



Evangelical Lutheran Church in America

God's work. Our hands.

CONSTITUTION

FOR

FIRST LUTHERAN CHURCH MANHATTAN, KS

2016 (ELCA ADOPTED)

(FLC Revisions Initiated, January 1, 2017)

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Version 8.21

CONSTITUTION
for
FIRST LUTHERAN CHURCH
of the
EVANGELICAL LUTHERAN
CHURCH IN AMERICA®

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

Chapter 2.

CONFESSION OF FAITH

- *C2.01.** This congregation confesses the Triune God, Father, Son, and Holy Spirit.
- *C2.02.** This congregation confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.
 - a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.
 - b. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.
 - c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.
- *C2.03.** This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.
- *C2.04.** This congregation accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.
- *C2.05.** This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.
- *C2.06.** This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.
- *C2.07.** This congregation confesses the Gospel, recorded in the Holy Scripture and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

Chapter 3.

NATURE OF THE CHURCH

* Required provision

- *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, standing with the poor and powerless, and committing itself to their needs.
 - e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
 - f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.
- *C4.03. To fulfill these purposes, this congregation shall:
 - a. Provide services of worship at which the Word of God is preached and the sacraments are administered.
 - b. Provide pastoral care and assist all members to participate in this ministry.
 - c. Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregation.
 - d. Teach the Word of God.
 - e. Witness to the reconciling Word of God in Christ, reaching out to all people.
 - f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
 - g. Motivate its members to provide financial support for the congregation's ministry and the ministry of other parts of the Evangelical Lutheran Church in America.
 - h. Foster and participate in interdependent relationships with other congregations, the synod, and the churchwide organization of the Evangelical Lutheran Church in America.
 - i. Foster and participate in ecumenical relationships consistent with churchwide policy.
- *C4.04. This congregation shall develop an organizational structure to be described in the bylaws. The Congregation Council shall prepare descriptions of the responsibilities of each committee, task force, or other organizational group and shall review their actions. Such descriptions shall be contained in continuing resolutions in the section on the Congregation Committees.

C4.04.01 Organizational Structure

The First Lutheran Church congregation elects council members. Council members work directly with the Pastor(s) to carry out the direction and ministries of the congregation as outlined in chapter 12 of the Constitution.

- ***C4.05.** This congregation shall, from time to time, adopt a mission statement which will provide specific direction for its programs.
- ***C4.06.** References herein to the nature of the relationship between the three expressions of this church—congregations, synods, and the churchwide organization—as being interdependent or as being in a partnership relationship describe the mutual responsibility of these expressions in God’s mission and the fulfillment of the purposes of this church as described in this chapter, and do not imply or describe the creation of partnerships, co-ventures, agencies, or other legal relationships recognized in civil law.

Chapter 5.

POWERS OF THE CONGREGATION

- ***C5.01.** The powers of this congregation are those necessary to fulfill its purpose.
- ***C5.02.** The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws.
- ***C5.03.** Only such authority as is delegated to the Congregation Council or other organizational units in this congregation’s governing documents is recognized. All remaining authority is retained by the congregation. The congregation is authorized to:
 - a. call a pastor as provided in Chapter 9;
 - b. terminate the call of a pastor as provided in Chapter 9;
 - c. call a minister of Word and Service;
 - d. terminate the call of a minister of Word and Service in conformity with the constitution of the Evangelical Lutheran Church in America;
 - e. adopt amendments to the constitution, as provided in Chapter 16, amendments to the bylaws, as specified in Chapter 17, and continuing resolutions, as provided in Chapter 18;
 - f. approve the annual budget;
 - g. acquire real and personal property by gift, devise, purchase, or other lawful means;
 - h. hold title to and use its property for any and all activities consistent with its purpose;
 - i. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
 - j. elect its Congregation Council, and require the members of the council to carry out their duties in accordance with the constitution, and bylaws, and continuing resolutions; and
 - k. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.
- ***C5.04.** This congregation shall choose from among its voting members laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected by the congregation and other qualifications shall be as prescribed in guidelines established by the Central States Synod of the Evangelical Lutheran Church in America.
- C5.05.** This congregation shall have a mission endowment fund that will operate as specified in this congregation’s bylaws. The purpose of the mission endowment fund is to provide for mission work beyond the operational budget of this congregation.
- C5.05.01 Mission Endowment Fund**

A First Lutheran Mission Endowment Fund shall be established. The purpose, governance, and operational procedures shall be defined by special resolution adopted by the congregation, a summary of which follows.

By resolution of the congregation,

 1. A new and separate fund shall be established and known as The First Lutheran Mission Endowment Fund of First Lutheran Church, Manhattan, Kansas;
 2. This Fund is to enhance the mission outreach of First Lutheran Church apart from the general operation of the congregation, and no portion of the income generated by the Fund shall be used for the annual operating budget of the congregation;
 3. A Mission Endowment Fund Committee shall be established in support of the Fund according to provisions in the Plan of Operation for administration and management of the Fund;
 4. Any undesignated and appropriately designated estate gift received and accepted by First Lutheran Church following final approval of this resolution will be placed into the Fund.

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 Central States Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.
- *C6.02. This congregation accepts the Confession of Faith and agrees to the purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.
- *C6.03. This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:
 - a. This congregation agrees to be responsible for its life as a Christian community.
 - b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
 - c. This congregation agrees to call pastoral leadership from the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services with a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.
 - d. This congregation agrees to consider ministers of Word and Service for call to other staff positions in the congregation according to the procedures of the Evangelical Lutheran Church in America.
 - e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America and with the constitution of the synod.
- *C6.04. Affiliation with the Evangelical Lutheran Church in America may be terminated as follows:
 - a. This congregation takes action to dissolve.
 - b. This congregation ceases to exist.
 - c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America.
 - d. This congregation follows the procedures outlined in *C6.05.
- *C6.05. This congregation may terminate its relationship with the Evangelical Lutheran Church in America by the following procedure:
 - a. A resolution indicating the intent to terminate its relationship must be adopted at a legally called and conducted special meeting of the congregation by a two-thirds vote of the voting members present. Such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time the congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the Congregation Council. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.
 - b. The secretary of the congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall mail a copy of the resolution to voting members of the congregation. This notice shall be submitted within 10 days after the resolution has been adopted.
 - c. The bishop of the synod and the congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the synod of the notice as specified in paragraph b. above.
 - d. If the congregation, after such consultation, still seeks to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of the meeting shall be mailed to all voting members and to the bishop at least 10 days in advance of the meeting. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.
 - e. A copy of the resolution, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, shall be sent to the bishop within 10 days after the resolution has been adopted, at which time the relationship between the congregation and this church shall be terminated subject to paragraphs g., h., and i. below. Unless this notification to the bishop also certifies that the congregation has voted by a two-thirds vote to affiliate with another Lutheran denomination, the congregation will be conclusively presumed to be an independent or non-Lutheran church.
 - f. Notice of termination shall be forwarded by the bishop to the secretary of the ELCA, who shall report the termination to the Churchwide Assembly.

- g. This congregation shall abide by these covenants by and among the three expressions of this church:
 - 1) Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in *C6.05. shall be required to receive Synod Council approval before terminating their membership in this church.
 - 2) Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to receive synodical approval before terminating their membership in this church.
 - 3) Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church.
 - h. If this congregation fails to achieve the required two-thirds vote of voting members present at the congregation's first meeting as specified in paragraph a. above, another special meeting to consider termination of relationship with this church may be called no sooner than six months after that first meeting. If this congregation fails to achieve the required two-thirds vote of voting members present at the congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of *C6.05. and may begin no sooner than six months after that second meeting.
- *C6.06.** If this congregation considers relocation, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.
- *C6.07.** If this congregation considers developing an additional site to be used regularly for worship, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action.

Chapter 7.

PROPERTY OWNERSHIP

- *C7.01.** If this congregation ceases to exist, title to undisposed property shall pass to the Central States Synod of the Evangelical Lutheran Church in America.
- *C7.02.** If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline, title to property shall continue to reside in this congregation.
- *C7.03.** If two-thirds of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation, provided the process for termination of relationship in *C6.05. has been followed. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Central States Synod.
- *C7.04.** If two-thirds of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body and have followed the process for termination of relationship in *C6.05., title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the established synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America.
- C7.05.** Notwithstanding the provisions of *C7.02. and *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 Central States Synod—reconvey and transfer all right, title, and interest in the property to the synod.

Chapter 8.

MEMBERSHIP

- *C8.01. Members of this congregation shall be those baptized persons on the roll of this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.
- *C8.02. Members shall be classified as follows:
- a. **Baptized** members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
 - b. **Confirmed** members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.
 - c. **Voting** members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of 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 Lutheran congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. These individuals have all the privileges and duties of membership except voting rights or other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.
 - e. **Seasonal** members are voting members of other ELCA congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, including exercising limited voting rights in this congregation. The Congregation Council may grant seasonal membership to such persons provided that this congregation is a member of a synod where the Synod Council has approved seasonal member voting on its territory. Such seasonal members shall have all the privileges and duties of voting members except that:
 - 1) they shall not be eligible for elected office in, or for membership on the Congregation Council or on a call committee of, this congregation;
 - 2) they shall not have the right to vote on any matter concerning or affecting the call or termination of call of any minister of this congregation;
 - 3) they shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with the ELCA;
 - 4) they shall not be eligible to serve as voting members from this congregation of the Synod Assembly or the Churchwide Assembly;
 - 5) they shall not, even if otherwise permitted by this congregation, vote by proxy or by absentee ballot; and
 - 6) they shall not, within any two calendar month period, exercise voting rights in this congregation and in the congregation where they remain voting members.
- *C8.03. All applications for confirmed membership shall be submitted to and shall require the approval of the Congregation Council.
- *C8.04. It shall be the privilege and duty of members of this congregation to:
- a. make regular use of the means of grace, both Word and sacraments;
 - b. live a Christian life in accordance with the Word of God and the teachings of the Lutheran church; and
 - c. support the work of this congregation, the synod, and the churchwide organization of the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards.
- *C8.05. Membership in this congregation shall be terminated by any of the following:
- a. death;
 - b. resignation;
 - c. transfer or release;
 - d. disciplinary action in accordance with ELCA constitutional provision 20.41. and the accompanying bylaws; or
 - e. removal from the roll due to inactivity in accordance with the provisions of this constitution and its bylaws.
- Such persons who have been removed from the roll of members shall remain persons for whom the Church has a continuing pastoral concern.

C8.05.e.01 Removal from Role due to Inactivity

The Discipleship Committee (or similar committee appointed by the council) will review the Church's membership roll annually and make recommendations to the Church Council concerning members proposed to be removed on account of their inactivity. Inactivity is cause for removal. An inactive member is defined as one who has not communed in and has not made a contribution of record to the congregation of the Church during the current and immediately preceding year.

The following steps comprise the procedure for removal of a member from the Church roll:

1. If the Council accepts the Discipleship Committee's recommendation, a letter shall be sent to inform the member of the proposed removal asking for the member's wish relative to continued membership and, if affirmative, for the reasons and basis for such continuation.
2. A member's response will be considered by the Council, following which the Council will decide to accept or deny the member's request for continuation and then promptly notify the member of its action.
3. Lack of response to the Council's letter within thirty days shall be taken as the member's acceptance of removal from the Church roll, provided that, having received no response for the member, the Council will have first made an effort to contact the member to confirm the member's lack of intent or desire to continue membership.

Chapter 9.

ROSTERED MINISTER

- *C9.01. Authority to call a pastor shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod.
- *C9.02. Only a member of the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Sacrament who has been recommended for the congregation by the synodical bishop may be called as a pastor of this congregation.
- *C9.03. Consistent with the faith and practice of the Evangelical Lutheran Church in America,
 - a. Every minister of Word and Sacrament shall:
 - 1) preach the Word;
 - 2) administer the sacraments;
 - 3) conduct public worship;
 - 4) provide pastoral care;
 - 5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
 - 6) impart knowledge of this church and its wider ministry through distribution of its communications and publications;
 - 7) witness to the Kingdom of God in the community, in the nation, and abroad; and
 - 8) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.
 - b. Each pastor with a congregational call shall, within the congregation:
 - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2) relate to all schools and organizations of this congregation;
 - 3) install regularly elected members of the Congregation Council;
 - 4) with the council, administer discipline; and
 - 5) endeavor to increase the support given by the congregation to the work of the ELCA churchwide organization and of the Central States Synod of the ELCA.
- *C9.04. The specific duties of the pastor, compensation, and other matters pertaining to the service of the pastor shall be included in a letter of call, which shall be attested by the bishop of the synod.
- *C9.05. The provisions for termination of the mutual relationship between a minister of Word and Sacrament and this congregation shall be as follows:
 - a. The call of this congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or, following consultation with the synodical bishop, for the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the pastor, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the pastoral office effectively in the congregation in view of local conditions;
 - 4) physical disability or mental incapacity of the pastor;
 - 5) suspension of the pastor through discipline for more than three months;
 - 6) resignation or removal of the pastor from the roster of Ministers of Word and Sacrament of this church;
 - 7) termination of the relationship between this church and the congregation;
 - 8) dissolution of the congregation or the termination of a parish arrangement; or
 - 9) suspension of the congregation through discipline for more than six months.

- b. When allegations of physical disability or mental incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,
 - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament as disabled. Upon removal of the disability and the restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.
- d. In the case of alleged local difficulties that imperil the effective functioning of the congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the pastor and then to the congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by the congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, the congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

- *C9.06. At a time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.
- *C9.07. During the period of service, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any rostered minister providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.
- *C9.08. This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting related to the Evangelical Lutheran Church in America.
- *C9.09. When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- *C9.11. With the approval of the bishop of the synod, the congregation may depart from *C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of the congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.05.a.
- *C9.12. The pastor of this congregation:
 - a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;
 - b. shall submit a summary of such statistics annually to the synod; and
 - c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.

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

congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.

- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service as disabled. Upon removal of the disability and the restoration of the deacon to health, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.
- d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the deacon, if appropriate. If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

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

- a. installation in another field of labor, or
- b. the issuance of a certificate of dismissal or transfer.

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

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

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

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

Chapter 10.

CONGREGATION MEETING

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

C10.01.01 A general meeting to hear reports, adopt the budget, approve resolutions, and act on any other business to come before the congregation shall be held in the last half of January, the date established by the Congregation Council. The fiscal year of the church begins on January 1. The budget adopted by the congregation shall govern expenditures for a given fiscal year. During the period following the expiration of one year's budget on December 31 and the adoption in January of the succeeding budget, the Congregation Council may authorize such expenditures as are essential to maintain the continuing functions of the congregation.

A second general meeting for the purpose of conducting elections and acting on other business to come before the congregation shall be held annually. The date of the annual election and beginning term for those elected shall be specified in a continuing resolution.

C10.01A17 Congregational meetings for elections

The regular congregation meeting for the purpose of conducting elections shall be held in April. Newly elected council members will take office during the May council meeting, prior to the election of council officers. Council members will be installed during a regular scheduled church service. The newly-elected officers, continuing and new council members assume their duties at the conclusion of the May council meeting. All other members elected to positions by the congregation assume their offices on June 1.

- C10.02.** A special Congregation Meeting may be called by the senior pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of the congregation upon the written request of fifty (50) voting members. The president of the Congregation Council shall call a special meeting upon request of the synodical bishop. The call for each special meeting shall specify the purpose for which it is to be held, and no other business shall be transacted.
- C10.03.** Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail or electronic means, as permitted by state law, to all voting members at least 10 days in advance of the date of the meeting.
- C10.04.** Seventy (70) voting members shall constitute a quorum.
- C10.05.** Voting by proxy or by absentee ballot shall not be permitted.
- C10.06.** All actions approved by the congregation shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution or by state law.
- C10.07.** *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all meetings of this congregation.
- C10.08** In those instances approved by the Congregational Council issues may be put to a congregational vote by mail ballot.

Chapter 11. OFFICERS

- C11.01.** The officers of this congregation shall be a president, vice president, secretary, and treasurer.
 - a. Duties of the officers shall be specified in the bylaws.
 - b. The officers shall be voting members of the congregation.
 - c. Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.

C11.01.01 Duties of the Officers

The president shall preside at meetings of the congregation, the Congregation Council, and the Executive Committee of the Congregation Council.

The vice-president shall preside at meetings of the Congregation, the Congregation Council, and the Executive Committee of the Congregation Council in the event of the president's inability to serve.

The secretary shall oversee the keeping of accurate minutes of all meetings of the congregation, the Congregation Council, and the Executive Committee of the Congregation Council. The minutes shall be provided to the church office and shall be preserved permanently in its archives. The secretary may be assisted by a scribe appointed by the Congregation Council. The secretary will submit minutes of each meeting of these bodies at the next regularly scheduled meeting of the same body. Upon their approval, such minutes will be the official record of all actions taken. The secretary shall see that official announcement of all meetings of this congregation is made in accordance with Section C10.03 of the Constitution. The secretary shall preside at meetings of the Congregation, the Congregation Council, and the Executive Committee of the Congregation Council in the event of the president's and vice-president's inability to serve.

The treasurer shall oversee keeping appropriate financial records of the congregation as determined by the Congregation Council. The treasurer shall make written report of all financial transactions to the Congregation Council monthly and to the congregation. The treasurer will submit a satisfactory audit to the congregation at the beginning of the budget year. The treasurer will be assisted by a financial recorder and by a bookkeeper, both of whom will be appointed by the Congregation Council. Upon authority of the treasurer, the bookkeeper shall receive from the financial recorder all funds and disburse them on proper orders, making monthly remittance of benevolence receipts to the treasurer of the synod. **The treasurer shall serve as a member of the Finance Committee.** All financial officers (treasurer, financial recorder, and bookkeeper) shall give corporate surety, in amounts determined by the Congregation Council, for which the premium shall be paid by the congregation. Fidelity coverage provided by the Evangelical Lutheran Church in America shall be deemed a fulfillment of this requirement.

C11.02. The Congregation Council shall elect its officers from its membership and they shall be the officers of the congregation. The officers shall be elected by written ballot and shall serve for one year or until their successors are elected. Election of officers shall be at the first meeting of the Council following elections of council members as specified in a continuing resolution.

C11.02A17 Program year for council members and officers

Newly elected council members take office effective with the May council meeting. Council officer election will occur during the regularly scheduled council meeting in May each year. At that time council officers will be elected from the members with remaining terms and the new members. Outgoing council members will not vote in new officer election.

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

Chapter 12.

CONGREGATION COUNCIL

C12.01. The voting membership of the Congregation Council shall consist of the pastor(s) and not more than 12 of the congregation. Any voting member of the congregation may be elected, subject only to the limitation that at least one year shall have elapsed before an elected Council member completing a full three-year term may be elected to the Congregation Council. A member's place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from four successive regular meetings of the Congregation Council without cause. Consistent with the laws of the state in which this congregation is incorporated, the congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.

C12.01A17 Size of the council

The First Lutheran Congregation Council will consist of the pastor(s) and 10 elected members of the congregation, to be reviewed annually.

C12.02. The members of the Congregation Council (except the pastor(s)) shall be elected at a legally called meeting of the congregation. Their term of office shall be for three (3) years. The date of the annual election and beginning of term shall be specified in a continuing resolution. Council tenures of elected members shall be so arranged that one-third (1/3) of the terms expire annually. Newly elected Congregational Council members shall be installed at a worship service.

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

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

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

- k. To issue a letter of transfer of membership to another Christian congregation at the request of the confirmed member or at the request of parents of baptized but unconfirmed children.

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

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

C12.05A17 Policy on restricted funds and memorial gifts.

The church receives monetary gifts that are designated for special projects. These funds, together with Memorials, are referred to as Restricted Funds. These funds are to be of concern to and responsibility of the Congregation Council and receive appropriate oversight and management. The following guidelines shall govern the acceptance and disposition of Restricted Funds.

- 1. Giving to a specific project in the church is a valid expression of one's faith and should not be discouraged.
- 2. It is the obligation of the Council to make policy for the disposition of Restricted Funds that have been given for special projects that represents the interests of the congregation.
- 3. No assurance can be given that the monetary gift, towards a special project, will be used as the donor desires until a special fund is created and approved. When a special fund is approved there is no implied commitment to carry out its goal until fully funded.
- 4. The creation of too many special funds may cause a delay in meeting their objective and inadvertently change focus in attention from more urgent projects. The Council shall review overall commitments of the congregation before approving new funds. Council will prioritize existing funds and review them annually. Donors should be encouraged to give to the designated priority funds. This guidance to donors would allow earlier completion of needed projects.
- 5. When the goals of a fund have been met, that fund should be discontinued and excess funds designated by the Council to another prioritized project.
- 6. Memorial Gifts constitute a special case. It is recommended that:
 - a. Memorial gifts which have been designated for a specific purpose be processed in accordance with the above guidelines; and that
 - b. Undesignated Memorial gifts should be used for prioritized projects on a list approved by Council or placed in a General Memorial Fund to be used at Council discretion; and that
 - c. The Memorial Committee should, if possible, visit with the family to advise them of the possible uses of the Undesignated Memorial Gifts and seek their recommendation concerning these gifts. (The above guidelines will apply).

C12.05B17 Authority for treasurer to borrow money

The treasurer may borrow up to \$3,000.00 from any Dedicated account to pay outstanding, budgeted First Lutheran expenses. These monies must be paid back to Dedicated accounts, with prevailing interest, before more monies, up to a total of \$3,000.00, can be borrowed again. Any such indebtedness over a total of \$3,000.00 must be approved by the Council.

C12.06. The Congregation Council shall see that the provisions of this constitution, its bylaws, and the continuing resolutions are carried out.

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

- C12.08.** The Congregation Council shall be responsible for the employment and supervision of the staff of this congregation. Nothing in this provision shall be deemed to affect the congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church.
- C12.08A17 Hiring authority modification**
The Congregation Council hereby authorizes the Lamb of God Advisory Board (LOGAB) to interview and directly hire Lamb of God School Program Assistants and Lead Teacher personnel. This will ensure that any vacancies are filled without delay. Appropriate vetting and mandatory background checks will be followed. This authorization may be revoked if LOGAB does not follow designated hiring and notification requirements. The Congregation Council retains employment responsibility with acknowledgement of completed Lamb of God hiring actions at the monthly council meeting.
- C12.09.** The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.
- C12.11.** The Congregation Council shall normally meet once a month. Special meetings may be called by the senior pastor or the president, and shall be called by the president at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.
- C12.12.** A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the senior pastor or interim pastor, except when the senior pastor or interim pastor requests or consents to be absent and has given prior approval to the agenda for a particular regular or special meeting, which shall be the only business considered at that meeting. Chronic or repeated absence of the senior pastor or interim pastor who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synodical bishop.
- C12.13.** The Congregation Council and its committees may hold meetings by remote communication, including electronically and by telephone conference and, to the extent permitted by state law, notice of all meetings may be provided electronically.

Chapter 13.

CONGREGATION COMMITTEES

- C13.01.** The officers of this congregation and the senior pastor shall constitute the *Executive Committee*.
- C13.01A17 Executive Committee** The executive committee shall meet upon the call of the pastor(s), or president, or in succession, the vice president acting in the president's stead. The executive committee shall have the authority to take actions on behalf of and not inconsistent with the powers of the Congregation Council during periods between the regularly scheduled meetings of the Congregation Council. Any actions taken shall stand if approved by the Congregation Council at its next regularly scheduled meeting.
- C13.02.** A *Nominating Committee* of five voting members of this congregation, one of whom shall be an outgoing member of the Congregation Council, shall be elected at the annual meeting for a term of one year. Members of the Nominating Committee are not eligible for consecutive re-election.
- C13.02A17 Nominating Committee.**
This committee shall select one or more candidates for each of the elective positions, including the succeeding nominating committee as set forth in the constitution and bylaws. They shall see that an official ballot is prepared for each voting member attending the annual meetings. The ballot shall include the names of the candidates and position to which they may be elected. Additional nominations may be made from the floor.
- C13.03.** An *Audit Committee* of 3 voting members shall be elected by the Congregation Council. Audit Committee members shall not be members of the Congregation Council. Term of office shall be three years, with one member elected each year. Members shall be eligible for re-election.
- ~~**C13.03A17 Audit Committee.**
This committee shall audit the financial accounts of the congregation and all its auxiliary organizations. A written statement as to the findings of the audit shall be entered in each set of financial books audited and the statement shall be signed by each member of the audit committee. The report of the audit committee shall be included in the annual report to the congregation and shall be presented to the congregation for its approval.~~
- C13.03A18 Audit Committee. (Replaces C13.03A17) [Council approved April 19, 2018]**
Election of members will take place at the June council meeting following the April congregation meeting for elections. This committee shall audit the financial accounts of the congregation and all its auxiliary organizations. The committee will coordinate with the bookkeeper in early January for transaction review and

records audit. A written statement as to the findings of the audit shall be entered in each set of financial books audited and the statement shall be signed by each member of the audit committee. The report of the audit committee shall be included in the annual report to the congregation and shall be presented to the congregation for its approval at the annual meeting.

C13.04 Separation of functions

- a. **Mutual Ministry Committees (MMC).** A MMC will consist of three voting members to be selected as follows: one (1) being selected by the rostered minister(s), one (1) being selected by council president, and one (1) mutually agreed upon. A separate committee is to be appointed for each rostered minister. Members may serve on more than one committee. Current council members are not eligible to serve on the MMC. Initial committee establishment will appoint two members for a term of two (2) years; and one for a term of one (1) year. Thereafter on an annual basis, new members, as needed and as appropriate, shall be selected and appointed for a term of two (2) years. Consecutive terms can be served. Committee will meet on a quarterly basis. Committee must provide written report to the council that meetings have occurred. The council will develop a detailed charge of the functions and duties of the MMC.
- b. **Personnel Support Committee (PSC).** The PSC of six (6) voting members is to be appointed jointly by the Congregation Council president and senior pastor. Term of office shall be three (3) years, with two members to be appointed each successive year. Consecutive terms can be served. Committee will meet on a quarterly basis, or more frequently as needed. The Council President or his/her council member designee shall serve on the Personnel Support Committee as an ex-officio member. Duties of the committee will be detailed in the continuing resolutions.

C13.04A17 Personnel Support Committee.

The Personnel Support Committee in conjunction with the senior pastor shall have the responsibility to affirm, strengthen, and support the paid staff in terms of personnel matters. A committee member may also be called upon to meet with, listen, and clarify concerns of the staff members. This Committee shall maintain a relationship of trust and empathy towards the staff to maintain the focus of support. This committee will subscribe to a strict discipline of confidentiality.

The Personnel Support Committee will focus on matters relating to paid staff and act in an advisory capacity to the senior pastor in all staffing matters. The Personnel Support Committee will actively coordinate and strive to:

1. Working with the Congregation Council, senior pastor and designated Boards, ensure the development of staff job descriptions, which will be updated annually as needed. The Personnel Policy Manual will specify what duties and responsibilities are to be included in job descriptions.
2. Working with the senior pastor and designated Boards, ensure the development of standards of performance for each staff position, recommending such standards annually to the Congregation Council.
3. Develop and maintain a documented Personnel Policy Manual with Congregation Council oversight.
4. Recommend compensation packages, (salary, benefits, etc) for each staff member in coordination with the senior pastor, designated Boards, and Finance Committee and submit such recommendations to the Congregation Council for consideration/approval at the Council's budgetary meeting.
5. At the direction of the Congregation Council and in coordination with the senior pastor, recruit, interview, and recommend to Council for hire of staff positions. When necessary, terminate staffing in coordination with the senior pastor and Congregation Council.
6. Working with the senior pastor and designated Boards, conduct annual job evaluations and performance appraisals in accordance with established Personnel Policy standards.
7. In coordination with senior pastor and with Council oversight set holiday, vacation, and sick leave policies
8. Ensure that all contractual obligations and insurance contracts for personnel are maintained and filed in the Congregation office.

C13.05. When a pastoral vacancy occurs, a *Call Committee* of six voting members shall be elected by the Congregation Council. Term of office will terminate upon installation of the newly called pastor.

C13.06. Other committees, boards, teams or task forces of this congregation may be formed, as the need arises, by decision of the Congregation Council.

C13.06A12 Organizational Structure

The Council and the Pastor(s) work directly with three Ministry Areas which are Congregational Life, Spiritual Growth, and Evangelical Outreach. The Council, the Pastor(s), and the three Ministry Areas work directly with the Administrative Support Services. Committees, task forces, etc. will be extensions of these Ministry Areas.

Boards to carry out the mission of the congregation:

Advisory Board for Congregational Life

1. Helps people build strong lives by connecting them with God, the church, and one another.
2. Provides a vibrant ministry through such means as hospitality teams, worship assistants, alter guild, music staff, choirs, musicians, prayer ministries, new member integration, congregational fellowship events, small group ministry, support groups, Stephen Ministry, homebound ministry, and ministry to those who are ill and their families.

Advisory Board for Spiritual Growth

1. Helps people build strong lives by assisting them to grow in their love for God and one another, in all spiritual wisdom and knowledge, and in understanding themselves, the world and God.
2. Provides a vibrant ministry through such means as children's ministries, confirmation, youth ministries, Vacation Bible School, adult education, stewardship education, Lamb of God Lutheran School, and the library.

Advisory Board for Evangelical Outreach

1. Helps people build strong lives by providing ways for them to serve people in need and share the good news with others in the community and throughout the world.
2. Provides a vibrant ministry through such means as the pantry and other hunger ministries, Pastor's Discretionary Fund and Shepherd's Crossing, quilting and prayer shawls, mission trips, the ELCA and ecumenical partners, designated offerings and world mission projects, disaster response, community social services agencies, ministry to students, ministry to military and their families, outreach teams, and marketing.

C13.06A17 Ministry name change

The Congregation Council hereby approves changing the name of Ministry of Evangelical Outreach to Ministry of Community and Global Outreach. Community and global outreach is an essential part of a church's mission. Serving Jesus through acts of community and global outreach creates the crucial foundation for a church's evangelistic efforts

C13.07. Duties of committees, boards, teams, or task forces of this congregation shall be specified in the continuing resolutions..

C13.07A17 Other committees to carry out the mission of the congregation.

The below committees have been formally established to carry out various missions of the Congregation. These committees report to the council as directed.

• **Mission Endowment Fund Committee.**

1. The Mission Endowment Fund Committee, hereafter referred to as the Endowment Committee, shall consist of seven (7) voting members of First Lutheran Church. Initial committee establishment elected three members for a term of three (3) years; two for a term of two (2) years; and two for a term of one (1) year. Thereafter, at each annual election meeting, new members, as needed and as appropriate, shall be elected by the congregation for a term of three years beginning June 1st. No member shall serve two consecutive three year terms. After a lapse of one year, former committee members may be re-elected. The senior pastor and the Congregation Council president, or their designees, shall be advisory members of the Endowment Committee. The nominating committee of the congregation shall nominate for the Endowment Committee in the same manner as for other church offices and committees. The Endowment Committee and the Congregation Council shall be mutually exclusive in that a member of one may not concurrently serve on the other. In the event of a vacancy on the Endowment Committee, the Congregation Council shall appoint a member to fill the vacancy until the next annual election meeting of the congregation, at which time the congregation shall elect a member to fulfill the remaining term of the vacancy.

2. The Endowment Committee shall meet at least quarterly to accomplish the purposes of the Fund, or more frequently as deemed by it in the best interest of the Fund.

3. A quorum shall consist of four members. When only four members are present, a unanimous vote shall be required to carry any motion or resolution.
4. The Endowment Committee shall elect from its membership a chairperson, recording secretary, and financial secretary. The chairperson, or member designated by the chair person, shall preside at all committee meetings.
5. The recording secretary of the Endowment Committee shall maintain complete and accurate minutes of all meetings and supply a copy thereof to the Church Office for distribution to each member of the Endowment Committee and Council president.
6. The financial secretary of the Endowment Committee shall work with the congregation's financial recorder, bookkeeper, and treasurer in maintaining and coordinating complete and accurate accounts for the Endowment. The normal responsibilities for recording gifts and disbursing funds will be carried out by the recorder and bookkeeper according to the Constitution and Bylaws of the Congregation. The financial secretary will report to the Committee at each meeting. The Endowment Committee financial secretary shall not be the same person as the general church operating budget financial secretary and shall not be a member of the church's audit committee. The books for the Fund shall be audited annually by the audit committee of the congregation.
7. The Endowment Committee shall be the decision making body for all distributions of Endowment earnings.
8. The Endowment Committee shall report on a quarterly basis to the Congregation Council, and at the annual meeting of the congregation at the beginning of each year, shall render a full and complete audited account of the administration of the Fund during the preceding year. Members of the Endowment Committee shall not be members of the audit committee.
9. The Endowment Committee may request other members of the congregation to serve as advisory members and, at the expense of Fund earnings, may provide for such professional counseling on investments or legal matters as it deems to be in the best interests of the Fund.
10. Members of the Endowment Committee and other members of the congregation assisting with the Fund shall not be liable for any losses which may be incurred upon the investment of the assets of the Fund except to the extent such losses shall have been caused by bad faith or gross negligence. No member shall be personally liable as long as he/she acts in good faith with ordinary prudence. Each member shall be liable only for his/her own willful misconduct or omissions, and shall not be liable for the acts or omissions of any other member. No member shall engage in any self-dealing or transactions with the Fund in which the member has direct or indirect financial interest and shall at all time refrain from any conduct in which his/her personal interests would conflict with the interest of the Fund.
11. All Fund assets are to be held in the name of the First Lutheran Church Mission Endowment Fund.
12. Decisions to hold, sell, exchange, rent, lease, transfer, convert, invest, reinvest, and in all other respects to manage and control the assets of the Fund, including stocks, bonds, debentures, mortgages, notes, or other securities, as in their judgment and discretion they deem wise and prudent, are to be made by the Endowment Committee according to the guidelines approved by the Congregation Council and according to the constitution and bylaws of the congregation.

- **Property Committee**

A property committee of nine (9) members will be appointed by the Congregation Council. Term of office shall be three (3) years, with three (3) members to be appointed each successive year. A council person may be an ex officio member and serve as liaison for the council. Continuous consecutive terms can be served. Committee will meet on a monthly basis.

The property committee is responsible for keeping the church property in good operating condition, maintaining all operating systems, and making repairs and improvements as deemed necessary. Members take an active personal effort in implementing some of the repairs. Committee makes recommendations for needed repairs and provides council with cost estimates.

◆ ~~Finance Committee~~

~~A finance committee of up to six (6) members will be appointed by the Congregation Council. Term of office shall be three (3) years, with two (2) members to be appointed each successive year. Members appointed may not be the treasurer, financial recorder, or family members of the aforementioned persons. The treasurer and/or financial recorder may attend meetings as requested to furnish financial information. Terms are limited in that one year must elapse before a member may be reappointed to the finance committee. Committee will meet on a monthly basis. The finance committee is responsible for the oversight and stewardship of church funds (with exception of endowment funds), reporting financial information to the council and congregation, providing financial statistical data upon council request, and assistance in developing the annual budget for approval by the Council and congregation.~~

● **C13.07A18 Finance Committee (Replaces C13.07A17) [Council approved April 19, 2018]**

A finance committee of up to six (6) members, independent of the treasurer, will be appointed by the Congregation Council. Term of office shall be three (3) years, with two (2) members to be appointed each successive year. The Council treasurer will serve as an integral member of the Finance Committee for the length of their term as Council officer. Members appointed may not be the bookkeeper, financial recorder, or family members of the aforementioned persons. The bookkeeper and financial recorder may attend meetings as requested to furnish financial information. A member may be re-appointed for one additional consecutive term. Consecutive terms are limited in that one year must elapse before a member may be reappointed to the finance committee. Committee will meet on a monthly basis. The finance committee is responsible for the oversight and stewardship of church funds (with exception of endowment funds), reporting financial information to the council and congregation, providing financial statistical data upon council request, and assistance in developing the annual budget for approval by the Council and congregation.

Chapter 14.

ORGANIZATIONS WITHIN THE CONGREGATION

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

Chapter 15.

DISCIPLINE OF MEMBERS AND ADJUDICATION

- *C15.01.** Persistent and public denial of the Christian faith, willful or criminal conduct grossly unbecoming a member of the Church of Christ, continual and intentional interference with the ministry of the congregation, or willful and repeated harassment or defamation of member(s) of the congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will be attempted following Matthew 18:15-17, proceeding through these successive steps, as necessary: a) private counsel and admonition by the pastor, b) censure and admonition by the pastor in the presence of two or three witnesses, c) written referral of the matter by the Congregation Council to the vice president of the synod, who will refer it to a consultation panel drawn from the Consultation Committee of the synod, and d) written referral of the matter by the consultation panel to the Committee on Discipline of the synod. If, for any reason, the pastor is unable to administer the admonitions required by paragraphs a. and b. hereof, those steps may be performed by another pastor chosen by the Executive Committee of the Congregation Council.
- *C15.02.** The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If the counseling, censure, and admonitions pursuant to *C15.01. do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three laypersons and two ministers of Word and Sacrament). A copy of the written charges shall be provided to the consultation panel and the accused member(s). The consultation panel, after requesting a written reply to the charges from the accused member(s), shall consider the matter and seek a resolution by means of investigation, consultation, mediation, or whatever other means may seem appropriate. The panel's efforts to reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it.

- *C15.03. If the consultation panel fails to resolve the matter, that panel shall refer the case in writing, including the written charges and the accused member's reply, to the Committee on Discipline of the synod for a hearing. A copy of the panel's written referral shall be delivered to the vice president of the synod, the Congregation Council, and the accused member(s) at the same time it is sent to the Committee on Discipline of the synod. The Executive Committee of the Synod Council shall then select six members from the Committee on Discipline to decide the case and shall appoint a member of the Synod Council to preside as nonvoting chair. Those six members, plus the nonvoting chair, comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the parties to the case.
- *C15.04. The discipline hearing panel shall commence and conduct the disciplinary hearing in accordance with the provisions governing discipline of congregation members prescribed in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- *C15.05. By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:
 - a. suspension from the privileges of congregation membership for a designated period of time;
 - b. suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
 - c. termination of membership in the congregation; or
 - d. termination of membership in the congregation and exclusion from the church property and from all congregation activities.
- *C15.06. The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next council meeting.
- *C15.07. No member of the congregation shall be subject to discipline a second time for offenses that a discipline hearing panel has heard previously and decided pursuant to this chapter.
- *C15.10. **Adjudication**
- *C15.11. When there is disagreement among factions within this congregation on a substantive issue that cannot be resolved by the parties, members of this congregation shall have access to the synodical bishop for consultation after informing the chair of the Congregation Council of their intent. If the consultation fails to resolve the issue(s), the Consultation Committee of the synod shall consider the matter. If the Consultation Committee of the synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final.

Chapter 16. ()**

AMENDMENTS

- *C16.01. Unless provision *C16.04. is applicable, those sections of this constitution that are not required, in accord with the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, may be amended in the following manner. Amendments may be proposed by at least ten (10) voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members of the proposal together with the council's recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.
- *C16.02. An amendment to this constitution, proposed under *C16.01. shall:
 - a. be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those voting members present and voting;
 - b. be ratified without change at the next annual meeting by a two-thirds vote of those voting members present and voting; and
 - c. have the effective date included in the resolution² and noted in the constitution.
- *C16.03. Any amendments to this constitution that result from the processes provided in *C16.01. and *C16.02. shall be sent by the secretary of this congregation to the synod. The synod shall notify the congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.
- *C16.04. This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* as most recently amended by the Churchwide Assembly. Such amendments may be approved by a majority vote of those voting members present and voting at any legally called meeting of the congregation without presentation at a prior

² Such an effective date must be stated in relation to the requirements of *C16.03. to allow time for synodical review of the amendment.

meeting of the congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to the congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of at least two (2) voting members of the congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

Chapter 17. ()**

BYLAWS

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

Chapter 20.

PARISH AUTHORIZATION

** Required provisions when congregation is part of a parish*

- *C20.01. This congregation may unite in partnership with one or more other congregations recognized by the synod named in *C6.01. to form a parish. Except as provided in *C20.02. and *C20.03., a written agreement, developed in consultation with the synod and approved by the voting members of each congregation participating in the parish, shall specify the powers and responsibilities that have been delegated to the Parish Council. The Parish Agreement shall identify which congregation of the parish issues calls on behalf of the member congregations or shall establish a process for identifying which congregation issues calls on behalf of the member congregations.
- *C20.02. One congregation of a parish shall issue a call on behalf of the member congregations to a minister of Word and Sacrament or a candidate for the roster of Ministers of Word and Sacrament who has been recommended by the synodical bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.
- *C20.03. One congregation of a parish may issue a call on behalf of the member congregations to a minister of Word and Service or a candidate for the roster of Ministers of Word and Service who has been recommended by the synodical bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.

- *C20.04.** Any one of the congregations of the parish may terminate their relationship with the pastor as provided in †S14.18.d. of the synodical constitution of the synod named in *C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.
 - *C20.05.** Any one of the congregations of the parish may terminate their relationship with a minister of Word and Service as provided in †S14.43.d. of the synodical constitution of the synod named in *C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.
 - *C20.06.** Whenever a parish agreement is terminated, the call of any rostered minister serving that parish is terminated. Should any congregation that was formerly part of the parish agreement desire to issue a new call to that rostered minister, it may do so in accordance with the call process of this church.
- ** Chapters 16 and 17 were switched in order by the ELCA. There was no substantive change other than to make internal numbering consistent. Technically these are amendments of the constitution, but they entail no substantive change.**