

Summary of amendments to the PoP Constitution and Bylaws recommended to the congregation by council on 14 December 2017 as amended 18 January 2018 based on Synod recommendation.

There will be an informational meeting on Saturday, 20 January at 9:30 A.M. in the Choir room. If you have questions, please come so they can be answered. If you cannot attend and want a member of the council to call you to discuss the amendments, please contact Maria in the office so she can make that arrangement.

The congregation will vote on the amendments at a special meeting on Sunday, 21 January 2018. The amendments requiring a second vote will be voted on at the annual meeting on 11 February 2018.C

All of the amended language in blue and some in red are mandatory amendments required by the ELCA in 2009, 2011, 2013, and 2016. These mandatory changes were incorporated into the document using the MS Word feature “compare” documents. The 2016 Model ELCA Constitution from the ELCA website was compared with the current version of the Prince of Peace constitution. This approach guaranteed that all of the intervening amendments mandated by the ELCA were included and show up in blue. The changes made by the council are shown in red, and many are merely changes in format, phrasing, or location within the document.

The substantive changes within the power of the Congregation to make include:

- Adding more specificity to the duties expected of the Treasurer, and making explicit the obligation of the council to select alternative signers on bank accounts and set requirements for countersignatures.
- Change the election of officers and council members to the annual meeting instead of a special meeting held later in the year.
- Providing for a delayed effective date for taking office so there is time for training and transfer of information from out-going officers and council members to the newly elected. Currently, elected officials take office on the day of election. The new

provision provides an approximately six-week transition period.

- Making membership of several committees appointed by council instead of elected. Call Committee remains elected by congregation.
- Creating the position of Vice-President for the preschool to improve communication between the council and the preschool advisory board. Other language changes pertaining to the preschool provide more clarity regarding the relative roles of the council and the preschool advisory board.
- Adding specific governance for the Arcadia Music Academy.

Prince of Peace Lutheran Church

Constitution and Bylaws

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Prince of Peace Lutheran Church

Constitution and Bylaws

***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 Prince of Peace Lutheran Church.
- C1.02.** For the purpose of this constitution and the accompanying bylaws, the congregation of Prince of Peace Lutheran Church is hereinafter designated as "this congregation."
- C1.11.** This congregation shall be incorporated under the laws of the State of Arizona.

Chapter 2. CONFESSION OF FAITH

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

their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.

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

Bylaw C4.03. ~~a-01~~. Worship Guidelines

The public worship services of ~~the congregation~~this congregation shall be conducted along guidelines of the ELCA; modified however, according to circumstances as the Congregation Council may deem advisable.

***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 ~~the~~ continuing resolutions in the section on the Congregation ~~Council~~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 pastor as provided in Chapter 9;
- b. terminate the call of a pastor as provided in Chapter 9;
- c. call ~~or terminate the call of associates in ministry, deaconesses, and diaconal ministers in conformity with the applicable policy of the Evangelical Lutheran Church in America~~ a minister of Word and Service;
- d. ~~terminate the call of a minister of Word and Service in conformity with the constitution of the Evangelical Lutheran Church in America;~~
- ~~de.~~ adopt amendments to the constitution, as provided in Chapter ~~17,~~ ~~and 16,~~ amendments to the bylaws, as specified in Chapter ~~16~~17, and continuing resolutions, as provided in Chapter 18;
- ~~ef.~~ approve the annual budget;

f.g. acquire real and personal property by gift, devise, purchase, or other lawful means;

g-h. hold title to and use its property for any and all activities consistent with its purpose;

h-i. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;

i-j. elect its officers, and Congregation Council; and require them to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and

i-k. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.

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

Chapter 6. CHURCH AFFILIATION

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

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

- *C6.03.** This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:
- a. This congregation agrees to be responsible for its life as a Christian community.
 - b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.

- c. This congregation agrees to call pastoral leadership from the ~~clergy~~ roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services with a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.
- d. This congregation agrees to consider ~~associates in ministry, deaconesses, and diaconal~~ 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 ~~this church~~ the Evangelical Lutheran Church in America by the following procedure:

- a. A resolution indicating the ~~desire of this congregation~~ intent to terminate its relationship must be adopted at a legally called and conducted special meeting of ~~this congregation by a two-thirds majority of the voting members present~~ 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 ~~this~~the congregation shall submit a copy of the resolution to the ~~synodical~~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 ~~this~~the congregation. This notice shall be submitted within 10 days after the resolution has been adopted.
- c. The bishop of the synod ~~shall consult with this 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 ~~this~~the congregation, after such consultation, still ~~desires~~seeks to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds majority vote of the voting members present, ~~at which meeting the bishop of the synod or an authorized representative shall be 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 ~~certified~~ copy of the resolution ~~to terminate its relationship,~~ attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, shall be sent to the ~~synodical~~bishop within 10 days after the resolution has been adopted, at which time the relationship between ~~this~~the congregation and ~~the Evangelical Lutheran Church in America shall be terminated~~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 ~~synodical~~ bishop to the secretary of ~~this church and published in the periodical~~ 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.¹
 - 3) Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church.
- h. If this congregation fails to achieve the required two-thirds vote of voting members present at the congregation's first meeting as specified in paragraph a. above, another special meeting to consider termination of relationship with this church may be called no sooner than six months after that first meeting. If this congregation fails to achieve the required two-thirds vote of voting members present at the congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of *C6.05. and may begin no sooner than six months after that second meeting.

***C6.06.** If this congregation considers relocation, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to

¹ Prince of Peace was a member of the American Lutheran Church (ALC) at the time of merger with the LCA.

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 Grand Canyon Synod of the Evangelical Lutheran Church in America.

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

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

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

C7.05. Notwithstanding the provisions of *C7.02. and *C7.03. above, where this congregation has received property from the synod pursuant to a

deed or other instrument containing restrictions under provision 9.71.a. of the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America, this congregation accepts such restrictions and:

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

Chapter 8. MEMBERSHIP

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

Bylaw C8.01.01 Application for membership.

- a. Applicants presenting Letters of Transfer showing them to be members in good standing in another Lutheran church shall become members of this congregation as soon as their letters have been received and accepted by a pastor. Their names shall be reported to the congregation and the Congregation Council.
- b. Other applications shall be presented by a Pastor to the Congregation Council, which shall ascertain whether or not the applicant(s) meet the requirements of this Constitution and Bylaws. If found to have met these requirements, such applicant(s) shall be admitted into membership and their names reported to the congregation.
- c. New member orientation will be offered by the congregation and all new members shall be encouraged to attend.

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

- a. ***Baptized*** members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.

- b. **Confirmed** members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.
- c. **Voting** members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.
- d. **Associate** members are persons holding membership in other Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, ~~or persons who wish to retain a relationship with this congregation while being members of other congregations. They~~ These individuals have all the privileges and duties of membership except voting rights ~~and eligibility for elected offices or membership on the Congregation Council of this congregation or other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.~~
- e. **Seasonal** members are voting members of other ELCA congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, including exercising limited voting rights in this congregation. The Congregation Council may grant seasonal membership to such persons provided that this congregation is a member of a synod where the Synod Council has approved seasonal member voting on its territory. Such seasonal members shall have all the privileges and duties of voting members except that:
 - 1) they shall not be eligible for elected office in, or for membership on the Congregation Council or on a call committee of, this congregation;

- 2) they shall not have the right to vote on any matter concerning or affecting the call or termination of call of any minister of this congregation;
- 3) they shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with the ELCA;
- 4) they shall not be eligible to serve as voting members from this congregation of the Synod Assembly or the Churchwide Assembly;
- 5) they shall not, even if otherwise permitted by this congregation, vote by proxy or by absentee ballot; and
- 6) they shall not, within any two calendar month period, exercise voting rights in this congregation and in the congregation where they remain voting members.

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

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

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

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

- a. death;
- b. resignation;
- c. transfer or release;
- d. disciplinary action by the Congregation Council in accordance with ELCA constitutional provision 20.41. and the accompanying bylaws; or

- e. removal from the roll due to inactivity ~~as defined in its bylaws~~ in accordance with the provisions of this constitution and its bylaws.²

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

~~Bylaw C8.05.01 Member Inactivity. See C12.07.01~~

~~Bylaw C8.05.012 Removal Requests.~~

~~_____ All requests by members of the congregation for removal from the membership roll due to resignation, transfer, or release shall be granted by a Pastor after he/she is satisfied the request should be approved. A Pastor shall report to the Congregation Council their names and the reason given for each request.~~

~~Chapter 9. THE PASTOR~~ ROSTERED MINISTER

- *~~C9.01.~~ Authority to call a pastor shall be in this congregation by at least a two-thirds ~~majority ballot~~ vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by 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 ~~clergy~~ roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or a candidate for the roster of ~~ordained ministers~~ 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 ~~ordained~~ minister of Word and Sacrament shall:
- 1) preach the Word;
 - 2) administer the sacraments;
 - 3) conduct public worship;
 - 4) provide pastoral care; ~~and~~

²See Bylaw C12.07.01 Member Inactivity.

- 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 ~~ordained minister~~pastor with a congregational call shall, within the congregation:
- 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2) ~~supervise~~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
- c. ~~Every pastor shall:~~
- 1) ~~strive to extend the Kingdom of God in the community, in the nation; and~~ abroad;
 - 2) ~~seek out and encourage qualified persons to prepare for the ministry of the Gospel;~~
 - 3) ~~impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and~~
 - 4) endeavor to increase the support given by the congregation to the work of the ELCA churchwide organization ~~of the Evangelical Lutheran Church in America (ELCA)~~ and of the Grand Canyon 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.

Bylaw C9.04.01 Pastoral Sabbaticals.

- a. A full-time pastor shall be eligible for a sabbatical leave of twelve consecutive weeks during each seventh year of continuous service to this congregation. Sabbaticals are intended to benefit both the pastor and this congregation. A pastor on sabbatical is relieved of all duties to this congregation.*
- b. A pastor's sabbatical leave is separate from vacation time, sick leave, continuing education time and other forms of leave. Compensation and benefits, except auto allowance and reimbursement for expenses, shall continue during the sabbatical. No compensation will be given for unused sabbatical leave. The cost of covering the pastor's absence during a sabbatical is the responsibility of the congregation.*
- c. Sabbatical leaves shall be administered by the Congregation Council. Upon request by the pastor, the Council may approve splitting a sabbatical into two blocks of time separated by no more than fifteen months.*
- d. Funds budgeted for the pastor's continuing education during the year of the sabbatical, but not used for such continuing education, may be applied to costs incurred by the pastor for the sabbatical. The congregation is not responsible to cover any additional costs incurred by the pastor in connection with a sabbatical, but it may choose to provide additional financial assistance.*
- e. A pastor shall not take a sabbatical unless he or she expects to serve this congregation for at least one year following completion of the sabbatical. If the pastor leaves this congregation less than a year after returning from a sabbatical, the pastor shall, within twelve months, repay a pro rata portion of the salary, housing allowance, health insurance, pension and other benefits that this congregation paid to or for the pastor during the sabbatical. For example, if the pastor stays at this congregation for eight months following the sabbatical, the pro rata refund would be one-third of the aforementioned costs.*
- f. Additional policies governing sabbaticals may be adopted by the Congregation Council and included in the church's employee personnel manual or similar document. To the extent that this bylaw or this congregation's personnel policies on sabbaticals conflict with a letter of call, the letter of call shall prevail.*

***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, ~~except in the case of the death of the pastor,~~ shall be terminated only by death or, following consultation with the synodical bishop ~~and,~~ for the following reasons:

- 1) mutual agreement to terminate the call or the completion of a call for a specific term;
- 2) resignation of the pastor, which shall become effective, unless otherwise agreed, 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, ~~without reflection on the competence or the moral and spiritual character of the pastor;~~
- 4) ~~the~~ physical disability or mental incapacity of the pastor;
- 5) ~~disqualification~~suspension of the pastor through discipline ~~on grounds of doctrine, morality, or continued neglect of duty for more than three months;~~
- 6) resignation or removal of the pastor from the roster of Ministers of Word and Sacrament of this church;
- 7) termination of the relationship between this church and the congregation;
- 8) dissolution of the congregation; or
- 7) ~~suspension of the congregation as the termination of a result of~~ parish arrangement; or
- 9) suspension of the congregation through discipline ~~proceedings~~ for more than six months.

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

- 1) the bishop in his or her sole discretion may, ~~or~~ 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 personally in ~~company~~together with a committee of two ~~ordained~~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 testimony shall be obtained opinion concerning the pastor's condition. When sucha disability or incapacity is evident to the committee, the bishop of ~~the~~this synod with the advice of the committee shall may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament as disabled. Upon removal of the disability and the restoration of a disabledthe pastor to health, as determined by competent medical testimony, the the bishop of the synod shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another field of laborappropriate 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 shall be heard, after which the bishop of the synod together with the committee described in *C9.05.b. shall decide on the course of action to be recommendedpresent their recommendations first to the pastor and then to the congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by the congregation and by the pastor, if appropriate. If theythe pastor and congregation agree to carry out such recommendations, no further action shallneed 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 ~~majority~~ vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a ~~simple~~ majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.

ef. If, in the course of proceedings described in ~~*C9.05-paragraph c. or paragraph d., above,~~ the bishop's committee concludes that there may be grounds for ~~disciplinary action~~discipline, the committee shall make recommendations concerning disciplinary action ~~to the synodical bishop, who may bring charges~~ in accordance with the provisions of ~~the this church's constitution and, bylaws of the Evangelical Lutheran Church in America and the constitution of this synod, and continuing resolutions.~~

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

***C9.06.** At a time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.

***C9.07.** During the period of service, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any ~~ordained pastor~~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.

Bylaw C9.09.01 Senior Pastor Duties.

If the congregation calls a pastor to be selected as "a Senior Pastor," that pastor shall coordinate and supervise the ministry of the congregation.

- *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.
- C9.215.** Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, ~~an ordained~~ 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 ~~ordained minister~~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 for this congregation by the synodical bishop may be called as a deacon of this congregation.
- *C9.23.** Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:
- a. Be rooted in the Word of God, for proclamation and service;
 - b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
 - c. Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad;
 - d. Equip the baptized for ministry in God's world that affirms the gifts of all people;

- e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
 - f. Practice stewardship that respects God's gift of time, talents, and resources;
 - g. Be grounded in a gathered community for ongoing diaconal formation;
 - h. Share knowledge of the ELCA and its wider ministry of the gospel and advocate for the work of all expressions of this church; and
 - i. Identify and encourage qualified persons to prepare for ministry of the gospel.
- *C9.24. The specific duties of the deacon, compensation, and other matters pertaining to the service of the deacon shall be included in a letter of call, which shall be attested by the bishop of the synod.
- *C9.25. The provisions for termination of the mutual relationship between a minister of Word and Service and this congregation shall be as follows:
- a. The call of this congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or, following consultation with the synodical bishop, for the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the deacon, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the ministry of Word and Service effectively in this congregation in view of local conditions;
 - 4) physical disability or mental incapacity of the deacon;
 - 5) suspension of the deacon through discipline for more than three months;
 - 6) resignation or removal of the deacon from the roster of Ministers of Word and Service of this church;
 - 7) termination of the relationship between this church and this congregation;

8) dissolution of this congregation or the termination of a parish arrangement; or

9) suspension of this congregation through discipline for more than six months.

b. When allegations of physical disability or mental incapacity of the deacon under paragraph a.4) above, or ineffective conduct of the office of minister of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,

1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or

2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.

c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service as disabled. Upon removal of the disability and the restoration of the deacon to health, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.

d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the deacon, if appropriate.

If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.

e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.

f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

*C9.26. The deacon shall make satisfactory settlement of all financial obligations to a former congregation before:

a. installation in another field of labor, or

b. the issuance of a certificate of dismissal or transfer.

*C9.27. When a deacon is called to serve in company with another rostered minister or other rostered ministers, the privileges and responsibilities of each rostered minister shall be specified in documents to accompany the call and to be drafted in consultation involving the rostered ministers, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.

*C9.28. With the approval of the bishop of the synod, this congregation may depart from *C9.25.a. and call a deacon for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the deacon and representatives of this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.25.a.

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

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

Chapter 10. CONGREGATION MEETING

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

Bylaw C10.01.01 Annual Meeting Dates

The annual congregational meeting normally shall be held on the second Sunday of February; but may be held between the fifteenth of January and the fifteenth of February if circumstances require a different date.

Bylaw C10.01.02 Fiscal Year

The fiscal year of thise congregation shall be from January 1 to December 31 inclusive.

C10.02. A special Congregation Meeting may be called by a pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of thise congregation upon the written request of five percent of the voting members. The president of the Congregation Council shall call a special meeting upon request of the synodical bishop. The call for each special meeting shall specify the purpose(s) 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. When notice is provided by mail; ¶the posting of such notice in the mail, with postage affixed or paid, sent to the last known address of such members shall be sufficient.

C10.04 A quorum for congregation meetings shall be defined in the bylaws.

Bylaw C10.04.01 Congregation Meeting Quorum.

Eight percent of the voting members shall constitute a quorum.

C10.05. Voting by proxy or by absentee ballot shall not be permitted.

C10.06. All actions approved by ~~this~~ congregation shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution or by state law.

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

Bylaw C10.07.01 Congregational Meeting Opening and Closing

All congregational meetings shall open with a scripture reading and a prayer and shall close with a prayer.

Chapter 11. OFFICERS

C11.01. The officers of this congregation and their duties shall be specified in the bylaws.

Bylaw C11.01.01 Officers

The officers of this congregation shall be a president, president-elect, vice-president ~~for personnel; vice-president for preschool,~~ secretary, ~~and treasurer and financial secretary.~~

Bylaw C11.01.02 Officer Duties

~~a. The President shall perform the following duties: The Duties of the officers of the congregation shall be as follows:~~

~~a. President~~ 1. ~~The President shall p~~Preside at the meetings of the Congregation Council and of ~~this~~ congregation.

2. ~~The President shall as~~Ensure that a thorough and orderly agenda is prepared for each meeting of the Congregation Council and of ~~this~~ congregation.

3. ~~The President s~~Shall sign all contracts made by the Congregation Council and/or by ~~this~~ congregation, on behalf of ~~this~~ congregation.

4. ~~The President m~~May call special meetings of ~~this~~ congregation or the Congregation Council when, in his/her judgment, they are required.
 5. ~~The President shall p~~Perform all other acts and duties as may be prescribed by the Congregation Council.
 6. ~~The president shall a~~Advise the Nominating Committee Chairperson of all Congregation Officer and Congregation Council ~~and School Board~~ openings at least 90 days prior to the annual ~~Special~~ Congregation election.
 7. ~~The President shall t~~Turn over to his/her successor all records and other property belonging to the congregation that he/she may have in his/her possession when he/she leaves office.
- b. The President-elect shall perform the following duties:
1. ~~The President elect shall s~~Serve this congregation and on the council for one year as the President-elect, followed by serving one year as President of the council and ~~this~~ congregation.
 2. Perform the duties of the president in the president's absence, incapacity, or the president's request.~~The President-elect shall assist the President in planning meetings of the congregation and council.~~
 3. Assist the President in planning meetings of this congregation and council.~~The President Elect shall preside at meetings of the Congregation Council and of the congregation in the absence of the President.~~
- c. The Vice-President for personnel shall perform the following duties:
1. ~~The Vice President shall s~~Serve as chairperson of the Personnel Committee.

~~2. The Vice President shall~~ Turn over to his/her successor all records and other property belonging to ~~this~~ congregation that he/she may have in his/her possession when he/she leaves office.

d. The Vice-President for preschool shall perform the following duties.

1. Serve as chairperson of the Preschool Advisory Board.

2. Turn over to his/her successor all records and other property belonging to this congregation that he/she may have in his/her possession when he/she leaves office.

e. The Secretary shall perform the following duties:

1. Be the official custodian of records for the congregation and council. In this capacity, ~~The~~ the Secretary shall exercise general charge and supervision over the retention and disposition of the records of the congregation, including appropriate retention and disposal schedules. Records of the congregation includes:

i. The minutes of the meetings of this congregation, Congregation Council, Executive Committee, and Preschool Advisory Committee.

ii. The employment records; financial records; and official and legal documents, including the constitution, bylaws, continuing resolutions, deeds, mortgages, contracts, et cetera; whether in paper or electronic format. ~~keep minutes of all meetings of the congregation and of the Congregation Council held during his/her term of office.~~

2. The Secretary shall ~~Keep~~ minutes of all meetings of this congregation and of the Congregation Council held during his/her term of office.

~~3. have general charge and supervision of all records pertaining to the office and to p~~Perform such other duties as may be required of him/her by the Congregation Council.

3. ~~The Secretary shall t~~Turn over to his/her successor all records and other property belonging to the congregation that he/she may have in his/her possession when he/she leaves office.

e. The Treasurer shall perform the following duties:

1. Supervise the financial procedures and records of this congregation and its ministries, including the preschool.

2. Render to the Congregation Council a monthly report containing a statement of receipts and disbursements for all financial accounts and a comparison of actual receipts and disbursements to the approved budget.

3. Perform a monthly examination of the financial books and records of the congregation following the accounting procedures approved by the congregation council.

4. Be the primary signatory on all checking and savings accounts of this congregation, and its ministries including the preschool. Recommend to the Congregation Council for its approval persons designated to make deposits, transfer funds between accounts, and sign checks when the Treasurer is unavailable. The Treasurer shall be authorized to sign checks and any other documents as required on behalf of the congregation.

5. ~~The Treasurer shall e~~Continually monitor income and expense items of the budget.

6. ~~The Treasurer shall~~ Deliver an annual financial report to the congregation and respond to Congregation Council requests dealing with financial matters.

7. ~~The Treasurer shall pP~~Provide assistance to the ~~business manager and~~accountant as needed.

8. ~~The Treasurer shall aA~~ssist in preparation of the annual budget.

9. ~~Recommend to the Congregation Council written, financial policies and procedures for cash management, e.g. annual budgeting, fund accounting, and annual audit. The Treasurer shall prepare an annual report highlighting the financial results of the previous year.~~

10. ~~The Treasurer shall tT~~urn over to his/her successor all records, funds, and other property belonging to ~~thi~~se congregation that he/she may have in his/her possession or control at the completion of his/her term of office.

Bylaw C11.01.03 Officer Qualifications.

The officers shall be voting members of ~~thi~~se congregation.

Bylaw C11.01.04 Congregation Council Membership of Officers

The president, president-elect, vice-president ~~for personnel, vice-president for preschool~~, secretary and treasurer shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.

C11.02. The officers of the congregation shall be elected ~~at a special congregational meeting called at a time and~~ in accordance with the bylaws. ~~Their term shall begin at the close of the meeting at which they are elected.~~

Bylaw C11.02.01 Election of Officers

The ~~Congregation Council~~ officers ~~of this congregation, except the president,~~ shall be elected at ~~a special~~the annual congregational meeting. ~~to be held in the second quarter of the year~~ Except for the president and president elect, the officers ~~and~~ shall be elected by the Congregation for two-year terms. ~~The president elect shall serve one year in that position, and automatically assume the position of president for the following year. Terms are to be staggered.~~ Should an officer position ~~on the Council~~ become vacant, the Congregation

Council ~~shall may~~ elect a successor to complete the unexpired term. ~~or to serve until the next regularly scheduled congregational election is held.~~ An unexpired term of less than one year shall not be considered a term of office.

Bylaw C11.02.02 Staggered Terms

Terms of office for the vice-president for personnel, vice-president for preschool, secretary, and treasurer shall be staggered. In order to achieve terms that are staggered, the Congregation Council shall have the authority to designate a particular term be for one year instead of two years. If the council determines a term should be for one year, the president shall notify the Nominating Committee of this decision.

Bylaw C11.02.03 Term Limitation

No elected officer shall be eligible to serve more than two consecutive terms in the same office.

C11.03. No officer shall hold more than one office at a time.

Chapter 12. CONGREGATION COUNCIL

C12.01. The voting membership of the Congregation Council shall be defined in the bylaws.

Bylaw C12.01.01 Council Membership

The voting membership of the Congregation Council shall consist of the ~~called~~ senior pastor(s), the president, president-elect, vice president ~~for personnel, vice-president for preschool,~~ secretary, and treasurer of the congregation; and not more than ~~six~~ five nor fewer than three members of the congregation ~~which may include a representative from the preschool board.~~ Any voting member of the congregation may be elected, subject only to the limitation on the length of continuous service permitted for that office.

Bylaw C12.01.02 Council Member Absence; Removal

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; b) is absent from three successive regular meetings of the Congregation Council without cause; c) is absent from four regular meetings of the Congregation Council within one year without cause;

or d) resigns from the position. Consistent with the laws of the state of Arizona, in which this congregation is incorporated, the congregation may adopt procedures for the removal of a member of the Congregation Council.

Bylaw C12.01.03 *Contact with Absent Council Member*

If a member is absent from two successive regular meetings without cause, the President shall contact the member.

- C12.02.** The non-officer members of the Congregation Council except the senior pastor(s) shall be elected at a congregational meeting called at a time and in accordance with the bylaws. Their term shall begin ~~at the close of the meeting~~ at the first day of April of the year in which they ~~were~~ are elected.

Bylaw C12.02.01 *Congregation Council Election Date; Duration; Limit*

The non-officer members of the Congregation Council shall be elected at ~~a special~~ the annual congregational meeting ~~to be held in the second quarter of the year~~ and shall be elected by the congregation for two-year terms. ~~Terms are to be staggered.~~ A member may be elected for no more than two consecutive terms to the same office.

Bylaw C12.02.02 *Staggered Terms*

Terms of office for non-officer members of the Congregation Council are to be staggered. In order to achieve staggered terms, the Congregation Council shall have the authority to designate a particular term be for one year instead of two years. If the council determines a term should be for one year, the president shall notify the Nominating Committee of this decision.

- C12.03.** Should a member's place on the Congregation Council be declared vacant, the Congregation Council may elect a successor to complete the unexpired term in accordance with the bylaws.

Bylaw C12.03.01 *Congregation Council Vacancy*

If a member's place on the Congregation Council is declared vacant, the Congregation Council may elect, by majority vote, a successor to complete the unexpired term or to serve until the next regularly scheduled congregational election is held. If the Congregation Council membership falls below eight members, the Congregation Council shall elect a successor to complete the unexpired term or to serve until

the next regularly scheduled congregational election is held. An unexpired term of less than one year shall not be considered a term of office for term-limit purposes.

- C12.04.** The Congregation Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:
- a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
 - b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
 - c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
 - d. To maintain supportive relationships with the pastor~~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.

Bylaw C12.04.01 Limitation of Powers

The Congregation Council shall have no power or authority other than that which the congregation confers upon them.

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

- a. The Congregation Council shall be the board of directors of this congregation; and as such, shall be responsible for maintaining and protecting its property and ~~the management~~managing of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Arizona, except as otherwise provided herein.
- b. The Congregation Council shall not have the authority to buy, sell, lease, transfer, ~~or encumber,~~ or otherwise dispose of its real property unless specifically authorized to do so by a meeting of the congregation.
- c. The Congregation Council may not enter into contracts for items not included in the budget or for which funds have not been designated.
- d. The Congregation Council shall prepare an annual budget, including Arcadia Music Academy and Preschool, for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations in excess of the anticipated receipts and authorized expenditures of dedicated funds only after approval by the congregation at a Congregation Meeting. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in partnership with the synod and churchwide organization.
- e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to the synodical treasurer.
- f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.

Bylaw C12.05.01 Financial and Property Matters.

- a. *The Congregation Council shall review annually the compensation of the pastoral staff and make adjustments from time to time within the limits of the budget approved by the congregation.*
- b. *The Congregation Council shall receive reports regularly from the ~~Treasurer staff member responsible for accounting~~ to ascertain that financial books and records are accurate and that the expenditures are within the anticipated--receipts plus savings budget as approved by the congregation. Any expenditures in excess of the total, voted, anticipated--receipts plus savings budget must be approved by the congregation.*
- c. *The Congregation Council may delegate to the Senior Pastor, Office Manager, and Preschool Director the authority to incur expenses with such limits as it deems appropriate. The Congregation Council shall not delegate authority to enter into contracts that 1) are for professional services, 2) will take longer than 30 days to perform or 3) involve other than an emergency repair of an existing facility or equipment.*
- c. *The Congregation Council, based on recommendations from the Treasurer, shall designate persons who are authorized to make deposits, transfer funds between accounts, and sign checks when the Treasurer is unavailable. The Congregation Council must establish, by resolution, the criteria regarding when checks or withdrawals must be signed by an authorized designee and countersigned by either the Treasurer or another designee.*
- d. *The Congregation Council shall be responsible for the buildings and premises of the congregation so their use is normally limited to the functions of the congregation. Should groups or individuals not associated with the congregation desire to use such property, application shall be made to the Congregation Council for its approval. The Congregation Council shall have authority to set fees for the use of the premises.*

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.

Bylaw C12.07.01 Member Inactivity.

- a. *The Congregation Council shall annually require a review to be made of the membership rolls; determining those members who show no activity in worship service attendance and/or financial contributions to the work of the Lord during the past year. They shall direct the Financial Secretary to work in conjunction with the Pastoral staff in preparing and submitting to the Congregation Council, a written report with a recommendation of those who should be removed from the roll of active congregational membership.*
- b. *The Congregation Council shall direct the Outreach Committee, working in conjunction with the Pastors, to contact all such members who have been recommended for removal from the rolls, to determine the reason for such inactivity. Upon receipt of a full written report from the Outreach Committee, the Congregation Council shall take appropriate action regarding this final report.*

C12.08. The Congregation Council shall be responsible for the employment and supervision of the ~~salaried lay workers~~staff of this congregation. Nothing in this provision shall be deemed to affect the congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church.

Bylaw C12.08.01 Staffing Responsibility

The Congregation Council shall secure necessary staff such as administrative assistant, business administrator, director of music, parish secretary, parish worker or youth worker, intern, custodian, etc., and fix and review annually their salaries.

Bylaw C12.08.02 Preschool Staffing Responsibility

The Congregation Council shall direct the Preschool ~~Advisory~~ ~~Day~~ ~~Care~~ Board to maintain an adequate staff including the Director. Hiring a Director is subject to approval by the Congregation Council. All pay raises, ~~and~~ ~~benefits~~, and employee policies are to be approved by the Congregation Council.

C12.09. The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.

- C12.11.** The Congregation Council shall normally meet once a month. Special meetings may be called by a pastor or the president, and shall be called by the president at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.

Bylaw C12.11.01 Meeting Requirements

The Congregation Council shall normally meet monthly and not less than ten times per year. The Congregation Council meetings shall be open to any member of the congregation.

Bylaw C12.11.02 Congregation Council Executive Sessions. General Policy

It is the policy of this congregation that the Congregation Council must conduct the business of the church in as open and transparent way as possible. When conducting the church's affairs, members of the Congregation Council as Christians have a special duty to engage in open and honest dialogue with the congregation and church staff. To further this policy of transparency, there is a presumption and general rule that the Congregation Council will conduct its activities in regularly scheduled meetings open to members of the congregation. However, when the values of openness and transparency are outweighed, in particular circumstances, by a risk that discussing a situation or item in an open meeting would cause substantial deleterious effects on the well-being (financial or otherwise) of the church or an individual, the Congregation Council may meet in executive session in accordance with the provisions of Bylaw C12.11.03.

Bylaw C12.11.03 Congregation Council Executive Sessions, Specific Guidance.

Notwithstanding bylaw C12.11.01, when the deleterious effects standard set forth in bylaw C12.11.02 for overcoming the presumption of transparency is satisfied, the Congregation Council may meet in executive session in accordance with the following provisions:

- a. Definition. Executive session means a gathering of a quorum of members of the Congregation Council from which other members of the congregation are excluded for one or more of the reasons prescribed in subsection d. In addition to the members of the Congregation Council, only persons whose presence is reasonably necessary, in the judgment of the Congregation*

Council, in order for the Congregation Council to carry out its executive session responsibilities may attend the executive session.

- b. Notice of Executive Session. When the need for an executive session is anticipated, notice that an executive session may be convened shall, if practical, be given to the congregation in an agenda or a supplement to an agenda. The notice shall include a general description of the matters to be considered. The agenda shall provide more than just a recital of the constitution and bylaw provisions authorizing the executive session, but shall not contain information that would defeat the purpose of the executive session, compromise the privacy interests of an interested person, or compromise the attorney-client privilege.*
- c. Approval. The executive session may occur only when approved by a majority vote of the members of the Congregation Council present and voting at a meeting open to members of the congregation.*
- d. Purpose of Executive Session. The Congregation Council may hold an executive session only for the following purposes:*
 - 1.) Discussion or consideration of employment, including duties and responsibilities, appointment, compensation, promotion, discipline, demotion, or dismissal.*
 - 2.) Discussion or consideration of discipline or resignation of membership of a member of the congregation or member of the Congregation Council.*
 - 3.) Discussion or review of records to the extent necessary to maintain confidentiality required by law.*
 - 4.) Discussion or consultation for legal advice with an attorney representing the church.*
 - 5.) Discussion to consider the potential purchase, sale or lease of real property.*
 - 6.) Discussion regarding proprietary matters the disclosure of which would disadvantage the church.*

- e. *Official action. Official action by the Congregation Council, including adopting a plan of action, providing instructions to attorneys or agents of the church, or making a decision based on the information received during the executive session, shall be conducted during an open meeting of the Congregation Council; provided, however, that when an executive session is held, actions may be taken during that session, instead of in a subsequent open meeting, to the extent necessary to avoid substantial deleterious effects on the church or an individual.*
- f. *Attendance. If a member of the Congregation Council has a conflict of interest because of the subject matter of a proposed executive session, that person may be excluded from the executive session.*
- g. *Executive session minutes and confidentiality.*
 - 1.) *Minutes of the executive session, including any action taken during the session, shall be prepared.*
 - 2.) *Except as provided below in subsection h, executive session materials, discussions, and minutes shall be kept confidential except from members of the Congregation Council who were authorized to attend the executive session, and their successors who would have been eligible to attend the executive session.*
 - 3.) *The person presiding at the executive session shall instruct persons who are present at the executive session regarding the confidentiality requirements of this bylaw.*
- h. *Public reporting. Following any executive session, and in any event no later than the next public meeting of the congregation or of the Congregation Council, the president or secretary shall report to the congregation or the Congregation Council on the executive session. The report and the minutes of that public meeting shall include the following information:*
 - 1.) *Date, and starting and ending time of the executive session.*
 - 2.) *Names of persons attending the executive session.*
 - 3.) *General purpose for which the executive session was held.*
 - 4.) *A summary of any action taken, but the content of the summary shall be limited to the extent necessary to avoid substantial deleterious effects on the church or an individual.*

- 5.) *A description of the motion to adjourn the executive session.*
- i. *Exemption. If the Congregation Council determines that a situation is so extraordinarily sensitive that full compliance with subsections g and h is likely to cause substantial deleterious effects on the church or an individual, the Congregation Council may exercise its judgment to limit the contents of the minutes and associated report or delay disclosure, but only to the extent necessary to avoid such effects.*

Bylaw C12.11.03 was approved by the Congregation on 21 May 2017.

C12.12. A quorum for the transaction of business shall be defined in the bylaws.

Bylaw C12.12.01 Quorum

A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the pastor or interim pastor, except when the pastor or interim pastor requests or consents to be absent and has given prior approval to the agenda for a particular regular or special meeting, which shall be the only business considered at that meeting. Chronic or repeated absence of the pastor or interim pastor who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synodical bishop.

C12.13. The Congregation Council and its committees may hold meetings by remote communication, including electronically and by telephone conference and, to the extent permitted by state law, notice of all meetings may be provided electronically. Individual members may attend meetings electronically or telephonically.

CHAPTER 13. CONGREGATION STRUCTURE FOR MISSION

Chapter 13. CONGREGATION COMMITTEES

C13.01 Committees, ministry teams, task force groups and other organizational groups of this congregation and their duties shall be specified in the bylaws and/or continuing resolutions.

Bylaw C13.01.01 Arcadia Music Academy Committee

The Arcadia Music Academy Committee may be appointed by the congregation council.

- a. The Arcadia Music Academy is a ministry of the congregation to promote music education to the community by providing musical instrument training.
- b. The Congregation Council shall exercise overall responsibility for setting the goals, the policies, and the operation of the Arcadia Music Academy, but may delegate day-to-day operational authority to employees of the congregation as it deems appropriate.
- c. When the Congregation Council deems it appropriate, it may create an Arcadia Music Academy committee consisting of at least one member of the Congregation Council and not less than two lay members of the congregation. When established, the committee may exercise such authority as the Congregation Council delegates to it.

Bylaw C13.01.0302. Audit Committee

An **Audit Committee** ~~shall~~consisting of three voting members of this congregation may be ~~elected~~appointed by the Congregation Council for two-year terms. Terms are to be staggered. A member may be ~~elected~~appointed for no more than two successive terms. Audit Committee members shall not be members of the Congregation Council. Should a member position on the Audit Committee become vacant, the Congregation Council shall appoint a successor to complete the unexpired term. An unexpired term of less than one year shall not be considered a term of office.

Duties of the Audit Committee shall be to:

- a. Examine and review all accounts and records.
- b. Exercise supervision and oversee the work of an audit if it is conducted by an outside auditor.
- c. Inspect all insurance policies and prepare a schedule of the insurance coverage.
- d. Inspect and examine all congregation held securities and investments and prepare a schedule for review by the Finance Committee.

- e. *Report committee findings in writing to the Congregation Council with supporting schedules and recommendations for changes and improvements.*

Bylaw C13.01.0503. Call Committee

When a pastoral vacancy occurs, ~~A~~ Call Committee ~~shall~~ consisting of six voting members of this congregation shall be elected by this congregation ~~when a pastoral vacancy occurs.~~

- a. *In addition to the six (6) committee members provided for in the ~~Constitution~~bylaws, two (2) alternate committee members shall be elected by the congregation.*
- b. *All Call Committee members (including alternates and youth representatives) shall serve from date of election to date of completion of tasks assigned to it by the congregation.*
- c. *Call Committee shall elect its own Chairperson.*
- d. *Call Committee shall be allowed to meet in confidential sessions and shall maintain confidentiality regarding discussions of potential candidates.*
- e. *The Congregation Council shall have the authority to appoint one or two high school youth as advisory members of a Call Committee in the event no youth are elected-to serve as members or alternates.*

Bylaw C13.01.0404. Executive Committee

*An **Executive Committee** shall consist of the officers of the Congregation Council and the pastor(s). The pastoral staff shall be limited to one vote within the Executive Committee.*

- a. *Sixty percent (rounded to the nearest whole number) of the Executive Committee members shall constitute a quorum. A quorum shall be present to discuss or take any action on congregation matters.*
- b. *The President of the Congregation Council or a Pastor may call an Executive Committee meeting to conduct the administrative duties of the congregation.*
- c. *Administrative duties shall be defined as normal operating duties of the congregation that require action or approval, prior to or in lieu of, a Congregation Council meeting. These duties are defined as regular Congregation Council duties or duties*

specifically assigned to the Executive Committee by the Congregation Council.

- d. *Minutes of each Executive Committee meeting shall be recorded by the Secretary and shall be submitted to the Congregation Council for review prior to the next regular Congregation Council meeting, and be subject to approval by the Congregation Council at their next meeting. After approval by the Congregation Council the minutes shall be made available to the congregation along with the Congregation Council minutes.*

- e. *Executive Session. An executive session of the Executive Committee may occur only when approved by a majority vote of the members of the Executive Committee present and voting at a meeting. An executive session of the Executive Committee may only be convened for the same reasons as an executive session of the Congregation Council. Official action by the Executive Committee, including adopting a plan of action, providing instructions to attorneys or agents of the church, or making a decision based on the information received during the executive session, shall be conducted during a regular meeting of the Executive Committee; provided, however, that when an executive session is held, actions may be taken in that session, instead of a subsequent open meeting, to the extent necessary to avoid substantial deleterious effects on the church or an individual. The provisions of subparagraph d are superseded to the extent that executive session materials, discussions, and minutes shall be delivered to the Congregation Council in executive session. Thereafter, the provisions of bylaw 12.11.02 and bylaw 12.11.03 shall apply. If a member of the Executive Committee has a conflict of interest because of the subject matter of a proposed executive session, that person may be excluded from the executive session. Executive session materials, discussions, and minutes shall be kept confidential except from members of the Congregation Council who would have been authorized to attend an executive session of the Congregation Council on the same topic, and their successors who would have been eligible to attend the Council's executive session.*

Subparagraph e was approved by the congregation on 21 May 2017.

Bylaw C13.01.06-05 Finance Committee

A Finance Committee may be appointed by the Congregation Council.

- a. The committee shall include the Treasurer as chairperson and three (3) lay members who are not members of the Congregation Council. Lay members shall serve staggered two year terms. At the option of the Finance Committee, the staff person responsible for accounting may serve as an ex officio member.*
- b. Duties and responsibilities.*
 - 1. Provide ongoing support for the Treasurer.*
 - 2. Assist the Audit Committee to review bank reconciliations, monthly financial reports, accounting procedures and define formats for reports made to the Congregation Council.*
 - 3. Continually monitor income and expense items of the budget and use of excess funds for safety and gain.*
 - 4. Provide assistance to the staff person responsible for accounting.*
 - 5. Monitor verbal and written congregation commitments.*
 - 6. Negotiate terms and conditions of contracts for Congregation Council approval.*
 - 7. Respond to Congregation Council requests dealing with financial matters.*
 - 8. Assist in preparation of the annual budget.*

Bylaw C13.01.06. Financial Secretary Committee

A Financial Secretary Committee shall consist of a Financial Secretary and as many volunteer tellers as the Financial Secretary deems necessary.

a. The congregation council must appoint a financial secretary.

b. The financial secretary shall perform the following duties:

- 1. Recruit and train volunteer tellers to collect contributions to the congregation.*
- 2. Oversee the collection, counting and documentation of the contributions, ~~making~~ensure that procedures are properly*

followed in handling the offering and records, and ensure that the appropriate responsible staff member receives the contributions and supporting documentation prepared by the tellers.

3. Ensure the issuance of quarterly statements to contributors.
 4. Keep individual giving records confidential.
 5. Provide information as requested to the Treasurer and the Congregation Council.
 6. In the absence of a Financial Secretary, a member of the congregation council other than the Treasurer shall fulfill the duties until the vacancy is filled.
 7. The Financial Secretary shall turn over to his/her successor all records and other property belonging to this congregation that may be in his/her possession at the completion of his/her term of office.
- c. The volunteer tellers shall be lay members of this congregation, who will keep individual giving information confidential.

Bylaw C13.01.0407. Mutual Ministry Committee

A **Mutual Ministry Committee** ~~shall~~ consisting of no more than six nor fewer than three members ~~shall~~ may be appointed jointly by the president and the rostered minister ~~pastor~~. Term of office shall be two years; terms are to be staggered. In the absence of a mutual ministry committee, the duties shall be fulfilled by the executive committee.

Bylaw C13.01.0208. Nominating Committee

A **Nominating Committee** ~~shall~~ consisting of six voting members of this congregation, two of whom, if possible, shall be outgoing members of the Congregation Council, shall be ~~elected~~ appointed by the Congregation Council at least 120 days prior to the annual meeting for a term of one year. Members of the Nominating Committee are not eligible for consecutive re-~~appointment~~ election.

- a. A called Pastor (Senior Pastor if applicable) shall be an advisor of the Nominating Committee.
- b. Not earlier than ~~Within~~ 90 days nor later than 30 days prior to the meeting where the special ~~Congregation~~ Elections will occur ~~meeting~~, the Nominating Committee shall secure a slate of

candidates for the openings of the officer positions and on the Congregation Council ~~and School Board to be ready at least 30 days prior to election.~~

Bylaw C13.01.07-09 Personnel Committee.

- a. ~~The Congregation Council shall appoint the~~ The Personnel Committee ~~which~~ shall consist of the ~~Congregation Council~~ Vice President for Personnel as chairperson, the Senior Pastor (or if none, a pastor designated by the Congregation Council), ~~the immediate~~ past Congregation President, and two lay members of ~~the this~~ the congregation. The past president and two lay members shall be appointed by the Congregation Council for two ~~(2)~~ years with staggered terms.
- b. For staff (other than Pastoral and ~~Preschool/Day Care~~ Staff) the Personnel Committee shall deal with employment, termination of employment, grievances, sick leave, hours of work, holidays, vacations, establish office hours, etc. This committee shall have no decision making power, but shall make recommendations to the Congregation Council. Personnel Policies and Procedures as approved by the Congregation Council shall serve as the guideline for their work.

Bylaw C13.01.10 Preschool Advisory Board

- a. The Preschool Advisory Board shall consist of the Congregation Council Vice President for Preschool as chairperson, the Senior Pastor (or if none, a pastor designated by the Congregation Council), the director of the Preschool, and five lay members of the congregation appointed by the Congregation Council. The Preschool Director shall invite a teacher representative to attend the Preschool Advisory Board meetings on a rotating basis. The lay members shall be appointed for two years with staggered terms, with a maximum of two consecutive terms.
- b. If a lay member's place on the Preschool Advisory Board is vacant, the Congregation Council shall appoint a successor to fill out the remaining term. An unexpired term of less than one year shall not be considered a term of office.
- c. The Preschool is a ministry of the congregation for children from two years of age through kindergarten. It shall provide a Christian

environment to aid the child's development, emotionally, intellectually, physically, socially and spiritually.

d. The Preschool shall operate in compliance with the Preschool Purpose Statement and the Preschool Policies and Procedures Manual approved by the Congregation Council, and all state and federal laws governing a Preschool facility.

e. The Preschool Advisory Board shall be responsible to the Congregation Council to operate the facility responsive to the needs of the congregation. The Preschool Advisory Board shall provide policy guidance on education and child development matters. The Congregation Council may delegate authority to the Preschool Advisory Board to approve the hiring recommendations of the Preschool Director for teachers and hourly support staff.

C13.02. Other committees, ministry teams, and task force groups of this congregation may be formed, as the need arises, by decision of the Congregation 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. This congregation at its meeting shall determine their policies, guide their activities, and receive reports concerning their membership, work, and finances.

Bylaw C14.01.01 ~~3~~ Women of the ELCA

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

Chapter 15. DISCIPLINE OF MEMBERS AND ADJUDICATION

***C15.01.** Persistent and public denial of the Christian faith as described in this constitution, willful or criminal conduct grossly unbecoming a member of the Church of Christ, ~~or persistent trouble making in this continual and intentional interference with the ministry of the congregation are, 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, ~~and c) citation to appear before 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, ~~the president (if not the those steps may be performed by another pastor) or vice president shall administer such admonitions~~ 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 ~~discipline against a member proceeds beyond the~~ counseling, censure, and admonition by the pastor ~~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 ~~shall~~ may be prepared by ~~member(s) of the congregation who shall sign the charges as the accuser(s). The written charges shall be filed with the pastor, who shall advise the Congregation Council, signed, and submitted to the vice president of the~~ need to issue a written citation to the accused and the accusers that specifies the time and place ~~synod. The vice president shall select from the synod's Consultation Committee a panel of the hearing before the Congregation Council—five members (three laypersons and two ministers of Word and Sacrament). A copy of the written charges shall accompany the written citation~~ be provided to the consultation panel and the accused. ~~A member(s) charged with the offense shall appear before the Congregation Council. The consultation panel, after having received~~ requesting a written citation, at least ten days prior ~~reply to the meeting. If the member charged with the offense fails~~ 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 appear at the scheduled hearing, the Congregation Council may proceed with the hearing and may pass judgment in the member's absence 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. Members of the Congregation Council who participate in the preparation of the written charges or who present evidence or testimony in the hearing before the Congregation Council are disqualified from voting upon the question of the guilt of the accused member. Should the allegations be sustained by a two thirds majority vote of the members of the Congregation Council who are not disqualified but who are present and voting, and renewed admonition prove ineffectual, the council shall impose one of the following disciplinary actions:

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

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

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

*C15.04. 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. Disciplinary actions may be reconsidered and revoked by the Congregation Council upon receipt of a) evidence that injustice has been done or b) evidence of repentance and amendment.~~

*C15.05. 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. For disciplinary actions in this congregation, "due process" shall be observed as specified in 20.41.04. in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.*~~

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

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

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

~~*C16.03. Changes to the bylaws may be proposed by any voting member provided, however, 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 and that the Congregation Council notify the congregation's members by mail of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting.~~

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

CHAPTER 17. AMENDMENTS

~~*C17~~**C16.01.** Unless provision ~~*C167.04.~~ 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 ~~two voting members~~ ~~five percent of the voting members~~ or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members ~~by mail~~ 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.

*~~C17C16~~**16.02.** An amendment to this constitution, proposed under *~~C17C16~~**16.01.**, 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 ~~majority~~ vote of those voting members present and voting; and
- c. have the effective date included in the resolution³ and noted in the constitution

*~~C17C16~~**16.03.** Any amendments to this constitution that result from the processes provided in *~~C17C16~~**16.01.** and *~~C17C16~~**16.02.** shall be sent by the secretary of this congregation to the synod. ~~The amendment shall become effective within 120 days from the date of the receipt of the notice by~~ The synod ~~unless~~ shall notify the synod ~~informs this congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the amendment is in conflict with the constitution and bylaws of the Evangelical Lutheran Church in America or the constitution of the Grand Canyon Synod of the ELCA~~ synod has approved them.

*~~C17C16~~**16.04.** This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* —as most recently amended by the Churchwide Assembly— ~~Such amendments may be approved~~ by a ~~simple~~ majority vote of those voting members present and voting at any legally called meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail 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 ~~five percent of the~~ at least two (2) voting members of the congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such

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

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 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.

Amendments to the Constitution proposed by paragraph 17.04 of the current constitution (mandatory ELCA amendments) shall be effective when approved by the congregation.

Amendments to the Constitution proposed pursuant to paragraph *C17.01 of the current constitution shall become effective on 1 June 2018, except paragraph 10.03, which will be effective on 1 April 2018.

Amendments to the bylaws approved by the congregation pursuant to Chapter 16 of the current constitution shall be effective when approved by the congregation; except the following bylaws, as amended, shall become effective on 1 June 2018: C11.01.01; C11.01.02 d; C11.01.04; C11.02.01; C12.01.01; 12.02.01; C13.01.08; and C13.01.10 a