

**Constitution of St. John’s Lutheran Church
Poughkeepsie, New York**

2024

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CONTENTS

Table of Contents.....	1
Preamble.....	2
Chapter 1 Name and Incorporation.....	2
Chapter 2 Confession of Faith.....	2
Chapter 3 Nature of the Church	3
Chapter 4 Statement of Purpose	3
Chapter 5 Powers of the Congregation	4
Chapter 6 Church Affiliation	5
Chapter 7 Property Ownership	7
Chapter 8 Membership	8
Chapter 9 Rostered Minister.....	9
Chapter 10 Congregation Meeting	13
Chapter 11 Officers	14
Chapter 12 Congregation Council.....	15
Chapter 13 Congregation Committees	17
Chapter 14 Organizations within the Congregation	20
Chapter 15 Discipline of Members and Adjudication	21
Chapter 16 Amendments	22
Chapter 17 Bylaws.....	22
Chapter 18 Continuing Resolutions.....	23
Chapter 19 Indemnification	23
Chapter 20 Parish Authorization.....	23

**CONSTITUTION OF ST. JOHN'S LUTHERAN CHURCH
POUGHKEEPSIE, NEW YORK
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Material in **boldface text** and two-part numbers are Constitutional Provisions.

Material in *italic text* and three-part numbers are Bylaws.

Material in plain text and with year designations (Axx) are Continuing Resolutions

* Indicates required provision

***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. John's Evangelical Lutheran Church.

C1.02. For the purpose of this constitution and the accompanying bylaws, the congregation of St. John's Evangelical Lutheran Church is hereinafter designated as "this congregation."

C1.11. This congregation shall be incorporated under the laws of the State of New York.

Chapter 2.

CONFESSION OF FAITH

***C2.01.** This congregation confesses the Triune God, Father, Son, and Holy Spirit.

***C2.02.** This congregation confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.

a. **Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.**

b. **The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.**

c. **The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.**

***C2.03.** This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.

***C2.04.** This congregation accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.

***C2.05.** This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.

***C2.06.** This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.

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

Chapter 3.

NATURE OF THE CHURCH

- *C3.01. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority.
- *C3.02 This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian Unity throughout the world.
- *C3.03. The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. The Evangelical Lutheran Church in America, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.
- *C3.04. This church, inspired and led by the Holy Spirit, participates in The Lutheran World Federation as a global
- *C3.05. The name Evangelical Lutheran Church in America (ELCA or “this church”) as used herein refers in general references to this whole church, including its three expressions—congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.

Chapter 4.

STATEMENT OF PURPOSE

- *C4.01. The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God’s creative, redeeming, and sanctifying activity in the world.
- *C4.02. To participate in God’s mission, this congregation as a part of the Church shall:
 - a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
 - b. Proclaim God’s saving Gospel of justification by grace for Christ’s sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
 - c. Carry out Christ’s Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
 - d. Serve in response to God’s love to meet human needs, caring for the sick and the aged, advocating dignity, and justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, embracing and welcoming racially and ethnically diverse populations, and standing in solidarity with the poor and oppressed 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 this congregation’s ministry and the ministry of the other expressions of the Evangelical Lutheran Church in America.

- h. Foster and participate in interdependent relationships with other congregations, the synod, and the churchwide organization of the Evangelical Lutheran Church in America.
- i. Foster and participate in ecumenical relationships consistent with churchwide policy.
- *C4.04. This congregation shall develop an organizational structure to be described in the bylaws. The Congregation Council shall prepare descriptions of the responsibilities of each committee, task force, or other organizational group and shall review their actions. Such descriptions shall be contained in continuing resolutions in the section on the Congregation Committees.
- *C4.05. This congregation shall adopt and periodically review_a mission statement which will provide specific direction for its programs.
- C4.05.01 *The purpose and mission of St. John's Evangelical Lutheran Church shall be, by God's grace, to promote Christ centered worship, education, fellowship, spiritual formation and growth; partner with others in mission and ministry with the wider community and world; continue the Lutheran heritage of seeking new and innovative ways of expressing our Christian faith*
- *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 this congregation. This congregation is authorized to:
 - a. call a pastor as provided in Chapter 9;
 - b. terminate the call of a pastor as provided in Chapter 9;
 - c. call a minister of Word and Service
 - d. terminate the call of a minister of Word and Service in conformity with the constitution of the Evangelical Lutheran Church in America;
 - e. adopt amendments to the constitution, as provided in Chapter 16, and amendments to the bylaws, as specified in Chapter 17, and continuing resolutions, as provide in Chapter 18.
 - f. approve the annual budget;
 - g. acquire real and personal property by gift, devise, purchase, or other lawful means;
 - h. hold title to and use its property for any and all activities consistent with its purpose;
 - i. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
 - j. elect its Congregation Council, and require them to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
 - k. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.
- *C5.04. This congregation shall elect 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 this congregation and other qualifications shall be as prescribed in guidelines established by the Metropolitan New York Synod of the Evangelical Lutheran Church in America.
- C5.05. This congregation shall have a mission endowment fund that will operate as specified in this congregation's continuing resolutions. The purpose of the mission endowment fund is to provide for mission work beyond the operational budget of this congregation.

Chapter 6.

CHURCH AFFILIATION

- *C6.01. This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the Metropolitan New York Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.
- *C6.02. This congregation accepts the Confession of Faith and agrees to the Purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.
- *C6.03. This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:
- a. This congregation agrees to be responsible for its life as a Christian community.
 - b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
 - c. This congregation agrees to call pastoral leadership from the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services with a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.
 - d. This congregation agrees to consider ministers of Word and Service for call to other staff positions in this congregation according to the procedures of the Evangelical Lutheran Church in America.

C6.03d.01

- a. *This congregation may call Rostered Deacons (Deacon/s) who have been Rostered by action of the Metropolitan New York Synod/ELCA. All Deacons shall serve this congregation under a Letter of Call and in accordance with the current guidelines for diaconal ministry provided by the Synod.*
- b. *A Deacon's Call shall be for a period of one year, renewable annually by action of the Pastor(s), endorsement of the Congregation Council and ratification of this congregation at the annual meeting. All Deacons shall serve under the supervision of the Pastor(s), within the terms of the Letter of Call and the current guidelines for diaconal ministry provided by the Synod.*
- c. *Deacons may be requested to attend meetings of the Congregation Council, where they shall have voice but no vote. Since a Deacon is already a Congregational leader in a Called ministry of service, they shall not serve as an elected member of the Congregation Council.*
- d. *Deacons shall report regularly to the Pastor(s), to the Congregation Council and annually to this congregation as per terms of their Letter of Call.*
- e. *Diaconal service during a Pastoral vacancy:*
 - 1) *During a Pastor vacancy, the Vice-Pastor or Interim Pastor (if in place) shall supervise the Deacons according to the current Letter of Call and the current guidelines for diaconal ministry provided by the Synod.*
 - 2) *A new Letter of Call for the Deacon shall be negotiated between the Pastor and Deacon within a period of six months after the Installation of a Pastor, to reflect the dynamics of the new ministerial team. The new Letter of Call shall be presented to the Congregation Council for endorsement at the next scheduled meeting and to this congregation for ratification within one month after Congregation Council action.*
 - 3) *Because of the supervisory relationship between the Pastor and Deacon, Deacons shall not serve on Congregation Call Committees.*
- f. *In the event of unresolved issues arising out of the supervisory and ministry team relationships, the Pastor and Deacon(s) shall seek the guidance, support and encouragement of the Bishop who shall mediate the relationship and facilitate any recommendations.*
- g. *Termination of a Deacon's Letter of Call:*
 - 1) *The Deacon may terminate her/his Letter of Call upon written application to and conversation with the Pastor(s). The Pastor(s) shall present the termination notification to the Congregation Council for implementation at the next scheduled meeting. Announcement of the termination of Call shall be made to this congregation in a letter signed by the Pastor(s) and Congregation President within one week of Congregation Council action.*
 - 2) *If, in the judgment of the Pastor and/or the Congregation Council, the Deacon shall be deemed unable to serve according to the terms of the Letter of Call and/or the current guidelines for diaconal*

service provided by the Synod, the Pastor and Congregation President shall meet with the Deacon and appropriate resolution shall be sought. Their findings shall be presented to the Congregation Council for implementation within a period of one month.

3) The Deacon shall have recourse pursuant to the provision in 6.03d.01f prior to action of the Congregation Council.

4) Notification of the termination of the Deacon's Letter of Call shall be made to this congregation in a letter signed by the Pastor(s) and Congregation President within one week of the Congregation Council action.

C6.03d.01.A07

h. Deacon's Mileage (adopted by Council 6/12/07): Called Deacons of St. Johns will be reimbursed for all travel related to the activities in their Call as a Deacon. The mileage will be reimbursed at the current IRS allowance after a mileage statement is submitted, which shows the date of travel, mileage and purpose. This statement will be approved by the Pastor. This reimbursement is intended to reimburse the Deacons for the cost of the mileage associated with their call as Deacons

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 is 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 or in accordance with provision 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America.

d. The Metropolitan New York Synod takes charge and control of the property of the congregation to hold, manage, and convey the same on behalf of the synod pursuant to †S13.24. of the synod constitution. This congregation shall have the right to appeal the decision to the next Synod Assembly.

e. This congregation follows the procedures outlined in *C6.05.

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

a. A resolution indicating the intent to terminate its relationship must be adopted at two legally called and conducted special meetings of this congregation by a two-thirds vote of the voting members present at each meeting. The first 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 this 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 the bishop and/or the bishop's designee are a voting member of this congregation, they shall have voice but not vote at the first meeting.

b. Within 10 days after the resolution has been voted upon at the first meeting, the secretary of this 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 send copies of the resolution and certification to voting members of this congregation

c. If the resolution was adopted by a two-thirds vote of the voting members present at the first meeting, the bishop of the synod and this congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the bishop of the attestation and certification as specified in paragraph b. above.

d. If this congregation, after such consultation, is still considering termination of its relationship with this church, 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 second meeting shall be sent to all voting members and to the bishop at least 10 days in advance of the meeting. Unless the bishop and/or the bishop's designees are voting members of this congregation, they shall have voice but not vote at the second meeting.

e. Within 10 days after the resolution has been voted upon, the secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the second special meeting was legally called and conducted and certifying the outcome of

the vote, and shall send copies of the resolution and certification to the voting members of the congregation. If the resolution was adopted by a two-thirds vote of the voting members present at the second meeting, the relationship between the congregation and this church shall be terminated subject to Synod Council approval as required by paragraphs f. and g. below.

- f. Unless this notification to the bishop also certifies that this congregation has voted to affiliate with another Lutheran denomination, this congregation shall be deemed an independent or non-Lutheran church, in which case *C7.04. shall apply.
- g. This congregation shall abide by these covenants by and among the three expressions of this church:
 - 2) Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to receive approval before terminating their membership in this church.
- h. If this congregation fails to achieve the required two-thirds vote of voting members present at this congregation's first meeting as specified in paragraph a. above or fails to achieve the required two-thirds vote of voting members present at this 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 the meeting at which the two-thirds vote was not achieved.

*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 taken.

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

Chapter 7.

PROPERTY OWNERSHIP

*C7.01. If this congregation ceases to exist, title to undisposed property shall pass to the Metropolitan New York 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 or pursuant to 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America, title to property shall continue to reside in this congregation.

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

*C7.04. If 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 process established by the synod, 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. In neither case does title to this congregation's property transfer to the synod.

*C7.05. Notwithstanding the provisions of *C7.02. and *C7.03. above, where this congregation has received property from the synod pursuant to a deed or other instrument containing restrictions under provision

9.71.a. of the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America, this congregation accepts such restrictions and:

- a. Shall not transfer, encumber, mortgage, or in any way burden or impair any right, title, or interest in the property without prior approval of the Synod Council.
- b. Shall upon written demand by the Synod Council, pursuant to †S13.23. of the constitution of the Metropolitan New York 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 this congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws. They shall not have voted as a seasonal member of another congregation of this church in the previous two calendar months.

C8.02.01. As an intentional extension of New York State Religious Corporation Law, this congregation defines a voting member as any member meeting the basic standards listed in C8.02.c who has reached the age of at least 16 years of age or older

- d. Associate members are persons holding membership in other Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. These individuals have all the privileges and duties of membership except voting rights or other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws
- e. *Seasonal* members are voting members of other congregations of this church who wish to retain such membership but desire to participate in the life and mission of this congregation, including exercising limited voting rights in this congregation. The Congregation Council may grant seasonal membership to such persons provided that this congregation is a member of a synod where the Synod Council has approved seasonal member voting on its territory. Such seasonal members shall have all the privileges and duties of voting members except that:
 - 1) they shall not be eligible for elected office in, or for membership on the Congregation Council or on a call committee of, this congregation;
 - 2) they shall not have the right to vote on any matter concerning or affecting the call or termination of call of any minister of this congregation;
 - 3) they shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with this church;
 - 4) they shall not be eligible to serve as voting members from this congregation of the Synod Assembly or the Churchwide Assembly;
 - 5) they shall not, even if otherwise permitted by this congregation, vote by proxy or by absentee ballot; and
 - 6) they shall not, within any two calendar month period, exercise voting rights in this congregation and in the congregation where they remain voting members.

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

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

- a. make regular use of the means of grace, both Word and sacraments;

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

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

- a. death;
- b. resignation;
- c. transfer or release;
- d. disciplinary action in accordance with ELCA constitutional provision 20.40. and the accompanying bylaws; or
- e. removal from the roll due to inactivity in accordance with the provisions of this constitution and its bylaws.

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

- C8.05.01
- a. *When a member of this congregation has failed to receive Holy Communion, or has failed to make a contribution of record for a period of two consecutive calendar years, that member may be removed from the roll of members by the Congregation Council.*
 - b. *The removal procedure will take place only after such a member has been counseled about the matter, if possible.*
 - c. *Persons who have been removed from the roll of members shall remain persons for whom the church has a continuing pastoral concern.*

Chapter 9.

ROSTERED MINISTER

***C9.01. Authority to call a pastor shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod.**

***C9.02. Only a member of the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Sacrament who has been recommended for this congregation by the synod bishop may be called as a pastor of this congregation.**

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

a. Every minister of Word and Sacrament shall:

- 1) preach the Word;
- 2) administer the sacraments;
- 3) conduct public worship;
- 4) provide pastoral care;
- 5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
- 6) impart knowledge of this church and its wider ministry available channels of effective communication;
- 7) witness to the Kingdom of God in the community, in the nation, and abroad; and

8) speak publicly to the world in solidarity with the poor and oppressed, advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations;

calling for justice and proclaiming God's love for the world.

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

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

- 6) encourage adherence to covenantal relationship with this church as expressed in the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- *C9.04. The specific duties of the pastor, compensation, and other matters pertaining to the service of the pastor shall be included in a letter of call, which shall be attested by the bishop of the synod.
- *C9.05. The provisions for termination of the mutual relationship between a minister of Word and Sacrament and this congregation shall be as follows:
- a. The call of this congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the pastor's death or, following consultation with the synod bishop, for any of 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 that congregation in view of local conditions
 - 4) inability to conduct the pastoral office effectively in view of disability or incapacity of the pastor;
 - 5) suspension of the pastor through discipline for more than three months
 - 6) resignation or removal of the pastor from the roster of Ministers of Word and Sacrament of this church;
 - 7) termination of the relationship between this church and this congregation;
 - 8) dissolution of this congregation or the termination of a parish arrangement; or
 - 9) suspension of this congregation through discipline for more than six months.
 - b. When allegations of disability or incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,
 - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
 - c. In case of alleged disability or 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 resumption evident to the committee, the bishop of this synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament with disability status. Upon resumption of the ability to conduct the office effectively 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 this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the pastor and then to this 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 this 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, this congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
 - f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's

committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions

- *C9.06. At a time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.**
- *C9.07.** During the period of service, an interim pastor shall have the rights and duties in this congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any rostered minister providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.
- *C9.08.** This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry.
- *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, this 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 this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.05.a.**
- *C9.12.** **The pastor of this congregation:**
- a. shall keep accurate records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from this congregation;**
 - b. shall submit a summary of such statistics annually to the synod; and**
 - c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.**
- *C9.13.** **The pastor(s) shall submit a report of ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.**
- *C9.14.** **The records of this congregation shall be maintained by the pastor and shall remain the property of this congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in the secretary's hands in good order by a departing pastor before the installation of that pastor in another call or approval of a request for change in roster status.**
- C9.15.** **Under special circumstances, subject to the approval of the synod bishop and the concurrence of this congregation, a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between this congregation and the pastor in a form proposed by the synod bishop and approved by this congregation.**
- *C9.21.** **Authority to call a deacon shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod.**
- *C9.22.** **Only a member of the roster of Ministers of Word and Service of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Service who has been recommended for this congregation by the synod bishop may be called as a deacon of this congregation**
- *C9.23.** **Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:**
- a. Be rooted in the Word of God, for proclamation and service;**

- b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
 - c. Speak publicly to the world in solidarity with the poor and oppressed, advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations;
 - d. Equip the baptized for ministry in God's world that affirms the gifts of all people;
 - e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
 - f. Practice stewardship that respects God's gift of time, talents, and resources;
 - g. Be grounded in a gathered community for ongoing diaconal formation;
 - h. Share knowledge of this church and its wider ministry of the gospel and advocate for the work of all expressions of this church; and
 - i. Identify and encourage qualified persons to prepare for ministry of the gospel.
- *C9.24. The specific duties of the deacon, compensation, and other matters pertaining to the service of the deacon shall be included in a letter of call, which shall be attested by the bishop of the synod.
- *C9.25. The provisions for termination of the mutual relationship between a minister of Word and Service and a congregation shall be as follows:
- a. The call of this congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the deacon's death or, following consultation with the synod bishop, for any of the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the deacon, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the ministry of Word and Service effectively in this congregation in view of local conditions;
 - 4) inability to conduct the pastoral office effectively in view of disability or incapacity of the deacon;
 - 5) suspension of the deacon through discipline for more than three months;
 - 6) resignation or removal of the deacon from the roster of Ministers of Word and Service of this church;
 - 7) termination of the relationship between this church and this congregation;
 - 8) dissolution of this congregation or the termination of a parish arrangement; or
 - 9) suspension of this congregation through discipline for more than six months.
 - b. When allegations of disability or incapacity of the deacon under paragraph a.4) above, or ineffective conduct of the office of minister of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,
 - 1) the bishop who has sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
 - c. In case of alleged disability or incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service with disability status. Upon resumption of the ability to conduct the office effectively, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.
 - d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken

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

- e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

*C9.26. This congregation shall make satisfactory settlement of all financial obligations to a former deacon before calling a successor. A deacon 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.

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

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

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

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

Chapter 10.

CONGREGATION MEETING

C10.01. This congregation shall have at least one regular meeting per year. The regular meeting(s) of the congregation the bylaws shall designate one regular meeting per year as the annual meeting of this congregation.

C10.01.01 *The congregational and fiscal year shall begin January 1 and end December 31 of each year.*

C10.01.02 *There shall be two regular meetings of this congregation in each calendar year.*

a. *The first regular meeting shall be designated the annual meeting, it shall occur no later than February 28, and shall include the review of the annual report, the financial reports, adoption of the budget and any other items deemed appropriate.*

b. *The second regular meeting of the year shall occur no later than the end of September and shall include the report of the Audit Committee (C11.01.01E), the election of the Congregation Council members whose term shall begin January of the following year and any other items deemed appropriate.*

C10.01.C16 The Audit Committee shall present a preliminary audit report no later than the May meeting of 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 this congregation upon the written request of five (5) percent of the voting members. The president of the Congregation Council shall call a special meeting upon request of the synod-bishop. The call for each special meeting shall specify the purpose for which it is to be held, and no other business shall be transacted.

C10.03. Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail to all voting members at least 10 days in advance of the date of the meeting. The posting of such notice in the regular mail, with the regular postage affixed or paid, sent to the last known address of such members shall be sufficient. Electronic notice of meetings may be provided in

- addition to notice by regular mail.
- 10.04. Five percent of the voting members shall constitute a quorum.
- C10.05. Voting by proxy or by absentee ballot shall not be permitted.
- C10.06. All actions approved by this congregation shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution or by state law.
- C10.07. Robert's Rules of Order, latest edition, shall govern parliamentary procedure of all meetings of this congregation.
- C10.08. This congregation may hold meetings by remote communication, including electronically and by telephone conference, as long as there is an opportunity for simultaneous aural communication or its equivalent. To the extent permitted by state law, notice of all meetings may be provided electronically.
- C10.09. "Ex officio" as used herein means membership with full rights of voice and vote unless otherwise expressly limited.

Chapter 11. OFFICERS

- C11.01. The officers of this congregation shall be a president, vice president, secretary, and treasurer.
- Duties of the officers shall be specified in the bylaws.
 - The officers shall be voting members of this congregation and be 18 years or older.
 - Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.
- C11.01.01
- All officers shall remain voting members as defined in the Constitution, Chapter 8 – MEMBERSHIP (C8.02.c.). If any officer ceases to be a voting member, the office held by that member shall at once be declared vacant by the Congregation Council, which shall fill the vacancy for the unexpired term as stated in the Constitution, Chapter C.12.03.
 - The president shall preside at meetings of the congregation and the Congregation Council with the exception that the president for the preceding year shall preside at the annual congregational meeting, but only through the "old business". In the event of the president's inability to perform the president's duties, the vice-president shall preside.
 - 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.
 - The treasurer shall be responsible for the books and accounts of the congregation. The treasurer is responsible for making proper disbursements of all funds. The treasurer is also responsible to see that the books and records of all organizations in the church are properly maintained and that they are audited and reported in the same manner as the congregation's records as provided in the By-laws, Chapter C13.06.01.
 - The treasurer shall make written reports of all financial transactions to the Congregation Council monthly and to the congregation at its annual meeting. The Congregation Council shall also give a satisfactory audit by the second regular Congregational Meeting each year. All financial officers shall give corporate surety, in amounts determined by the Congregation Council, for which the premium shall be paid by the congregation. If available, fidelity coverage provided by the Evangelical Lutheran Church in America shall be deemed a fulfillment of this requirement.
- C11.02. The Congregation Council shall elect its officers and they shall be the officers of this congregation. The officers shall be elected by written ballot and shall serve for one year or until their successors are elected. Their terms shall begin on the first day of the month following the close of the Congregation Council meeting at which they are elected. For this election, the newly elected and installed members of the Congregation Council whose term of office begins January 1, following, shall be eligible for election to these offices and to vote in this election. They shall not be entitled to vote on any other matters until their term of office begins January 1, following their election.
- C11.02.A20 *At the annual December election of Council Officers for the next calendar year, the newly elected members of the Congregation Council whose term of office begins January 1, following, shall be eligible for election to these offices and to vote in this election. They shall not be entitled to vote on any other matters until their term of office begins.*
- C11.03. No officer shall hold more than one office at a time. No elected officer shall be eligible to serve more than four consecutive terms in the same office.

Chapter 12.

CONGREGATION COUNCIL

C12.01. The voting membership of this Congregation Council shall consist of the pastor(s), the 4 officers of this congregation, and not more than 12 nor fewer than 5 members of this congregation. Any voting member of this congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office.

C12.01.01

- a. *Nominations for Congregation Council membership shall be made by the Nominating Committee to the congregation to a number equal to the number of vacancies to be filled. Congregation Council members tenure shall be so arranged that one-half of the terms expire annually. Additional nominations may be made by voting members from the floor. A simple majority of votes cast by those present and voting shall be sufficient to elect.*
- b. *All newly elected members of the Congregation Council shall be installed by the Senior or Associate Pastor according to the prescribed order of the church at a public worship service prior to the commencement of their term or as soon thereafter as convenient.*
- c. *In addition to the 4 lay officers, the Congregation Council shall consist of the Pastor(s) and 5 additional lay members with the following responsibilities: Each one is assigned one of the five purposes of the church. They have a passion for that particular purpose, and their role is to network with all the mission teams assigned to that particular purpose. They are not "liaisons" who need to attend every mission team meeting, but they are to be aware of what's happening in those mission teams. In the event that a mission team has a vacant chair, the council member assigned to the church purpose for that mission team shall temporarily function as the chair or may delegate all or part of the responsibilities of the chair for that team to other mission team members.*

1. **DISCIPLESHIP**

"To help members develop toward full Christian maturity and train them for effective ministry. To promote personal, spiritual growth and discipleship through Bible teaching" (Ephesians 4:11-13; Matthew 18:20; 2 Timothy 2:2).

2. **WORSHIP**

"To participate in public worship services together and to maintain personal daily devotions." (John 4:24).

3. **FELLOWSHIP**

To encourage support and pray for each other as members of the family of God. To share our lives together." (1 John 1:7; Acts 2: 44-47; Hebrews 10 23-25; Romans 15:5, 7; John 13:34-35).

4. **MINISTRY**

"To serve unselfishly, in Jesus, by meeting the physical, emotional and spiritual needs of those in our church, community and in the world." (1 Peter 4:10-11; Matthew 25:34-40; 1 Thessalonians 5:11; Galatians 5:13).

5. **EVANGELISM**

"To share the good news of Jesus Christ with as many people as possible in our community and throughout the world." (Matthew 28:18-20; Act 1:8; 2 Peter 3:9).

- d. **Duties of the Congregation Council**

In addition to their standing corporate and fiduciary responsibilities (as outlined in the church constitution, and New York State law) the Congregation Council will function as the vision and policy setting body of this congregation.

The Council will be responsible for conducting a regular cycle (4 years) of congregational discernment (similar to the 1999 Interim Steering Committee process), goal setting and implementation. Council is responsible for guiding the implementation process over the four-year period. This process will involve the review, and possible creation / disbanding of Mission Teams / Groups as required each January.

Newly created Groups may or may not be "assigned" to existing Mission Teams (even if they seem to have a natural fit) at the discretion of the Council, particularly during the first two years of their existence. This will help ensure the free exploration of new ideas without any restrictions from our pre-existing programs.

- C12.01.A10 In support of the current (2009) church-wide focus on improving youth and young adult involvement in the life of the congregation, the Nominating Committee is strongly encouraged to maintain at least one active member of the congregation council in the young adult age bracket (18-30) at all times.
- C12.02. The members of the Congregation Council except the pastor(s) shall be elected to serve for two years or until their successors are elected. Such members shall be eligible to serve no more than three full terms consecutively. Individuals who have been elected by the Congregation Council or this Congregation to fill more than one half of a regular term shall be considered as having served one full regular term for the purposes of the consecutive term limitation. Congregation Council members terms shall begin January 1, following their election.**
- C12.03. A member's place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from four successive regular meetings of the Congregation Council without cause or c) resigns. Consistent with the laws of the state in which the congregation is incorporated, the congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances. 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 regular Congregation meeting. At that meeting a successor shall be elected by the congregation to fill the unexpired term.**
- C12.04. The Congregation Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:**
- a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
 - b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
 - c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
 - d. To maintain supportive relationships with the rostered ministers(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 support of the synod and churchwide organization of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America..
 - i. To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.
 - j. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.
- C12.05. The Congregation Council shall be responsible for the financial and property matters of this congregation.**
- 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 New York, 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 this congregation.
 - c. The Congregation Council shall prepare an annual budget for adoption by this congregation and shall supervise the expenditure of funds in accordance therewith following its adoption. 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. The Congregation Council shall be required to secure the approval of the Congregation before authorizing expenditures from the General Fund that exceed the approved budget by more than 2%.

- 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 \$15,000 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 collaboration with the synod and churchwide organization.
- e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of mission support monies to the synod.
- f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.

C12.05.01

- a. *All members of the congregation in good standing (voting members) shall be entitled to use the church building in case of marriage, funeral, or baptism in the family. Others may use the building for the above purpose at the discretion of the pastor(s) or officers of the Congregation Council.*
- b. *Organizations of the church may use the buildings for programs which carry out the objectives of the church.*
- c. *Organizations not of the church may use the buildings at the discretion of the Congregation Council.*

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

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

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

C12.09. The Congregation Council shall submit a 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 synod bishop.

C12.13. The Congregation Council and its committees may hold meetings by remote communication, including electronically and by telephone conference, as long as there is an opportunity for simultaneous aural communication or equivalent to the extent permitted by state law, notice of all meetings may be provided electronically.

Chapter 13.

CONGREGATION COMMITTEES

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

C13.02. A Nominating Committee of six voting members of this congregation, two of whom, if possible, shall be current members of the Congregation Council, shall be elected by the Congregation Council for a term of one year. Members of the Nominating Committee are not eligible for consecutive reelection.

C13.02.A16 The Nominating Committee shall be elected no later than the February meeting of the Congregation Council.

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

C13.03.B16 The Audit Committee members shall be elected no later than the February meeting of the Congregation Council

C13.04. A Mutual Ministry Committee (in the absence of a mutual ministry committee, the duties shall be fulfilled by the executive committee) shall be appointed jointly by the president and the rostered minister. Term of office shall be two years, with three members to be appointed each successive year.

C13.05. When a vacancy occurs in a position for which this congregation calls a rostered minister, a Call Committee of six voting members shall be elected by the Congregation Council. Term of office will terminate upon installation of the newly called rostered minister.

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

C13.06.01

- a. *There shall be a Finance/Administration Mission Team, of which the treasurer and the financial secretary shall be members. It shall prepare a draft budget for the succeeding year, including this congregation's full indicated share in support of the wider ministry being carried on in its behalf by the Evangelical Lutheran Church in America and the synod, and shall submit such a draft budget to the Congregation Council for its action and later presentation at the annual congregation meeting. The committee shall exercise oversight of all the financial affairs of the congregation to make sure that they 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. Actions of this Mission Team shall, subject to the approval of the Congregation Council, be responsible for the congregation's investments, and shall also provide for annual audits of the accounts of the treasurer and the financial secretary as well as of the accounts of the school(s) and organizations within the congregation.*
- b. *A Financial Secretary shall be appointed by the Congregation Council with the same term limits as other Mission Team chairpersons. The financial secretary shall be responsible for the receipts and records of all contributions and gifts from members and other sources.*

C13.07. Duties of committees and mission teams of this congregation shall be specified in the continuing resolutions.

C13.07.01

- a. *At its first meeting in each congregational year, the Congregation Council shall appoint as many mission teams as the local and wider congregation shall require as described in Chapter 4 - STATEMENT OF PURPOSE (also see C12.04.b). Each such mission team shall be composed of a chairperson (who is a voting member of the congregation) recommended by the Nominating Committee and confirmed by the Congregation Council and, in addition, other members of the congregation and the wider community. Although appointed by and responsible to the Congregation Council, these mission teams shall be recognized as representative interest of, and performing essential services for, the congregation as a whole. The Pastor(s) shall have voice and vote in all committees and mission teams.*
- b. *Except as stipulated in the following paragraphs, the duties of all mission teams shall be assigned by the Congregation Council, along with such instructions as in its judgment are in the best interests of the congregation. All actions of mission teams shall be subject to review by the Congregation Council.*
- c. *Mission Teams will be created to fulfill the missions of the church and its congregation goals. Mission Teams, in general, are expected to last indefinitely to fulfill the operational requirements of the church. Mission Teams may be composed of a number of small groups, which will be focused on a more specific subset of each Team's mission.*

Mission Teams / Groups and their chairpersons will be re-appointed / acknowledged each January at the Congregation Council re-organizational meeting.

- d. *All Mission Teams and their chairpersons will have the following responsibilities in their area of service:*
 1. *Coordinate their plans with the current set of Congregational Goals.*
 2. *Work with the Finance Committee and their own Groups to develop and administer their budgets. Mission Team Chairperson will approve and sign payment vouchers for budget expenses in their purview.*
 3. *Meet, at least quarterly, to discuss progress and decide actions in support of the Team's mission.*
 4. *Provide input to the congregation, council, and planning teams on future goals and directions.*
 5. *Chairpersons will provide written reports to the Congregation Council on the activities and actions of the Team, frequency and content to be defined by Council.*
 6. *Chairpersons or their designee will attend all regular and special meetings of the congregation.*

C13.07.A03

- a. *Worship & Music Mission Team: (adopted by Council 1/8/03) – shall have responsibility for the conduct of the on-going worship services of the congregation. They shall provide for regular worship experiences appropriate for a congregation of the Evangelical Lutheran Church in America*
- b. *Property: (adopted by Council 3/10/03) There shall be a Mission Team for Church Property. This Mission Team is responsible for the:*

- 1.) Maintenance and security of all property of the congregation and shall take care that the same is kept in good repair.
- 2.) Administration of the Future Major Building Repair Fund (FMBR). A 5 year outlook is maintained for major expenditures, i.e. roof replacement, parking lot repairs and other repairs and improvements as needed. Expenditures from this fund must be approved by the Congregation Council.
- c. Social Ministry Mission Team: (adopted by Council 1/8/03) shall have the responsibility for the congregation's corporate outreach including local, Synodical, and worldwide interests.
- d. Finance / Administration Mission Team - is defined in the by-laws C.13.06.01
- e. Hospitality Support: (adopted by Council 4/8/03) There shall be a Hospitality Support Mission Team that shall have the responsibility for supporting both regular and special fellowship events of the congregation. They will also coordinate Groups that will provide specific hospitality task support for events sponsored by other Mission Teams.
- f. Parish Care: (adopted by Council 4/8/03) There shall be a Parish Care Mission Team that will coordinate various Action Groups that address parish care. It will provide Christian compassion, care and services to members of the congregation and the community. The purpose of the Parish Care Mission Team is to work with the pastoral staff in the ministry of pastoral care, enable and support the holistic delivery of Christian care and provide outreach. It will provide these services through improved communication, coordination and development of services, including a continuing evaluation of congregational and community needs.
- g. Adult Ministry Mission Team: (adopted by Council 5/13/03) Shall have responsibility for the development and support of education, fellowship and spiritual growth opportunities for adults and their families. The integration of music and worship and social ministry shall be coordinated with the appropriate mission teams.

C13.07.B03

All Mission Teams shall communicate to Council via written monthly reports. Church Council minutes and all Mission Team monthly reports will be distributed to all Mission Team chairpersons. Personal presentations to Council may be made either at the request of Council or the Team (for approval of actions- like extra money). Action Groups shall communicate to the Congregation Council on a schedule and in a form as required and determined by the Congregation Council. (adopted by Council 1/8/03).

C13.07.C03

Personnel: (adopted by Council 6/13/03) Is responsible "to provide for employment of compensated staff, except called pastors, with concern for equal employment opportunity, fair employment practices, personnel policies, and annual review of the adequacy of compensation and benefits for all staff". "Compensated staff" includes deacons, deaconesses and associates in ministry. Congregation Council retains all personnel responsibilities for ordained and called pastors of the congregation.

This team must have seats for:

- a. The Senior Pastor of the congregation
- b. Three laypersons not serving on Congregation Council and appointed by Congregation Council
- c. Congregation Council member with responsibility for Personnel Development as ex officio

Specifically, the Personnel Mission Team is responsible for:

- I. Selection
 - a. Preparing and updating job descriptions for all positions.
 - b. Providing for the hiring of staff, including advertising the job opening, interviewing applicants, recommending hiring to the Congregation Council, including salary and benefits.
 - c. Recommending termination of employment to the Congregation Council.
 - d. Serving as the exit interview group when a staff person leaves the employ of the congregation.
- II. Evaluation
 - a. Providing for an annual evaluation for the staff.
 - b. Providing for periodic review of the contract extended to lay professionals.
- III. Support
 - a. Serving as a personal and confidential support group to the staff.
 - b. Serving as an open communication channel regarding conditions and attitudes within the congregation.
 - c. Serving as agents of reconciliation in time of conflict in the congregation and performing dispute resolution activities.
 - d. Reviewing annually the details of compensation and benefits provided for all staff. Such reviews will lead to recommendations to the Finance & Administration team and the Congregation Council.
- IV. Policy and Procedures:
 - a. Evaluating and recommending personnel policies, such as Vacation Policy, for all employees of the congregation.
 - b. Establishing, maintaining, and following procedures that describe execution of the policies.

C13.07.A04

- i. Youth Ministry Mission Team (6th Grade – post high school): (adopted by Council 7/13/04)
Shall have responsibility for the development and support of education, fellowship and spiritual growth opportunities for youth and their families. The integration of music and worship and social ministry shall be coordinated with the appropriate mission teams.
- j. Children's Ministry Mission Team (birth –5th Grade): (adopted by Council 7/13/04)
Shall have responsibility for the development and support of education, fellowship and spiritual growth opportunities for children and their families. The integration of music and worship and social ministry shall be coordinated with the appropriate mission teams.

C13.07.C07.

- k. Evangelism Mission Team (Adopted by Council 6/12/07) There shall be an Evangelism Mission Team to share the good news of Jesus Christ with as many people as possible in our community and throughout the world. (Matthew 28:18-20; Act 1:8; 2 Peter 3:9)
- l. Communication Mission Team (Adopted by Council 6/12/07) There shall be a Communication Mission Team that continually reviews and updates all means of communication in our Church Community.
- m. Stewardship Mission Team (Adopted by Council 6/12/07) There shall be a Stewardship Mission Team to alert Saint John's members of opportunities to celebrate the Lord through stewardship in our daily lives.

C13.07.A23.

- a. Mission Team Chairs – appointment and term limits
 - 1. At its first meeting each congregational year, in addition to appointing as many mission teams as the congregation shall require (as defined in C13.07.01a), the Congregation Council shall appoint the chairs for those teams for that year. Such an appointment will require a simple majority vote of the Council.
 - 2. As a best practice, the Council should seek to limit the term of any single individual in the same mission team chair position to a maximum of six consecutive terms/years – modeling the term limits set for Congregation Council members.
 - 3. However, if it is determined by the Council that it is in the best interests of the Congregation to extend the number of terms for an individual in a mission team chair position beyond the recommended six consecutive year limit, the Council may do so, but all additional consecutive term appointments for that individual in that mission team chair position will require a two-thirds affirmative vote of the Council for the appointment after the sixth consecutive term.

C13.08. The senior pastor of this congregation shall be ex officio a member of all committees and boards of this congregation. The president of this congregation shall be ex officio a member of all committees and boards of congregation, except the Nominating Committee.

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Chapter 14.

ORGANIZATIONS WITHIN THIS 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 and specified in a continuing resolution.**

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 this congregation, or willful and repeated harassment or defamation of member(s) of this 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 this 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 rostered ministers. 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 this congregation; or
 - d. termination of membership in this 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 this 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 between or among factions within this congregation on a substantive issue which cannot be resolved by the parties, members of this congregation may petition the synod bishop for consultation after informing the president of this congregation of their intent to do so. The synod bishop shall seek a timely resolution of the dispute. If the issue relates directly to the pastor, the bishop may begin the process in †S14.18.d. In all other matters, if the bishop's consultation fails to resolve the issue, the bishop shall refer the matter to the Consultation Committee of the synod, which shall undertake efforts to find an appropriate solution. If the Consultation Committee's efforts fail to resolve the dispute, the entire matter shall be referred to the Synod Council for adjudication by whatever process the Council deems necessary. The Synod Council's decision shall be final.

Chapter 16. AMENDMENTS

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

Chapter 17. BYLAWS

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

Chapter 18.

CONTINUING RESOLUTIONS

- *C18.01. This 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 this congregation or a two-thirds vote of all voting members of the Congregation Council.
- *C18.03. Adopted or amended continuing resolutions shall be sent by the secretary of this congregation to the synod.

Chapter 19.

INDEMNIFICATION

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

Chapter 20.

PARISH AUTHORIZATION

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

- *C20.01. This congregation may unite with one or more other congregations recognized by the synod named in *C6.01. to form a parish. Except as provided in *C20.02. and *C20.03., a written agreement, developed in consultation with the synod and approved by the voting members of each congregation participating in the parish, shall specify the powers and responsibilities that have been delegated to the Parish Council. The Parish Agreement shall identify which congregation of the parish issues calls on behalf of the member congregations or shall establish a process for identifying which congregation issues calls on behalf of the member congregations.
- *C20.02. One congregation of a parish shall issue a call on behalf of the member congregations to a minister of Word and Sacrament or a candidate for the roster of Ministers of Word and Sacrament who has been recommended by the synod bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.
- *C20.03. One congregation of a parish may issue a call on behalf of the member congregations to a minister of Word and Service or a candidate for the roster of Ministers of Word and Service who has been recommended by the synod bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregation meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.
- *C20.04. Any one of the congregations of the parish may terminate their relationship with the pastor as provided in †S14.18.d. of the synod constitution of the synod named in *C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.
- *C20.05. Any one of the congregations of the parish may terminate their relationship with a minister of Word and Service as provided in †S14.43.d. of the synod constitution of the synod named in *C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.