

CONSTITUTION, BYLAWS,
AND CONTINUING RESOLUTIONS
OF
ST. STEPHEN LUTHERAN CHURCH
ARBUTUS, MARYLAND

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CODIFICATION EXPLANATION

The provisions of the Constitution, Bylaws, and Continuing Resolutions that pertain to the same matter have been placed together. This arrangement requires that the three types of material be identified by means other than physical separation. The following devices identify the three types of provisions:

All constitutional provisions are printed in bold face type.

All bylaw provisions are printed in light face type.

All continuing resolutions are printed in italic type.

A numerical codification indicates general subject, constitutional provisions, bylaw provisions, and continuing resolutions.

Major sections are designated as chapters. The chapters are numbered 1 through 20 and titled in SMALL CAPS. The chapter designation becomes the first number in the codification sequence; it is prefixed with the letter "C" and is followed by a period. Thus provisions in "Chapter 12. CONGREGATION COUNCIL" are preceded by "C12."

General subjects normally are titled and designated by a number ending in zero. Thus, a subdivision of Chapter 15 that contains provisions regarding adjudication of disagreements is codified and titled "15.10. Adjudication." When subjects that are bylaw provisions only are titled, the same principles would apply within the third number sequence.

Constitutional provisions are codified with two sets of numbers, the chapter number and a two-digit number preceding the second period in the codification. Thus, one constitutional provision related to the membership in this congregation is C8.02.

Bylaw provisions are codified with three sets of numbers, the chapter number, the related constitutional provision number, and a two-digit number. Thus, one bylaw provision related to the installation of a pastor is codified as C9.04.02.

Continuing resolutions also are codified with three sets of numbers except that the third set is preceded by a capital letter. Thus, a continuing resolution might be numbered C16. to designate the chapter; C16.11. to designate the subject matter within the chapter; and the third set might be numbered A91. in the codification 16.11.A91. to indicate by the "A" that it is the first continuing resolution regarding that subject and by the "91" that it was adopted in 1991.

When many related provisions are parts of a unit that are considered inseparable, they are normally lettered "a," "b," "c," etc. When related provisions are part of a unit but considered separable, such as a list of duties, they are normally numbered in sequence. If the related provisions cannot be clearly judged to be separable or inseparable, preference will be given to a number sequence.

If chapter numbers are considered the major sequence number, constitution numbers as a fraction of the chapter number, and bylaw numbers as a fraction of the constitution number, then the codification can be said to provide a progressive sequence. Thus, 8.31. will precede 8.31.01., and 9.21.01. will precede 9.22.

Sections and provisions preceded by an asterisk (*) are those which are required to conform to the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* as a consequence of participation in the relationships described in

Chapter 6 of this Constitution, Bylaws, and Continuing Resolutions and in accordance with provision 9.25.b of the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.

In these governing documents, “Church” with a capital letter is used in references to the one, holy, catholic, and apostolic Church. In references to the Evangelical Lutheran Church in America, the words “church” and “this church” in lower case letters are employed. The word “gospel” in lower case letters is used in references to the good news proclaimed by Jesus and all Christians; “Gospel” with a capital letter is used exclusively in references to a particular book (e.g. the Gospel of Mark, the Gospel of John). The names of sacraments and other rites use a capital letter when referring to the ritual or liturgy itself (e.g. Holy Baptism); lower case letters are used when referring to the act performed or elements used in the ritual (e.g. baptism, eucharistic wine). In accord with the foregoing styles, capitalized words are used for proper nouns, given names, and formal titles; pronouns and other indirect references to individuals use lower case letters.

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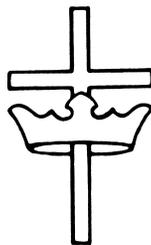
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***PREAMBLE**

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

CHAPTER 1. NAME AND INCORPORATION

- C1.01. The name of this congregation shall be St. Stephen Lutheran Church.**
- C1.02. For the purpose of this constitution and the accompanying bylaws and continuing resolutions, the congregation of St. Stephen Lutheran Church is hereinafter designated as "this congregation".**
- C1.03. The Seal shows the insignia of St. Stephen Lutheran Church, which was approved by this congregation. It is a CROSS and a CROWN, the Cross, symbol of Christ's great sacrifice, his suffering and death; and the Crown, symbol of his victory over sin and death through his resurrection and ascension. It is through his suffering (Cross) that he attained victory (Crown). Narrow is the way (Cross) that leads to life (Crown).**



**"Be faithful until death, and I will give you the crown of life."
— Revelation 2:10 (NRSV)**

St. Stephen, the first Christian martyr, emulated our Lord in his forgiving spirit and sacrifice (Cross) through which he was made victorious (Crown).

The year 1969 (August 10) was the year of the merger of Gethsemane Evangelical Lutheran Church and Trinity Evangelical Lutheran Church forming Gethsemane-Trinity Lutheran Church. In 1976 (January 11), the new name – St. Stephen Lutheran Church – was adopted, and the new

sanctuary was dedicated.

- C1.04.** The senior pastor, president, or secretary of this congregation shall be the custodian of the Seal of the Congregation.
- C1.11.** This congregation shall be incorporated under the laws of the State of Maryland.

CHAPTER 2. CONFESSION OF FAITH

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

Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.

- *C2.07. This congregation confesses the gospel, recorded in the Holy Scriptures and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God’s mission in the world.**

CHAPTER 3. NATURE OF THE CHURCH

- *C3.01. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority.**
- *C3.02. The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. The Evangelical Lutheran Church in America, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.**
- *C3.03. The name Evangelical Lutheran Church in America (ELCA or “this church”) as used herein refers in general references to this whole church, including its three expressions: congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.**

CHAPTER 4. STATEMENT OF PURPOSE

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

- b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.**
- c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.**
- d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, and standing with the poor and powerless, and committing itself to their needs.**
- e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.**
- f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity, which the Spirit gives.**

***C4.03. To fulfill these purposes, this congregation shall:**

- a. Provide services of worship at which the Word of God is preached and the sacraments are administered.**
- b. Provide pastoral care and assist all members to participate in this ministry.**
- c. Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregation.**
- d. Teach the Word of God.**
- e. Witness to the reconciling Word of God in Christ, reaching out to all people.**
- f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.**
- g. Motivate its members to provide financial support for the congregation's ministry and the ministry of other parts of the Evangelical Lutheran Church in America.**
- h. Foster and participate in interdependent relationships with other congregations, the synod, and the churchwide**

organization of the Evangelical Lutheran Church in America.

- i. Foster and participate in ecumenical relationships consistent with churchwide policy.**

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

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

C4.05.01. This congregation shall enact continuing resolutions which specify three distinct but related statements of identity:

- a. an affirmation of welcome, which specifies those who are welcome in God's Church (although it is acknowledged that such a list can never be exhaustive);
- b. a mission statement, which specifies the goals that this congregation believes God is leading us to see fulfilled; and
- c. a vision statement, which succinctly and memorably specifies our guiding principle.

C4.05.A12. *The following affirmation of welcome is adopted:*

The faith community of St. Stephen welcomes into the full life of this church all those whom God welcomes.

Welcome to long-time Christians, believers of every tradition, and people new to the faith.

Welcome to you who have no church home, need strength, or seek forgiveness; you are welcome here whether you want to follow Jesus, have doubts, or do not believe.

Welcome to new friends and old.

Welcome to people of every age, size, gender, and sexual orientation; of every color and culture, every ability and challenge.

Welcome to people of every political perspective and relationship status; folks in any social, legal, or economic position; and everyone in any state of health.

Welcome to believers, questioners, and questioning believers.

This is a place where grace is shared and people grow.

This is a place where you are welcome to celebrate and sorrow, to rejoice and recover. This is a place where lives are made new.

You are welcome to make St. Stephen part of your life. Come for worship, education, social service, or special events.

You are invited, as our neighbor, to experience a relationship with God.

The following mission statement is adopted:

The mission of St. Stephen Lutheran Church is to share the gospel of Jesus Christ in a way that is both true to the nature of the triune God and relevant to the world in which we find ourselves. We accomplish this mission by inviting our neighbor into a life of faith in the ways that God has revealed it to us:

- 1. We gather together to receive God's promises in the form of Word and Sacrament.*
- 2. We are strengthened, emboldened, and freed by these means of grace to go out and serve our neighbor, joyfully sharing the gifts we have received from God.*
- 3. We are specifically called to be faithful stewards of these gifts in Arbutus and the surrounding communities, even as we are mindful of and give generously to the needs of our neighbors of every kind throughout God's wondrously diverse creation.*

The following vision statement is adopted:

Inviting our neighbor to experience a relationship with God.

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

CHAPTER 5. POWERS OF THE CONGREGATION

- *C5.01. The powers of this congregation are those necessary to fulfill its purpose.**
- *C5.02. The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution**

and bylaws.

- *C5.03. Only such authority as is delegated to the Congregation Council or other organizational units in this congregation's governing documents is recognized. All remaining authority is retained by the congregation. The congregation is authorized to:**
- a. call a pastor as provided in Chapter 9;**
 - b. terminate the call of a pastor as provided in Chapter 9;**
 - c. call or terminate the call of associates in ministry, deaconesses, and diaconal ministers in conformity with the applicable policy of the Evangelical Lutheran Church in America;**
 - d. adopt amendments to the constitution, as provided in Chapter 17, amendments to the bylaws, as specified in Chapter 16, and continuing resolutions, as provided in Chapter 18.**
 - e. approve the annual budget;**
 - f. acquire real and personal property by gift, devise, purchase, or other lawful means;**
 - g. hold title to and use its property for any and all activities consistent with its purpose;**
 - h. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;**
 - i. elect its Congregation Council, boards, and committees, and require them (the members of the council) to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and**
 - j. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.**

C5.03.A88. All designated offering shall be disbursed immediately to the designated recipient. Any such offerings shall be in addition to this congregation's budgeted benevolence.

C5.03.B90. All gifts received by this congregation shall become the property of St. Stephen Lutheran Church. No plaques will be attached to such gifts (pews, pulpit, lectern, etc.). Names of contributors and of those in whose memory or honor the gifts are given will be inscribed in a special Book of Remembrance.

C5.03.C91. "Free gifts" donated to this congregation which carry any commercial advertising will be referred to the Congregation Council for review and to determine whether the gift is appropriate for use in this congregation.

Any "free gift" determined to not be acceptable for use in this congregation will be given to another charitable organization.

- C5.03.D93. Upon the approval of the terms of any contract by either this congregation or the Congregation Council (whichever is required), the Congregation Council shall designate the individual(s) authorized to execute said contract. This congregation shall only be bound by the terms of a contract when executed by the designated individual(s).*
- C5.03.E97. Flowers purchased specifically for a funeral service within the sanctuary are acceptable for delivery to shut-ins. Floral arrangements or other plants brought from the funeral home will be permitted for the service but shall not be used for delivery to shut-ins or further display in the church.*
- C5.03.F97. In these times when church attendance and contributions are shrinking, it is prudent for churches to lay aside funds which will provide income for future programs and needs. The best instruments to accomplish this are endowment funds. The concept of an endowment is a fund whose principal is not to be used except in a dire emergency. The income earned by the principal is available to be used under the rules of the fund; the fund is therefore self-perpetuating.*

This resolution establishes two endowment funds to permit contributors to control the way their endowment contributions are managed.

- 1. Capital Improvement Fund – This fund has existed since 1982. The fund was initiated with a \$24,000 principal which came from the proceeds of the sale of a double building lot on Courtney Road. The principal of this fund shall be invested in instruments which protect the principal while providing a prudent rate of return. The principal remains frozen; growth of and income from the investment shall be used for capital improvement projects.*
- 2. Sustaining Ministry Fund – This is a new fund established in 1997. The principal shall be prudently invested in instruments which will ensure growth for the principal while providing moderate income. Growth and income shall be used in the manner described in the principles below. It is the opinion of this Council of 1997 that future council members will face situations which we cannot predict. We are confident that they will be persons of integrity and that they will be guided by the Holy Spirit in their financial decisions. The Sustaining Ministry Fund shall be managed according to the following principles:*
 - a. Any funds designated for the Sustaining Ministry Fund from whatever source will be applied to the principal.*
 - b. The principal is to be used only in dire emergencies and*

then only with approval of this congregation.

- c. Income (such as interest, capital gains, and dividends from individual securities or funds) and a portion of the appreciated value of any securities, hereafter called "growth," may be withdrawn for ministry as determined by the Congregation Council. Growth may be calculated by using a three-year rolling average of year-end investment values. In order to maintain a principal value adjusted for inflation, the council shall annually determine a percentage of the growth to be retained as principal.*

C5.03.G97. Bulletins and flowers may be donated by members of the congregation on the day of Confirmation with the following provisions:

- 1. Neither bulletins, nor flowers, nor chancel baskets may be given in honor of any single confirmand.*
- 2. Neither bulletins, nor flowers, nor chancel baskets may be given in honor of the class of confirmands by a relative of the confirmands.*
- 3. Neither the flowers nor chancel baskets shall be given to the confirmands following the service.*
- 4. If no one has signed up to donate either bulletins or flowers by the time that the date for confirmation is announced, the congregation shall be the donors of any of these items not yet having donors.*

If flowers and bulletins have been donated, then this congregation shall donate a chancel basket in honor of the confirmands.

C5.03.H97. Monetary gifts contributed to this congregation as memorials shall be placed in a Memorial Fund unless otherwise designated by the giver. Money accumulated in this fund shall be used for special purchases not planned for in the budget, but which would enhance the programs of the church. A list of possible special purchases shall be maintained by the Congregation Council. Any purchases shall be subject to constitutional limitations.

C5.03.I97. The giving of bequests to this congregation in response and thanksgiving to God for the gift of life and blessings is to be encouraged. The use of such bequests is to aid the continuance of the ministries of this congregation both now and in the future. A bequest may be of an unrestricted or restricted nature. Although this congregation encourages bequests of an unrestricted nature, all bequests will be given serious consideration by the Congregation Council, as stewards of the gift, in order to honor the desire and wishes of the benefactor.

- a. Unrestricted Bequests – In order to demonstrate the congregation's thanks to God for the generosity of the person*

giving the bequest, 10% of all bequests will be given to benevolent causes. Half of this money will be given to the Delaware-Maryland Synod and half to one or more benevolent causes determined by the Congregation Council. This money will be distributed within 6 months of receiving the bequests. If the bequest is \$10,000 or greater, 10% will be deposited in the Capital Improvement Fund, 10% shall be deposited in the Mission Endowment Fund, and 10% shall be deposited into the Sustaining Ministry Fund. After such allocations have been made, use of the remainder of the bequest shall be determined by the Congregation Council. In making this allocation, the Congregation Council shall take into consideration the total ministry of this congregation. This includes such options as:

- 1. Seed money for new programs*
- 2. Special purchases for enhancing existing programs*
- 3. Staff needs to expand our ministry*
- 4. Additional benevolent causes*
- 5. Capital improvements*
- 6. Additional deposits to an endowment fund*
- 7. Other options which the Holy Spirit makes known to the council*

Decisions regarding the use of the bequest shall be made known to this congregation.

- b. Bequests With A Recommendation Or Restriction – Should a bequest contain a non-binding recommendation, the Congregation Council will endeavor to honor the recommendation, provided the recommendation is within the mission and ministry of this congregation and a need for such a request exists. Otherwise, the bequest will be accepted and honored as an unrestricted gift from the benefactor.*

Should the bequest be binding on its use, the Congregation Council will give diligent consideration to the request. If the Congregation Council finds that it cannot honor the request, and the bequest cannot become non-binding, refusal shall be for one or more of the following reasons:

- 1. Such use of the bequest is not likely to be undertaken by this congregation.*
- 2. Such use of the bequest is not in the best interest of this congregation.*

3. *Such use of the bequest will or may cause significant conflict and/or division within this congregation.*

C5.03.J98. As the Church we are the people of God, called by God, having received the sign of his love in baptism. In thanks to God for this gift of love, and for all God's gifts, especially God's son, Jesus Christ, the members of this congregation support the Church through our regular offerings and our labors.

In thanks for our many gifts, we should embrace the principles of Christian giving and endeavor to ensure that the funds required for the daily operation of this congregation, its programs, and our budgeted benevolence be met by our regular offering.

It is not the intention of this resolution to suggest that fundraising events become a source of income for the daily operation of the church. It is intended that events such as dinners, shows, or car-washes, etc. be used to raise funds for specific enrichment events (e.g. national youth gathering, special Sunday School teacher training event), special projects of this congregation, or to support benevolent causes. It is also intended that events be planned to provide broad participation and fellowship opportunities.

The following rules shall apply:

1. *A request for approval of the event shall be forwarded to the Congregation Council in writing. The request must include:*
 - a. *full particulars of the event,*
 - b. *an explanation of the need for the funds, and*
 - c. *the organization and persons who will be responsible for the event.*
2. *Fundraising events must receive the approval of the Congregation Council before being scheduled or advertised.*
3. *Any publicity of the event is to clearly state that it is a fundraising event and the cause which is to benefit from the proceeds.*
4. *If the funds raised are not to be contributed to a benevolent cause, 10% of the profits from the event are to be contributed to a benevolent cause which is to be identified in the initial request to the Congregation Council.*
5. *Seed money for the event may be provided by the Congregation Council.*
6. *A written financial report is to be submitted to the Finance Ministry Team at the conclusion of the event.*

7. *Any proceeds from the event are to be placed in the church checking account and disbursed by the treasurer.*
8. *Donations from outside companies shall not be solicited.*

C5.03.K12. Continuing Resolution Concerning the One-Time Use of Church Space

1. *One time use of this congregation's space shall be bound by the terms of a written agreement executed by a member of the Executive Committee. The member of the Executive Committee who is responsible for executing such a written agreement may verbally authorize a member of the staff to sign and date the agreement on behalf of the Executive Committee, provided that the name of the responsible individual is noted beneath the staff member's signature. The Executive Committee reserves the right to refuse such use of this congregation's property for any reason.*
2. *A security deposit of \$150 will be collected prior to the event. Members will not be charged a usage fee for use of the space; all others will be charged a \$250 usage fee per five hours. Non-members will also be charged a \$75 fee for the services of the sexton. The written agreement will reflect that if any church property is missing or damaged, the security deposit will not be returned and any damages in excess of the deposit will be the responsibility of the lessee. It is assumed that those requesting the use of this congregation's property shall set up before and clean up after their event within the agreed-upon timeframe; it is the lessee's responsibility to request enough time for these purposes.*
3. *If an event requires the services of this congregation's organist, the fee for these services shall be as follows:*
 - *Wedding – \$125, plus \$75 if practice with a soloist is required.*
 - *Funeral – \$75.*
4. *The pastor is empowered to use discretion in waiving the fees for any event when such action would be in accord with the mission of this congregation.*
5. *Alcohol may be consumed responsibly at events on the property of this congregation in accord with current laws and regulations. It is the responsibility of the lessee to provide sufficient monitoring to assure compliance with all applicable laws and regulations and that attendees are not being disruptive or destructive.*

C5.03.L12. Continuing Resolution Concerning the Ongoing Use of Church Space

1. *The use of any portion of the property of this congregation on an ongoing basis shall be bound by the terms of a written agreement executed by a member of the Executive Committee in consultation*

with the whole Executive Committee. The member of the Executive Committee who is responsible for executing such a written agreement may verbally authorize a member of the staff to sign and date the agreement on behalf of the Executive Committee, provided that the name of the responsible individual is noted beneath the staff member's signature. The Executive Committee reserves the right to refuse to offer the use of this congregation's property for any reason.

- 2. Non-profit groups which do not collect money may use the agreed-upon portions of this congregation's property at no charge, but free-will offerings to this congregation's operating expenses (particularly those incurred by the group's use of the space) are welcomed. This use is a service to our community.*
- 3. Non-profit groups which collect money from participants may use the agreed-upon portions of this congregation's property and shall be charged a nominal fee. The fee shall be arranged on a case-by-case basis and shall take into account the purpose of use, the frequency of use, the amount of this congregation's property and associated utilities which are to be used, the service provided to the community by the use, the expected amount of money to be collected, and other factors deemed to have bearing on the fee.*
- 4. For-profit groups may use the agreed-upon portions of this congregation's property, provided the activity is open to the public and beneficial to the community. Fees shall be determined on a case-by-case basis and shall be related to the expected profit generated by the use. In addition to any fees charged for the use, free-will offerings to this congregation's operating expenses (particularly those incurred by the group's use of the space) are encouraged.*

***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 Delaware-Maryland Synod of the Evangelical Lutheran Church in America.**

C5.04.01. This congregation delegates to the Congregation Council the election of voting members of the congregation as voting members in the permitted numbers to the synod assemblies, boards, and conferences to which this congregation belongs. The expenses incident to attendance shall be defrayed by the congregation.

C5.05. This congregation shall have a mission endowment fund that

will operate as specified in this congregation's bylaws and continuing resolutions. The purpose of the mission endowment fund is to provide for mission work beyond the operational budget of this congregation.

- C5.05.01. The Mission Endowment Fund is an endowment fund of this congregation, the investment of which shall be managed in accord with the policies of this congregation appertaining thereto.

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 Delaware-Maryland Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.**
- *C6.02. This congregation accepts the Confession of Faith and agrees to the Purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.**
- *C6.03. This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:**
- a. This congregation agrees to be responsible for its life as a Christian community.**
 - b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.**
 - c. This congregation agrees to call pastoral leadership from the clergy roster of 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 ordained ministers of the Evangelical Lutheran Church in America or to contracting for pastoral services with an ordained minister of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.**
 - d. This congregation agrees to consider associates in ministry, deaconesses and diaconal ministers 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.** A congregation may terminate its relationship with this church 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 this church, who shall report the termination to the Churchwide Assembly.**
- g. 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.**
- h. 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.**
- i. 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.**
- j. If a congregation fails to achieve the required two-thirds vote of voting members present at the congregation's first meeting as specified in paragraph a. above, another special meeting to consider termination of relationship with this church may be called no sooner than six months after that first meeting. If a 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.

- C6.05.01. Individual members may indicate, in writing, an electronic means by which notification shall be sent in lieu of notification by mail. The indicated means shall be used to make notification as required in C6.05.b., C6.05.d., C10.03., C16.03., C17.01., and C17.04. The member may request, in writing, a return to notification by mail; such a request shall apply to all notifications issued more than two weeks after the receipt of the request.
- *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 Delaware-Maryland Synod of the Evangelical Lutheran Church in America.**
- *C7.02. If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline, title to property shall continue to reside in this congregation.**
- *C7.03. If a two-thirds majority of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation, provided the process for termination of relationship in *C6.05. has been followed. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Delaware-Maryland Synod.**

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

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

- a. Shall not transfer, encumber, mortgage, or in any way burden or impair any right, title, or interest in the property without prior approval of the Synod Council.
- b. Shall—upon written demand by the Synod Council, pursuant to †S13.23. of the constitution of the Delaware-Maryland 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.**
- d. Associate members are persons holding membership in other Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, or persons who wish to retain a relationship with this congregation while being members of other congregations. They have all the privileges and duties of membership except voting rights and eligibility for elected offices or membership on the Congregation Council of this congregation.**

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

C8.03.01. No person shall be refused membership in this congregation for any reason except those behaviors which are sufficient cause for discipline of a member as detailed in C15.01. In the event that the Congregation Council shall refuse to approve an application for confirmed membership, the Congregation Council shall inform the applicant in writing of the reasons for its action and the procedure to be followed in the event an appeal is made. Such procedure shall be in harmony with the appeal procedure for a member of the congregation who has been placed under discipline.

C8.03.02. The names of all confirmed members who have been added to the roll of this congregation since the previous year's annual meeting shall be read aloud at and recorded in the minutes of the annual meeting of this congregation.

C8.03.A12. The Congregation Council shall recognize the pastor's approval of an application for membership in this congregation as the approval of the Congregation Council for that application. In the event that the pastor does not approve an application for membership, the pastor shall submit that application to the Congregation Council for approval or refusal by the entire 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 20.40. and the accompanying bylaws; or**
 - e. removal from the roll due to inactivity as defined in the bylaws.**

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

- C8.05.01.** Persons may be removed from the membership roll of the congregation by vote of the Congregation Council if the person has made no financial contribution of record and has no record of receiving Holy Communion for a period of three (3) consecutive years.

CHAPTER 9. THE PASTOR

- *C9.01.** Authority to call a pastor shall be in this congregation by at least a two-thirds majority ballot vote of 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 clergy roster of the Evangelical Lutheran Church in America or a candidate for the roster of ordained ministers who has been recommended for the congregation by

the synodical bishop may be called as a pastor of this congregation.

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

- a. Every ordained minister shall:**
 - 1) preach the Word;**
 - 2) administer the sacraments;**
 - 3) conduct public worship;**
 - 4) provide pastoral care; and**
 - 5) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.**
- b. Each ordained minister with a congregational call shall, within the congregation:**
 - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;**
 - 2) supervise all schools and organizations of this congregation;**
 - 3) install regularly elected members of the Congregation Council, and;**
 - 4) with the council, administer discipline.**
- c. Every pastor shall:**
 - 1) strive to extend the Kingdom of God in the community, in the nation, and abroad;**
 - 2) seek out and encourage qualified persons to prepare for the ministry of the Gospel;**
 - 3) impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and**
 - 4) endeavor to increase the support given by the congregation to the work of the churchwide organization of the Evangelical Lutheran Church in America (ELCA) and of the Delaware-Maryland 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.**

C9.04.01. In order that a pastor of the congregation may be devoted fully to the

duties of the office, an adequate salary shall be provided, paid in semi-monthly or monthly installments. Expenses incident to attendance at synod assemblies, boards, and conferences to which this congregation belongs shall be defrayed by the congregation.

C9.04.A97. *The pastor shall be reimbursed for business mileage at the prevailing IRS rate. Lay person(s) on official church business shall be reimbursed at the IRS charitable rate if reimbursement is desired or, if preferred, treated as a financial contribution.*

C9.04.02. As soon as practical after accepting a call and beginning the pastorate in this congregation, the pastor shall be duly installed in the office by the bishop of the synod or an appointee of the bishop of the synod.

***C9.05.**

a. The call of a 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 ordained ministers of this church;**
- 7) termination of the relationship between this church and the congregation;**
- 8) dissolution of the congregation or the termination of a parish arrangement; or**
- 9) suspension of the congregation through discipline for more than six months.**

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

- 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of**

two ordained 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 ordained ministers and one layperson.**
- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of the synod may declare the pastorate vacant and the pastor shall be listed on the clergy roster as disabled. Upon removal of the disability and restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.**
- d. In the case of alleged local difficulties that imperil the effective functioning of the congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the pastor and then to the congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance 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 majority vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a simple majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.**
- 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 disciplinary action, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution,**

bylaws, and continuing resolutions.

- *C9.06.** At a time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.
- *C9.07.** During the period of service, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any ordained pastor providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.
- *C9.08.** This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting related to the Evangelical Lutheran Church in America.
- *C9.09.** When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- *C9.11.** With the approval of the bishop of the synod the congregation may depart from *C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of the congregation for a review of the call. Such 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.

C9.12.03. The pastor may delegate the clerical aspect of maintaining the parochial records to a member or employee of this congregation.

***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.**

C9.14.A97. Any request for names and addresses of the members of our congregation will be reviewed by the Congregation Council as to its merit and purpose; and if the council recommends the release of the listing, it shall do so only upon written confirmation from the requestor that the data shall be used solely for the designated purpose. Further that the Congregation be advised prior to the release of the data so that each member has an opportunity to exclude his/her name/address from the listing. Under no circumstances will telephone numbers be released to any agency/organization.

The only exception to this policy will be the release of name/address by family unit for the purpose of providing for the "Lutheran Every Home Plan" since this publication provides each member an educational/informational tool to enlighten our membership of the church-at-large.

The requestor shall be advised the use of any published church membership directory with telephone numbers is not permitted. Said directory is for internal use only of the church membership. Any church organization sponsoring a supper/dinner may have a free will offering or use tickets (as best as possible the cost of the ticket is not to exceed the cost of the dinner). It is understood that the purpose of such event would be strictly social and not to raise funds for supporting the church.

C9.20. Ecumenical pastoral ministry

C9.21. Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, an ordained minister of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between the congregation and the ordained minister in a form proposed by the synodical bishop and approved by the congregation.

CHAPTER 10. CONGREGATION MEETING

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

C10.01.01. The annual Congregation Meeting shall be held during the month of November. The specific date shall be set each year by the Congregation Council.

C10.02. A special Congregation Meeting may be called by the 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 twenty (20) of the voting members. The president of the Congregation Council shall call a special meeting upon request of the synodical bishop. The call for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted.

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

(C6.05.01. Individual members may indicate, in writing, an electronic means by which notification shall be sent in lieu of notification by mail. The indicated means shall be used to make notification as required in C6.05.b., C6.05.d., C10.03., C16.03., C17.01., and C17.04. The member may request, in writing, a return to notification by mail; such a request shall apply to all notifications issued more than two weeks after the receipt of the request.)

C10.04. The lesser of fifteen voting members or 75% of the voting members of this congregation shall constitute a quorum.

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

C10.06. All actions approved by the congregation shall be by majority vote of those voting members present and voting, except as

otherwise provided in this constitution or by state law.

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

CHAPTER 11. OFFICERS

C11.01. The officers of this congregation shall be a president, vice president, secretary, financial 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.**
- d. The president, vice president, and secretary shall be selected from the elected membership of the Congregation Council. The treasurer and financial secretary shall be appointed by the president in consultation with the Congregation Council; they shall have voice but not vote at the meetings of the Congregation Council.**

C11.01.01. Responsibilities of Officers

- a. The president shall preside at meetings of the congregation and of the Congregation Council.
- b. The vice president shall assume all responsibilities of the president for the duration of any event which precludes the president's fulfillment of those responsibilities.
- c. The secretary shall keep accurate minutes of all meetings of the congregation and of the Congregation Council in a volume provided by the congregation, which shall be preserved permanently in its archives. When an action of the Congregation Council or of this congregation authorizes the disbursement of funds, the secretary shall convey those instructions as soon as possible, in writing, to the treasurer. The secretary shall also keep a copy of the current constitution, bylaws, and continuing resolutions in a volume provided for the purpose.
- d. The financial secretary shall receive and keep record of all income of the congregation and of attendance at all worship events of this congregation. The financial secretary may delegate the task of counting weekly offerings to a group of properly trained tellers. As part of the recordkeeping, the financial secretary will take steps to monitor the giving habits of this congregation's members; should a change of 10% or more take place, the financial secretary will encourage the pastor to investigate a possible pastoral need or cause

for celebration in that individual or family. The financial secretary shall annually, during the month of January, prepare for each individual and organization that made a financial contribution to this congregation during the previous year confidential reports of those contributions; the financial secretary shall also make arrangements for the immediate distribution of such reports which attempt to maintain the confidentiality of the reports' contents.

- e. The treasurer shall keep the books of account of the congregation and church schools and shall serve as the convener of any meeting of which the primary purpose is to discuss the investments of this congregation. The treasurer shall disburse funds on proper orders of the Congregation Council.
- f. The treasurer and financial secretary shall make written report of all financial transactions to the Congregation Council monthly and to the congregation, together with a satisfactory audit, at its annual meeting. All financial officers and positions 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 ELCA shall be deemed a fulfillment of this requirement.
- g. All officers of this congregation may use electronic means to keep their respective records of responsibility, provided that they maintain the means to provide physical copies of their records upon request from an authorized source and that they take precautions to protect the records from accidental loss.

C11.01.A97.

- 1. *The constitution, bylaws, annual reports, and any documents filed with a governmental agency that are open to public examination shall be made available to both members and non-members without requiring the approval of the Congregation Council.*
- 2. *Ministry team minutes, regular council minutes, monthly treasurer's and financial secretary's reports to council and other financial statements of account (excluding the records maintained by the financial secretary) shall be made available to all members only for their exclusive use without requiring the approval of the Congregation Council.*
- 3. *The records maintained by the financial secretary shall be made available only to the person(s) named as the giving unit in the financial secretary's records or that unit's legal representative. A legal representative with proof of power of attorney or the executor of the estate has permission to inspect the giving unit's record.*

4. *The minutes of the Congregation Council while in executive session shall be made available to members who make a written request to the Congregation Council. Such a request must include the purpose for the inspection of the minutes. The Congregation Council shall act upon the request at its next regularly scheduled meeting. The Congregation Council may deny the request if the stated purpose is deemed to be improper.*

C11.02. The Congregation Council shall elect its president, vice president, and secretary immediately following the annual Congregation Meeting. Those eligible to vote in this election shall be the voting membership of the Congregation Council for the following year. The president, vice president, and secretary shall be elected by written ballot and shall serve for one year or until their successors are elected. In the case that a candidate for an elected office is running unopposed, that office shall be elected by voice vote. The term shall begin on January 1st and end on December 31st.

C11.03. No officer shall hold more than one office at a time. The president and vice president shall not 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), the president, vice president, and secretary of the congregation, and not more than eight (8) nor fewer than three (3) at-large voting members of the congregation. At least one voting member of the Congregation Council shall be a youth (under the legal age of majority), and at least one voting member of the Congregation Council shall be a young adult (between the legal age of majority and thirty [30] years). In each case where a youth or young adult cannot be found willing to serve, the maximum at-large voting membership of the Congregation Council shall be reduced by one (1). Any voting member of the congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member:

- a. ceases to be a voting member of this congregation; or
- b. is absent from four successive regular meetings of the Congregation Council without cause.

Consistent with the laws of the state in which this congregation is incorporated, the congregation may adopt procedures for the

removal of a member of the Congregation Council in other circumstances.

C12.02. The voting members of the Congregation Council (except the pastor[s]) shall be elected at a legally called meeting of the congregation during the month of November. Their term of office shall be for three (3) years with the term of office beginning on January 1st of the year following their election and ending on December 31st. Newly elected Congregation Council members shall be installed at worship on the Sunday prior to the first regularly scheduled Council meeting after they assume office.

Such members shall be eligible to serve no more than one full elected term and shall not be eligible for reelection or appointment unless one year has elapsed after the term of office has expired.

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

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

- a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
- b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
- c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
- d. To maintain supportive relationships with the pastor(s) and staff and help them annually to evaluate the fulfillment of their calling or employment.
- e. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
- f. To promote a congregational climate of peace and goodwill and, as differences and conflicts arise, to endeavor to foster mutual understanding.

- g. To arrange for pastoral service during the sickness or absence of the pastor.**
- h. To emphasize partnership with the synod and churchwide organization of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.**
- i. To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.**
- j. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.**

C12.04.01. Each member of the Congregation Council shall serve as a member of a Ministry Team established in C13.06. and C13.07. At least one voting member of the Congregation Council shall serve on each Ministry Team. Immediately following the election of officers, the voting members of the Council shall determine on which Ministry Team each shall serve for the coming year.

C12.04.A97. When asked to consider service as a member of the Congregation Council, the candidate needs to consider that there is much more to this role than merely attendance at monthly council meetings.

The Congregation Council and the officers and leaders selected from their ranks will be responsible for the physical facilities, financial resources, and the programs and conduct of worship of this congregation.

Candidates for the Congregation Council will be expected to:

- 1. exceed minimal requirements of voting membership of St. Stephen (as specified in C8.02.c.),*
- 2. be regular in their attendance at worship services*
- 3. be considered to be a person whose lifestyle reflects their Christian faith*
- 4. have a willingness to take a position of leadership on one or more committees to help guide the temporal and spiritual life of the church*
- 5. be regular and punctual in their attendance at Congregation Council, ministry team, and annual and special Congregation Meetings.*

These expectations are meant to augment, not replace, duties as listed in

this congregation's constitution.

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

- a. The Congregation Council shall be the board of directors of this congregation, and as such shall be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Maryland, 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 is authorized to increase individual line items of the approved annual budget as long as the total budget change does not exceed 3% of the originally approved budget. Any further increases must be approved by the congregation.**
- 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 5% in excess of the anticipated receipts only after approval by a Congregation Meeting. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in partnership with the synod and churchwide organization.**
- e. The Congregation Council may enter into a contract of up to 3% of the budget for an item not included in the budget. The sum of all such contracts shall not exceed 10% per annum of the total approved budget except for emergency repairs which if not made will cause future damage to the property or render the facility unusable for its intended purpose.**
- f. 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.**
- g. The Congregation Council shall be responsible for overseeing the work of this congregation's endowment funds, its investments, and its total insurance program.**

- C12.06.** The Congregation Council shall see that the provisions of this constitution, its bylaws, and the continuing resolutions are carried out.
- C12.07.** The Congregation Council shall provide for an annual review of the membership roster.
- C12.08.** The Congregation Council shall be responsible for the employment and supervision of the 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.

C12.08.A90. The church office will be closed on the following holidays:

- 1. New Year's Day*
- 2. The Rev. Dr. Martin Luther King Jr.'s Birthday*
- 3. Presidents' Day*
- 4. Good Friday*
- 5. Easter Monday*
- 6. Memorial Day*
- 7. Independence Day*
- 8. Labor Day*
- 9. Thanksgiving Day*
- 10. Christmas Day*

Should any member of this congregation's staff be required to perform one or more duties on one of these holidays, or should one of these holidays fall on one of the staff member's usual days off, that staff member shall be compensated with one floating day off to be used within six months following the holiday. A pastor shall not use a floating day off on Sunday.

- C12.09.** The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.
- C12.11.** The Congregation Council shall normally meet once a month. Special meetings may be called by the pastor or the president, and shall be called by the president at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.
- C12.12.** A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the pastor or interim pastor, except when the pastor or interim pastor requests or consents to be absent and has given prior approval to the agenda for a particular regular or special

meeting, which shall be the only business considered at that meeting. Chronic or repeated absence of the pastor or interim pastor who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synodical bishop.

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

CHAPTER 13. CONGREGATIONAL MINISTRY TEAMS

- C13.01.** The officers of this congregation and the pastor shall constitute the *Executive Committee*.

- C13.02.** A *Nominating Ministry Team* of up to six voting members of this congregation, two of whom shall be outgoing members of the Congregation Council, shall be elected at the annual meeting for a term of one year. Members of the Nominating Committee are not eligible for consecutive reelection.

- C13.03.** An *Audit Ministry Team* of three voting members shall be elected by the Congregation Council. Audit Ministry Team members shall not be members of the Congregation Council. Term of office shall be three years, with one member elected each year. Members shall be eligible for reelection.

- C13.04.** A *Mutual Ministry Team* of six (6) voting members shall be appointed jointly by the president and the pastor. Term of office shall be three years, with two members to be appointed each year.

- C13.05.** When a pastoral vacancy occurs, a *Call Committee* of at least six, but not more than ten voting members shall be appointed by the Congregation Council. Term of office will terminate at installation of the newly called pastor.

- C13.05.01.** The members of the Mutual Ministry Team shall serve as the Call Committee when a pastoral vacancy occurs. The Congregation Council, at the request of the Mutual Ministry Team, may appoint up to four (4) additional voting members to serve on the Call Committee.

- C13.06.** A *Mission Support Ministry Team* of five voting members of this congregation shall be elected by the Congregation Council. The term of office will be three years, with the first slate of

members serving staggered terms. Each year following the initial election, two (2) members will be elected, with one (1) elected every third year. Members are eligible for only two consecutive terms. At all times at least one member of the committee shall serve on the Congregation Council.

C13.07. Other ministry teams of this congregation may be formed as the need arises, by decision of the Congregation Council.

C13.07.01. The Congregation Council will establish all standing ministry teams by enacting a continuing resolution. The continuing resolution will identify the names of the ministry teams and the function(s) of each ministry team.

C13.07.02. The Congregation Council may create task forces with limited duration for the purpose of accomplishing specific business of this congregation. Each task force shall be created by an act of the Congregation Council; such an act shall specify the name of the task force, the specific business to be accomplished, the members of this congregation appointed to the task force, and the conditions which shall signal the dissolution of the task force.

C13.07.A13. In order that all aspects of the life of this congregation and its members might be understood through the lens of Christian discipleship, four standing ministry teams are established to correspond to the four-fold pattern of liturgical worship (i.e. gathering, word, sacramental meal, and sending):

- 1. The Hospitality Ministry Team is established to gather together the people of God.*
- 2. The Spiritual Formation Ministry Team is established to invite the people of God into deeper relationship with Jesus Christ, the living Word of God.*
- 3. The Worship Ministry Team is established to provide nourishing experiences of worship which make ample use of the means of grace.*
- 4. The Stewardship Ministry Team is established to assist this congregation in responding actively and exuberantly to God's generosity, having been sent as instruments of God's mission with the many and varied gifts that have been entrusted to us, both individually and corporately.*

C13.08. Duties of the ministry teams of this congregation shall be specified in the bylaws and/or as continuing resolutions.

C13.08.01. All ministry teams are accountable to the Congregation Council and shall be recognized as representatives of and performing essential services for

this congregation as a whole.

- C13.08.02. The Congregation Council shall provide instructions to ministry teams of this congregation that in its judgment are in the best interests of the congregation. All actions of the ministry teams of this congregation shall be subject to review by the Congregation Council.
- C13.08.03. The Executive Committee shall be convened by the president, at the request of a pastor or any officer, either to discuss matters needing immediate attention (i.e. before the next regularly scheduled Congregation Council meeting) or to discuss policy execution not requiring a vote of the whole council.
- C13.08.04. The Nominating Ministry Team shall identify willing individuals to stand at the annual Congregation Meeting for election to each elected position in this congregation requiring a successor. Members of this congregation shall have the privilege of making additional nominations from the floor for each position to be filled, provided such person or persons have been notified in advance of the meeting and are willing to serve.
- C13.08.05. The Audit Ministry Team shall provide for annual audits of the treasurer's books of accounting. It shall also provide for audits of the treasury of any group in the congregation upon request of the Congregation Council.
- C13.08.06. The Mutual Ministry Team shall provide support and counsel to the pastor(s) and shall be a vehicle of accountability for relationships within this congregation.
- C13.08.07. The Call Committee shall serve as the committee designated in C9.01 who shall seek the advice and help of the bishop of the synod. They shall follow the process laid out by the bishop's office in seeking a pastor to fill a pastoral vacancy. If no such process is provided, the Call Committee shall consult with other congregations of this church in shaping such a process.
- C13.08.08. The Mission Support Ministry Team shall be responsible for identifying mission work beyond the operational budget of this congregation which may be supported by this congregation's members. In doing so, they will assist this congregation in becoming better stewards of God's gifts. In addition to identifying missional opportunities and educating this congregation's members about them, this ministry team shall also have the following duties:
 - a. To fulfill the purpose of the Mission Endowment Fund ("the Fund"), that is, to provide annual distributions beyond the operating budget of this congregation to ministries as stated below:
 - 1. Minimum of 20% for outreach into the local community or synod as the ministry team determines;

2. Minimum of 20% for ELCA Churchwide ministries as the ministry team determines;
 3. Minimum of 20% for extraordinary programs or other ministry initiatives within this congregation;
 4. Remaining 40% distributed through any of the above categories.
- b. To give an annual report of ministries supported through the Fund which is to be distributed to this congregation at its annual Congregation Meeting.
 - c. To make annual distributions before the end of October. Annual distributions will be a variable percentage of the annual value of the Fund balance as determined by the statement issued closest to October 31, and may include interest and dividends received, realized gains, and/or unrealized gains. The percentage shall be the greater of 4% or the growth rate of the investments (determined using a three-year rolling average of October investment values). If the Fund ever exceeds \$500,000 in value on the September valuation date, the next year's distribution shall include a 10% distribution of that September value in addition to the annual distribution.
 - d. To encourage gifts to this congregation's endowment funds through education and promotion of the funds.
 - e. To receive and celebrate gifts given for ministry through the Fund. Ten percent of each such gift will be distributed immediately beyond the operating budget of this congregation. The remaining portion will be added to the Fund. The Congregation Council has the discretion to decline acceptance of a gift if deemed to be in the best interest of the Fund and the congregation.
 - f. To respond to an action of this congregation, under an unforeseen emergency situation, to use principal of the Fund to help the Congregation rectify an economically devastating situation.

C13.08.A12. An Essential Guide to the Ministries of St. Stephen Lutheran Church shall be created to provide more detailed descriptions of the responsibilities of each Ministry Team and of the specific individuals who serve in the ministries of this congregation. The Mutual Ministry Team shall annually review its contents and propose any changes, either prescriptive or descriptive, to the Congregation Council.

C13.08.B12. A quorum for the transaction of ministry team business shall consist of three (3) members. When only three (3) members are present, a unanimous vote shall be required to carry any motion or resolution.

A voting member of the Congregation Council shall serve as the convener

for each ministry team and preside at meetings of the ministry team unless another member of the ministry team is willing to serve in that capacity. A recording secretary shall be appointed for each ministry team meeting of which the complete and accurate minutes shall be given, before the next Congregation Council meeting, to a member of the ministry team who is also a Congregation Council member.

All standing ministry teams established by continuing resolution shall meet at least quarterly.

C13.08.C13. The duties of the standing ministry teams shall be as follows:

- 1. The Hospitality Ministry Team shall provide opportunities for disciples of Christ, current and prospective, to experience a relationship with God through fellowship. At all gatherings of this congregation, the Hospitality Ministry Team shall attempt to anticipate and provide for the needs of those unfamiliar with this congregation and its practices. This ministry team shall plan and implement periodic and occasional events which are in accord with God's mission and facilitate social interaction among this congregation and with our neighbors.*

This ministry team shall coordinate the various means by which this congregation communicates with the public about its activities and ministries, including but not limited to:

- a. newsletter (The Call),*
 - b. website,*
 - c. social media,*
 - d. voicemail greeting,*
 - e. advertisement (e.g. newspaper, radio, internet, telephone directories)*
 - f. neighborhood mailings,*
 - g. exterior signage, and*
 - h. the implementation of technology in this congregation.*
- 2. The Spiritual Formation Ministry Team shall provide opportunities for disciples of Christ to explore and expand their understanding of discipleship. The types of opportunities shall vary by necessity and in accordance with the moving of the Holy Spirit (e.g. Bible study, teaching about various prayer and meditation practices, discussion groups, visiting the sick and homebound, featured speakers).*
 - 3. The Worship Ministry Team shall assist the pastor in seeing that gatherings for worship are conducted regularly, in accordance with Lutheran theology, and in a way that inspires worshipers through a balance of familiarity and innovation. The team shall ensure that appropriate personnel for worship are recruited and*

trained and that paraments, vestments, and other worship materials are put to use and cared for.

- 4. The Stewardship Ministry Team shall provide for the maintenance, improvement, and prudent use of the resources of this congregation. This ministry team shall occasionally take stock of the resources entrusted to this congregation and its members, including but not limited to physical, financial, experiential, and spiritual gifts. Having assessed the blessings that we have been called to steward, this ministry team will then assist the disciples of Christ to seek out ways to respond to God's generosity by caring for these gifts and using them to further God's mission.*
 - a. The Stewardship Ministry Team shall see to the proper maintenance of all property of this congregation and shall take care that the same is kept in good repair. To that end, it is empowered to deal directly with minor repairs to the facility, defined as costs up to and including \$1000.00, and emergency repairs, as defined in their judgment, considering the immediate situation before them, without regard to a bid process. All other proposed projects/expenditures exceeding \$1000.00 require a minimum of three (3) bids from licensed contractors with expertise in the required field unless waived by the Congregation Council.*
 - b. The Stewardship Ministry Team shall exercise oversight of all financial affairs of this congregation. In pursuit of this end, the ministry team shall prepare a draft budget to submit to the Congregation Council for its action and later presentation to a congregation meeting. At the direction of the Congregation Council, the team shall study alternatives and recommend to the council a method of funding expenditures of the congregation. It shall, subject to the approval of the Congregation Council, be responsible for the congregation's total insurance program.*
 - c. The Stewardship Ministry Team shall also be responsible for managing the investment of this congregation's endowment funds. They shall select and manage investment opportunities which have a verifiable history of growth coupled with moderate income. The treasurer shall maintain accurate records so that it is clear which part of the investments are principal, income, and growth (as calculated by using a rolling average of year-end investment values).*

All investments shall be invested by outside investors (e.g. ELCA Endowment Fund Pooled Trust, ELCA Mission Investment Fund). No ministry team member shall invest the assets in a way that would bring private inurnment to that individual; all ministry team members shall refrain from any conduct in which personal interests would conflict with the interest of the endowment funds. Members of this ministry team shall not be liable for any losses which may be incurred upon the investments of the assets of the endowment funds except to the extent such losses shall have been caused by bad faith. No member shall be personally liable as long as that member acts in good faith. Each member shall be liable only for his or her own willful misconduct or omissions, and shall not be liable for the acts or omissions of any other member. Any professional counseling on investments or legal matters deemed to be in the best interest of the endowment funds shall be paid at the expense of the Sustaining Ministry Fund.

5. *Each ministry team is empowered, as necessary or prudent, to form working groups to pursue any of their roles in the life of this congregation. Each working group meets only as needed and is accountable to and treated as part of the ministry team that formed it. Anyone serving as part of a working group is recognized as a representative of and performing essential services for this congregation as a whole. Examples of working groups could include: Property working group of the Stewardship Ministry Team, Children's Education working group of the Spiritual Formation Ministry Team, Newsletter working group of the Hospitality Ministry Team, Altar Guild working group of the Worship Ministry Team, and Visitation working group of the Spiritual Formation Ministry Team.*

C13.09. The senior pastor of this congregation shall be *ex officio* a member of all ministry teams, committees, and boards of the congregation with both voice and vote.

CHAPTER 14. ORGANIZATIONS WITHIN THE CONGREGATION

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

C14.02. Special interest groups, other than those of the official

organizations of the Evangelical Lutheran Church in America, may be organized only after authorization has been given by the Congregation Council.

CHAPTER 15. DISCIPLINE OF MEMBERS AND ADJUDICATION

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

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

- *C15.02.** The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If the counseling, censure, and admonitions pursuant to C15.01. do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three lay persons and two clergy). 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. BYLAWS

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

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

C16.02.01. Minor editorial powers are granted to the Executive Committee to make changes in spelling, grammar, capitalization, typographical errors, and style/arrangement without convening a meeting of the congregation.

***C16.03.** 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 its 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.

(C6.05.01. Individual members may indicate, in writing, an electronic means by which notification shall be sent in lieu of notification by mail. The indicated means shall be used to make notification as required in C6.05.b., C6.05.d., C10.03., C16.03., C17.01., and C17.04. The member may request,

in writing, a return to notification by mail; such a request shall apply to all notifications issued more than two weeks after the receipt of the request.)

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

CHAPTER 17. AMENDMENTS

- *C17.01. Unless provision *C17.04. 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 five (5) 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.**

(C6.05.01. Individual members may indicate, in writing, an electronic means by which notification shall be sent in lieu of notification by mail. The indicated means shall be used to make notification as required in C6.05.b., C6.05.d., C10.03., C16.03., C17.01., and C17.04. The member may request, in writing, a return to notification by mail; such a request shall apply to all notifications issued more than two weeks after the receipt of the request.)

(C16.02.01. Minor editorial powers are granted to the Executive Committee to make changes in spelling, grammar, capitalization, typographical errors, and style/arrangement without convening a meeting of the congregation.)

- *C17.02. An amendment to this constitution, proposed under *C17.01., shall:**
- a. be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those present and voting;**
 - b. be ratified without change at the next annual meeting by a two-thirds majority vote of those present and voting; and**
 - c. have the effective date included in the resolution and noted in the constitution.**

C17.02.01. The meeting to amend the constitution (*C17.02.a.) must be held at least 30 days prior to the annual meeting.

***C17.03.** Any amendments to this constitution that result from the processes provided in *C17.01. and *C17.02. 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.

***C17.04.** This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* as most recently amended by the Churchwide Assembly. Such amendments may be approved by a simple majority vote of those voting members present and voting at any legally called meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to the congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of 20 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.

(C6.05.01. Individual members may indicate, in writing, an electronic means by which notification shall be sent in lieu of notification by mail. The indicated means shall be used to make notification as required in C6.05.b., C6.05.d., C10.03., C16.03., C17.01., and C17.04. The member may request, in writing, a return to notification by mail; such a request shall apply to all notifications issued more than two weeks after the receipt of the request.)

(C16.02.01. Minor editorial powers are granted to the Executive Committee to make changes in spelling, grammar, capitalization, typographical errors, and style/arrangement without convening a meeting of the congregation.)

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.

C18.03. The Congregation Council shall review all continuing resolutions annually.

C18.04. Copies of approved continuing resolutions shall be kept by the council secretary in a book provided for this purpose.

CHAPTER 19. INDEMNIFICATION

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

CHAPTER 20. PARISH AUTHORIZATION

***C20.01.** This congregation may unite 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 a Parish Council.

***C20.02.** Whenever a letter of call is being recommended for extension to an ordained minister of the Evangelical Lutheran Church in America or a candidate for the roster of ordained ministers who has been recommended to the congregation by the synodical bishop to serve the congregations of a parish, such letter of call shall be first approved by a two-thirds vote at congregational meetings of each of the congregations forming the parish. If any congregation of the parish should fail to approve extending this call, the other congregation(s) in the same parish shall have the right to terminate the parish arrangement.

***C20.03.** Any one of the congregations of a parish may terminate the call of a pastor as provided in +S14.13.d. of the synodical constitution of the synod named in *C6.01. In such case, the other congregation(s) in the same parish shall have the right to terminate the parish arrangement.

***C20.04.** Whenever a parish arrangement is terminated, the call of any

rostered person serving that parish is terminated. Should any congregation that formerly was part of the parish arrangement desire to issue a new call to that rostered person, it may do so in accordance with the call process of this church.