



Evangelical Lutheran Church in America

God's work. Our hands.

CONSTITUTION

FOR

**CROSS LUTHERAN CHURCH
ROBERTS, WISCONSIN**

OF THE

EVANGELICAL LUTHERAN

CHURCH IN AMERICA[®]

2019

► *Review by synod 10/7/2019*

INTRODUCTION to the *Model Constitution for Congregations*

The *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, like the other governing documents of this church, reflects the theology and polity of this church as it organizes itself to preach the gospel of Jesus Christ, share the sacraments, reach out to the neighbor with good news and share the love of God in the world. Each expression of this church — churchwide, synod, and congregation — is held together in a relationship of interdependence that encourages each to respond to its context. These documents also demonstrate our commitment to seeing ourselves with others as part of the one, holy, catholic, and apostolic Church. As such, the *Model Constitution for Congregations* is deeply rooted in Scripture, the Lutheran Confessions, and the history of this church and its predecessors.

The *Model Constitution for Congregations* was adopted by the Constituting Convention of the Evangelical Lutheran Church in America, as required by the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. This current edition of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* contains changes adopted by all churchwide assemblies, including the fifteenth Churchwide Assembly in 2019. It is consistent with the requirements of the governing documents of the ELCA’s churchwide organization and synods, and it provides organizational flexibility to recognize the context of local congregations.

► **Required provisions:** Sections of this constitution marked by an asterisk [*] are required when a congregation amends its governing documents. These sections must be used without alteration or amendment of the text in any manner (*i.e.*, neither additions nor deletions are permissible). This requirement is based on provision 9.52. in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. This provision requires that when a congregation of this church “wishes to amend any provision of its governing documents, the governing documents of that congregation shall be so amended to conform to 9.25.b.” in the churchwide constitution. Provisions in the *Model Constitution for Congregations* identified by an asterisk [*] are those required under ELCA constitutional provision 9.25.b.

► **Review by synod:** Each congregation of this church is to provide a copy of its governing documents, and any amendments thereto, to its synod. In accordance with ELCA bylaw 9.53.03., amendments to a congregation constitution become effective *only* when approved by the synod. This bylaw provides:

All proposed changes in the constitution or incorporation documents of a congregation shall be referred to the synod with which the congregation is affiliated. The synod shall notify the congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them. The synod shall recognize that congregations may organize themselves in a manner which they deem most appropriate.

No governing document amendment will be approved by a synod if it conflicts with the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. In order to meet constitutional requirements and to avoid potential problems, all proposed amendments to a congregation’s constitutional provisions, bylaws, and continuing resolutions should be submitted to the synod for review.

► **Amendment consistent with the Model Constitution for Congregations:** A congregation that amends its constitution to be in conformity with the *Model Constitution for Congregations* will report these changes to its synod. The amendments become effective upon adoption by the congregation, *C16.04. While synod approval is not required, it is wise to work with the synod in preparing to present these amendments to the congregational meeting.

► **Codification explanation:** The *Model Constitution for Congregations* is organized into chapters by general subject matter and codified as (a) constitutional provisions, (b) bylaws, and (c) continuing resolutions. Each provision is preceded by a capital “C.” If a constitutional provision is mandatory, it will be preceded by an asterisk, “*C.”

- a. Constitutional provisions are codified with two sets of numbers, preceded by a “C”: the chapter number, followed by a period, and a two-digit number. A period follows the two-digit number. Thus, one required constitutional provision related to “Membership” in Chapter 8 is codified as “*C8.02.” A provision in Chapter 12 relating to a report by the Congregation Council to the congregation at an annual meeting is codified as “C12.09.” Constitutional provisions are adopted and amended in accordance with Chapter 16 titled “Amendments.”
- b. Bylaw provisions follow constitutional provisions to which they apply. They are not intended to be organized in a separate document at the end of the constitutional provisions. Bylaws are codified with three sets of numbers: the chapter number (preceded by a “C”), the related constitutional provision number, and a two-digit number. There are periods after the chapter number, after the reference to the constitutional provision, and after the bylaw number. Thus, a bylaw provision related to “Membership” would be codified as “C8.02.01.” A bylaw relating to the contents of an annual report by the Congregation Council to the congregation at an annual meeting would be codified as “C12.09.01.” Because bylaws and continuing

resolutions normally relate to specific practices and details of each congregation's organization, operation, and life, there is not a model set of bylaws or continuing resolutions. Thus, each congregation has discretion and may develop its own bylaws and continuing resolutions, including bylaws and continuing resolutions under required constitutional provisions, but no such bylaw or continuing resolution may conflict with constitutional provisions in the *Model Constitution for Congregations*, the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, or the constitution of the synod, as indicated in *C6.03.e. Bylaws are adopted and amended in accordance with Chapters 16 and 17.

- c. Continuing resolutions are intended to provide descriptions of operational patterns and practices or of the ongoing responsibilities of committees or other units within the organizational structure of the congregation. They follow the relevant constitutional provision or bylaw to which they refer. Continuing resolutions also are codified with three sets of numbers, except that the third set is preceded by a capital letter. Thus, a continuing resolution describing congregational committees in Chapter 13 might be numbered "C13.07A19." The initial numbers "C13.07" indicate that the continuing resolution relates to the designated constitutional provision, which in this case provides that the duties of congregational committees may be specified in bylaws or continuing resolutions. The final letter and numbers "A19" designate that this is the first continuing resolution "A" and the year that it was adopted, in this example 2019. Continuing resolutions are adopted and amended in accordance with Chapter 18. Unlike constitutional provisions and bylaws which are adopted by the congregation at a legally called and conducted meeting, continuing resolutions may be adopted either by a congregational meeting or by the Congregation Council.

► **Missing numbers:** You will notice that certain numbers are missing from the numbering sequence in some chapters. These omissions are intentional. For example, in some chapters the number ".10." and multiples thereof have been reserved for possible use as section headings in future editions.

► **Selection of options:** Alternatives are provided in some places within the *Model Constitution for Congregations*. Alternatives are noted by brackets or blank lines. For example, constitutional provision *C9.01. offers the alternative of election of a call committee by the congregation or by the Congregation Council. Only one alternative should be chosen in each instance where brackets appear in the text. In other provisions, alternative provisions are provided. Thus, in Chapters 11 and 12, regarding "Officers" and "Congregation Council," options are provided separated by the word "or." Each congregation should select one of those options, subject to approval through the synod's constitutional review process. Where a blank line appears, such as in C1.01. or C10.02., the appropriate word, phrase, or number determined by the individual congregation should be inserted.

► **References to church:** In the governing documents, "Church" with a capital letter refers to the one, holy, catholic, and apostolic Church. The words "church" or "this church" in lowercase letters refer to the Evangelical Lutheran Church in America. The specific congregation may be identified, as provided in C1.02., as "this congregation."

► **Guidelines:** A list of guidelines for a congregation engaging in review and amendment of its constitution is available through each synod office and at ELCA.org.

► **Consultation and concluding comments:** Each synod has a process to review proposed amendments to congregational constitutions. The work of both congregations in amending their governing documents and the synod in reviewing proposed amendments is facilitated by consultation and cooperation *before* proposed amendments are acted upon by the congregation. In addition, each congregation should establish a process for periodic review of its governing documents. You are encouraged to contact your synod office to assist your congregation in its periodic review of governing document provisions and to assess whether problems may exist with respect to proposed amendments.

The important task of amending a constitution is challenging. It is, however, an essential endeavor that merits thoughtful work. In addressing your constitutional responsibilities, may God grant you and your colleagues wisdom, discernment, and commitment to the unity of this church in faithful witness to our Lord and Savior, Jesus Christ.

Secretary Wm Chris Boerger
Evangelical Lutheran Church in America
August 10, 2019

**CONSTITUTION
for
CROSS LUTHERAN CHURCH
ROBERTS, WISCONSIN
of the
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***PREAMBLE**

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

Chapter 1.

NAME AND INCORPORATION

- C1.01.** The name of this congregation shall be Cross Lutheran Church.
- C1.02.** For the purpose of this constitution and the accompanying bylaws, the congregation of Cross Lutheran Church is hereinafter designated as “this congregation.”
- C1.11.** This congregation shall be incorporated under the laws of the State of Wisconsin.

Chapter 2.

CONFESSION OF FAITH

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

Chapter 3.

NATURE OF THE CHURCH

* Required provision

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

Chapter 4.

STATEMENT OF PURPOSE

- *C4.01. The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world.
- *C4.02. To participate in God's mission, this congregation as a part of the Church shall:
 - a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
 - b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
 - c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
 - d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, standing with the poor and powerless, and committing itself to their needs.
 - e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
 - f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.
- *C4.03. To fulfill these purposes, this congregation shall:
 - a. Provide services of worship at which the Word of God is preached and the sacraments are administered.
 - b. Provide pastoral care and assist all members to participate in this ministry.
 - c. Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregation.
 - d. Teach the Word of God.
 - e. Witness to the reconciling Word of God in Christ, reaching out to all people.
 - f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
 - g. Motivate its members to provide financial support for 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.
- *C4.06. 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, amendments to the bylaws, as specified in Chapter 17, and continuing resolutions, as provided in Chapter 18;
 - f. approve the annual budget;
 - g. acquire real and personal property by gift, devise, purchase, or other lawful means;
 - h. hold title to and use its property for any and all activities consistent with its purpose;
 - i. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
 - j. elect its Congregation Council and require the members of the council to carry out their duties in accordance with the constitution, 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 Northwest Synod of Wisconsin of the Evangelical Lutheran Church in America.
- C5.05. This congregation shall have a mission endowment fund that will operate as specified in this congregation’s bylaws. The purpose of the mission endowment fund is to provide for mission work beyond the operational budget of this congregation.

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 Northwest Synod of Wisconsin 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.
 - 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 Northwest Synod of Wisconsin takes charge and control of the property of this 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 he or she is a voting member of this congregation, the bishop and the bishop's designees, if any, 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 he or she is a voting member of this congregation, the bishop and the bishop's designees, if any, 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:
 - 1) Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in *C6.05. shall be required to receive Synod Council approval before terminating their membership in this church.
 - 2) Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to receive synod approval before terminating their membership in this church.
 - 3) Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church.
 - h. If this congregation fails to achieve the required two-thirds vote of voting members present at 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 regularly for worship, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action.

Chapter 7.

PROPERTY OWNERSHIP

- *C7.01.** If this congregation ceases to exist, title to undisposed property shall pass to the Northwest Synod of Wisconsin 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 Northwest Synod of Wisconsin.
- *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 Northwest Synod of Wisconsin—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.
 - 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 Chapter 20 of the constitution and bylaws of the Evangelical Lutheran Church in America; 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.

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 through 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, calling for justice and proclaiming God's love for the world.
 - b. Each pastor with a congregational call shall, within the congregation:
 - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2) relate to all schools and organizations of this congregation;
 - 3) install regularly elected members of the Congregation Council;
 - 4) with the council, administer discipline;
 - 5) endeavor to increase the support given by the congregation to the work of the churchwide organization and of the Northwest Synod of Wisconsin; 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 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 this congregation in view of local conditions;
 - 4) physical disability or mental incapacity of the pastor;
 - 5) suspension of the pastor through discipline for more than three months;
 - 6) resignation or removal of the pastor from the roster of Ministers of Word and Sacrament of this church;

- 7) termination of the relationship between this church and this congregation;
 - 8) dissolution of this congregation or the termination of a parish arrangement; or
 - 9) suspension of this congregation through discipline for more than six months.
- b. When allegations of physical disability or mental incapacity of the 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 physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament with disability status. Upon removal of the disability and the restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.
 - d. In the case of alleged local difficulties that imperil the effective functioning of 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 setting.
- *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 parochial 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 his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.
- *C9.14.** The parochial records of this congregation shall be maintained by the pastor and shall remain the property of this congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in his or her hands in good order by a departing pastor before the installation of that pastor in another 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, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad;
 - d. Equip the baptized for ministry in God's world that affirms the gifts of all people;
 - e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
 - f. Practice stewardship that respects God's gift of time, talents, and resources;
 - g. Be grounded in a gathered community for ongoing diaconal formation;
 - h. Share knowledge of 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 the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the deacon, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the ministry of Word and Service effectively in this congregation in view of local conditions;
 - 4) physical disability or mental incapacity of the deacon;

- 5) suspension of the deacon through discipline for more than three months;
 - 6) resignation or removal of the deacon from the roster of Ministers of Word and Service of this church;
 - 7) termination of the relationship between this church and this congregation;
 - 8) dissolution of this congregation or the termination of a parish arrangement; or
 - 9) suspension of this congregation through discipline for more than six months.
- b. When allegations of physical disability or mental incapacity of the deacon under paragraph a.4) above, or ineffective conduct of the office of minister of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,
 - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
 - c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service with disability status. Upon removal of the disability and the restoration of the deacon to health, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.
 - d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the deacon, if appropriate. If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.
 - e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
 - f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.
- *C9.26.** 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 his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

Chapter 10.

CONGREGATION MEETING

- C10.01.** This congregation shall have at least one regular meeting per year. The regular meeting(s) of the congregation shall be held at the time(s) specified in the bylaws. Consistent with the laws of the State of Wisconsin, the bylaws shall designate one regular meeting per year as the annual meeting of this congregation.
- 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 ten 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 or electronic means, as permitted by state law, to all voting members at least 10 days in advance of the date of the meeting.
- C10.04.** Ten 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. To the extent permitted by state law, notice of all meetings may be provided electronically.

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.
 - Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.
 - If the Congregation Council elects its officers, the president, vice president, and secretary shall be selected from the elected membership of the Congregation Council. If the treasurer is not selected from the elected membership of the Congregation Council, the treasurer shall have voice but not vote at the meetings of the Congregation Council.
- C11.02.** The Congregation Council shall elect its officers and they shall be the officers of the congregation. The officers shall be elected by written ballot and shall serve for one year. Their terms shall begin in February and end in January.
- C11.03.** No officer shall hold more than one office at a time. No elected officer shall be eligible to serve more than two consecutive terms in the same office.

Chapter 12.

CONGREGATION COUNCIL

- C12.01.** The voting membership of the Congregation Council shall consist the pastor and nine 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. A member's place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from four successive regular meetings of the Congregation Council without cause. Consistent with the laws of the state in which this congregation is incorporated, this congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.
- C12.02.** The members of the Congregation Council except the pastor shall be elected by written ballot to serve for three years or until their successors are elected. Such members shall be eligible to serve no more than

two full terms consecutively. Their terms shall begin at the close of the annual meeting at which they are elected.

- C12.03.** Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor until the next annual meeting.
- C12.04.** The Congregation Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:
- a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
 - b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
 - c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
 - d. To maintain supportive relationships with the rostered minister(s) and staff and help them annually to evaluate the fulfillment of their calling or employment.
 - e. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
 - f. To promote a congregational climate of peace and goodwill and, as differences and conflicts arise, to endeavor to foster mutual understanding.
 - g. To arrange for pastoral service during the sickness or absence of the pastor.
 - h. To emphasize 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 managing its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Wisconsin, 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 may enter into contracts of up to \$5,000 for items not included in the budget.
 - d. The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations of more than \$5,000 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 treasurer.
 - f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.
- C12.06.** The Congregation Council shall see that the provisions of this constitution, its bylaws, and the continuing resolutions are carried out.
- C12.07.** The Congregation Council shall provide for an annual review of the membership roster.
- C12.08.** The Congregation Council shall be responsible for the employment and supervision of the 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 and, to the extent permitted by state law, notice of all meetings may be provided electronically.

Chapter 13.

CONGREGATION COMMITTEES

- C13.01.** The officers of this congregation and the 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 outgoing members of the Congregation Council, shall be elected at the annual meeting for a term of one year. Members of the Nominating Committee are not eligible for consecutive re-election.
- C13.03.** An *Audit Committee* of three voting members shall be elected by the congregation at the annual meeting. Audit Committee members shall not be members of the Congregation Council. Term of office shall be three years, with one member elected each year. Members shall be eligible for re-election.
- C13.04.** *Mutual Ministry Committee(s)* (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 of this congregation may be formed, as the need arises, by decision of the Congregation Council.
- C13.07.** Duties of committees of this congregation shall be specified in the bylaws.
- C13.08.** The 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 this congregation, except the Nominating Committee.

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.

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 laypersons and two ministers of Word and Sacrament). A copy of the written charges shall be provided to the consultation panel and the accused member(s). The consultation panel, after requesting a written reply to the charges from the accused member(s), shall consider the matter and seek a resolution by means of investigation, consultation, mediation, or whatever other means may seem appropriate. The panel's efforts to reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it.
- *C15.03.** If the consultation panel fails to resolve the matter, that panel shall refer the case in writing, including the written charges and the accused member's reply, to the Committee on Discipline of the synod for a hearing. A copy of the panel's written referral shall be delivered to the vice president of the synod, the Congregation Council, and the accused member(s) at the same time it is sent to the Committee on Discipline of the synod. The Executive Committee of the Synod Council shall then select six members from the Committee on Discipline to decide the case and shall appoint a member of the Synod Council to preside as nonvoting chair. Those six members, plus the nonvoting chair, comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the parties to the case.
- *C15.04.** The discipline hearing panel shall commence and conduct the disciplinary hearing in accordance with the provisions governing discipline of congregation members prescribed in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- *C15.05.** By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:
- suspension from the privileges of congregation membership for a designated period of time;
 - suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
 - termination of membership in this congregation; or
 - 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 fifty 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:
- be approved at any legally called meeting of this congregation by a majority vote of those voting members present and voting;
 - be ratified without change at the next regular meeting of this congregation held pursuant to C10.01 by a two-thirds vote of those voting members present and voting; and
 - have the effective date included in the resolution² and noted in the constitution.
- *C16.03.** Any amendments to this constitution that result from the processes provided in *C16.01. and *C16.02. shall be sent by the secretary of this congregation to the synod. The synod shall notify 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 a vote of approval.

Chapter 17.

BYLAWS

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

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

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 congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.
- *C20.04.** Any one of the congregations of the parish may terminate their relationship with the pastor as provided in †S14.18.d. of the 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.
- *C20.06.** Whenever a parish agreement is terminated, the call of any rostered minister serving that parish is terminated. Should any congregation that was formerly part of the parish agreement desire to issue a new call to that rostered minister, it may do so in accordance with the call process of this church.

BYLAWS

Chapter 5.

POWERS OF THE CONGREGATION

C5.05.01. This congregation shall have a mission endowment fund that will operate as specified in this congregation's bylaws. The purpose of the mission endowment fund is to provide for mission work beyond the operational budget of this congregation.

A Mission Endowment Fund Board (the "Fund Board") of five voting members of the congregation shall be elected by the Congregation Council. The term of office shall be three years with the first slate of members serving staggered terms. Each year following the initial election, two members shall be elected with one elected every third year. Such members shall be eligible to serve no more than two full terms consecutively. At all times at least one member of the board shall serve on the Congregation Council. In addition to the elected members, the pastor of this congregation shall be *ex-officio* a member of the board. The treasurer of this congregation shall maintain the account of the Mission Endowment Fund and be *ex officio* a member without voice or vote. The purpose of the committee shall be to implement the guidelines of the Mission Endowment Fund.

The duties of the Fund Board shall include the following:

- a. To fulfill the purpose of the Mission Endowment Fund; that is, to provide annual distributions beyond the operating budget of this congregation to ministries as stated below:
 - 1) Minimum of 20% for outreach into the local community or synod as the Fund Board determines;
 - 2) Minimum of 10% for ELCA churchwide ministries as the Fund Board determines;
 - 3) Minimum of 20% for extraordinary programs/capital improvements or other ministry initiatives with this congregation.
 - 4) Remaining 50% distributed through any of the above categories.
- b. To determine how the Fund assets will be invested, including asset allocation. The investment objective will be to provide long-term growth so the annual distribution will keep pace with inflation, i.e. the annual distribution will maintain its purchasing power. In any event, all investments shall be invested by outside investors such as ELCA Endowment Fund Pooled Trust and/or the ELCA Mission Investment Fund. No Fund Board member shall invest the assets in a way to bring private enrichment to that individual. The Fund Board shall report at least quarterly to the Congregation Council on any and all activity within the Fund. Current balance, additions, distributions and any other activity should be included with the report. Annual accounting and a report of ministries supported through the Fund shall be distributed to this congregation at its annual meeting.
- c. To begin making annual distributions. Annual distributions will be a percentage of the annual value of the Mission Endowment Fund balance and may include interest and dividends received, realized gains, and/or unrealized gains. If the Fund ever exceeds \$500,000 in value on the year-end valuation date, the next year's distribution shall include a 10% distribution of that year-end value in addition to the annual distribution.
- d. To encourage gifts to the Mission Endowment fund through education and promotion of the Fund. The Fund Board may use the services of the ELCA Foundation Regional Gift Planner in assisting members with the best way to include the Mission Endowment Fund in their current giving and estate plans.
- e. To receive and celebrate gifts given for ministry through the Mission Endowment Fund and maintain a permanent book of remembrance of donors to the Fund. 10% of each such gift will be distributed immediately beyond the operating budget of this congregation. The remaining portion will be added to the

Mission Endowment Fund. The Fund Board has the discretion to decline acceptance of a gift if deemed to be in the best interest of the Fund and this congregation.

- f. To respond to congregation and/or Congregation Council request, under an unforeseen emergency situation, to use principal of the Fund to help this congregation rectify an economically devastating situation.
- g. To accept undesignated gifts received by this congregation, such as, but not limited to, bequests, life insurance proceeds and remainders from live income agreements. 10% of each such gift will be distributed immediately beyond the operating budget of this congregation. The remaining portion will be added to the Mission Endowment Fund.

Guidelines for Acceptance of Gifts.

It is the policy of this congregation to offer donors the opportunity to make gifts to the Mission Endowment Fund (the "Fund"), both of cash and of non-cash assets, in a manner beneficial to the donor while protecting the fiscal and legal integrity of the Fund and this congregation. The purpose of the Fund will be to provide for mission work beyond the operating budget of this congregation.

- a. The Fund Board is authorized to accept gifts to the Fund only where (1) there is believed to be genuine donative intent, (2) there has been full disclosure between the donor and the Fund, (3) the donor has been encouraged to seek legal, accounting and tax advice, and (4) the gift is believed to be in the best interest of the donor, the Fund and this congregation. The Fund Board does not intend to authorize the acceptance of gifts that would jeopardize the financial, legal or moral integrity or reputation of the Fund or this congregation, or where the gift reasonably would be expected to cause embarrassment or hardship to the donor or the donor's family or other beneficiaries.
- b. The Fund Board may seek the advice of legal counsel in matters relating to gift acceptance when appropriate. Utilization of legal counsel should not be construed as gift acceptance but as a means of investigation of the appropriateness of the gift. Additionally, The Fund Board shall urge all prospective donors to seek the assistance of personal legal and financial advisors in matters relating to their gifts and the resulting tax and estate planning consequences.
- c. The values of some gifts are relatively easy to ascertain (e.g., cash, stock) while other values are more complex and burdensome to obtain. The Fund Board does not possess specific expertise in the valuation of property and, as a result, must decline to assign values to non-cash gifts. The Congregation Council may, at its discretion, engage an independent appraiser to render an opinion of the value of the gift. For purposes of the Fund's records, the Fund Board will assign a value to the gifts received (with cash always being valued at dollar face value) in an appropriate manner and in accordance with sound accounting principles. For purposes of the donor's income, gift and estate taxes, the donor is responsible for valuing the gifts made in order to determine the amount of any deduction to which the donor is entitled. Full responsibility rests on the donor for claiming any deduction with respect to gifts made to the Fund, including the filing of all appropriate tax forms, any appraisals or other documentation.
- d. The following gifts are acceptable (subject to any conditions noted) as outright gifts, as bequests or devises (by will or trust) or, when appropriate, as funding for a charitable remainder trust or a charitable lead trust:
 - 1) Cash. Cash is accepted with no minimum.
 - 2) Non-Cash – All non-cash gifts shall be examined in light of the following criteria:
 - Whether the gift is consistent with the mission of this congregation
 - Whether the gift is marketable
 - Whether there are any costs of carrying the gift
 - Whether there are restrictions that would prevent the church from readily converting the gift to cash
 - 3) Securities. Publicly traded and listed securities, or securities actively traded over-the-counter are acceptable with no minimum amount. Securities issued by closely held corporations, corporations, privately held companies, partnerships, limited liability companies or other entities, or otherwise

not marketable securities, are acceptable upon the approval of the Congregation Council with the advice of legal counsel, if necessary.

- 4) **Real Estate.** Real property that is free of mortgages, deeds of trust and other similar encumbrances, and is of a minimum value reasonable for the type of property offered and the current market condition, is acceptable upon the approval of the Congregation Council. Full interests, partial interests and remainder interests in real estate all are acceptable. The donor may be called upon to agree to pay any property taxes on the property, to maintain the property, and to provide adequate insurance on the property.
Conditions for the Fund's acceptance of real property shall include salability, an acceptable provision for annual maintenance costs, and the satisfactory results of the Congregation Council's evaluation of any liens against the property, real estate taxes and environmental conditions. Donors may be asked to sign a statement regarding liability for previous and current environmental or other conditions if the council deems it appropriate. Additional conditions may be made by the Congregation Council prior to acceptance.
 - 5) **Tangible Personal Property.** Gifts of tangible personal property are acceptable with no minimum. Conditions for accepting gifts include salability or as-is usability, current congregation need for the type of property offered, physical condition of the property, cost of any storage or insurance needed and any other unusual feature or condition involved in the transfer.
 - 6) **Insurance and other Contract Rights.** Gifts by contract, particularly life insurance policies and assignments of certificates of deposit and annuities, through which the Fund will receive a future benefit, are acceptable with no minimum, so long as the Fund is not required to expend funds from sources other than the donor to maintain the contract. The Fund may be named as a percentage or contingent beneficiary of a life insurance policy. Paid-up life insurance policy gifts in which the Fund is the owner and irrevocable beneficiary are acceptable with no minimum.
Additional conditions may be made by the Congregation Council prior to acceptance.
 - 7) **Other Gifts.** Other gifts not specifically mentioned in this policy are acceptable within reason for the purpose given, and in an amount appropriate for the type of gift. The Congregation Council is expected to use financially and legally sound rationale for acceptance. This policy should serve as a general guideline under these circumstances.
- e. This congregation will accept unrestricted gifts, and gifts for specific programs and purposes provided that such gifts are not inconsistent with its stated mission, purposes, priorities and intent. This congregation will not accept gifts that are: unduly restrictive in purpose, difficult to administer, inconsistent with the mission of this congregation, or gifts subject to donor control. In addition, this congregation will not accept gifts of:
- Closely held stock transfers that are subject to buy-sell agreements
 - Documents wherein the congregation is named as trustee
 - Gifts involving bargain sales or other documents wherein the congregation would be required to assume an obligation
 - Options or futures contracts or any investment vehicle that would expose the congregation to undue risk
- f. The Congregation Council must approve all gifts that will or may require any expenditure of funds, either at the time of the gift or at some future date.
- g. Prior to accepting any restricted gifts, the approval of the Congregation Council must be obtained. The Fund may accept restricted gifts, as long as the Council determines that the restriction does not conflict with the specific enumerated purposes of the Fund set forth in the bylaws. The gift designation or restriction may be an endowed fund or annual designation. Endowed funds may be accepted to the extent the income from such endowed funds can be used in consonance with the purpose of the Fund. In addition, restricted endowments should include language to the effect that if the gift's restriction ceases to be effective or practicable, the Fund Board is authorized to use such gift and the income thereon in a manner consistent with the general intent of the restriction. Establishing term endowments also may be acceptable.
- h. The Congregation Council is authorized to negotiate with any advisor or outside counsel they deem necessary in order to negotiate gifts through charitable gift vehicles (including charitable remainder trusts, charitable lead trusts, pooled income funds and gift annuities) through lifetime trusts, trusts created at death and wills.

The Congregation Council may delegate its authority in fulfilling this policy to the Fund Board or others as deemed suitable. Gifts negotiated by the agent or volunteer must be in accord with this gift acceptance

policy and follow the procedures described, but all such negotiated gifts are subject to final acceptance by the Congregation Council.

- i. The Fund Board will provide donors with written acknowledgment of their gifts in accordance with applicable provisions of the Internal Revenue Code. In no event shall any such acknowledgment express or confirm an opinion as to the value of the gift. Unless anonymity is requested by the donor, the Fund Board may announce the donor's gift to this congregation and give appropriate recognition to the donor.

Chapter 8. MEMBERSHIP

***C8.05.01.** Membership in this congregation shall be terminated by any of the following:

- c. transfer or release;

Members who move away shall be encouraged to transfer their membership. Any confirmed member desiring to transfer membership to another Lutheran congregation shall, upon request, be entitled to a certificate of transfer by the pastor and/or Congregation Council.

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

Confirmed members who, during the current or preceding calendar year, have not communed in this congregation and made a contribution of record to this congregation, shall lose the privilege of voice and vote at every regular and special meeting of the congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws, and shall be moved to an inactive list. Such persons shall be encouraged to participate in the life of the congregation or to transfer elsewhere. If such persons commune in this congregation and make a contribution of record to this congregation, such persons shall be restored to the roll of voting members. Otherwise such persons shall remain on the inactive list until they are restored to the roll of voting members or are removed for disciplinary action. Children, whose parents or guardians have been placed on the inactive list, shall be placed on the inactive list if they fail to participate in the Christian education ministry of this congregation. Such persons who have been dismissed, who have resigned, or have become members of other congregations without transfer shall be removed from the roll.

Such 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

***C9.04.01.** 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.

Sabbatical Leave for Full-Time Pastor

Policy

- a. A sabbatical leave is understood to be a time of release from normal duties in order that a pastor may devote time to renewal and study. No pastor is obligated to take a sabbatical leave.
- b. A sabbatical leave is understood as an integral and important part of an overall strategy for enhancing the mission of this congregation through pastoral renewal, development, and growth.
- c. Pastors shall be eligible for a sabbatical leave of up to three months after having continuously served this congregation full-time for five years. Thereafter, a pastor shall be eligible for a sabbatical every fifth year.
- d. Recipients of sabbatical leave opportunities will be expected to serve this congregation for at least one year following return from a sabbatical leave.
- e. Sabbatical leaves are not granted automatically, but shall be evaluated, approved, and administered by the Congregation Council.

Procedure

- a. Sabbatical leave procedures are to be considered flexible so as to accommodate unusual opportunities that may develop.
- b. Since this congregation and the entire church are ultimately enriched by the pastor's sabbatical leave, it is desirable that there be shared planning with the pastor's co-workers, interested congregation members, and Congregation Council.
- c. Pastors seeking sabbatical leave shall submit a written proposal to the Congregation Council providing adequate notice of the requested sabbaticals so as to allow for necessary coordination and budgeting for the proposed leave. Notice of between three and six months is encouraged.
- d. Proposals to the Congregation Council should include the following:
 - 1) Personal objectives and program objectives
 - 2) A description of the major elements of the experience
 - 3) Proposed beginning date and end date
 - 4) Suggestions of how current job responsibilities will be handled during the leave
 - 5) A description of any anticipated budgetary implications
- e. A sabbatical leave is separate and distinct from continuing education and vacation. Vacation shall be granted during a sabbatical year as in any other year. Continuing education time shall be forfeited during a sabbatical year.
- f. A pastor shall continue to receive normal compensation and benefits during the period of the sabbatical leave.
- g. The pastor shall be encouraged to apply for sabbatical grant(s) to offset or supplement the expenses for a sabbatical.
- g. The pastor on sabbatical leave shall be responsible for the costs of the sabbatical, unless this congregation chooses to contribute to such costs. The pastor may choose to use accumulated continuing education funds for this purpose.
- h. Within a month of return from sabbatical leave, the pastor shall submit a written report and evaluation of the leave to the Congregational Council.

Chapter 10.

CONGREGATION MEETING

C10.01.01. This congregation shall have at least one regular meeting per year. The regular meeting(s) of the congregation shall be held at the time(s) specified in the bylaws. Consistent with the laws of the State of Wisconsin, the bylaws shall designate one regular meeting per year as the annual meeting of this congregation

The annual meeting of this congregation shall be held on the last Sunday in January.

C10.06.01. All actions approved by the congregation shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution or by state law.

Action of this congregation at the annual meeting shall include approval of a budget and election of members to the Congregation Council, Audit Committee, Nominating Committee, and voting members of the Synod Assembly.

Chapter 11.

OFFICERS

C11.01.01. The officers of this congregation shall be a president, vice president, secretary, and treasurer.

- a. Duties of the officers shall be specified in the bylaws.
 - 1) The president shall preside at all meetings of this congregation and the Congregation Council and to the best of their ability uphold the constitution, bylaws, and continuing resolutions of this congregation. Other duties of this officer shall include the following:
 - To be welcome at any and all meetings of all committees and boards of this congregation either in person or as represented by such person or persons as may be appointed.
 - To be informed of the functions, plans, and activities of this congregation in all its parts for the total furtherance of the work of Christ's kingdom.
 - To submit the Audit Committee's report at the January Congregation Meeting.

Be familiar with *Robert's Rules of Order*, latest edition, that shall govern parliamentary procedure of all meetings of this congregation.

To foster communication among members, staff, and Congregational Council.

To hold an annual meeting or retreat in order to transition responsibilities and to train incoming leadership.

To make an annual check of the total insurance program and negotiate insurance contracts.

To make an annual inventory of official documents in the bank safety deposit box and enter the inventory results in the official minutes of the Congregation Council.

- 2) The vice president shall act for and in the stead of the president in the absence of the president and shall be available for whatever duties the president may assign.
- 3) The secretary shall be present at all official meetings of this congregation and enter the minutes of all such meetings in a permanent record book over their signature. This officer shall conduct all official correspondence of the committees of this congregation under the supervision of the president. This officer shall perform all the duties normally pertaining to the office and such additional duties as the voting members of meetings of this congregation may delegate to the secretary.
- 4) The treasurer shall oversee accurate recording of congregation receipts and disbursements and budgeted and actual expenditures according to proper accounting procedures. Other duties of this officer shall include the following:
 - To present a written, duplicated financial report at meetings of this congregation and a preliminary report at each meeting of the Congregation Council.
 - To see that an annual budget is given to the Congregation Council by the December meeting to be adopted by this congregation at the annual meeting.
 - To submit permanent financial records of this congregation and affiliated groups and committees for annual audit.
 - To pay particular attention to the prompt payment of all obligations by signing of checks authorized by the congregation and the Congregation Council and to the regular forwarding of benevolence monies to the synodical treasurer
 - To coordinate the flow of money from the treasury to the various committees in such a way that an adequate balance is retained for the payment of salaries and other regularly recurring expenses.
 - To remit to the members of this congregation for documented expenses while attending workshops, conferences, assemblies, and other events approved by the committee under whose jurisdiction they function.
 - To receive from the office administrator a report of all monies received through services of worship, special offerings, or any other source, and to duly record it.
 - To have available for all committees a current record of their accrued disbursements and budget allotment.
 - To work out with salaried workers of this congregation a breakdown of the worker's total compensation into salary and fringe benefits as the worker requests.
 - To keep members' personal financial information confidential, sharing information only when necessary and appropriate.
 - To appoint voting members to oversee the counting and depositing of all contributions following weekly or special services of worship. Two unrelated voting members must count and record the contributions.

- b. The officers shall be voting members of this congregation.

The officers shall be voting members of this congregation and shall have attained the age of 21 years.

Chapter 13. CONGREGATION COMMITTEES

C13.02.01. A *Nominating Committee* of six voting members of this congregation, two of whom, if possible, shall be outgoing members of the Congregation Council, shall be elected at the annual meeting for a term of one year. Members of the Nominating Committee are not eligible for consecutive re-election.

The duties of the Nominating Committee shall include the following:

To identify the gifts and skills of potential leaders to fill the leadership needs of this congregation.

Check the talent survey forms for names of those expressing willingness to serve on the Congregation Council or one of its committees.

To submit nominees to fill the expired terms of Congregation Council members.

To provide a list of those willing to serve on various administrative committees to the Congregation Council.

To approach each nominee seeking their agreement to serve if elected. The interviewer should review the role of the Congregation Council, and if necessary, give the nominee up to a week to pray about, think over, and discuss the opportunity with others.

C13.03.01. An *Audit Committee* of three voting members shall be elected, one of whom shall be elected at the annual meeting. Audit Committee members shall not be members of the Congregation Council. Term of office shall be three years, with one member elected each year. Members shall be eligible for re-election.

The duties of the Auditing Committee shall include the following:

To audit all financial records of this congregation and its affiliated committees and groups to ensure proper accounting practices are followed so that all financial affairs are conducted efficiently and all records kept appropriately.

To carry out the audit, if such members possess adequate skills, or work with a volunteer or paid accountant who will carry out the audit.

C13.04.01. 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.

The purpose of this committee is to listen, clarify, share, communicate, and review and revise the mission and ministry of the congregation and staff.

The qualities for members of this committee are to maintain confidentiality, to be caring and sensitive, and to give constructive criticism.

The duties of the Mutual Ministry Committee shall include the following:

To communicate expectations and concerns between the congregation and staff.

To work with the pastor to conduct annual performance reviews and affirmations of staff. The Congregation Council shall conduct the performance review with the pastor.

To help plan continuing education that will benefit congregation and staff.

To assess compensation and benefits provided for the staff.

To normally meet once a quarter.

To be responsible to and to report at least once a quarter to the Congregation Council.

To become familiar with current ELCA recommended resources for Mutual Ministry.

C13.05.01. When a pastoral vacancy occurs, a *Call Committee* of six voting members shall be elected by this Congregation Council. Term of office will terminate upon installation of the newly called pastor.

The purpose of the Call Committee is to follow recommended procedures from the synod bishop in order to recommend a candidate to a meeting of this congregation.

C13.06.01. Other committees of this congregation may be formed, as the need arises, by decision of the Congregation Council.

- a. The Congregation Council delegates responsibility and authority for the daily administration of the affairs of the congregation to the following committees or teams: evangelism; children, youth, and family ministry; fellowship; property; small group ministry; and worship. Any voting member of this

congregation may be appointed to serve on a committee, subject only to the limitation on the length of continuous service permitted in that office.

- b. Each committee or team shall determine identified leadership; submit reports to the Congregation Council and to the congregation, which shall include specific recommendations (if any) for action and/or approval; and normally meet on a regular basis.
- c. Each committee or team shall be empowered to establish task forces or sub-teams under their direction to help carry out their duties.
- d. Each committee or team shall submit annual budget requests in the form and at the time requested and shall be authorized to administer all funds set aside for its work by budget appropriation. The Congregation Council may restrict such expenditures to conform to actual financial condition of this congregation at any given time. Each team shall be jointly and individually liable for all expenditures not authorized by the budget or by special resolution of this congregation.

C13.07.01. Duties of committees of this congregation shall be specified in the bylaws.

- a. An ***Evangelism Committee*** (E-Team) of six voting members of this congregation shall oversee all church advertising and marketing in promoting upcoming events and service opportunities; coordinate regularly scheduled new member classes and receptions; orient and integrate new members into the congregation and review their progress after six to twelve months; follow up with new members after they join to see how they are doing and to encourage their involvement in the ministries of this congregation; and to promote the use of the church facility for outside groups both profit and non-profit,
- b. A ***Children, Youth, and Family Ministry Team*** of at least six voting members of this congregation, including a representative of the Congregation Council and the Director of Children, Youth and Family and Youth leaders, shall plan and administer the educational ministry of this congregation. This committee shall select personnel for the various education areas and provide the necessary means and facilities for these areas. The duties of this committee shall include the following:
 - To approve curriculum and review education ministries to ensure all age groups are being served.
 - To oversee the Confirmation ministry with the Pastor and Director of Children, Youth, and Family.
 - To ensure that confirmed youth know their rights and responsibilities as voting members of this congregation.
 - To encourage participation of every member in Bible study.
 - To provide or inform congregation of all educational opportunities.
 - To work with the Director of Children, Youth, and Family to select and train people for leadership, teachers, substitute teachers and any other volunteers needed to carry on effective teaching.
 - To create additional teams as needed to run or oversee youth ministries and special events.
 - To plan and administer an annual budget.
- c. A ***Fellowship Committee*** of six to eight voting members of this congregation shall oversee and coordinate Sunday morning and Wednesday evening refreshments, coordinate and oversee all congregation fellowship events, and maintain the church kitchen with supplies and all necessary dishware.
- d. A ***Property Committee*** of at least six voting members of this congregation including a representative from the Congregation Council shall be responsible for the proper maintenance and repair of church property and security, safety, and fire protection. The duties of this committee shall include the following:
 - To make periodic inspections of the church properties and equipment.
 - To conduct an annual inventory of all church properties and equipment.
 - To determine and engage adequate custodial help and maintain the proper level of custodial supplies.
 - To work with the custodian on projects as needed.
 - To determine and establish, with the approval of the Congregation Council, regulations governing the use of the church property and equipment.
 - To establish guidelines for the use of church property. See continuing resolutions.
 - To enlist work crews for special repair, improvement, cleaning, painting, decorating, landscaping and other projects.
 - To arrange for immediate repairs of an urgent nature and all normal repairs and alterations for which budget funds have been allocated.

- To plan and administer an annual budget for properties.
- e. A **Small Group Ministry Team** of three to five voting members of this congregation shall support and oversee all small group ministries, expand small group opportunities and promote within the congregation, and provide coaching and leadership for the small group team leaders.
- f. A **Stewardship Committee** of at least six voting members of this congregation including a representative from the Congregation Council shall carry out the objective to encourage the growth of understanding of what it means to be good stewards. Stewardship is the result of the workings of the Holy Spirit. It is a growing process which needs to be guided by the counsel of scripture through Bible study and prayer. It is the management of time, talents, and possessions. Special care is to be taken to include older youth and young adults – especially those living away from home – in planning, activities, and communications. The duties of this committee shall include the following:
 To study the scriptural principles regarding the total stewardship calling of the Christian as a member of the family, as a neighbor and citizen, and as a congregation member and share these insights with congregation members.
 To plan and carry out a year-round stewardship program. Annually give every member the opportunity to make a commitment of their gifts for the ministry and mission of the congregation. These gifts include skills and abilities and dedicated proportionate first fruits giving.
 To maintain a data base of congregational skills, abilities, and gifts. New members should be included soon to feel welcomed into the church family.
 To evaluate the giving levels as needed to report giving patterns to the congregation. All personal financial information shall be kept confidential shared only with those necessary for the sake of keeping records.
 To promote mission support by educating and informing the congregation about the work of the ELCA, the Northwest Synod of Wisconsin, and all of its partner agencies and to foster support for missions, Lutheran Social Services, Luther Point Bible Camp, and other types of worthwhile ministries.
 To evaluate and make recommendations for gifts of extra-mile giving by individuals and the congregation.
 To screen all outside appeals for funds and make the appropriate recommendations to the Congregation Council.
 To plan and administer an annual budget.
- g. A **Worship Committee** of at least six voting members of this congregation including a representative of the Congregation Council shall seek to strengthen spiritual and social bonds among members, enable all ages to joyfully respond to Word and Sacraments, provide opportunities for people to be nourished and strengthened in a spiritual sense, take special care to include older youth and young adults especially those living away from home in planning, activities, and communication. The duties of this committee shall include the following:
 To pray and promote regular prayer among all members.
 To encourage members to adopt a discipline of reading scripture on a regular basis as well as setting aside time each day for daily devotions.
 To plan and implement annual events that coincide with the church calendar.
 To prepare the church for seasonal services of worship.
 To publicize all services and events adequately.
 To approve and evaluate appearances of outside individuals/groups to participate in worship services.
 To provide for special music during worship services.
 To conduct auditions and interviews and make recommendations regarding hiring or releasing organist and/or choir director(s).
 To encourage and support training workshops and music seminars.
 To plan and administer an annual budget.
 To attend to the services of worship responsibilities:
 Organist(s), pulpit supply, ushers, communion assistants, prayer ministers, scripture readers, acolytes, worship assistants, and PowerPoint volunteers.
 Review and recommend orders of worship and music for congregational use.
 Maintain and care for the sacred vessels, altar furnishings, banners and seasonal adornments.
 Maintain an adequate supply of items for worship such as communion wine and bread, baptismal

napkins, candles, others.

CONTINUING RESOLUTIONS

C12.05.A19. 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 managing its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Wisconsin, except as otherwise provided herein.

Cross Lutheran Church Facility Policy

This congregation will make the church facilities available for use as outlined below.

Church Members

Members of this congregation may use the building for events such as receptions, recitals, showers, open houses, celebrations, funerals, and weddings at no charge.

Members who are involved in non-profit or charitable organizations and community groups may host events for those groups at the church for no charge.

Community Outreach

Religious, non-profit, charitable and community organizations and individuals may use the church for purposes such as meetings, receptions, open houses, weddings, and funerals. The charge shall be \$45/hr. for the sanctuary and \$30/hr. for the kitchen/fellowship area. Persons reserving the facility shall be responsible for the items outlined below.

For-Profit Organizations

For-profit organizations may reserve the church at the following rates: members \$50/hr. for the sanctuary and \$30/hr. for the kitchen/fellowship area; non-members \$65/hr. for the sanctuary and \$45/hr. for the kitchen/fellowship area. Persons or organizations reserving the church must take responsibility as outlined below. A for-profit event is an event with the intended purpose or result to provide revenue of a business nature to anyone involved or attending the event.

Deposit/Cleaning

A cleaning deposit of \$100 shall be required with the reservation. Groups that meet on a regular basis at the church shall pay a cleaning deposit before their first meeting or at the first of the year. The deposit will be returned after the last meeting or at the end of the year if the church is returned to ready-to-use condition after each meeting.

1. Clean and return tables, chairs and kitchen items to their appropriate storage place(s).
2. Clean kitchen sink and counters.
3. Remove leftover food from event; do not leave in refrigerator.
4. Empty trash containers into dumpster in parking lot. Re-line trash containers with appropriate plastic liners found in kitchen cabinet below the sink.
5. Turn off/unplug, as appropriate, any appliances used.
6. Extinguish all candles.
7. Remove all user-provided equipment, such as music equipment.
7. Turn off all lights, including in the bathrooms.
8. Lock all doors.

The person or group who reserved the church is responsible for returning the facility back to a ready-to-use condition at the conclusion of the event. They are responsible for the above tasks and must return the key to the church office within 5 days of the event.

Reservations

Any person or organization reserving the church must first clear the request with the church office to confirm the available dates. Proof of insurance, if applicable, must be given to the church office at the time of reservation. This congregation reserves the right to refuse or cancel the reservation if needed. The church office will advise the person or organization as soon as the conflict is identified and will refund or return the fee/deposit. Any persons or organizations reserving the church that are subject to the above fees must make the payment at the time of the reservation. Any organization requiring multiple or recurring date reservations should advise the church office at the time of the first reservation. Persons or organizations

making reservations are responsible to provide the church office with all available daytime and evening contact details on the back of this form.

Other requirements and agreements:

- Smoking is not allowed in the church building.
- Airborne items such as rice and confetti are prohibited.
- Use of church storage space is prohibited.
- Nothing of a permanent nature may be attached to walls or doors. Meeting materials may not be stored at the church.
- Loaning of church furniture, dishes, and kitchen equipment is not permitted due to the general wear associated with loading and moving.

Facility Use Agreement
Cross Lutheran Church
1246 County Road TT, Roberts, WI 54023
715-749-3551 | www.robertscrosslutheran.com

This agreement is by and between Cross Lutheran Church and the following:

User (organization, group or individual): _____

Contact Person: _____

Phone: _____ Email: _____

Address: _____

Purpose/Activities: _____

Date(s) and time(s) of facility use: _____

For the use of: Sanctuary Kitchen Fellowship area
 Sound system Video system Other: _____

- 1) User agrees to pay Cross Lutheran Church \$_____ for the use of the premises.
- 2) User agrees that it will not use the premises for any unlawful purposes, and will obey all laws, rules, and regulations of all governmental authorities while using the above described facilities.
- 3) User agrees that it will not use the premises for any purpose that is contrary to the mission, purpose or belief of this congregation, which is a biblically-based religious institution.
- 4) User agrees to abide by any rules or regulations for the use of the premises that are attached to this agreement.
- 5) Organizational Users: User promises and warrants that it carries liability insurance with a minimum liability occurrence limit of \$1,000,000. The User shall provide a certificate of insurance to this congregation at the time of reservation. The certificate of insurance will indicate that User has made this congregation an "additional insured" on User's policy with respect to the use of the church.
- 6) User agrees to hold harmless, indemnify and defend this congregation (including its agents, employees and representatives) from any and all liability for injury or damage including, but not limited to, bodily injury, personal injury, emotional injury or property damage which may result from any person using the above-described premises, its entrances and exits and surrounding areas, for User's purposes, regardless of whether such injury or damage results from the negligence of this congregation (including its agents, employees and representatives) or otherwise.

Date: _____

Cross Lutheran Church
Signed: _____

User
Authorized Signature: _____

Position/Title: _____

Position/Title: _____