

Lutheran Church of the Redeemer

1545 Chain Bridge Road

McLean, VA 22101

Tel: (703) 356-3346

Fax: (703) 562-7968

www.redeemermclean.org

church@redeemermclean.org

CONSTITUTION AND BYLAWS 2017

*PREAMBLE – GUIDE TO UNDERSTANDING THIS CONSTITUTION AND BYLAWS

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, 2011, and 2013 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) in order to be consistent with provision 9.52. in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* that stipulates that the governing documents of the congregation shall be so amended to conform to 9.25.b." in the churchwide constitution. The asterisks indicate the required provisions.

► **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 for its review.

► **How This Document is Organized:**

- a. Major sectors are designated as chapters. The chapter designation becomes the first number in the codification sequence. Thus, provisions in "Chapter 8. Membership" are preceded by "8."
- b. Constitutional provisions consist of two sets of numbers: the chapter number and a two-digit number, for example "Membership" is codified *C8.02.
- c. Bylaw provisions have 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.
- 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 C8.07.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:** Provisions in the constitution, the bylaws, and the continuing resolutions that pertain to the same matter are placed together for clarity and ease in use.

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:** The number ".10." and multiples thereof are reserved for possible use as section headings in future editions. Therefore, in the sequence, for example, of Chapters 1, 9, and 12, the ".10." numbers do not appear.

► **References to church:** In the governing documents, "Church" with a capital letter is used in references to the one, holy, catholic, and apostolic Church. The words "church" and "this church" in lower case letters refers to the Evangelical Lutheran Church in America, the full name or ELCA is not used. "This congregation" refers to the Lutheran Church of the Redeemer.

The Constitution and Bylaws of the Evangelical Lutheran Church of the Redeemer McLean, Virginia

***PREAMBLE**

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

Chapter 1.

NAME AND INCORPORATION

C1.01. The name of this congregation shall be the Evangelical Lutheran Church of the Redeemer. For the purpose of this constitution and the accompanying bylaws, the congregation of the Evangelical Lutheran Church of the Redeemer is hereinafter designated as "this congregation."

C1.02. This congregation shall be incorporated under the laws of the Commonwealth of Virginia.

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.

¹ Required provision

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

Chapter 3.

NATURE OF THE CHURCH

- *C3.01. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority
- *C3.02. This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian Unity throughout the world
- *C3.03. The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. The Evangelical Lutheran Church in America, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.

- *C3.04. This church, inspired and led by the Holy Spirit, participates in the Lutheran World Federation as a global communion of churches, engaging in faithful witness to the gospel of Jesus Christ and in service for the sake of God’s mission in the world.
- *C3.05. The name Evangelical Lutheran Church in America (ELCA or “this church”) as used herein refers in general references to this whole church, including its three expressions: congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.

Chapter 4.

STATEMENT OF PURPOSE

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

- d. Teach the Word of God.
- e. Witness to the reconciling Word of God in Christ, reaching out to all people.
- f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
- g. Motivate its members to provide financial support for the congregation's ministry and the ministry of other parts of the Evangelical Lutheran Church in America.
- h. Foster and participate in interdependent relationships with other congregations, the synod, and the churchwide organization of the Evangelical Lutheran Church in America.
- i. Foster and participate in ecumenical relationships consistent with churchwide policy.

***C4.04.** This congregation shall develop an organizational structure to be described in the bylaws. The Congregation Council shall prepare descriptions of the responsibilities of each committee, task force, or other organizational group and shall review their actions. Such descriptions shall be contained in continuing resolutions in the section on the Congregation Committees.

***C4.05.** This congregation shall, from time to time, adopt a mission statement which will provide specific direction for its programs.

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

Chapter 5.

POWERS OF THE CONGREGATION

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

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

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

- a. call a minister of Word and Service as provided in Chapter 9;
- b. terminate the call of a minister of Word and Service as provided in Chapter 9;

- c. call or terminate the call of minister of Word and Service in conformity with the constitution of the Evangelical Lutheran Church in America;
- d. 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.
- e. approve the annual budget;
- f. acquire real and personal property by gift, devise, purchase, or other lawful means;
- g. hold title to and use its property for any and all activities consistent with its purpose;
- h. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
- i. elect its Congregation Council, boards, and committees as provided in the bylaws or continuing resolutions, and require them to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
- j. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.

***C5.04.** This congregation shall choose from among its voting members laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected by the congregation and other qualifications shall be as prescribed in guidelines established by the Metropolitan Washington, D.C. Synod of the Evangelical Lutheran Church in America.

C5.04.01. Expenses incurred by such delegates in connection with their attendance shall be paid by the congregation.

C5.05. This congregation shall have a mission endowment fund that will operate as specified in this congregation's bylaws. The purpose of the mission endowment fund is to provide for mission work beyond the operational budget of this congregation.

Chapter 6.

CHURCH AFFILIATION

***C6.01.** This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the Metropolitan Washington, D.C. 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 a Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services with minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.
 - d. This congregation agrees to consider ministers of Word and Service for call to other staff positions in the congregation according to the procedures of the Evangelical Lutheran Church in America.
 - e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America and with the constitution of the synod.
- *C6.04.** Affiliation with the Evangelical Lutheran Church in America may be terminated as follows:
- a. This congregation takes action to dissolve.
 - b. This congregation ceases to exist.
 - c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America.
 - d. This congregation follows the procedures outlined in *C6.05.
- *C6.05.** This congregation may terminate its relationship with the Evangelical Lutheran Church in America by the following procedure:
- a. A resolution indicating the intent to terminate its relationship must be adopted at a legally called and conducted special meeting of the congregation by a two-thirds vote of the voting members present. Such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time the congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the congregation council. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.

- b. The secretary of the congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall mail a copy of the resolution to voting members of the congregation. This notice shall be submitted within 10 days after the resolution has been adopted.
- c. The bishop of the synod and the congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the synod of the notice as specified in paragraph b. above.
- d. If the congregation, after such consultation, still seeks to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of the meeting shall be mailed to all voting members and to the bishop at least 10 days in advance of the meeting. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.
- e. A copy of the resolution, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, shall be sent to the bishop within 10 days after the resolution has been adopted, at which time the relationship between the congregation and this church shall be terminated subject to paragraphs g., h., and i. below. Unless this notification to the bishop also certifies that the congregation has voted by a two-thirds vote to affiliate with another Lutheran denomination, the congregation will be conclusively presumed to be an independent or non-Lutheran church.
- f. Notice of termination shall be forwarded by the bishop to the secretary of the ELCA, who shall report the termination to the Churchwide Assembly.
- g. This congregation shall abide by these covenants by and among the three expressions of this church:
 - 1) Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in *C6.05. shall be required to receive synod council approval before terminating their membership in this church.
 - 2) Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to receive synodical approval before terminating their membership in this church.
 - 3) Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to satisfy all financial obligations to this church and receive synod council approval before terminating their membership in this church.

h. If this congregation fails to achieve the required two-thirds vote of voting members present at the congregation's first meeting as specified in paragraph a. above, another special meeting to consider termination of relationship with this church may be called no sooner than six months after that first meeting. If a this congregation fails to achieve the required two-thirds vote of voting members present at the congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of *C6.05. and may begin no sooner than six months after that second meeting.

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

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

Chapter 7.

PROPERTY OWNERSHIP

***C7.01.** If this congregation ceases to exist, title to undisposed property shall pass to the Metropolitan Washington, D.C 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 Metropolitan Washington, D.C. Synod.

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

Chapter 8.

MEMBERSHIP

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

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

- a. ***Baptized*** members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
- b. ***Confirmed*** members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.
- c. ***Voting*** members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.
- d. ***Associate*** members are persons holding membership in other [ELCA] [Lutheran] [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 Congregational 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 in 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 Congregational 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 an 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.

***C8.04.** It shall be the privilege and duty of members of this congregation to:

- a. make regular use of the means of grace, both Word and sacraments;
- b. live a Christian life in accordance with the Word of God and the teachings of the Lutheran church; and
- c. support the work of this congregation, the synod, and the churchwide organization of the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards.

***C8.05.** Membership in this congregation shall be terminated by any of the following:

- a. death;
- b. resignation;
- c. transfer or release;
- d. disciplinary action in accordance with the ELCA constitutional provision 20.40. and the accompanying bylaws; or
- e. removal from the roll due to inactivity in accordance with the provisions of this constitution and 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. Members who fail to commune or make a contribution of record for a period of three consecutive calendar years may be removed from the roll of the congregation by the Congregation Council in consultation with the pastor(s). Prior to removal the pastor(s) shall, if circumstances permit, offer counseling to the members.

C8.05.02. Annually, the pastor(s) shall provide the Congregation Council with a list of members who have failed to commune or make a contribution of record for a period of three or more consecutive calendar years.

Chapter 9.

ROSTERED MINISTER

***C9.01.** Authority to call a pastor shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by this congregation 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; and
- 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 of the Metropolitan Washington, D.C. 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 Minister 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 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 the 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 recommendation of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other action should be undertaken by the congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the synod.
 - e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, the congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
 - f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.
- *C9.06.** At a time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.
- *C9.07.** During the period of service, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any rostered minister providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.
- *C9.08.** This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting related to the Evangelical Lutheran Church in America.

- *C9.09.** When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- *C9.11.** With the approval of the bishop of the synod, the congregation may depart from *C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of the congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.05.a.
- *C9.12.** The pastor of this congregation:
 - a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;
 - b. shall submit a summary of such statistics annually to the synod; and
 - c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- *C9.13.** The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.
- *C9.14.** The parochial records of this congregation shall be maintained by the pastor and shall remain the property of the congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in his or her hands in good order by a departing pastor before the installation of that pastor in another field of labor or the granting by the synod of retired status to the pastor.
- C9.15.** Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, 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 this congregation 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 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 condition;
 - 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 Congregational Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service as disabled. Upon removal of the disability and the restoration of the deacon to health, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.
- d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the deacon, if appropriate. If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- e. If either party fails to assent to the recommendation 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 Congregational 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 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 Congregational Meeting shall be held in January or February at a time and place to be determined 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 50 of the voting members. The president of the Congregational Council shall call a special meeting upon request of the synodical bishop. The call for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted.

C10.03. Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail or electronic means, as permitted by state law, to all voting members at least 10 days in advance of the date of the meeting.

C10.04. A quorum necessary for the transaction of business at a congregational meeting shall be as provided in the bylaws.

C10.04.01. At all regular and special congregational meetings, the presence of 75 or more of the voting members shall constitute a quorum, except that for a Congregational Meeting held to elect a pastor, the presence of 100 or more of the voting members shall constitute a quorum. The congregation may hold continuing meetings on the same Sunday after each service to allow voting members the opportunity to vote on the same matter(s), in which case the presence of a total of 75 or 100 voting members, as the case may be, 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.
- b. The officers shall be voting members of the congregation.
- c. The president and vice-president shall be elected from among the voting members of the Congregation Council. The treasurer, if not a member of the Congregation Council, shall be accorded voice and vote in its meetings. The secretary, if not a member of the Congregation Council, shall be accorded voice without vote in its meetings.

C11.01.01. The president shall preside at all congregational meetings and meetings of the Congregation Council. The vice-president shall serve in the absence of the president. If neither the president nor the vice-president is present, the secretary shall call the meeting to order, and the congregation or Congregation Council shall immediately elect a chairman pro tern to preside.

C11.01.02. The secretary shall keep a record of all proceedings of all meetings of the congregation and the Congregation Council, which shall be preserved permanently in the archives. The secretary shall maintain record books in which the constitution and bylaws, special rules of order, standing rules and minutes are entered, with any amendments of these documents properly recorded, and shall have the current record book on hand at every meeting of the congregation or Congregation Council.

C11.01.03. The treasurer shall have oversight of the books of account of the congregation and shall be responsible for the receipt of all funds and making disbursements on proper orders. The treasurer shall make monthly written reports to the Congregation Council and shall prepare a written report to the congregation at the annual meeting.

C11.01.04. The Congregation Council shall arrange for bonding applicable to persons handling its funds in amounts determined by the Congregation Council, for which any premiums required shall be paid by the congregation.

C11.02. The Congregation Council shall elect the officers of the congregation and may appoint other persons to assist. The officers shall be elected at the first meeting of the Congregation Council following the annual congregational meeting and shall serve for one year or until their successors are elected, except that the treasurer shall serve for an initial term of two years, or a second term of one year, or until his or her successor is elected. Their terms shall begin at the close of the Congregation Council meeting at which they are elected. If any officer ceases to be a voting member of this congregation, that office shall at once be declared vacant by the Congregation Council, which shall fill the vacancy for the unexpired term.

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. No treasurer shall be eligible to serve more than one two-year term in the same office, unless the Congregation Council authorizes a second, one-year term, in which case the treasurer shall not be eligible to serve more than two consecutive terms (for a total of three years).

Chapter 12.

CONGREGATION COUNCIL

C12.01. The voting members of the Congregation Council shall consist of the pastor(s) and twelve other members of the congregation in a number specified in the bylaws. At least one elected member shall be a voting member who has not attained the age of eighteen at the time of election. Any voting member of the congregation may be elected, subject only to the limitation on the length of permissible continuous service.

C12.02. The members of the Congregation Council, except the pastor(s) and the youth member, shall be elected by a majority vote of the congregation to serve a term of three years, or until their successors are elected, in such a way that approximately one-third are elected at each annual meeting. The youth member shall be elected by a majority vote of the congregation to serve a term of one year, or until his or her successor is elected. The term of each member shall begin at the close of the annual meeting at which he or she is elected. Members shall be eligible to serve no more than two terms consecutively. For this purpose, a member who has served more than half a term is considered to have served a full term.

C12.02.01. To be elected a Congregation Council member, a nominee must receive a number of votes at a congregational meeting at least equal to a majority of the voting members present and voting. The names of those elected as members of the Congregation Council shall be recorded in the minutes.

C12.02.02. If there are more candidates for membership on the Congregation Council than there are vacancies, the vote shall be conducted by ballot, and voting for adult and youth members shall be separate. If the nominees elected on the first ballot are fewer than the number of vacancies to be filled, additional ballots shall be cast as necessary. All nominees not elected shall remain on subsequent ballots.

C.12.02.03. All elected members of the Congregation Council shall be installed by the pastor at a worship service promptly following their election.

C12.03. 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 three out of four consecutive regular meetings of the Congregation Council without cause, or c) is not faithfully performing the duties of a member of the Congregation Council. Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor until the next annual meeting.

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

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

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

- a. The Congregation Council shall be the board of directors of this congregation, and as such shall be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the Commonwealth of Virginia, 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 shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations of more than **10 percent** in excess of approved budget expenditures only after approval by a Congregation Meeting. The budget shall include this congregation's pledged share in support of the wider ministry being carried on in partnership with the synod and churchwide organization.
- d. 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.
- e. 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, its bylaws, and the continuing resolutions are carried out.

C12.07. The Congregation Council shall provide for an annual review of the membership roster.

C12.08. The Congregation Council shall be responsible for the employment and supervision of the salaried lay workers of this congregation. Nothing in this provision shall be deemed to affect this 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 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(s) or the president, and such meetings 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 members of the Congregation Council and any officers who are not members. Absent exigent circumstances such notice shall be given at least three days in advance of the meeting.

C12.11.01. The president shall ensure that notice of each special Congregation Council meeting is provided to all members of the Congregation Council and others as required.

C12.11.02. Except as otherwise provided in these bylaws, *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all meetings of the Congregation Council.

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(s) 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, in which case the items on the approved agenda 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.

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

Chapter 13.

CONGREGATION COMMITTEES

C13.01. The Congregation shall have committees and teams to effectuating the ministries of the Congregation. Committees and task forces may be specified in the bylaws. In addition, at its own initiative or at the suggestion of a member of the congregation, the congregation council may form other committees and task forces to develop and carry out the programs of the congregation consistent with this constitution and the bylaws. The Congregation Council shall ensure that all committees and teams have appropriate leadership and provide such instructions to the committees and task forces as in its judgment are in the best interests of the congregation. Committees and teams shall carry out their functions as specified in the bylaws, continuing resolutions, or by the Congregation Council, as applicable, and report to the Congregation Council as requested concerning the status of their activities. All programs of the committees and team shall be subject to review by the Council.

C13.01.01. The pastor of this congregation shall be *ex officio* a member of all committees and boards of the congregation except the Nominating Committee and the Financial Review Committee. The president of this congregation shall be *ex officio* a member of all committees and boards of the congregation except the Nominating Committee and the Financial Review Committee.

C.13.01.02. The pastor, president, vice president, treasurer, and, at the discretion of the Congregation Council, one or more additional members elected annually by the Congregation Council from its membership, shall be the members of the *Executive Committee*. The duties of the Executive Committee shall include setting the agenda for meetings of the Congregation Council, acting for the Congregation Council in exigent circumstances during an emergency when it is not practicable for the Council itself to meet, and other matters specifically delegated to it by the Congregation

Council. Its authority for a delegated matter terminates once that matter is concluded. The Executive Committee shall promptly report to the Congregation Council concerning all actions it takes.

C13.01.03. Congregation Council shall appoint a *Nominating Committee* to nominate candidates for election to the Congregation Council and the Endowment Committee at the annual meeting of the congregation. The Nominating Committee shall consist of at least four voting members of this congregation, at least two of whom, if possible, shall be outgoing members of the Congregation Council, and at least two of whom shall not be members of the Congregation Council. The Nominating Committee shall identify qualified voting members of the congregation and encourage them to agree to be considered for nomination. The committee shall present to the congregation a number of nominees at least equal to the number of positions to be filled. Prior to submitting its slate of nominees to the congregation, the committee shall inform the Congregation Council of its nominees. After the election at the congregational meeting, the terms of members of the committee will end.

C13.01.04. A *Financial Review Committee* of three voting members shall be elected by the Congregation Council. Financial Review 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. The committee shall cause to be conducted an annual review of the congregation's financial affairs and shall submit a written report to the Congregation Council no later than June 1 of each year.

C13.01.05. *Mutual Ministry Committee(s)* 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. Members shall be eligible for reappointment. This committee shall provide encouragement to, and may consult confidentially with, the pastor(s).

C13.01.06. When a pastoral vacancy occurs, a *Call Committee* shall be constituted. The Call Committee shall consist of the president and eight additional members elected by the congregation. When a pastoral vacancy occurs, the Congregation Council shall also appoint a Nominating Committee to nominate candidates for election to the Call Committee. The Nominating Committee shall present a slate of at least eight nominees for membership on the Call Committee that is broadly representative of the congregation. Additional nominations may be made from the floor. The Call Committee shall elect its own chairman. The Call Committee shall consult with the Congregation Council concerning desirable attributes of a pastor candidate and potential compensation. When the committee has settled on a pastor candidate it shall inform the Congregation Council and present to the congregation the name of the candidate for call. The committee shall cease to exist upon the installation of the newly-called pastor.

C13.01.07. This congregation shall have an **Endowment Fund** to provide income that will be used to enhance the mission outreach of the congregation apart from the routine operation of church functions. The Fund shall not be used to support the basic operating budget of the congregation. Instead, it shall be used to support or initiate programs of service and outreach and other charitable and benevolent programs, including grants to social service agencies, institutions, and charitable organizations to which this congregation relates, special programs designed for those persons in the Redeemer parish area who are in need, outreach into the synod and nation, and missions of the Evangelical Lutheran Church in America. However, seed money may be provided from the Fund to new initiatives within the congregation to assist the start-up of such programs before they become budgeted items.

- a) An **Endowment Committee** consisting of five voting members of this congregation (in addition to the *ex officio* members identified in C13.01.01) shall be elected by the congregation. The term of office will be three years, and expiration of the five members' terms shall be staggered. Members are eligible for only two consecutive terms, and members elected initially to a term shorter than three years shall not serve more than one more consecutive term. After the passage of one year, a former committee member may be elected to the committee again. If a vacancy occurs for any reason, the Congregation Council shall appoint a member to serve until the next annual meeting of the congregation, at which time the congregation shall elect a member to fill the remaining term of the vacancy. A committee member may be removed from office upon a two-thirds vote of those voting members present and voting at a meeting of the congregation.
- b) The purpose of the Endowment Committee shall be to implement the guidelines of the mission endowment fund as set forth in this bylaw. The committee shall be subject to the general oversight of the congregation council as provided in C13.01 and meet at least quarterly. The committee shall elect from its membership a chairperson, a recording secretary and a financial secretary. The recording secretary shall maintain minutes of all meetings and supply copies thereof to committee members, the Congregation Council and the Director of Church Operations. Assets of the Fund shall be segregated in the financial records of the congregation and subject to the same oversight and controls as other financial assets of the congregation, except as otherwise provided in this bylaw. The committee's financial secretary shall work closely with the treasurer of the congregation in preparing and maintaining complete and accurate records and accounts necessary for managing the Fund.
- c) The duties of the Endowment Committee shall include the following:
 - i. To seek to fulfill the purpose of the Endowment Fund, that is to provide annual distributions for the purposes specified in C13.01.07.
 - ii. To determine how Endowment Fund assets will be invested, including the asset allocation, and in all other respects to manage and control the assets of the Endowment Fund, as in their judgment and discretion they deem wise and prudent. The investment objective will be to provide

- long-term growth to enable annual distributions to keep pace with inflation. No committee member shall participate in a decision to invest Fund assets in a way that would bring private inurement to that individual. At the expense of the Fund, the committee may retain professional advisors on investments or legal matters as it deems to be in the best interest of the Fund.
- iii. To recommend to the Congregation Council distributions from the Endowment Fund consistent with C13.01.07 and C13.01.07 c) iii. Distributions may be made from interest and dividends received and realized and/or unrealized gains, and not the principal of the Fund, except in extraordinary circumstances upon the approval of the Congregation Council. The committee should, to the extent practicable and consistent with the foregoing, seek to recommend to the Congregation Council distributions at a level consistent with both long-term growth in the Fund balance and distribution of at least approximately five percent of the annual value of the Endowment Fund balance. Causes and programs for consideration and support, in addition to the proposals of the committee, may be recommended to the committee by the Congregation Council or members of the congregation. A minimum of fifty percent of each year's distributions shall be used for outreach into the Northern Virginia community and the greater Washington, D.C. metropolitan area, and the balance may be used for any purpose consistent with the purpose of the Fund and the benevolent mission of the congregation, at the discretion of the Committee and Congregation Council. No distributions shall be made unless and until approved by the Congregation Council.
 - iv. To encourage gifts to the Endowment Fund through education and promotion of the Fund.
 - v. To receive and celebrate gifts given to the Endowment Fund, as well as any substantial undesignated gifts received by this congregation, such as from bequests, life insurance proceeds and remainders from life income agreements that are directed to the Fund by the Congregation Council. The committee has the discretion to decline a gift if deemed to be in the best interest of the Fund and the congregation.
 - vi. To maintain a permanent book of remembrance of donors to the Fund.
 - vii. To prepare an annual report, which shall be presented to the Congregation Council and the congregation.
- d) When, in the opinion of the Endowment Committee, circumstances are so unusual and of such an emergency nature that the future of the congregation may be at stake and that the only recourse seems to be the use of the Fund principal or a portion thereof, the Committee may, upon a two-thirds majority vote of the Board, recommend such action to the congregation for its authorization. Upon such recommendation, the congregation may authorize the use of the Fund principal or a

portion therefore for the purposes recommended by the committee upon a two-thirds vote of the members present at a special congregational meeting called specifically for that purpose.

e) Members of the Endowment Committee shall not be liable for any losses which may be incurred upon the investments of the assets of the Fund except to the extent that such losses shall have been caused by bad faith or gross negligence. No committee member shall be personally liable as long as he or she acts in good faith and with ordinary prudence. Each committee member shall be liable only for his or her own willful misconduct or omissions, and shall not be liable for the acts and omissions of any other committee member.

C13.01.08. A *Personnel Committee* shall consist of the members of the Executive Committee plus two additional members appointed by the Congregation Council. The term of office of the two members of the Personnel Committee other than the members of the Executive Committee shall be three years. Each of those two members shall be eligible for reappointment to one additional, consecutive three-year term. The duties of the committee are to consider and report to the Council on personnel policy matters assigned by the Council; to review and recommend changes to the job descriptions, functions, and salaries of members of the staff and to the compensation of the pastor(s); to make decisions concerning hiring to fill approved staff positions; in consultation with the preschool director, to have general oversight of preschool staff supervised by the preschool director; and to consult with the pastor(s) concerning the supervision of the staff and staff personnel actions. In connection with preparation of the annual budget the committee shall provide a report and recommendations to the Council.

C13.01.09. The *Building and Grounds Ministry Team* shall have special responsibility for the care and maintenance of all physical property of this congregation, and shall make appropriate recommendations to the Council.

C13.01.11. The *Christian Education Ministry Team* shall have special responsibility to operate the Sunday School, Vacation Bible School, Confirmation classes, adult education, and other educational functions of this congregation including maintaining the library, and shall make appropriate recommendations to the Council.

C13.01.12. The *Congregational Life Ministry Team* shall have special responsibility for developing a program that furthers Christian friendship through social and recreational activities, and shall make appropriate recommendations to the Council.

C13.01.13. The *Finance Ministry Team* shall have special responsibility for assessing and projecting the congregation's use of its financial resources, arrange for an annual audit of all funds, and review annually all insurance policies, and shall make appropriate recommendations to the Council.

C13.01.14. The *Membership Outreach Ministry Team* shall have special responsibility for developing an energetic program of evangelism, which includes welcoming visitors and the unchurched, inviting and assimilating new members, and contacting and caring for the inactive, and shall make appropriate recommendations to the Council.

C13.01.15. The *Social Outreach Ministry Team* shall have special responsibility for identifying and assessing the role of this congregation in responding to local, regional, national, and global concerns, extending Christian compassion to all persons in need, both physical and spiritual, and shall make appropriate recommendations to the Council.

C13.01.16. The *Spiritual Nurture Ministry Team* shall have special responsibility for programs that promote a life of faith and compassion among all members, including opportunities for deepening prayer life, calling on the homebound, ill, or grieving, offering spiritual retreats and seminars, developing and using devotional materials, and shall make appropriate recommendations to the Council.

C.13.01.17. The *Stewardship Ministry Team* shall have special responsibility for developing a program of Christian stewardship, utilizing scriptural principles, enabling members to contribute time, abilities, and financial resources, and shall make appropriate recommendations to the Congregation Council.

C.13.01.18. The *Worship and Music Ministry Team* shall have special responsibility for the corporate worship life of the congregation, creating meaningful settings in which varieties of liturgical and musical expressions are used to further spiritual growth and witness, and shall make appropriate recommendations to the Council.

C13.01.19. The *Youth Ministry Team* shall have special responsibility for developing a program that engages the special interests of young people in worship, education, fellowship, community, and service, and shall make appropriate recommendations to the Council.

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 as exercised by the Congregation Council. It is the responsibility of all congregational organizations to report annually to this congregation concerning their activities, 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.

C14.03. A school may be maintained and operated as an organization within this congregation. School policies shall be subject to the direction and oversight of the Congregation Council. Bylaws may be adopted which address and specify the organization and governance of the school.

C.14.03.01. Redeemer Preschool. The school shall provide a preschool education for children of the congregation and community. The school shall be governed by a board appointed by the Congregation Council, and it shall operate under the direction of the preschool director who is employed by the congregation and supervised by the pastor. The program of instruction shall be fully consistent with the Confession of Faith of this congregation, set forth at Chapter 2 of this congregation's constitution.

- a) The preschool board shall be comprised of not fewer than five members or more than eleven, a majority of whom shall be members of the congregation and at least two of whom shall not be members of the congregation. The board should if possible have a parent representative of each age and session. Terms of board members will be for one or two years with staggered expirations. Terms shall ordinarily commence after approval at the October Congregation Council meeting. The chair of the preschool board shall be a voting member of the congregation elected at the June board meeting for the following year and must have served one year on the board. Vacancies may be filled by appointment by the Congregation Council for the remainder of the term. Board members shall serve no more than two consecutive terms. The pastor and director shall be *ex officio* members of the board.
- b) The fiscal year for the preschool shall commence August 1. The school shall operate under a budget adopted by the board and submitted to and approved by the Congregation Council. The board shall adopt a budget no later than November 1 for the succeeding fiscal year; after adoption the board shall transmit the budget promptly to the Congregation Council for review and action. After the budget is approved by the Congregation Council, the budget may be amended by the board; however, such amendments are subject to approval by the Congregation Council if such amendments have a negative effect on the congregation's budget. All personnel changes are subject to review and approval by this congregation's Personnel Committee.
- c) The preschool board shall provide the Congregation Council with a written annual report of the school's operations and activities for inclusion in the Council's Annual Report.

C14.03.02. Redeemer Renaissance After-School Program. The school shall provide a preschool education for children of the congregation and community. The school

shall be governed by a board appointed by the Congregation Council, and it shall operate under the direction of the Renaissance After-School Program director who is employed by the congregation and supervised by the pastor. The program of instruction shall be fully consistent with the Confession of Faith of this congregation, set forth at Chapter 2 of this congregation's constitution.

- a) The preschool board shall be comprised of not fewer than five members or more than eleven, a majority of whom shall be members of the congregation and at least two of whom shall not be members of the congregation. The board should if possible have a parent representative of each age and session. Terms of board members will be for one or two years with staggered expirations. Terms shall ordinarily commence after approval at the October Congregation Council meeting. The chair of the preschool board shall be a voting member of the congregation elected at the June board meeting for the following year and must have served one year on the board. Vacancies may be filled by appointment by the Congregation Council for the remainder of the term. Board members shall serve no more than two consecutive terms. The pastor and director shall be *ex officio* members of the board.
- b) The fiscal year for the After-School Program preschool shall commence August 1. The school shall operate under a budget adopted by the board and submitted to and approved by the Congregation Council. The board shall adopt a budget no later than November 1 for the succeeding fiscal year; after adoption the board shall transmit the budget promptly to the Congregation Council for review and action. After the budget is approved by the Congregation Council, the budget may be amended by the board; however, such amendments are subject to approval by the Congregation Council if such amendments have a negative effect on the congregation's budget. All personnel changes are subject to review and approval by this congregation's Personnel Committee.
- c) The After-School Program board shall provide the Congregation Council with a written annual report of the program's operations and activities for inclusion in the Council's Annual Report.

Chapter 15.

DISCIPLINE OF MEMBERS AND ADJUDICATION

- *C15.01.** Persistent and public denial of the Christian faith, willful or criminal conduct grossly unbecoming a member of the Church of Christ, continual and intentional interference with the ministry of the congregation, or willful and repeated harassment or defamation of member(s) of the congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will be attempted following Matthew 18:15-17, proceeding through these successive steps, as necessary:
- a) private counsel and admonition by the pastor, b) censure and admonition by the pastor in the presence of two or three witnesses, c) written referral of the matter by the Congregation Council to the vice president of the synod, who will refer it to a consultation panel drawn from the Consultation Committee of the synod, and d) written referral of the matter by the consultation panel to the Committee on Discipline

of the synod. If, for any reason, the pastor is unable to administer the admonitions required by paragraphs a. and b. hereof, those steps may be performed by another pastor chosen by the Executive Committee of the Congregation Council.

- *C15.02.** The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If the counseling, censure, and admonitions pursuant to C15.01 do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three lay persons and two ministers of Word and Sacrament). A copy of the written charges shall be provided to the consultation panel and the accused member(s). The consultation panel, after requesting a written reply to the charges from the accused member(s), shall consider the matter and seek a resolution by means of investigation, consultation, mediation, or whatever other means may seem appropriate. The panel's efforts to reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it.
- *C15.03.** If the consultation panel fails to resolve the matter, that panel shall refer the case in writing, including the written charges and the accused member's reply, to the Committee on Discipline of the synod for a hearing. A copy of the panel's written referral shall be delivered to the vice president of the synod, the Congregation Council, and the accused member(s) at the same time it is sent to the Committee on Discipline of the synod. The Executive Committee of the Synod Council shall then select six members from the Committee on Discipline to decide the case, and shall appoint a member of the Synod Council to preside as nonvoting chair. Those six members plus the nonvoting chair comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the parties to the case.
- *C15.04.** The discipline hearing panel shall commence and conduct the disciplinary hearing in accordance with the provisions governing discipline of congregation members prescribed in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- *C15.05.** By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:

 - a. suspension from the privileges of congregation membership for a designated period of time;
 - b. suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
 - c. termination of membership in the congregation; or

- d. termination of membership in the congregation and exclusion from the church property and from all congregation activities.

***C15.06.** The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next council meeting.

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

***C15.10. Adjudication**

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

Chapter 16. AMENDMENTS

***C16.01.** Unless provision *C16.04. is applicable, those sections of this constitution that are not required, in accord with the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, may be amended in the following manner. Amendments may be proposed by at least 50 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 resolution¹ and noted in the constitution.

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

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

Chapter 17.

BYLAWS

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

Chapter 18.

CONTINUING RESOLUTIONS

***C18.01.** The congregation in a legally called meeting or the Congregation Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.

***C18.02.** 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 of the Commonwealth of Virginia 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.

Revised 12/11/2017