C6.05., to satisfy all financial obligations to this church and receive synod council approval before terminating their membership in this church.

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

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

## **Chapter 7.**

### **PROPERTY OWNERSHIP**

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

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

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

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

C7.05. Notwithstanding the provisions of \*C7.02. and \*C.7.03. above, where this congregation has received property from the synod pursuant to a deed or other instrument containing restrictions under provision 9.71.a. of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, this congregation accepts such restrictions and:

- 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 Lower Susquehanna—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 the congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.
  - d. *Associate* members are persons holding membership in other Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. These individuals have all the privileges and duties of membership except voting rights or other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.
  - e. *Seasonal* members are voting members of other ELCA congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, including exercising limited voting rights in this congregation. The Congregation Council may grant seasonal membership to such persons provided that this congregation is a member of a synod where the Synod Council has approved seasonal member voting on its territory. Such seasonal members shall have all the privileges and duties of voting members except that:
    - 1) they shall not be eligible for elected office in, or for membership on the Congregation Council or on a call committee of, this congregation;
    - 2) they shall not have the right to vote on any matter concerning or affecting the call or termination of call of any minister of this congregation;
    - 3) they shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with the ELCA;
    - 4) they shall not be eligible to serve as voting members from this congregation of the Synod Assembly or the Churchwide Assembly;
    - 5) they shall not, even if otherwise permitted by this congregation, vote by proxy or by absentee ballot; and
    - 6) they shall not, within any two calendar month period, exercise voting rights in this congregation and in the congregation where they remain voting members.
- \*C8.03. All applications for confirmed membership shall be submitted to and shall require the approval of the Congregation Council.
- C8.03.01 Each applicant for confirmed membership shall have been properly instructed in the Word of God and the faith of the Lutheran Church prior to his or her reception.
- \*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** Members shall:

- a. join regularly in the services of worship of this congregation
- b. hear the Word of God preached
- c. earnestly study the Holy Scriptures
- d. observe private and family devotions
- e. lead a Christian life in love, humility, and peace
- f. endeavor through admonition, consolation, and encouragement to edify one another
- g. endeavor to promote the unity and welfare of the congregation as a family of God.

**C8.04.02** Parents shall:

- a. present their children for Holy Baptism in early infancy and
- b. diligently nurture them in the Christian Faith in the home and in the schools provided by and through the congregation.

**C8.04.03** Members shall acknowledge that all they are and all they have come as good gifts from God and shall, as one expression of their gratitude and obedience:

- a. contribute to the financial support of the congregation and
- b. contribute to the general work of missions, mercy, and education carried on by the wider community and Church.

**C8.04.04** Confirmed members who have neither received Holy Communion nor made a contribution of record to the congregation within the preceding year shall be considered inactive members. As such, they shall remain within the continuing concern of the congregation and shall be given conscientious pastoral care. An inactive member shall be restored to the active roll of members when he or she again receives the Lord's Supper and makes a contribution of record to the congregation. After a period of two years of inactivity with no change in relationship to the life of the congregation, an inactive member may be removed from the membership rolls of the congregation as indicated in \*C8.05.e.

**\*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 provision 20.41. and the accompanying bylaws; or**
- e. removal from the roll due to inactivity in accordance with the provisions of this constitution and its bylaws.**

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

**C8.05.01** At a member's request, a certificate of transfer or release of membership to another Christian congregation shall be issued.

## **Chapter 9.**

### **THE 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 the congregation by the synodical bishop may be called as a pastor of this congregation.**

**\*C9.03. Consistent with the faith and practice of the Evangelical Lutheran Church in America,**

**a. Every minister of Word and Sacrament shall:**

- 1) preach the Word;**
- 2) administer the sacraments;**
- 3) conduct public worship;**
- 4) provide pastoral care;**
- 5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;**
- 6) impart knowledge of this church and its wider ministry through distribution of its communications and publications;**
- 7) witness to the Kingdom of God in the community, in the nation and abroad; and**
- 8) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.**

**b. Each pastor with a congregational call shall, within the congregation:**

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

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

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

**a. The call of this congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or, following consultation with the synodical bishop for the following reasons:**

- 1) mutual agreement to terminate the call or the completion of a call for a specific term;**
- 2) resignation of the pastor, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;**
- 3) inability to conduct the pastoral office effectively in the congregation in view of local conditions;**
- 4) physical disability, or mental incapacity of the pastor;**
- 5) suspension of the pastor through discipline for more than three months;**
- 6) resignation or removal of the pastor from the roster of ministers of Word and Sacrament of this church;**
- 7) termination of the relationship between this church and the congregation;**
- 8) dissolution of the congregation or the termination of a parish arrangement; or**
- 9) suspension of the congregation through discipline for more than six months.**

**b. When allegations of physical disability or mental incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of the synod,**

- 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or**
- 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the congregation council or by a petition signed by at least one-third of the voting members of the congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.**

**c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of**

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

- d. In the case of alleged local difficulties that imperil the effective functioning of the congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons , after which the bishop together with the committee shall present their recommendations first to the pastor and then to the congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance agreements. The committee may also propose other actions that should be undertaken by the congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the synod.
  - e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, the congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
  - f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.
- \*C9.06. At a time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.
- \*C9.07. During the period of service, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any ordained pastor providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.
- \*C9.08. This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting related to the Evangelical Lutheran Church in America.
- \*C9.09. When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- \*C9.11. With the approval of the bishop of the synod, the congregation may depart from \*C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of the congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of \*C9.05.a.
- \*C9.12. The pastor of this congregation:
- a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;
  - b. shall submit a summary of such statistics annually to the synod; and

- c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- \*C9.13. The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.
- \*C9.14. The parochial records of this congregation shall be maintained by the pastor and shall remain the property of the congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in his or her hands in good order by a departing pastor before the installation of that pastor in another field of labor or the granting by the synod of retired status to the pastor.
- C9.15. Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between the congregation and the pastor in a form proposed by the synodical bishop and approved by the congregation.
- \*C9.21. Authority to call a minister of Word and Service shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod.
- \*C9.22. Only a member of the roster of ministers of Word and Service of the Evangelical Lutheran Church in America or a candidate for the roster of ministers of Word and Service who has been recommended for this congregation by the synodical bishop may be called as a deacon of this congregation.
- \*C9.23. Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:
  - a. Be rooted in the Word of God, for proclamation and service;
  - b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
  - c. Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad;
  - d. Equip the baptized for ministry in God's world that affirms the gifts of all people;
  - e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
  - f. Practice stewardship that respects God's gift of time, talents, and resources;
  - g. Be grounded in a gathered community for ongoing diaconal formation;
  - h. Share knowledge of the ELCA and its wider ministry of the gospel, and advocate for the work of all expressions of this church; and
  - i. Identify and encourage qualified persons to prepare for ministry of the gospel.
- \*C9.24. The specific duties of the deacon, compensation, and other matters pertaining to the service of the deacon shall be included in a letter of call, which shall be attested by the bishop of the synod.
- \*C9.25. The provisions for termination of the mutual relationship between a minister of Word and Service and a congregation shall be as follows:
  - a. The call of a congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or, following consultation with the synodical bishop, for the following reasons:
    - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
    - 2) resignation of the deacon, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
    - 3) inability to conduct the ministry of Word and Service effectively in this congregation in view of local conditions;
    - 4) physical disability or mental incapacity of the deacon;
    - 5) suspension of the deacon through discipline for more than three months;

- 6) resignation or removal of the deacon from the roster of ministers of Word and Service of this church;
  - 7) termination of the relationship between this church and this congregation;
  - 8) dissolution of this congregation or the termination of a parish arrangement; or
  - 9) suspension of this congregation through discipline for more than six months.
- b. When allegations of physical disability or mental incapacity of the deacon under paragraph a.4) above, or ineffective conduct of the office of minister of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,
- 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
  - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the office vacant and the deacon shall be listed on the roster of ministers of Word and Service as disabled. Upon removal of the disability and the restoration of the deacon to health, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.
- d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the deacon, if appropriate. If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.
- \*C9.26. The deacon shall make satisfactory settlement of all financial obligations to a former congregation before:**
- a. installation in another field of labor, or
  - b. the issuance of a certificate of dismissal or transfer.
- \*C9.27. When a deacon is called to serve in company with another rostered minister or other rostered ministers,**  
the privileges and responsibilities of each rostered minister shall be specified in documents to accompany the call and to be drafted in consultation involving the rostered ministers, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- \*C9.28. With the approval of the bishop of the synod, this congregation may depart from \*C9.25.a. and call a deacon for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of**

the bishop shall meet with the deacon and representatives of this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of \*C9.25.a.

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

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

## **Chapter 10.**

### **CONGREGATION MEETING**

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

**C10.01.01** The annual meeting of this congregation shall be held in November or at another time designated by the Congregation Council.

**C10.02.** A special Congregation Meeting may be called by the senior pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of the congregation upon the written request of ten percent of the voting members. The president of the Congregation Council shall call a special meeting upon request of the synodical bishop. The call for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted.

**C10.03.** Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail to all voting members at least 10 days in advance of the date of the meeting.

**C10.04.** Fifty (50) 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 the congregation shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution or by state law.

**C10.07.** *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all meetings of this congregation.

## **Chapter 11.**

### **OFFICERS**

**C11.01.** The officers of this congregation shall be a president, vice president, secretary, and treasurer.

**a.** Duties of the officers shall be specified in the bylaws.

**C11.01.a.01.** The president shall chair meetings of the Congregation and the Congregation Council. In the event of the president's inability to perform the duties of the office, the vice president shall serve instead.

**C11.01.a.02.** The secretary shall keep accurate minutes of all meetings of the Congregation and Council, which minutes shall be preserved permanently in the congregation's archives.

**C11.01.a.03.** The treasurer shall

a) keep the books of account of the congregation;

b) receive from the financial secretary all funds and disburse them on proper orders, making monthly remittance of mission support to the treasurer of the synod.

c) Make monthly written report of all financial transactions to the Congregation Council and annual written report to the Congregation;

d) Provide for a satisfactory audit and report its findings to the Congregation.

e) Make sure that all financial officers give corporate surety in amounts determined by the Congregation Council, the premium for which shall be paid by the congregation. Fidelity coverage provided by the Evangelical Lutheran Church in America shall be deemed a fulfillment of this requirement.

**b.** The officers shall be voting members of the congregation.

**c.** Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.

- d. If the Congregation Council elects its officers, the president, vice president, and secretary shall be selected from the elected membership of the Congregation Council. If the treasurer is not selected from the elected membership of the Congregation Council, the treasurer shall have voice but not vote at the meetings of the Congregation Council.

C11.02. The officers shall be elected by the Congregation Council by written ballot and shall serve for one year. The term shall begin January 1 and end on December 31.

C11.03. No officer shall hold more than one office at a time. No elected officer shall be eligible to serve more than two consecutive terms in the same office.

## **Chapter 12.**

### **CONGREGATION COUNCIL**

C12.01. The voting membership of the Congregation Council shall consist of the pastor(s) and not more than 12 nor fewer than 9 members of the congregation. We will encourage the participation of youth (Confirmation to age 18) and young adults (18-24 yrs.). Any voting member of the congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from four successive regular meetings of the Congregation Council without cause. Consistent with the laws of the state in which this congregation is incorporated, the congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.

C12.02. The members of the Congregation Council except the pastor(s) shall be elected at a legally called meeting of the congregation. Their term of office shall be for three years, with the term of office beginning on January 1 and ending on December 31. Such members shall be eligible to serve no more than two full terms consecutively. Newly elected Congregation Council members shall be installed at worship on a Sunday prior to the date they assume office.

C12.03. Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor until the next annual meeting.

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

- a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
- b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
- c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
- d. To maintain supportive relationships with the rostered minister(s) and staff and help them annually to evaluate the fulfillment of their calling or employment.
- e. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
- f. To promote a congregational climate of peace and goodwill, and, as differences and conflicts arise, to endeavor to foster mutual understanding.
- g. To arrange for pastoral service during the sickness or absence of the pastor.
- h. To emphasize partnership with the synod and churchwide organization of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.
- i. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.

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

- a. The Congregation Council shall be the board of trustees of this congregation, and as such shall be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Pennsylvania, except as otherwise provided herein.
  - b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of the congregation.
  - c. The Congregation Council may enter into contracts of up to \$5000.00 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 five percent (5%) in excess of the anticipated receipts only after approval by a Congregation Meeting. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in partnership with the synod and churchwide organization.
  - e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to the synodical treasurer.
  - f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.
- C12.06. The Congregation Council shall see that the provisions of this constitution, and its bylaws and continuing resolutions are carried out.
- C12.07. The Congregation Council shall provide for an annual review of the membership roster.
- C12.08. The Congregation Council shall be responsible for the employment and supervision of the staff of this congregation. Nothing in this provision shall be deemed to affect the congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church.
- C12.09. The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.
- C12.11. The Congregation Council shall normally meet once a month. Special meetings may be called by the pastor or the president, and shall be called by the president at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.
- C12.12. A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the senior pastor or interim pastor, except when the senior pastor or interim pastor requests or consents to be absent and has given prior approval to the agenda for a particular regular or special meeting, which shall be the only business considered at that meeting. Chronic or repeated absence of the senior pastor or interim pastor who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synodical bishop.

## **Chapter 13.**

### **CONGREGATION COMMITTEES**

- C13.01. The officers of this congregation and the pastor shall constitute the *Executive Committee*.
- C13.02. A *Nominating Committee* of six voting members of this congregation, two of whom, if possible, shall be outgoing members of the Congregation Council, shall be elected at the annual meeting for a term of one year. Members of the Nominating Committee are not eligible for consecutive reelection.
- 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 reelection.
- C13.04. *Mutual Ministry Committee(s)* (in the absence of a mutual ministry committee, the duties shall be fulfilled by the executive committee) shall be appointed jointly by the president and the rostered minister. Term of office shall be two years, with three members to be appointed each successive year.

**C13.05.** When a pastoral vacancy occurs, 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 pastor.

**C13.06** An *Endowment Fund Committee* of seven voting members: the pastor, the president of the Congregation Council, and five members elected by the congregation. Term of office shall be three years, up to two consecutive terms. Interim vacancies will be filled by appointment of the Congregation Council until the next annual Congregation Meeting.

**C13.07** Other committees, planning teams, or working groups of this congregation may be formed, as the need arises, by decision of the Congregation Council.

**C13.07.A10.** There shall be three planning teams for the mission of the congregation: *Christian Formation, Stewardship, and Community Outreach.*

*a. Each Planning Team will have at least two Congregation Council members serving on it, in addition to a representative from each working group within the team area of mission.*

*b. Each Planning Team will form working groups as needed to carry out the goals for mission. Working groups shall report to the Planning Team Facilitator for communication to the Congregation Council.*

*c. Each Planning Team shall elect annually a Facilitator who will convene meetings, receive interim reports from working groups and report to the Congregation Council.*

**C13.08** Duties of committees, planning teams, and working groups of this congregation shall be specified in the bylaws and continuing resolutions.

**C13.08.A10.** The *Christian Formation Planning Team* shall meet quarterly to set the goals and plan the scope of work in the following areas:

*a) **Worship and Music**, seeing that worship through Word and Sacrament is conducted in a manner that is spiritually and communally meaningful and consistent with the teachings of the Church and that a music program that enhances worship is supported and fostered, to the end that spiritual growth and Christian community are nurtured.*

- 1) The Working Group(s) shall give particular attention to assisting the Congregation Council in seeing:
  - a. that the services of God's House are conducted regularly and in accordance with the liturgy of the Church;*
  - b. that competent ushers, acolytes, lectors, assisting ministers, nursery aides, and musicians are recruited and trained;*
  - c. that the Altar Guild is supported and maintained;*
  - d. that Lay Eucharistic Ministers are recruited and trained to extend the Lord's Table to the homebound;*
  - e. that the choirs of the congregation are supervised and supported in their service;*
  - f. that the paraments, vestments, and musical instruments are cared for; and*
  - g. in consultation with the pastor, organist and choir director(s), that music supplies appropriate for Lutheran worship are supplied.**

*2) The Working Groups shall report on their work to the Planning Team Facilitator for communication to the Congregation Council.*

*b) **Christian Education**, seeing that formation in the Christian faith and devotion to the Lord Jesus is developed and promoted through educational opportunities at all levels for the congregation and in education-based outreach programs to our community.*

- 1) The Working Group(s) shall give particular attention to:
  - a. Children's Sunday Church School*
  - b. Adult Education*
  - c. Nursery Roll*
  - d. Bible Study*
  - e. Vacation Bible School*
  - f. Catechetics (Confirmation ministry)*
  - g. Camping Programs*
  - h. Parish Retreat**

- i. Advent and Lent devotional resources
- j. New Member classes

2) *The Working Groups shall report on their work to the Planning Team Facilitator for communication to the Congregation Council.*

**C13.08.B10.** *The Stewardship Planning Team shall meet quarterly to set the goals and plan the scope of work in the following areas:*

a) **Property**, *seeing that equipment, facilities, and materials necessary for the congregation to carry out its mission are provided.*

1) *The Working Group(s) shall give particular attention to*

- a. *the maintenance and improvement of real and personal property of the Congregation*
- b. *The scheduling and performance of regular preventive maintenance and replacement of property and equipment;*
- c. *Regularly reviewing the need for equipment and technology that will increase the efficiency and productivity of the congregation's office staff and program leaders, assessing options and developing recommendations for purchases and replacements.*
- d. *auditing the safety and energy efficiency of the building and property;*
- e. *advising Council with regard to the performance of the sextons;*
- f. *the regular cleaning and maintenance of the interior and exterior building, so that our facilities are attractive, inviting, and suitable for use by the entire congregation and community.*

2) *The Working Groups shall report on their work to the Planning Team Facilitator for communication to the Congregation Council.*

b) **Finance**, *seeing that the congregation's finances are wisely managed with regard to member giving, money-handling practices, and allocation for mission.*

1) *The Working Group(s) shall give particular attention to*

- a) *Establishing and enforcing prudent management and handling practices;*
- b) *Recruiting and training offering tellers;*
- c) *Encouraging regular membership financial giving to support the mission of the congregation;*
- d) *Communicating to the congregation our success and shortfalls financially and to encourage our corporate stewardship efforts;*
- e) *Preparing the annual mission spending plan (budget)*
- f) *Overseeing the investments of congregational funds;*
- g) *Overseeing the congregation's total insurance program;*

2) *The Working Groups shall report on their work to the Planning Team Facilitator for communication to the Congregation Council.*

c) **Long-range planning**, *seeing that the future direction and needs are given consideration and attention.*

1) *The Working Group(s) shall give particular attention to*

- a) *Discerning the will of God for the future of the congregation;*
- b) *Identifying local and global opportunities for mission in and through the congregation;*
- c) *Identifying major needs for capital improvement or renovation to carry out Gods mission;*
- d) *Administering any capital campaign approved by the Congregation for the implementation of long-range plans;*
- e) *Recommending a strategy for achieving long-range goals;*

2) *The Working Groups shall report on their work to the Planning Team Facilitator for communication to the Congregation Council.*

d) **Time, Talent, and Treasure**, *seeing that congregation members are given opportunity to glorify God by sharing their material wealth, time, and spiritual gifts and talents in the congregation's mission and in the exercise of Christian faith in daily life.*

1) *The Working Group(s) shall give particular attention to*

- a) *Discovering the spiritual gifts of members;*

- b) *Inviting people to serve in the life of the congregation and thanking them;*
- c) *Teaching the Christian understanding and use of money;*
- d) *Communicating the ministry of the wider church as an extension of local mission;*
- e) *Providing an intentional stewardship emphasis to educate members and promote regular proportionate giving to the mission of the congregation.*
- f) *Providing programs on financial and estate planning strategies with topics such as wills, charitable trusts, charitable gift annuities, gifting life insurance, and gifting qualified retirement plans;*

2) *The Working Groups shall report on their work to the Planning Team Facilitator for communication to the Congregation Council.*

e) **Risk Management**, *seeing that the congregation's internal practices provide the best protection for all assets, human and material.*

1) *The Working Group(s) shall give particular attention to*

- a) *Developing and implementing child protection policies adopted by the Congregation Council;*
- b) *Reviewing insurance policies and checklists for risk management;*

2) *The Working Groups shall report on their work to the Planning Team Facilitator for communication to the Congregation Council.*

**C13.08.C10.** *The Community Outreach Planning Team shall meet quarterly to set the goals and plan the scope of work in the following areas:*

a) **Evangelism**, *seeing that the Good News of Jesus Christ is carried into the community and especially to the unchurched so that people come to know Christ.*

1) *The Working Group(s) shall give particular attention to*

- a. *Equipping members to share their faith with others;*
- b. *Attending to the invitational and hospitality practices of the congregation and developing ways to welcome visitors;*
- c. *Contacting lapsed members to encourage their renewed participation in the worship of the congregation;*
- d. *developing brochures and flyers describing the faith and life of the congregation for distribution to the community;*
- e. *Organizing neighborhood outreach efforts, such as household visitation (e.g. walkabouts) and community events at the church (e.g. Live Nativity, egg hunt, family nights, etc.);*
- f. *Cultivating relationships with other Lutheran congregations and community congregations of other denominations for shared evangelical mission;*

2) *The Working Groups shall report on their work to the Planning Team Facilitator for communication to the Congregation Council.*

b) **Communication**, *seeing that the life and ministry of the congregation is communicated both internally and externally.*

1) *The Working Group(s) shall give particular attention to*

- a. *Identifying and administering opportunities for communication of ministry to the community.*
- b. *Developing and maintaining a congregational website;*
- c. *Updating the church signs as needed;*
- d. *Preparing press releases for the newspaper announcing ministry events;*
- e. *Contributing to the newsletter, reporting on congregational ministry;*
- f. *Administering the updating of the pictorial directory;*

2) *The Working Groups shall report on their work to the Planning Team Facilitator for communication to the Congregation Council.*

c) **Youth Ministry**, *seeing that the children and youth of our congregation and community are given opportunity to deepen their participation in worship, service, and outreach through age-appropriate activities and events.*

**C13.08.03.c.A10.** For the purpose of youth ministry, the youth of this congregation shall be divided into two groups: grades K-6 (Middler Group) and grades 6-12 (Youth Group).

1) The Working Group(s) shall give particular attention to

- a. Increasing the capacity of youth to worship God both formally and informally through development of faith practices such as prayer, Bible reading, and participation in the sacraments.
- b. Encouraging youth to consider opportunities for ministry in the Lord's Church;
- c. Planning for participation in larger-scale youth events (e.g. ELCA Youth Gathering, work camp)
- d. Helping youth develop leadership skills;
- e. Engaging youth in service projects for the wider church and community;
- f. Providing opportunities for fun and fellowship

2) The Working Groups shall report on their work to the Planning Team Facilitator for communication to the Congregation Council.

d) **Global Mission**, seeing that the congregation expresses its unity with the whole Body of Christ through participation in ministry throughout the world.

**C13.08.03.d.A10** This congregation shall maintain a companion relationship with the Konde Diocese of the Evangelical Lutheran Church in Tanzania through a partnership with the Manow Lutheran School and the Itete Hospital.

1) The Working Group(s) shall give particular attention to

- a. Cultivating the relationship with the Konde Diocese in Tanzania;
- b. Overseeing the monthly ingathering for the Konde Diocese;
- c. Promoting activities supporting the work of Lutheran World Relief, Lutheran Disaster Response, World Hunger Appeal, and similar agencies.
- d. Raising awareness of fair trade;
- e. Promoting participation in Global Mission events.

2) The Working Groups shall report on their work to the Planning Team Facilitator for communication to the Congregation Council.

e) **Social Ministry**, seeing that the congregation strengthens and spreads Christian faith and compassion to the people in our community through special projects to address societal needs, and the special needs of the ill, the aged, the orphaned, the imprisoned, the underprivileged, and to all in need of aid in body or soul;

**C13.08.03.e.A10.** Social Ministry special projects may include the recognition of senior citizens, participation in a food pantry, Blanket Sunday, health care kits, back to school projects with Helping Hands, partnership with Habitat for Humanity, Pleasant Acres Thanksgiving or White Gift project, Mothers' Day carnation sale for the Pregnancy & Family Resource Center, and similar projects.

1) The Working Group(s) shall give particular attention to

- a. Studying social conditions, particularly in the local community, in order to bring the cleansing and healing light of Christian truth to bear upon critical problems through thoughtful Christian discussion of facts and issues;
- b. Proposing action to address the issues studied;
- c. Organizing the ingathering of offerings and supplies for special projects to serve people in need;
- d. Recruiting tutors and snack providers for the York Conference Tutoring Program;
- e. Identifying local community needs and developing ways of addressing those needs;

2) The Working Groups shall report on their work to the Planning Team Facilitator for communication to the Congregation Council.

**C13.09.** The pastor of this congregation shall be *ex officio* a member of all Planning Teams, committees and boards of the congregation. The president of this congregation shall be *ex officio* a member of all Planning Teams, committees and boards of the congregation, except the Nominating Committee.

## **Chapter 14.**

### **ORGANIZATIONS WITHIN THE CONGREGATION**

**C14.01.** All organizations within this congregation shall exist to aid it in ministering to the members of this congregation and to all persons who can be reached with the Gospel of Christ. As outgrowths and expressions of this congregation's life, the organizations are subject to its oversight and direction. This congregation at its meeting shall determine their policies, guide their activities, and receive reports concerning their membership, work, and finances.

**C14.02.** Special interest groups, other than those of the official organizations of the Evangelical Lutheran Church in America, may be organized only after authorization has been given by the Congregation Council.

## **Chapter 15.**

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

**\*C15.01.**

Persistent and public denial of the Christian faith, willful or criminal conduct grossly unbecoming a member of the Church of Christ, continual and intentional interference with the ministry of the congregation, or willful and repeated harassment or defamation of member(s) of the congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will be attempted following Matthew 18:15-17, proceeding through these successive steps, as necessary: a) private counsel and admonition by the pastor, b) censure and admonition by the pastor in the presence of two or three witnesses, c) written referral of the matter by the Congregation Council to the vice president of the synod, who will refer it to a consultation panel drawn from the Consultation Committee of the synod, and d) written referral of the matter by the consultation panel to the Committee on Discipline of the synod. If, for any reason, the pastor is unable to administer the admonitions required by paragraphs a. and b. hereof, those steps may be performed by another pastor chosen by the Executive Committee of the Congregation Council.

**\*C15.02.**

The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws and Continuing resolutions of the Evangelical Lutheran Church in America*. If the counseling, censure, and admonitions pursuant to C15.01 do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three lay persons and two ministers of Word and Sacrament). A copy of the written charges shall be provided to the consultation panel and the accused member(s). The consultation panel, after requesting a written reply to the charges from the accused member(s), shall consider the matter and seek a resolution by means of investigation, consultation, mediation, or whatever other means may seem appropriate. The panel's effort to reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it.

**\*C15.03.**

If the consultation panel fails to resolve the matter, that panel shall refer the case in writing, including the written charges and the accused member's reply, to the Committee on Discipline of the synod for a hearing. A copy of the panel's written referral shall be delivered to the vice president of the synod, the Congregation Council, and the accused member(s) at the same time it is sent to the Committee on Discipline of the synod. The Executive Committee of the Synod Council shall then select six members from the Committee on Discipline to decide the case, and shall appoint a member of the Synod Council to preside as nonvoting chair. Those six members plus the nonvoting chair comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the parties to the case.

- \*C15.04.** The discipline hearing panel shall commence and conduct the disciplinary hearing in accordance with the provisions governing discipline of congregation members prescribed in the *Constitution, Bylaws and Continuing resolutions of the Evangelical Lutheran Church in America*.
- \*C15.05.** By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting one of the following disciplinary sanctions can be imposed:
- a. suspension from the privileges of congregation membership for a designated period of time;
  - b. suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
  - c. termination of membership in the congregation; or
  - d. termination of membership in the congregation and exclusion from the church property and from all congregation activities.
- \*C15.06.** The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next council meeting.
- \*C15.07.** No member of the congregation shall be subject to discipline a second time for offenses that a discipline hearing panel has heard previously and decided pursuant to this chapter.
- \*C15.10.** Adjudication
- \*C15.11.** When there is disagreement among factions within this congregation on a substantive issue that cannot be resolved by the parties, members of this congregation shall have access to the synodical bishop for consultation after informing the chair of the Congregation Council of their intent. If the consultation fails to resolve the issue(s), the Consultation Committee of the synod shall consider the matter. If the Consultation Committee of the synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final.

## Chapter 16. AMENDMENTS

- \*C16.01.** Unless provision **\*C16.04.** is applicable, those sections of this constitution that are not required, in accord with the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, may be amended in the following manner. Amendments may be proposed by at least ten percent (10%) of the voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members of the proposal together with the council's recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.
- \*C16.02.** An amendment to this constitution, proposed under **\*C16.01.**, shall:
- a. be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those voting members present and voting;
  - b. be ratified without change at the next annual meeting by a two-thirds vote of those voting members present and voting; and
  - c. have the effective date included in the resolution<sup>1</sup> and noted in the constitution.
- \*C16.03.** Any amendments to this constitution that result from the processes provided in **\*C16.01.** and **\*C16.02.** shall be sent by the secretary of this congregation to the synod. The synod shall notify the congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them. **\*C16.04.** This constitution

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<sup>1</sup> Such an effective date must be stated in relation to the requirements of **\*C17.03.** to allow time for synodical review of the amendment.

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

## **BYLAWS**

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

## **Chapter 18.**

### **CONTINUING RESOLUTIONS**

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

## **Chapter 19.**

### **INDEMNIFICATION**

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

## **Chapter 20.**

### **PARISH AUTHORIZATION**

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

- \*C20.01. This congregation may unite in partnership with one or more other congregations recognized by the synod named in \*C6.01. to form a parish. Except as provided in \*C20.02. and \*C20.03., a written agreement, developed in consultation with the synod and approved by the voting members of each congregation participating in the parish, shall specify the powers and responsibilities that have been delegated to the Parish Council. The Parish Agreement shall identify which congregation of the parish issues calls on behalf of the member congregations or shall establish a process for identifying which congregation issues calls on behalf of the member congregations.

- \*C20.02. One congregation of a parish shall issue a call on behalf of the member congregations to a minister of Word and Sacrament or a candidate for the roster of ministers of Word and Sacrament who has been recommended by the synodical bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.
  - \*C20.03. One congregation of a parish may issue a call on behalf of the member congregations to a minister of Word and Service or a candidate for the roster of ministers of Word and Service who has been recommended by the synodical bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.
  - \*C20.04. Any one of the congregations of the parish may terminate their relationship with the pastor as provided in †S14.18.d. of the synodical constitution of the synod named in \*C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.
  - \*C20.05. Any one of the congregations of the parish may terminate their relationship with a minister of Word and Service as provided in †S14.43.d. of the synodical constitution of the synod named in \*C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.
  - \*C20.06. Whenever a parish agreement is terminated, the call of any rostered minister serving that parish is terminated. Should any congregation that was formerly part of the parish agreement desire to issue a new call to that rostered minister, it may do so in accordance with the call process of this church.
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