

1 **CONSTITUTION, BYLAWS and CONTINUING RESOLUTIONS**

2 **Sierra Evangelical Lutheran Church**

3 **Sierra Vista, AZ**

4 **January 13, 2024**

5
6 **CODIFICATION EXPLANATION**

- 7 a. Constitutional provisions, bylaws, and continuing resolutions that pertain to the
8 same matter have been placed together.
- 9 b. Constitutional provisions are printed in boldface type. They are codified with two
10 sets of numbers, the chapter number and a two-digit sequence number, each
11 followed by a period. For example, 12.41. is a constitutional provision from chapter
12 12, the chapter related to the Churchwide Assembly.
- 13 c. Bylaws are printed in lightface type. They are codified with three sets of numbers:
14 the chapter number; the related constitutional provision number; and a two-digit
15 bylaw number. For example, 12.41.11. is a bylaw related to the Churchwide
16 Assembly.
- 17 d. All continuing resolutions are printed in *italic* type and are indented further than
18 the bylaws. Continuing resolutions are intended to provide descriptions of
19 operational patterns and practices or of the ongoing responsibilities of committees
20 or other units within the organizational structure of the congregation. They follow
21 the relevant constitutional provision or bylaw to which they refer. They also are
22 codified with three sets of numbers, except that the third set is preceded by a
23 capital letter indicating sequence and a two-digit number indicating the year of its
24 adoption. For example, 12.41.A89. is the first continuing resolution related to the
25 topic and was adopted in 1989. Continuing resolutions are adopted and amended in
26 accordance with Chapter 18. Unlike constitutional provisions and bylaws which are
27 adopted by the congregation at a legally called and conducted meeting, continuing
28 resolutions may be adopted either by a congregational meeting by a majority vote
29 or by the Congregation Council by a two-thirds vote.
- 30 e. Missing numbers: You will notice that certain numbers are missing from the
31 numbering sequence in some chapters. These omissions are intentional. For
32 example, in some chapters the number “.10.” and multiples thereof have been
33 reserved for possible use as section headings in future editions.
- 34 f. Provisions in the Model Constitution for Congregations are prefaced with “C”,
35 required provisions are prescribed by [*].

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37
38 *Based on the Model Constitution for Congregations of the Evangelical Lutheran Church in America® 2022*

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63 ***PREAMBLE**

64 We, baptized members of the Church of Christ, responding in faith to the call of the Holy Spirit
65 through the Gospel, desiring to unite together to preach the Word, administer the sacraments,
66 and carry out God’s mission, do hereby adopt this constitution and solemnly pledge ourselves to
67 be governed by its provisions. In the name of the Father and of the Son and of the Holy Spirit.
68

69 **Chapter 1. NAME AND INCORPORATION**

70 **C1.01.** The name of this congregation shall be Sierra Ev. Lutheran Church of Cochise
71 County, Arizona, Inc.

72 **C1.02.** For the purpose of this constitution and the accompanying bylaws, the
73 congregation of Sierra Ev. Lutheran Church of Cochise County, Arizona, Inc. is
74 hereinafter designated as “this congregation.”

75 **C1.11.** This congregation shall be incorporated under the laws of the State of Arizona.

76 C1.11.01. The fiscal year of this congregation is the calendar year, January 01 to December 31.
77

78 **Chapter 2. CONFESSION OF FAITH**

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

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

- 82 a. Jesus Christ is the Word of God incarnate, through whom everything was
83 made and through whose life, death, and resurrection God fashions a new
84 creation
- 85 b. The proclamation of God’s message to us as both Law and Gospel is the Word
86 of God, revealing judgment and mercy through word and deed, beginning
87 with the Word in creation, continuing in the history of Israel, and centering in
88 all its fullness in the person and work of Jesus Christ.
- 89 c. The canonical Scriptures of the Old and New Testaments are the written
90 Word of God. Inspired by God’s Spirit speaking through their authors, they
91 record and announce God’s revelation centering in Jesus Christ. Through
92 them God’s Spirit speaks to us to create and sustain Christian faith and
93 fellowship for service in the world.

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

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

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

102 ***C2.06.** This congregation accepts the other confessional writings in the Book of Concord,

*Required provision

103 namely, the Apology of the Augsburg Confession, the Smalcald Articles and the
104 Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord,
105 as further valid interpretations of the faith of the Church.

- 106 ***C2.07.** This congregation confesses the Gospel, recorded in the Holy Scripture and
107 confessed in the ecumenical creeds and Lutheran confessional writings, as the
108 power of God to create and sustain the Church for God's mission in the world.
109

110 **Chapter 3. NATURE OF THE CHURCH**

- 111 ***C3.01.** All power in the Church belongs to our Lord Jesus Christ, its head. All actions of
112 this congregation are to be carried out under his rule and authority.

- 113 ***C3.02.** This church confesses the one, holy, catholic, and apostolic Church and is resolved
114 to serve Christian unity throughout the world.

- 115 ***C3.03.** The Church exists both as an inclusive fellowship and as local congregations
116 gathered for worship and Christian service. Congregations find their fulfillment in
117 the universal community of the Church, and the universal Church exists in and
118 through congregations. The Evangelical Lutheran Church in America, therefore,
119 derives its character and powers both from the sanction and representation of its
120 congregations and from its inherent nature as an expression of the broader
121 fellowship of the faithful. In length, it acknowledges itself to be in the historic
122 continuity of the communion of saints; in breadth, it expresses the fellowship of
123 believers and congregations in our day.

- 124 ***C3.04.** This church, inspired and led by the Holy Spirit, participates in The Lutheran World
125 Federation as a global communion of churches, engaging in faithful witness to the
126 gospel of Jesus Christ and in service for the sake of God's mission in the world.

- 127 ***C3.05.** The name Evangelical Lutheran Church in America (ELCA or "this church") as used
128 herein refers in general references to this whole church, including its three
129 expressions – congregations, synods, and the churchwide organization. The name
130 Evangelical Lutheran Church in America is also the name of the corporation of the
131 churchwide organization to which specific references may be made herein.
132

133 **Chapter 4. STATEMENT OF PURPOSE**

- 134 ***C4.01.** The Church is a people created by God in Christ, empowered by the Holy Spirit,
135 called and sent to bear witness to God's creative, redeeming, and sanctifying
136 activity in the world.

- 137 ***C4.02.** To participate in God's mission, this congregation as a part of the Church shall:
- 138 a. Worship God in proclamation of the Word and administration of the
139 sacraments and through lives of prayer, praise, thanksgiving, witness, and
140 service.
 - 141 b. Proclaim God's saving Gospel of justification by grace for Christ's sake
142 through faith alone, according to the apostolic witness in the Holy Scripture,
143 preserving and transmitting the Gospel faithfully to future generations.

*Required provision

- 144 c. Carry out Christ’s Great Commission by reaching out to all people to bring
- 145 them to faith in Christ and by doing all ministry with a global awareness
- 146 consistent with the understanding of God as Creator, Redeemer, and
- 147 Sanctifier of all.
- 148 d. Serve in response to God’s love to meet human needs, caring for the sick and
- 149 the aged, advocating dignity, justice, and equity for all people, working for
- 150 peace and reconciliation among the nations, caring for the marginalized,
- 151 embracing and welcoming racially and ethnically diverse populations, and
- 152 standing in solidarity with the poor and oppressed and committing itself to
- 153 their needs.
- 154 e. Nurture its members in the Word of God so as to grow in faith and hope and
- 155 love, to see daily life as the primary setting for the exercise of their Christian
- 156 calling, and to use the gifts of the Spirit for their life together and for their
- 157 calling in the world.
- 158 f. Manifest the unity given to the people of God by living together in the love of
- 159 Christ and by joining with other Christians in prayer and action to express and
- 160 preserve the unity which the Spirit gives.

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

- 162 a. Provide services of worship at which the Word of God is preached and the
- 163 sacraments are administered.

164 C4.03.a.01. Christ’s table is an open table. Therefore, participation in Holy Communion shall be
 165 open to all who believe in Jesus Christ as their Lord and Savior and who believe that He
 166 is truly present in the sacrament.

- 167 b. Provide pastoral care and assist all members to participate in this ministry.
- 168 c. Challenge, equip, and support all members in carrying out their calling in their
- 169 daily lives and in their congregation.
- 170 d. Teach the Word of God.
- 171 e. Witness to the reconciling Word of God in Christ, reaching out to all people.
- 172 f. Respond to human need, work for justice and peace, care for the sick and the
- 173 suffering, and participate responsibly in society.
- 174 g. Motivate its members to provide financial support for this congregation’s
- 175 ministry and the ministry of the other expressions of the Evangelical Lutheran
- 176 Church in America.
- 177 h. Foster and participate in interdependent relationships with other
- 178 congregations, the synod, and the churchwide organization of the Evangelical
- 179 Lutheran Church in America.
- 180 i. Foster and participate in ecumenical relationships consistent with churchwide
- 181 policy.

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

185 **their actions.**
186 C4.04.01. The following positions will be elected by this congregation:

- 187 • President
- 188 • Vice President
- 189 • Secretary
- 190 • Lay Eucharistic Minister x4
- 191 • Maintenance Manager x4
- 192 • At-large council members x4
- 193 • Endowment committee members x5

194 C4.04.02. Committees, Boards and Ministry Teams

- 195 a. The Congregation Council shall have authority to appoint congregational
- 196 members who are not members of the council as members of its
- 197 committees, boards and ministry teams. These committees and ministry
- 198 teams shall include: worship and music, education, stewardship,
- 199 evangelism, fellowship, community service and Shepherd's Fold.
- 200 b. The Congregation Council shall appoint such other committees or ministry
- 201 teams as may from time to time be necessary or advisable.
- 202 c. Each committee and board shall provide a report at regular Congregation
- 203 Council meetings.
- 204 d. Duties of the committees, boards, and ministry teams shall be outlined in
- 205 this document or the policy and procedure documents filed separately.

206 ***C4.05. This congregation shall adopt and periodically review a mission statement which**
207 **will provide specific direction for its programs.**

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

215

216 **Chapter 5. POWERS OF THE CONGREGATION**

217 ***C5.01. The powers of this congregation are those necessary to fulfill its purpose.**

218 ***C5.02. The powers of this congregation are vested in the Congregation Meeting called**
219 **and conducted as provided in this constitution and bylaws.**

220 ***C5.03. Only such authority as is delegated to the Congregation Council or other**
221 **organizational units in this congregation's governing documents is recognized. All**
222 **remaining authority is retained by this congregation. This congregation is**
223 **authorized to:**

- 224 a. call a pastor as provided in Chapter 9;
- 225 b. terminate the call of a pastor as provided in Chapter 9;

*Required provision

- 226 c. call a minister of Word and Service;
- 227 d. terminate the call of a minister of Word and Service in conformity with the
- 228 constitution of the Evangelical Lutheran Church in America;
- 229 e. adopt amendments to the constitution, as provided in Chapter 16,
- 230 amendments to the bylaws, as specified in Chapter 17, and continuing
- 231 resolutions, as provided in Chapter 18.
- 232 f. approve the annual budget;
- 233 g. acquire real and personal property by gift, devise, purchase, or other lawful
- 234 means;
- 235 h. hold title to and use its property for any and all activities consistent with its
- 236 purpose;
- 237 i. sell, mortgage, lease, transfer, or otherwise dispose of its property by any
- 238 lawful means;
- 239 j. elect its Congregation Council, and require the members of the council to
- 240 carry out their duties in accordance with the constitution and bylaws; and
- 241 k. terminate its relationship with the Evangelical Lutheran Church in America as
- 242 provided in Chapter 6.
- 243 ***C5.04.** This congregation shall elect from among its voting members laypersons to serve
- 244 as voting members of the Synod Assembly as well as persons to represent it at
- 245 meetings of any conference, cluster, coalition, or other area subdivision of which
- 246 it is a member. The number of persons to be elected by this congregation and
- 247 other qualifications shall be as prescribed in guidelines established by the Grand
- 248 Canyon Synod of the Evangelical Lutheran Church in America.
- 249 C5.04.01. A Synod Assembly voting member must meet the same eligibility requirements as a
- 250 Congregation Council member, i.e. 18 years of age upon selection and be a voting
- 251 member.
- 252 **C5.05.** This congregation shall have an endowment fund that will operate as specified in
- 253 the continuing resolution. The purpose of the endowment fund is to enhance the
- 254 work of this congregation by supporting outreach ministries and stewardship
- 255 opportunities additional to and apart from the general operation of this
- 256 congregation, with emphasis on support for ministry to youth and the elderly.
- 257 C5.05.01. The Congregation Council shall oversee the establishment of a federally-insured
- 258 interest bearing mechanism to receive and administer gifts, bequests, estates,
- 259 insurance, memorials, and other assets.
- 260 C5.05.A23 *CONTINUING RESOLUTION SUPPORTING THE ENDOWMENT FUND*
- 261 *Sierra Evangelical Lutheran Church, (SELC), has a living endowment of faithful*
- 262 *members with rich gifts and varied talents.*
- 263
- 264 *"As each has received a gift, employ it for another, as good stewards of God's*
- 265 *varied grace." (I Peter 4: 10-11)*
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I. PURPOSE OF THE ENDOWMENT FUND

The purpose of the Endowment Fund is to enhance the work of this congregation by supporting outreach ministries and stewardship opportunities additional to and apart from the general operation of this congregation, with emphasis on support for ministry to youth and the elderly. The Endowment Fund committee may receive and administer gifts, bequests, estates, insurance, memorials, and other assets. The committee shall recommend use of the fund subject to the restrictions set out herein. The Endowment Fund consists of a perpetual fund in which the principal will be retained and only income can be used.

SELC has every intention of using the Endowment Fund as set forth in these guidelines. It recognizes that with the passage of time and changing circumstances, there may be a time when it is not feasible to utilize the Endowment Fund as was intended. Should that situation develop, SELC or its successors in interest shall then be free to make such other use of the income and principal as is consistent with the charitable and religious purposes of SELC, in accordance with the provisions of the State of Arizona but shall make every effort to preserve the principal of the fund to be perpetual. The efforts of SELC in establishing the Endowment Fund is dedicated to the glory of Almighty God.

II. THE ENDOWMENT FUND COMMITTEE

- a. The Endowment Fund committee shall consist of five voting members; all of whom shall be voting members of SELC and shall be elected as provided herein. A voting member of the Endowment Fund committee may not serve concurrently on the Congregation Council. The senior Pastor of this congregation and the President of the Congregation Council or their representative from the Congregation Council shall be ex officio nonvoting members of the Endowment Fund committee.*
- b. The term of each member shall be three (3) years. At each annual meeting, this congregation shall elect the necessary number for a term of three (3) years. No member shall serve more than two (2) consecutive terms. A partial term shall not be counted for this purpose. A former committee member may be re-elected after a lapse of twelve (12) months between their election for a new term and the completion of their second term.*
- c. In the event of a vacancy on the committee, the remaining members, by the affirmative vote of three (3), shall elect a member to fill the vacancy until the next annual meeting of this congregation, at which time this congregation shall elect a member to fill the vacancy. In the event the vacancy is not filled within sixty (60) days after it occurs, the Congregation Council shall fill the vacancy at its next regularly scheduled meeting.*
- d. The Nominating committee shall nominate candidates for the Endowment Fund committee and report at the annual meeting in the same manner as it does for other offices or committees. Nominations may also be made from the floor. The person receiving the greater number of votes at the annual*

311 meeting shall be elected. All Endowment Fund committee members shall
312 endeavor to maintain a high degree of communication with the Congregation
313 Council, other organizations within this congregation, and members of this
314 congregation to nurture the total life and mission of this congregation and of
315 the Endowment Fund.

- 316 e. The committee shall meet at least quarterly or more frequently as may be
317 deemed by it for the best interests of the Endowment Fund. The committee,
318 when it deems it unnecessary to hold a particular meeting, may cancel such a
319 meeting. Special meetings may be called on twenty-four (24) hours written
320 or oral notice to the members of the committee by the chairperson or any
321 two (2) members. Each member is charged with knowledge of the contents
322 of the minutes book.
- 323 f. A quorum shall consist of three (3) members. Three (3) affirmative votes shall
324 be required in order to carry any motion.
- 325 g. The treasurer of this congregation shall maintain Endowment Fund financial
326 accounts with institutions recommended by the Endowment Fund committee.
327 All checks and other documents transferring or expending funds or assets
328 shall be executed by the congregation treasurer as directed by the
329 Endowment Fund committee.
- 330 h. The committee may ask other members of this congregation to serve as
331 advisory members and may employ, at the expense of the Endowment Fund
332 income, such professional counseling on investments and legal matters as it
333 deems for the best interests of the Endowment Fund.
- 334 i. No member of the committee shall engage in any self-dealing or transactions
335 with the Endowment Fund in which the member of the committee has direct
336 or indirect financial interests and shall at all times refrain from any conduct in
337 which their personal interests would conflict with the interests of the
338 Endowment Fund.
- 339 j. The Endowment Fund committee members shall not receive any
340 compensation but may be reimbursed from the income of the Endowment
341 Fund for expenses reasonably incurred, subject to the approval of the
342 Congregation Council.
- 343 k. The Endowment Fund committee shall not be liable for any losses which may
344 be incurred upon investments of the Endowment Fund except to the extent
345 that such losses shall have been caused by bad faith or gross negligence of
346 the committee members. No member shall be personally liable as long as
347 they act in good faith and with ordinary prudence in discharging the duties of
348 the office. Each committee member shall be liable only for their own willful
349 misconduct or omissions in bad faith. No committee member shall be liable
350 for the acts or omissions of any other committee member, or of any
351 accountant, agent, attorney, or custodian selected with reasonable care.

352
353 **III. COMMITTEE DUTIES**

- 354 a. All new members of the Endowment Fund committee are to receive a copy of

*Required provision

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- 355 *the Endowment Fund continuing resolution as contained in this document, in*
356 *order to become acquainted with the function and purpose of the*
357 *Endowment Fund.*
358 *b. The committee shall elect from its membership a chairperson, treasurer, and*
359 *a secretary.*
360 *c. The chairperson, or the member designated by the chairperson, shall preside*
361 *at all meetings.*
362 *d. The secretary shall maintain complete and accurate minutes of all meetings*
363 *of the committee and supply a copy thereof to each member of the*
364 *committee within seven (7) days after the meeting. Each member shall keep*
365 *a complete copy of the minutes to be delivered to their successor.*
366 *e. The committee shall establish written rules and regulations as may be*
367 *necessary for the conduct of its business.*
368 *f. The committee will review the congregation treasurer’s monthly reports and*
369 *ensure that the reports are accurate.*
370 *g. The committee will direct in writing the transfer of funds that are maintained*
371 *by the Congregation Treasurer.*
372 *h. The committee is to inform the members of this congregation of the purposes*
373 *of the Fund.*
374 *i. The committee, at each annual meeting of this congregation, shall render a*
375 *full and complete account of the administration of the Endowment Fund*
376 *during the preceding year.*
377

378 **IV. COMMITTEE POWERS**

- 379 *In the administration of this Endowment Fund, the Endowment Fund Committee*
380 *with concurrence of the Congregation Council shall have all the powers and*
381 *authority necessary to carry out their duties and obligations as set forth in this*
382 *document, including the following powers and authority on behalf of SELC:*
383 *a. To take, hold, sell, exchange, rent, lease, transfer, convert, invest, reinvest,*
384 *and in all other respects to handle and manage and control, the Endowment*
385 *Fund, or any part thereof, as they in their judgment and discretion shall deem*
386 *wise and prudent.*
387 *b. To retain property in the form in which received, to convert and reconvert the*
388 *Endowment Fund or any part thereof, into other kinds of property, real or*
389 *personal or mixed, except the purchase, sale, encumbrance, disposition of or*
390 *other conveyance of real property is subject to prior congregational approval*
391 *in accordance with the SELC Constitution.*
392 *c. To invest or reinvest the Endowment Fund assets herein as they shall deem*
393 *wise and prudent.*
394 *d. To recommend contributions, donations, or distributions to the Congregation*
395 *Council for the purposes herein stated.*
396

397 **V. TAX EXEMPTIONS**

398 *Any gifts to the Endowment Fund, as well as all income derived there from, will*

*Required provision

399 *be used exclusively for religious, charitable, and educational purposes within*
400 *Section 501 (c) (3) of the Internal Revenue Code of 1954 or the corresponding*
401 *provision of any future United States Internal Revenue Law. This Endowment*
402 *Fund has been created and shall be operated exclusively for this congregation*
403 *purposes. No part of the income or property of this fund shall inure to the benefit*
404 *of or be distributable to any member, director, or officer of this congregaton or to*
405 *any private person, except that the Endowment Fund committee authorized and*
406 *empowered to pay reasonable compensation for services rendered and to make*
407 *payments and distributions in furtherance of the purposes set forth herein. No*
408 *part of the activities of the Endowment Fund shall be carrying on propaganda or*
409 *otherwise attempting to influence legislation, and it shall not participate in or*
410 *intervene in (including the publishing or distribution of statements) any political*
411 *campaign on behalf of any candidate for public office. Notwithstanding any*
412 *other provision of the Endowment Fund shall (a) not carry on any activities not*
413 *permitted to be carried on by any entity exempt from Federal Income Tax under*
414 *Section 501 (c) (3) of the Internal Revenue Code of 1954 or the corresponding*
415 *provision of any future United States Internal Revenue Law or (b) do any act*
416 *which would render contributions to the Endowment Fund non-deductible under*
417 *Section 170 (c) (2) of the Internal Revenue Code of 1954 or any corresponding*
418 *provision of any future United States Internal Revenue Law.*

419
420 *This Endowment Fund may be dissolved in accordance with the laws of the State*
421 *of Arizona. Upon dissolution of this Endowment Fund, and after payment of all*
422 *liabilities, obligations, costs and expenses incurred by this Endowment Fund, any*
423 *remaining assets shall be distributed to such entities organized and operated*
424 *exclusively for one or more purposes described in Sections 170 (c) (2) and 501 (c)*
425 *(3) of the Internal Revenue Code of 1954 or the corresponding provision of any*
426 *future United States Internal Revenue Law.*
427

428 **Chapter 6. CHURCH AFFILIATION**

- 429 ***C6.01. This congregation shall be an interdependent part of the Evangelical Lutheran**
430 **Church in America or its successor, and of the Grand Canyon Synod of the**
431 **Evangelical Lutheran Church in America. This congregation is subject to the**
432 **discipline of the Evangelical Lutheran Church in America.**
- 433 ***C6.02. This congregation accepts the Confession of Faith and agrees to the purposes of**
434 **the Evangelical Lutheran Church in America and shall act in accordance with them.**
- 435 ***C6.03. This congregation acknowledges its relationship with the Evangelical Lutheran**
436 **Church in America in which:**
- 437 **a. This congregation agrees to be responsible for its life as a Christian**
438 **community.**
 - 439 **b. This congregation pledges its financial support and participation in the life**
440 **and mission of the Evangelical Lutheran Church in America.**

- 441 c. This congregation agrees to call pastoral leadership from the roster of
- 442 Ministers of Word and Sacrament of the Evangelical Lutheran Church in
- 443 America in accordance with its call procedures except in special
- 444 circumstances and with the approval of the bishop of the synod. These
- 445 special circumstances are limited either to calling a candidate approved for
- 446 the roster of Ministers of Word and Sacrament of the Evangelical Lutheran
- 447 Church in America or to contracting for pastoral services with a Minister of
- 448 Word and Sacrament of a church body with which the Evangelical Lutheran
- 449 Church in America officially has established a relationship of full communion.
- 450 d. This congregation agrees to consider ministers of Word and Service for call to
- 451 other staff positions in this congregation according to the procedures of the
- 452 Evangelical Lutheran Church in America.
- 453 e. This congregation agrees to file this constitution and any subsequent changes
- 454 to this constitution with the synod for review to ascertain that all of its
- 455 provisions are in agreement with the constitution and bylaws of the
- 456 Evangelical Lutheran Church in America and with the constitution of the
- 457 synod.

- 458 ***C6.04.** Affiliation with the Evangelical Lutheran Church in America is terminated as
- 459 follows:
- 460 a. This congregation takes action to dissolve.
- 461 b. This congregation ceases to exist.
- 462 c. This congregation is removed from membership in the Evangelical Lutheran
- 463 Church in America according to the procedures for discipline of the
- 464 Evangelical Lutheran Church in America or in accordance with provision 9.23.
- 465 of the constitution and bylaws of the Evangelical Lutheran Church in America.
- 466 d. The Grand Canyon Synod takes charge and control of the property of this
- 467 congregation to hold, manage, and convey the same on behalf of the synod
- 468 pursuant to †S13.24. of the synod constitution. This congregation shall have
- 469 the right to appeal the decision to the next Synod Assembly.
- 470 e. This congregation follows the procedures outlined in *C6.05.

- 471 ***C6.05.** This congregation may terminate its relationship with the Evangelical Lutheran
- 472 Church in America by the following procedure:
- 473 a. A resolution indicating the intent to terminate its relationship must be
- 474 adopted at two legally called and conducted special meetings of this
- 475 congregation by a two-thirds vote of the voting members present at each
- 476 meeting. The first such meeting may be held no sooner than 30 days after
- 477 written notice of the meeting is received by the bishop of the synod, during
- 478 which time this congregation shall consult with the bishop and the bishop's
- 479 designees, if any. The times and manner of the consultation shall be
- 480 determined by the bishop in consultation with the Congregation Council.
- 481 Unless the bishop and/or the bishop's designees are voting members of this
- 482 congregation, they shall have voice but not vote at the first meeting.

*Required provision

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- b. Within 10 days after the resolution has been voted upon at the first meeting, the secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall send copies of the resolution and certification to voting members of this congregation.**
 - c. If the resolution was adopted by a two-thirds vote of the voting members present at the first meeting, the bishop of the synod and this congregation shall continue in consultation , as specified in paragraph a. above, during a period of at least 90 days after receipt by the bishop of the attestation and certification as specified in paragraph b. above.**
 - d. If this congregation, after such consultation, is still considering termination of its relationship with this church, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of the second meeting shall be sent to all voting members and to the bishop at least 10 days in advance of the meeting. Unless the bishop and/or the bishop's designees are voting members of this congregation, they shall have voice but not vote at the second meeting.**
 - e. Within 10 days after the resolution has been voted upon, the secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the second special meeting was legally called and conducted and certifying the outcome of the vote, and shall send copies of the resolution and certification to the voting members of this congregation. If the resolution was adopted by a two-thirds vote of the voting members present at the second meeting, the relationship between this 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**

525 provisions in *C6.05., to satisfy all financial obligations to this church
526 and receive Synod Council approval before terminating their
527 membership in this church.

528 h. If this congregation fails to achieve the required two-thirds vote of voting
529 members present at this congregation's first meeting as specified in
530 paragraph a. above or fails to achieve the required two-thirds vote of voting
531 members present at this congregation's second meeting as specified in
532 paragraph d. above, another attempt to consider termination of relationship
533 with this church must follow all requirements of *C6.05. and may begin no
534 sooner than six months after the meeting at which the two-thirds vote was
535 not achieved.

536 *C6.06. If this congregation considers relocation, it shall confer with the bishop of the
537 synod in which it is territorially located and the appropriate unit of the
538 churchwide organization before any steps are taken leading to such action. The
539 approval of the Synod Council shall be received before any such action is taken.

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

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545 Chapter 7. PROPERTY OWNERSHIP

546 *C7.01. If this congregation ceases to exist, title to undisposed property shall pass to
547 Grand Canyon Synod of the Evangelical Lutheran Church in America.

548 *C7.02. If this congregation is removed from membership in the Evangelical Lutheran
549 Church in America according to its procedure for discipline, or pursuant to 9.23. of
550 the constitution and bylaws of the Evangelical Lutheran Church in America, title to
551 property shall continue to reside in this congregation.

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

559 *C7.04. If the voting members of this congregation present at a legally called and
560 conducted special meeting of this congregation vote to become independent or
561 relate to a non-Lutheran church body and have followed the process for
562 termination of relationship in *C6.05., title to property of this congregation shall
563 continue to reside in this congregation only with the consent of the Synod
564 Council. The Synod Council, after consultation with this congregation by the
565 process established by the synod, may give approval to the request to become
566 independent or to relate to a non-Lutheran church body, in which case title shall

*Required provision

567 remain with the majority of this congregation. If the Synod Council fails to give
568 such approval, title shall remain with those members who desire to continue as a
569 congregation of the Evangelical Lutheran Church in America. In neither case does
570 title to this congregation's property transfer to the synod.

- 571 ***C7.05.** Notwithstanding the provisions of *C7.02. and *C7.03. above, where this
572 congregation has received property from the synod pursuant to a deed or other
573 instrument containing restrictions under provision 9.71.a. of the Constitution,
574 Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America,
575 this congregation accepts such restrictions and:
- 576 a. Shall not transfer, encumber, mortgage, or in any way burden or impair any
577 right, title, or interest in the property without prior approval of the Synod
578 Council.
 - 579 b. Shall—upon written demand by the Synod Council, pursuant to †S13.23. of
580 the constitution of the Grand Canyon Synod —reconvey and transfer all right,
581 title, and interest in the property to the synod.

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583 **Chapter 8. MEMBERSHIP**

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

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

- 589 a. Baptized members are those persons who have been received by the
590 Sacrament of Holy Baptism in this congregation, or, having been previously
591 baptized in the name of the Triune God, have been received by certificate of
592 transfer from other Lutheran congregations or by affirmation of faith.
- 593 b. Confirmed members are baptized persons who have been confirmed in this
594 congregation, those who have been received by adult baptism or by transfer
595 as confirmed members from other Lutheran congregations, or baptized
596 persons received by affirmation of faith.
- 597 c. Voting members are confirmed members. Such confirmed members, during
598 the current or preceding calendar year, shall have communed in this
599 congregation and shall have made a contribution of record to this
600 congregation. Members of this congregation who have satisfied these basic
601 standards shall have the privilege of voice and vote at every regular and
602 special meeting of this congregation. as well as the other rights and privileges
603 ascribed to voting members by the provisions of this constitution and its
604 bylaws. They shall not have voted as a seasonal member of another
605 congregation of this church in the previous two calendar months.
- 606 d. Associate members are persons holding membership in other Christian
607 congregations who wish to retain such membership but desire to participate

*Required provision

- 608 in the life and mission of this congregation. These individuals have all the
609 privileges and duties of membership except voting rights or other rights and
610 privileges ascribed to voting members by the provisions of this constitution
611 and its bylaws.
- 612 e. Seasonal members are voting members of other congregations of this church
613 who wish to retain such membership but desire to participate in the life and
614 mission of this congregation, including exercising limited voting rights in this
615 congregation. The Congregation Council may grant seasonal membership to
616 such persons provided that this congregation is a member of a synod where
617 the Synod Council has approved seasonal member voting on its territory.
618 Such seasonal members shall have all the privileges and duties of voting
619 members except that:
- 620 1) they shall not be eligible for elected office in, or for membership on the
621 Congregation Council or on a call committee of, this congregation;
 - 622 2) they shall not have the right to vote on any matter concerning or
623 affecting the call or termination of call of any minister of this
624 congregation;
 - 625 3) they shall not have the right to vote on any matter concerning or
626 affecting the affiliation of this congregation with this church;
 - 627 4) they shall not be eligible to serve as voting members from this
628 congregation of the Synod Assembly or the Churchwide Assembly;
 - 629 5) they shall not, even if otherwise permitted by this congregation, vote
630 by proxy or by absentee ballot; and
 - 631 6) they shall not, within any two calendar month period, exercise voting
632 rights in this congregation and in the congregation where they remain
633 voting members.
- 634 ***C8.03.** All applications for confirmed membership shall be submitted to and shall require
635 the approval of the Congregation Council.
- 636 ***C8.04.** It shall be the privilege and duty of members of this congregation to:
- 637 a. make regular use of the means of grace, both Word and sacraments;
 - 638 b. live a Christian life in accordance with the Word of God and the teachings of
639 the Lutheran church; and
 - 640 c. support the work of this congregation, the synod, and the churchwide
641 organization of the Evangelical Lutheran Church in America through
642 contributions of their time, abilities, and financial support as biblical
643 stewards.
- 644 ***C8.05.** Membership in this congregation shall be terminated by any of the following:
- 645 a. death;
 - 646 b. resignation;
 - 647 c. transfer or release;

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- 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.

C8.05.01. Termination of Membership

- a. Members who move away shall be encouraged to transfer their membership. A confirmed member in good standing desiring to change their membership to another Lutheran congregation shall, upon request, receive a letter of transfer.
- b. A confirmed member who in the judgment of the Congregation Council shows no interest in attending church services and does not partake of Holy Communion and who does not make a contribution of record, for a period of one year, shall be presumed no longer to desire membership, shall lose the right to vote, shall not be counted in the membership statistics of this congregation and shall be transferred to the inactive confirmed member list. However, their name and record shall be kept in the files for a period of three years thereafter. Such a person shall be encouraged to take part in the congregational life, or to transfer elsewhere, as the situation may indicate to be advisable. If they resume activity within the three year period, they shall be restored to the active confirmed membership list; if not, they shall be removed from congregational membership and, if possible, shall be notified of this action.
- c. Persons who have been removed from membership, or who have resigned; and members who have transferred to other congregations; or who are definitely known to have become members of other congregations without transfer have thereby terminated their membership in this congregation.

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.**

C9.01.01. When this congregation has voted to call a pastor, it shall issue a letter of call to the pastor-elect, in a form approved by the Evangelical Lutheran Church in America. It shall be signed by the chairperson and the secretary of the meeting at which the call was voted, and shall be attested by the signature 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**

690 synod bishop may be called as a pastor of this congregation.

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

693 a. Every minister of Word and Sacrament shall:

- 694 1) preach the Word;
- 695 2) administer the sacraments;
- 696 3) conduct public worship;
- 697 4) provide pastoral care;
- 698 5) seek out and encourage qualified persons to prepare for the ministry of
699 the Gospel;
- 700 6) impart knowledge of this church and its wider ministry through
701 available channels of effective communication;
- 702 7) witness to the Kingdom of God in the community, in the nation, and
703 abroad; and
- 704 8) speak publicly to the world in solidarity with the poor and oppressed,
705 advocating dignity, justice, and equity for all people, working for peace
706 and reconciliation among the nations, caring for the marginalized, and
707 embracing and welcoming racially and ethnically diverse populations.

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

- 709 1) offer instruction, confirm, marry, visit the sick and distressed, and bury
710 the dead;
- 711 2) relate to all schools and organizations of this congregation;
- 712 3) install regularly elected members of the Congregation Council;
- 713 4) with the council, administer discipline. ;
- 714 5) endeavor to increase the support given by the congregation to the work
715 of the churchwide organization and of the Grand Canyon Synod; and
- 716 6) encourage adherence to covenantal relationship with this church as
717 expressed in the Constitutions, Bylaws, and Continuing Resolutions of
718 the Evangelical Lutheran Church in America.

719 ***C9.04.** The specific duties of the pastor, compensation, and other matters pertaining to
720 the service of the pastor shall be included in a letter of call, which shall be
721 attested by the bishop of the synod.

722 ***C9.05.** The provisions for termination of the mutual relationship between a minister of
723 Word and Sacrament and this congregation shall be as follows:

724 a. The call of this congregation, when accepted by a pastor, shall constitute a
725 continuing mutual relationship and commitment, which shall be terminated
726 only by the pastor's death or, following consultation with the synod bishop,
727 for any of the following reasons:

- 728 1) mutual agreement to terminate the call or the completion of a call for a

- 729 **specific term;**
- 730 **2) resignation of the pastor, which shall become effective, unless**
- 731 **otherwise agreed, no later than 30 days after the date on which it was**
- 732 **submitted;**
- 733 **3) inability to conduct the pastoral office effectively in this congregation in**
- 734 **view of local conditions;**
- 735 **4) inability to conduct the pastoral office effectively in view of disability or**
- 736 **incapacity of the pastor;**
- 737 **5) suspension of the pastor through discipline for more than three**
- 738 **months;**
- 739 **6) resignation or removal of the pastor from the roster of Ministers of**
- 740 **Word and Sacrament of this church;**
- 741 **7) termination of the relationship between this church and this**
- 742 **congregation;**
- 743 **8) dissolution of this congregation or the termination of a parish**
- 744 **arrangement; or**
- 745 **9) suspension of this congregation through discipline for more than six**
- 746 **months.**
- 747 **b. When allegations of disability or incapacity of the pastor under paragraph**
- 748 **a.4) above, or ineffective conduct of the pastoral office under paragraph a.3)**
- 749 **above, have come to the attention of the bishop of this synod,**
- 750 **1) the bishop, who has sole discretion, may investigate such conditions**
- 751 **personally together with a committee of two rostered ministers and**
- 752 **one layperson, or**
- 753 **2) when such allegations have been brought to the synod’s attention**
- 754 **by an official recital of allegations by the Congregation Council or by a**
- 755 **petition signed by at least one-third of the voting members of this**
- 756 **congregation, the bishop personally shall investigate such conditions**
- 757 **together with a committee of two rostered ministers and one**
- 758 **layperson.**
- 759 **c. In case of alleged disability or incapacity under paragraph a.4) above, the**
- 760 **bishop’s committee shall obtain and document competent medical opinion**
- 761 **concerning the pastor’s condition. When a disability or incapacity is evident**
- 762 **to the committee, the bishop of this synod may declare the pastorate vacant.**
- 763 **When the pastorate is declared vacant, the Synod Council shall list the pastor**
- 764 **on the roster of Ministers of Word and Sacrament with disability status. Upon**
- 765 **resumption of the ability to conduct the office effectively, the bishop shall**
- 766 **take steps to enable the pastor to resume the ministry, either in the**
- 767 **congregation last served or in another appropriate call.**
- 768 **d. In the case of alleged local difficulties that imperil the effective functioning of**
- 769 **this congregation under paragraph a.3) above, the bishop’s committee shall**

770 endeavor to hear from all concerned persons, after which the bishop together
771 with the committee shall present their recommendations first to the pastor
772 and then to this congregation. The recommendations of the bishop's
773 committee must address whether the pastor's call should come to an end
774 and, if so, may suggest appropriate severance arrangements. The committee
775 may also propose other actions that should be undertaken by this
776 congregation and by the pastor, if appropriate. If the pastor and
777 congregation agree to carry out such recommendations, no further action
778 need be taken by the synod.

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

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

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

793 ***C9.07.** During the period of service, an interim pastor shall have the rights and duties in
794 this congregation of a regularly called pastor and may delegate the same in part
795 to a supply pastor with the consent of the bishop of the synod and this
796 congregation or Congregation Council. The interim pastor and any rostered
797 minister providing assistance shall refrain from exerting influence in the selection
798 of a pastor. Unless previously agreed upon by the Synod Council, an interim
799 pastor is not available for a regular call to the congregation served.

800 ***C9.08.** This congregation shall make satisfactory settlement of all financial obligations to
801 a former pastor before calling a successor. A pastor shall make satisfactory
802 settlement of all financial obligations to this congregation before beginning
803 service in a call to another congregation or employment in another ministry
804 setting.

805 ***C9.09.** When a pastor is called to serve in company with another pastor or pastors, the
806 privileges and responsibilities of each pastor shall be specified in documents to
807 accompany the call and to be drafted in consultation involving the pastors, the
808 Congregation Council, and the bishop of the synod. As occasion requires, the
809 documents may be revised through a similar consultation.

810 ***C9.11.** With the approval of the bishop of the synod, this congregation may depart from
811 ***C9.05.a.** and call a pastor for a specific term. Details of such calls shall be in

- 812 writing setting forth the purpose and conditions involved. Prior to the completion
813 of a term, the bishop or a designated representative of the bishop shall meet with
814 the pastor and representatives of this congregation for a review of the call. Such a
815 call may also be terminated before its expiration in accordance with the
816 provisions of *C9.05.a.
- 817 ***C9.12. The pastor of this congregation:**
- 818 a. shall keep accurate records of all baptisms, confirmations, marriages, burials,
819 communicants, members received, members dismissed, or members
820 excluded from this congregation;
- 821 b. shall submit a summary of such statistics annually to the synod; and
- 822 c. shall become a member of this congregation upon receipt and acceptance of
823 the letter of call. In a parish of multiple congregations, the pastor shall hold
824 membership in one of the congregations.
- 825 ***C9.13. The pastor shall submit a report of ministry to the bishop of the synod at least 90**
826 **days prior to each regular meeting of the Synod Assembly.**
- 827 ***C9.14. The records of this congregation shall be maintained by the pastor and shall**
828 **remain the property of this congregation. The secretary of this congregation shall**
829 **attest in writing to the bishop of this synod that such records have been placed in**
830 **the secretary's hands in good order by a departing pastor before the installation**
831 **of that pastor in another call or approval of a request for change in roster status.**
- 832 **C9.15. Under special circumstances, subject to the approval of the synod bishop and the**
833 **concurrence of this congregation, a minister of Word and Sacrament of a church**
834 **body with which the Evangelical Lutheran Church in America officially has**
835 **established a relationship of full communion may serve temporarily as pastor of**
836 **this congregation under a contract between this congregation and the pastor in a**
837 **form proposed by the synod bishop and approved by this congregation.**
- 838 ***C9.21. Authority to call a deacon shall be in this congregation by at least a two-thirds**
839 **vote of voting members present and voting at a meeting legally called for that**
840 **purpose. Before a call is issued, the officers, or a committee elected by this**
841 **Congregation Council to recommend the call, shall seek the advice and help of the**
842 **bishop of the synod.**
- 843 ***C9.22. Only a member of the roster of Ministers of Word and Service of the Evangelical**
844 **Lutheran Church in America or a candidate for the roster of Ministers of Word and**
845 **Service who has been recommended for this congregation by the synod bishop**
846 **may be called as a deacon of this congregation.**
- 847 ***C9.23. Consistent with the faith and practice of the Evangelical Lutheran Church in**
848 **America, every minister of Word and Service shall:**
- 849 a. Be rooted in the Word of God, for proclamation and service;
- 850 b. Advocate a prophetic diakonia that commits itself to risk-taking and
851 innovative service on the frontiers of the Church's outreach, giving particular
852 attention to the suffering places in God's world;

- 853 c. **Speak publicly to the world in solidarity with the poor and oppressed,**
854 **advocating dignity, justice, and equity for all people, working for peace and**
855 **reconciliation among the nations, caring for the marginalized, and embracing**
856 **and welcoming racially and ethnically diverse populations;**
- 857 d. **Equip the baptized for ministry in God’s world that affirms the gifts of all**
858 **people;**
- 859 e. **Encourage mutual relationships that invite participation and accompaniment**
860 **of others in God’s mission;**
- 861 f. **Practice stewardship that respects God’s gift of time, talents, and resources;**
- 862 g. **Be grounded in a gathered community for ongoing diaconal formation;**
- 863 h. **Share knowledge of this church and its wider ministry of the gospel and**
864 **advocate for the work of all expressions of this church; and**
- 865 i. **Identify and encourage qualified persons to prepare for ministry of the**
866 **gospel.**
- 867 ***C9.24. The specific duties of the deacon, compensation, and other matters pertaining to**
868 **the service of the deacon shall be included in a letter of call, which shall be**
869 **attested by the bishop of the synod.**
- 870 ***C9.25. The provisions for termination of the mutual relationship between a minister of**
871 **Word and Service and this congregation shall be as follows:**
- 872 a. **The call of this congregation, when accepted by a deacon, shall constitute a**
873 **continuing mutual relationship and commitment, which shall be terminated**
874 **only by the deacon’s death or, following consultation with the synod bishop,**
875 **for any of the following reasons:**
- 876 1) **mutual agreement to terminate the call or the completion of a call for a**
877 **specific term;**
- 878 2) **resignation of the deacon, which shall become effective, unless**
879 **otherwise agreed, no later than 30 days after the date on which it was**
880 **submitted;**
- 881 3) **inability to conduct the ministry of Word and Service effectively in this**
882 **congregation in view of local conditions;**
- 883 4) **inability to conduct the office effectively in view of disability or**
884 **incapacity of the deacon;**
- 885 5) **suspension of the deacon through discipline for more than three**
886 **months;**
- 887 6) **resignation or removal of the deacon from the roster of Ministers of**
888 **Word and Service of this church;**
- 889 7) **termination of the relationship between this church and this**
890 **congregation;**
- 891 8) **dissolution of this congregation or the termination of a parish**
892 **arrangement; or**

- 893 9) **suspension of this congregation through discipline for more than six**
894 **months.**
- 895 **b. When allegations of disability or incapacity of the deacon under paragraph**
896 **a.4) above, or ineffective conduct of the office of minister of Word and**
897 **Service under paragraph a.3) above, have come to the attention of the bishop**
898 **of this synod,**
- 899 1) **the bishop, who has sole discretion, may investigate such conditions**
900 **personally together with a committee of two rostered ministers and**
901 **one layperson, or**
- 902 2) **when such allegations have been brought to the synod’s attention by an**
903 **official recital of allegations by the Congregation Council or by a**
904 **petition signed by at least one-third of the voting members of this**
905 **congregation, the bishop personally shall investigate such conditions**
906 **together with a committee of two rostered ministers and one**
907 **layperson.**
- 908 **c. In case of alleged disability or incapacity under paragraph a.4) above, the**
909 **bishop’s committee shall obtain and document competent medical opinion**
910 **concerning the deacon’s condition. When a disability or incapacity is evident**
911 **to the committee, the bishop of this synod may declare the position vacant.**
912 **When the position is declared vacant, the Synod Council shall list the deacon**
913 **on the roster of Ministers of Word and Service with disability status. Upon**
914 **resumption of the ability to conduct the office effectively, the bishop shall**
915 **take steps to enable the deacon to resume the ministry, either in the**
916 **congregation last served or in another appropriate call.**
- 917 **d. In the case of alleged local difficulties that imperil the effective functioning of**
918 **this congregation under paragraph a.3) above, the bishop’s committee shall**
919 **endeavor to hear from all concerned persons, after which the bishop together**
920 **with the committee shall present their recommendations first to the deacon**
921 **and then to this congregation. The recommendations of the bishop’s**
922 **committee must address whether the deacon’s call should come to an end**
923 **and, if so, may suggest appropriate severance arrangements. The committee**
924 **may also propose other actions that should be undertaken by this**
925 **congregation and by the deacon, if appropriate. If the deacon and**
926 **congregation agree to carry out such recommendations, no further action**
927 **need be taken by the synod.**
- 928 **e. If either party fails to assent to the recommendations of the bishop’s**
929 **committee concerning the deacon’s call, this congregation may dismiss the**
930 **deacon only at a legally called meeting after consultation with the bishop,**
931 **either (a) by a two-thirds vote of the voting members present and voting**
932 **where the bishop and the committee did not recommend termination of the**
933 **call, or (b) by a majority vote of the voting members present and voting**
934 **where the bishop and the committee recommended termination of the call.**

- 935 f. If, in the course of proceedings described in paragraph c. or paragraph d.
936 above, the bishop's committee concludes that there may be grounds for
937 discipline, the committee shall make recommendations concerning
938 disciplinary action in accordance with the provisions of this church's
939 constitution, bylaws, and continuing resolutions.
- 940 ***C9.26.** This congregation shall make satisfactory settlement of all financial obligations to
941 a former deacon before calling a successor. A deacon shall make satisfactory
942 settlement of all financial obligations to this congregation before beginning
943 service in a call to another congregation or employment in another ministry
944 setting.
- 945 ***C9.27.** When a deacon is called to serve in company with another rostered minister or
946 other rostered ministers, the privileges and responsibilities of each rostered
947 minister shall be specified in documents to accompany the call and to be drafted
948 in consultation involving the rostered ministers, the Congregation Council, and
949 the bishop of the synod. As occasion requires, the documents may be revised
950 through a similar consultation.
- 951 ***C9.28.** With the approval of the bishop of the synod, this congregation may depart from
952 *C9.25.a. and call a deacon for a specific term. Details of such calls shall be in
953 writing setting forth the purpose and conditions involved. Prior to the completion
954 of a term, the bishop or a designated representative of the bishop shall meet with
955 the deacon and representatives of this congregation for a review of the call. Such
956 a call may also be terminated before its expiration in accordance with the
957 provisions of *C9.25.a.
- 958 ***C9.29.** The deacon shall become a member of this congregation upon receipt and
959 acceptance of the letter of call. In a parish of multiple congregations, the deacon
960 shall hold membership in one of the congregations.
- 961 ***C9.31.** The deacon shall submit a report of ministry to the bishop of the synod at least 90
962 days prior to each regular meeting of the Synod Assembly.

963

964 **Chapter 10. CONGREGATION MEETING**

965 **C10.01.** This congregation shall have at least one regular meeting per year. The regular
966 meeting(s) of the congregation shall be held at the time(s) specified in the bylaws.
967 Consistent with the laws of the State of Arizona, the bylaws shall designate one
968 regular meeting per year as the annual meeting of this congregation.

969 C10.01.01. The annual meeting of this congregation shall be held during the month of January,
970 normally the last Sunday.

971 C10.01.02. The written notice of the annual meeting will include the following:

- 972 a. Where and when to pick up or download a copy of the annual report.
973 b. The names of candidates proposed by the nominating committee for
974 vacancies to be filled in this Congregation Council.
975 c. An agenda and a summary of old and new business to be addressed.

*Required provision

- 976 C10.01.03. All committees, organizations and leaders as appropriate within this congregation
977 shall submit a one page report to the church office at least 21 days prior to the
978 annual meeting, for inclusion in the annual report. These reports will be a summary
979 of the ministry of the committee/organization and will include financial reports as
980 appropriate.
- 981 **C10.02. A special Congregation Meeting may be called by the pastor, the Congregation
982 Council, or the president of this congregation, and shall be called by the president
983 of the congregation upon the written request of ten percent of the voting
984 members. The president of this Congregation Council shall call a special meeting
985 upon request of the synod bishop. The call for each special meeting shall specify
986 the purpose for which it is to be held and no other business shall be transacted.**
- 987 **C10.03. Notice of all meetings of this congregation shall be given at the services of
988 worship on the preceding two consecutive Sundays and by mail or electronic
989 means, as permitted by state law, to all voting members at least 10 days in
990 advance of the date of the meeting.**
- 991 C10.03.01. The written notice of any congregation meeting will include as a minimum:
992 a. The date, time, and place of the meeting.
993 b. The purpose of the meeting
- 994 **C10.04. Twenty percent of voting members shall constitute a quorum.**
- 995 C10.04.01. The current roster of voting members will be available at all congregational
996 meetings for use in resolving any questions concerning voting eligibility.
- 997 **C10.05. Voting by proxy or by absentee ballot shall not be permitted.**
- 998 **C10.06. All actions approved by this congregation shall be by majority vote of those voting
999 members present and voting, except as otherwise provided in this constitution or
1000 by state law.**
- 1001 C10.06.01. In the following cases voting shall be by written ballot:
1002 a. To elect the members of the Congregation Council unless the election is
1003 uncontested;
1004 b. To elect the officers of this congregation
1005 c. To adopt or amend the mission plan, also known as the budget;
1006 d. To adopt or amend the articles of incorporation, constitution, or bylaws of this
1007 congregation;
1008 e. To call a pastor or to dismiss the pastor;
1009 f. To exclude a member from this congregation or to remove a member from office
1010 in this congregation;
1011 g. To sever membership in the Evangelical Lutheran Church in America;
1012 h. To dispose of, encumber, or purchase real property;
1013 i. When requested by ten or more voting members present
- 1014 C10.06.02. If more than one ballot is required in an election, a motion shall be in order to limit
1015 the balloting after the first ballot to the three candidates receiving the highest
1016 number of votes on the first ballot; and after the second ballot to limit the balloting

- 1017 to the two candidates receiving the highest number of votes.
- 1018 **C10.07.** *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all
1019 meetings of this congregation.
- 1020 **C10.08.** This congregation may hold meetings by remote communication, including
1021 electronically and by telephone conference, as long as there is an opportunity for
1022 simultaneous aural communication or its equivalent. To the extent permitted by
1023 state law, notice of all meetings may be provided electronically.
- 1024 **C10.09.** "Ex officio" as used herein means membership with full rights of voice and vote
1025 unless otherwise expressly limited.

1026

1027 **Chapter 11. OFFICERS**

1028 **C11.01.** The officers of this congregation shall be a president, vice president and secretary.

1029 a. Duties of the officers shall be specified in the bylaws and or position
1030 descriptions.

1031 C11.01.a.01. The following three officers shall be the legal representatives of this congregation.
1032 Each will be elected at the annual meeting for a term of one year, and shall not be
1033 eligible for more than 3 consecutive terms.

1034 a. President, who shall preside over meetings of this congregation and serve
1035 as chairman of the Congregation Council. In addition the president shall
1036 prepare the agenda for such meetings, act as the chief elected officer of
1037 this congregation, and perform other duties as necessary.

1038 b. Vice President, will also serve as the Personnel Officer and will perform the
1039 duties of the president in the absence of the President.

1040 c. Secretary, who shall keep the minutes of the meetings of this congregation
1041 and Congregation Council, and shall preserve the archives. In addition, the
1042 secretary shall prepare and maintain official correspondence for this
1043 congregation, maintain records of elections and terms of the Congregation
1044 Council members, maintain records (including rosters) of committee and
1045 board memberships, and perform other duties as directed by the president
1046 or Executive Committee.

1047 b. The officers shall be voting members of this congregation.

1048 c. Officers of this congregation shall serve similar offices of the Congregation
1049 Council and shall be voting members of the Congregation Council.

1050 d. If the Congregation Council elects its officers, the president, vice president,
1051 and secretary shall be selected from the elected membership of the
1052 Congregation Council.

1053 **C11.02.** This congregation shall elect its officers and they shall be the officers of this
1054 congregation. The officers shall be elected by written ballot and shall serve for
1055 one year or until their successors are elected. Their terms shall begin at the close
1056 of the annual meeting at which they are elected.

1057 **C11.03. No officer shall hold more than one congregation council office at a time. No**
1058 **elected officer shall be eligible to serve more than three consecutive terms in the**
1059 **same office.**

1060

1061 **Chapter 12. CONGREGATION COUNCIL**

1062 **C12.01. The voting membership of the Congregation Council shall consist of the pastor,**
1063 **the officers of this congregation, and six members of this congregation. Any**
1064 **voting member of this congregation may be elected, subject only to the limitation**
1065 **on the length of continuous service permitted in that office. A member's place on**
1066 **the Congregation Council shall be declared vacant if the member a) ceases to be a**
1067 **voting member of this congregation or b) is absent from four successive regular**
1068 **meetings of the Congregation Council without cause. Consistent with the laws of**
1069 **the state in which this congregation is incorporated, this congregation may adopt**
1070 **procedures for the removal of a member of the Congregation Council in other**
1071 **circumstances.**

1072 C12.01.01. The Congregation Council will also include

- 1073 • 1 Lay Eucharistic Minister
- 1074 • 1 Maintenance Manager
- 1075 • The Lay Eucharistic Ministers' primary concern shall be the spiritual life of
1076 this congregation. The Maintenance Manager's primary concern shall be the
1077 care and management of the physical property of this congregation.
1078 Maintenance Managers and Lay Eucharistic Ministers will be elected by this
1079 congregation at the annual meeting in such a way that the term of at least
1080 one will expire each year. The normal term of office shall be three years.
1081 No elected Lay Eucharistic Minister or Maintenance Manager shall be
1082 eligible for more than two consecutive terms. The senior Lay Eucharistic
1083 Minister/Maintenance Manager shall be that person with the longest
1084 consecutive time as Lay Eucharistic Minister/Maintenance Manager. Should
1085 equal tenure exist the senior Lay Eucharistic Minister/Maintenance
1086 Manager will be determined by vote of the council.
- 1087 • 4 at-large members, designated by Council to fill positions as Faith
1088 Formation Liaison, Fellowship Liaison, Service Liaison, and Evangelism
1089 Liaison.
- 1090 • All Council Members-At-Large positions will be elected to a 1-year term with
1091 the eligibility to serve a maximum of 5 consecutive terms.
- 1092 • This congregation shall strive to have a young adult in one of the above
1093 council positions; young adult being defined as having been confirmed, at
1094 least 18 years old, but not having reached the age of 30.

1095 C12.01.02. To be eligible for membership on Congregation Council a person must be a voting
1096 member of this congregation. In addition, spiritual leadership and practical ability
1097 as needed in promoting the various interests of this congregation and committees
1098 may be considered.

- 1099 C12.01.03. Only one voting member of this congregation from a single household may serve on
1100 council at any given time.
- 1101 C12.01.04. Specific role descriptions for all elected leadership positions can be found in the
1102 Position Description documents.
- 1103 C12.01.05. Voting members eligible to be a Congregation Council member shall be limited by
1104 the following:
- 1105 a. Congregation Council members shall be 18 years of age or older when they are
1106 installed.
- 1107 b. Salaried lay workers may not serve as Congregation Council members.
- 1108 c. Immediate household members of paid staff may not serve on council.
- 1109 **C12.02. The members of the Congregation Council officers, except the pastor shall be
1110 elected by written ballot to serve for one year or until their successors are
1111 elected. Such members shall be eligible to serve no more than three full terms
1112 consecutively. Their terms shall begin at the close of the annual meeting at which
1113 they are elected.**
- 1114 **C12.03. Should a member's place on the Congregation Council be declared vacant, the
1115 Congregation Council shall elect, by majority vote, a successor until the next
1116 annual meeting.**
- 1117 C12.03.01. Vacancies filled for an unexpired term of less than one year shall not be considered
1118 a term of office.
- 1119 **C12.04. The Congregation Council shall have general oversight of the life and activities of
1120 this congregation, and in particular its worship life, to the end that everything be
1121 done in accordance with the Word of God and the faith and practice of the
1122 Evangelical Lutheran Church in America. The duties of the Congregation Council
1123 shall include the following:**
- 1124 a. **To lead this congregation in stating its mission, to do long-range planning, to
1125 set goals and priorities, and to evaluate its activities in light of its mission and
1126 goals.**
- 1127 C12.04.a.01. The Congregation Council shall at least once a year invite a representative of each
1128 organization/committee of this congregation to review how their ministries help
1129 carry out the mission of this congregation.
- 1130 b. **To seek to involve all members of this congregation in worship, learning,
1131 witness, service, and support.**
- 1132 c. **To oversee and provide for the administration of this congregation to enable
1133 it to fulfill its functions and perform its mission.**
- 1134 d. **To maintain supportive relationships with the rostered minister and staff and
1135 help them annually to evaluate the fulfillment of their calling or employment.**
- 1136 e. **To be examples individually and corporately of the style of life and ministry
1137 expected of all baptized persons.**
- 1138 f. **To promote a congregational climate of peace and goodwill and, as**

- 1139 differences and conflicts arise, to endeavor to foster mutual understanding.
- 1140 g. To arrange for pastoral service during the sickness or absence of the pastor.
- 1141 h. To emphasize support of the synod and churchwide organization of the
- 1142 Evangelical Lutheran Church in America as well as cooperation with other
- 1143 congregations, both Lutheran and non-Lutheran, subject to established
- 1144 policies of the synod and the Evangelical Lutheran Church in America.
- 1145 i. To recommend and encourage the use of program resources produced or
- 1146 approved by the Evangelical Lutheran Church in America.
- 1147 j. To seek out and encourage qualified persons to prepare for the ministry of
- 1148 the Gospel.

1149 C12.04.a.02. To execute Congregation Council responsibilities for the Shepherd’s Fold Child
 1150 Care Center, which are enumerated in the Shepherd’s Fold Child Care Center
 1151 Continuing Resolution below.

1152

1153 *C12.04.B23 CONTINUING RESOLUTION SUPPORTING THE SHEPHERD’S FOLD CHILD CARE*
 1154 *CENTER*

- 1155 a. *Name:*
- 1156 *This church will provide for a childcare center, and it shall be called*
- 1157 *Shepherd’s Fold Child Care Center (SFCCC) and do business under this name.*
- 1158 *There will be a tagline that states: A Learning Center for children ages infant*
- 1159 *through 5-year-olds.*
- 1160
- 1161 b. *Purpose:*
- 1162 *The purpose of the SFCCC is to provide a caring learning environment for the*
- 1163 *children of this congregation and the larger community that will enable them*
- 1164 *to grow physically, spiritually, intellectually, emotionally, and socially.*
- 1165
- 1166 c. *Ownership:*
- 1167 *The SFCCC is a part of Sierra Evangelical Lutheran Church (SELC), 101 North*
- 1168 *Lenzner Avenue, Sierra Vista, Arizona, operated under the authority of this*
- 1169 *congregation and the Congregation Council, hereafter referred to as “the*
- 1170 *Council”.*
- 1171
- 1172 d. *Location:*
- 1173 *The SFCCC shall be operated from the facilities of SELC.*
- 1174
- 1175 e. *Advisory Board:*
- 1176 1) *Selection of the Advisory Board:*
- 1177 *Consisting of no fewer than four members and shall be approved by the*
- 1178 *Council. At least three members of the Board shall be members of SELC.*
- 1179 *Monthly reports (Director’s Report, Balance Sheet, and Profit and Loss*
- 1180 *Statement) from SF shall be presented to the Council by Advisory Board*

1181 chairperson or designee. A SELC pastor and council member shall be ex-
1182 officio non-voting members of the Advisory Board.

1183 2) *Officers of the Advisory Board:*

1184 *The Advisory Board shall select from its members a chairperson, a*
1185 *recording secretary, and a treasurer. The Advisory Board shall also set up*
1186 *those committees necessary to carry out the duties of the Board. The*
1187 *chairperson shall preside at the Advisory Board meetings. The chairperson*
1188 *shall appoint a board member to preside in the absence of the chairperson.*
1189 *The Treasurer shall review all monthly financial data, including bank*
1190 *reconciliations and reports. The recording secretary shall keep minutes and*
1191 *records of Advisory Board meetings and submit those minutes to the*
1192 *Council for the Council's monthly meetings.*

1193 3) *Meetings and Attendance Requirements of the Advisory Board:*

1194 *The Advisory Board shall meet as necessary but not less than once each*
1195 *calendar quarter. Meetings may be called by the chairperson, or at the*
1196 *request of two or more of the Advisory Board members. If a Board member*
1197 *fails to attend two consecutive meetings without a valid reason, they shall*
1198 *be informed that their membership on the Advisory Board shall be*
1199 *withdrawn if a third meeting is missed.*

1200 4) *Quorums:*

1201 *A majority of the Advisory Board members constitute a quorum and*
1202 *decisions shall be made by the majority present.*

1203 5) *Duties:*

- 1204 a) *Hire and then evaluate annually, the Director of the SFCCC.*
1205 b) *Perform an annual financial review of SFCCC.*
1206 c) *Work collaboratively with Shepherd's Fold administration to ensure*
1207 *that the Center is financially self-sustaining.*
1208 d) *Facilitate a public relations program between SELC and SFCCC.*
1209 e) *Approve salaries and pay raises for the SFCCC's Director.*
1210 f) *Approve policies for paid holidays, paid time off, sick leave and other*
1211 *benefits for staff.*
1212 g) *Approve tuition rates and registration fees.*
1213 h) *Approve a yearly calendar and daily hours that SFCCC is open.*
1214 i) *If needed, resolve issues involving the operation of SFCCC.*
1215 j) *Educate new Board members.*
1216 k) *Review SFCCC Advisory Board's Duties at the Board's first meeting of*
1217 *each calendar year.*

1218
1219 f. *Fiscal Year and Financial Reporting:*

1220 *The fiscal year of the SFCCC shall be from January 1 through December 31 of*
1221 *each year. The annual financial review shall be completed by the Advisory*
1222 *Board no later than 180 days following the end of the fiscal year. A financial*
1223 *status report consisting of an income statement and a balance sheet shall be*
1224 *provided by the Advisory Board and included in the Congregation Annual*

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Report.

g. Administration:

The director of the SFCCC shall have the primary responsibility for the daily administration, maintenance, and operation of the Center. The Director or designee shall present a preliminary budget for SFCCC's up-coming fiscal year at the Board's October meeting. The approved budget shall be presented to the Congregation Council at its November meeting by the SFCCC Director or designee.

h. Religious Curriculum and Teaching Materials:

Religious teaching shall be in accordance with the Evangelical Lutheran Church in America and developed cooperatively with the SFCCC Advisory Board.

i. Dissolution:

On the dissolution of the SFCCC, after all debts are paid, all property and funds shall become the property of SELC, with the exception of property of Grants and property that is contractually obligated by outside organizations, e.g., First Things First, etc.

j. Amendments:

This SFCCC Continuing Resolution may only be amended by following the procedures listed in Chapter 18 of the SELC Constitution.

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

a. The Congregation Council shall be the board of directors of this congregation and, as such, shall be responsible for maintaining and protecting its property and 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 Arizona, except as otherwise provided herein.

C12.05.a.01. The property of this congregation shall be for the use of this congregation in its normal functions as a Lutheran church and in ways consistent with the purpose and mission of this congregation. The Congregation Council shall coordinate, administer, and develop policies and procedures for short-term and long-term agreements regarding the use of this congregations facilities as described in the guidelines found in the policy and procedures for facility use.

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 \$30,000 for items not included in the budget and shall require the approval of this congregation

1268 at a special congregation meeting to exceed the amount listed above.

- 1269 d. **The Congregation Council shall prepare an annual budget for adoption by this**
1270 **congregation, shall supervise the expenditure of funds in accordance**
1271 **therewith following its adoption. The adopted annual budget shall be**
1272 **balanced, i.e., the anticipated expenditures shall be consistent with**
1273 **anticipated receipts. The budget shall include this congregation's full**
1274 **indicated share in support of the wider ministry being carried on in**
1275 **collaboration with the synod and churchwide organization.**

1276 C12.05.d.01. The Congregation Council shall select a Mission Plan Task Force composed of five
1277 voting members, including the president, financial secretary and treasurer of this
1278 congregation, and two voting members of this congregation who are not council
1279 members.

- 1280 a. Beginning in August, the Mission Plan Task Force shall prepare a proposed
1281 mission plan, based on congregational goals, congregation organizational
1282 inputs, and Congregation Council guidance. This proposed plan will be
1283 provided to the Congregation Council, normally before the October Council
1284 meeting.
- 1285 b. The Congregation Council shall consider the proposed mission plan at an
1286 October council meeting, amend it as they deem appropriate, and within
1287 one week distribute, along with a copy of the current year mission plan, the
1288 proposed mission plan for congregational comments due to be returned
1289 within two weeks. Comments received will be reviewed by the mission
1290 plan task force and a final mission plan proposal will be presented to a
1291 November Congregation Council meeting. Council vote on the mission
1292 plan, or changes thereto, shall be by written ballot. The president will
1293 notify the person(s) who submitted proposed changes of the disposition of
1294 their submission in the recommended budget.
- 1295 c. The final mission plan recommendation by the Congregation Council will be
1296 included in the annual report made available to congregation members
1297 before the annual meeting.
- 1298 d. At the point in time at the annual meeting the Congregation Council
1299 recommended mission plan is presented to this congregation for approval,
1300 the chairperson of the Mission Plan Task Force will identify any changes
1301 made from the version that was made available to this congregation for
1302 comments. This must be done prior to calling for the vote to adopt the
1303 plan as recommended.

- 1304 e. **The Congregation Council shall ascertain that the financial affairs of this**
1305 **congregation are being conducted efficiently, giving particular attention to**
1306 **the prompt payment of all obligations and to the regular forwarding of**
1307 **mission support monies to the synod.**

1308 C12.05.e.01. In the area of finances, the Congregation Council will:

- 1309 a. Authorize all extra-budgetary appeals for funds and fund raising events to

*Required provision

- 1310 this congregation from sources both inside and outside this congregation;
- 1311 b. Adjust allocation of funds should income fall short of expectations or
- 1312 expenses exceed budgeted amounts.
- 1313 c. This congregation shall have a treasurer and a financial secretary who shall
- 1314 be a voting member of this congregation and not hold a congregation
- 1315 elected officer position.
- 1316 d. The treasurer and financial secretary shall be appointed by the
- 1317 Congregation Council and shall serve without term limits.
- 1318 e. The treasurer, shall be custodian of all funds of this congregation. The
- 1319 treasurer shall disburse all such funds in accordance with the decisions of
- 1320 this congregation or its Congregation Council, and shall present a report to
- 1321 this congregation annually and such other reports to the Congregation
- 1322 Council or congregation at such times as may be required. The treasurer
- 1323 shall be bonded. The Executive Committee, with the approval of the
- 1324 Congregation Council and in cooperation with the treasurer, may appoint
- 1325 an individual or employ a firm to assist the treasurer (such as a bookkeeper
- 1326 or accountant). The responsibilities, authority, and duties of such assistant
- 1327 to the treasurer shall be approved by the Congregation Council prior to
- 1328 such appointment or employment. Any bookkeeper or accountant who
- 1329 assists the treasurer must be bonded.
- 1330 **f. The Congregation Council shall be responsible for this congregation's**
- 1331 **investments and its total insurance program.**
- 1332 **C12.06. The Congregation Council shall see that the provisions of this constitution, its**
- 1333 **bylaws, and any continuing resolutions are carried out.**
- 1334 **C12.07. The Congregation Council shall provide for an annual review of the membership**
- 1335 **roster.**
- 1336 **C12.08. The Congregation Council shall be responsible for the employment and**
- 1337 **supervision of the staff of this congregation. Nothing in this provision shall be**
- 1338 **deemed to affect this congregation's responsibility for the call, terms of call, or**
- 1339 **termination of call of any employees who are on a roster of this church.**
- 1340 **C12.09. The Congregation Council shall submit a comprehensive report to this**
- 1341 **congregation at the annual meeting.**
- 1342 **C12.11. The Congregation Council shall normally meet once a month. Special meetings may**
- 1343 **be called by the pastor or the president and shall be called by the president at the**
- 1344 **request of at least one-half of its members. Notice of each special meeting shall be**
- 1345 **given to all who are entitled to be present.**
- 1346 **C12.12. A quorum for the transaction of business shall consist of a majority of the**
- 1347 **members of the Congregation Council, including the pastor or interim pastor,**
- 1348 **except when the pastor or interim pastor requests or consents to be absent and**
- 1349 **has given prior approval to the agenda for a particular regular or special meeting,**
- 1350 **which shall be the only business considered at that meeting. Chronic or repeated**

1351 absence of the pastor or interim pastor who has refused approval of the agenda
1352 of a subsequent regular or special meeting shall not preclude action by the
1353 Congregation Council, following consultation with the synod bishop.

1354 **C12.13. The Congregation Council and its committees may hold meetings by remote**
1355 **communication, including electronically and by telephone conference, as long as**
1356 **there is an opportunity for simultaneous aural communication or its equivalent.**
1357 **To the extent permitted by state law, notice of all meetings may be provided**
1358 **electronically.**

1359

1360 **Chapter 13. CONGREGATION COMMITTEES**

1361 **C13.01. The officers of this congregation and the pastor shall constitute the *Executive***
1362 ***Committee*.**

1363 C13.01.01. The Executive Committee shall act as the Personnel Committee.

1364 C13.01.02. In the area of personnel the duties include:

- 1365 a. Develop and review annually written position descriptions and personnel
1366 policies for all staff, including coverage of compensation, hours and
1367 working conditions;
- 1368 b. Adopt office policies for the church office and staff, to include office hours,
1369 vacations, record retention, and sick leave.

1370 **C13.02. A *Nominating Committee* of five voting members of this congregation, two of**
1371 **whom, if possible, shall be members of the Congregation Council, shall be**
1372 **selected by the Congregation Council for a term of one year. Members of the**
1373 ***Nominating Committee* are not eligible for consecutive re-selection.**

1374 C13.02.01. a. The Nominating Committee shall nominate one or more candidates for
1375 each elected position to be filled and shall secure the consent of each
1376 candidate to serve if elected.

1377 b. The candidates selected by the Nominating Committee shall be made
1378 known to this congregation as part of the annual report.

1379 c. In addition to the candidates submitted by the Nominating Committee,
1380 additional nominations may be made from the floor.

1381 **C13.03. An *Audit Committee* of three voting members shall be selected by the**
1382 **Congregation Council. *Audit Committee* members shall not be members of the**
1383 **Congregation Council. Term of office shall be three years, with one member**
1384 **selected each year. Members shall be eligible for re-election.**

1385 C13.03.01. a. The Audit Committee shall audit all financial records of this congregation
1386 for the previous one calendar year, including those of this congregation
1387 treasurer, financial secretary and the Shepherd's Fold Child Care Center
1388 yearly and shall submit their written reports to the church office for
1389 inclusion in the annual report.

1390 b. The Audit Committee shall examine all insurance policies with this
1391 congregation and Shepherd's Fold Child Care Center insurance agent to

*Required provision

1392 determine the amount and kind of insurance in force and include this
1393 report in its statement.

1394 **C13.04. Mutual Ministry Committee shall be appointed jointly by the president and the**
1395 **rostered minister. Terms of office shall be two years with three members to be**
1396 **appointed each successive year.**

1397 **C13.05. When a vacancy occurs, in a position for which this congregation calls a rostered**
1398 **minister, a Call Committee of 7 voting members shall be selected by this**
1399 **Congregation Council. Term of office will terminate upon installation of the newly**
1400 **called rostered minister.**

1401 C13.05.01. A Call Committee member must meet the same eligibility requirements as a
1402 Congregation Council member, i.e. 18 years of age upon selection and be a voting
1403 member.

1404 C13.05.02. One alternate Call Committee member may be selected by the Congregation
1405 Council. The alternate must be willing to attend all meetings in the event that they
1406 may have to replace a voting Call Committee member. The alternate will have a
1407 voice but no vote until called upon to fill the role of another member.

1408 **C13.06. Other committees of this congregation may be formed, as the need arises, by**
1409 **decision of the Congregation Council.**

1410 C.13.06.01. An Endowment Fund Committee consisting of five voting members of this
1411 congregation shall be elected by this congregation at the annual meeting to serve
1412 three year terms. Details can be found in the continuing resolution for the
1413 endowment fund.

1414 C.13.06.02. A Columbarium Committee consisting of not less than five members who shall
1415 manage and maintain the Columbarium in accordance with the guidelines found in
1416 the policy and procedure documents.

1417 **C13.07. Duties of committees of this congregation shall be specified in the bylaws or**
1418 **policy and procedure documents.**

1419 **C13.08. The pastor of this congregation shall be an *ex officio* member of all committees**
1420 **and boards of the congregation. The president of this congregation shall be an *ex***
1421 ***officio* member of all committees and boards of this congregation, except the**
1422 **Nominating Committee.**

1423

1424 **Chapter 14. ORGANIZATIONS WITHIN THIS CONGREGATION**

1425 **C14.01. All organizations within this congregation shall exist to aid it in ministering to the**
1426 **members of this congregation and to all persons who can be reached with the**
1427 **Gospel of Christ. As outgrowths and expressions of this congregation's life, the**
1428 **organizations are subject to its oversight and direction. This congregation at its**
1429 **meeting shall determine their policies, guide their activities, and receive reports**
1430 **concerning their membership, work, and finances.**

1431 **C14.02. Special interest groups, other than those of the official organizations of the**
1432 **Evangelical Lutheran Church in America, may be organized only after**

1433 authorization has been given by the Congregation Council.

1434

1435 **Chapter 15. DISCIPLINE OF MEMBERS AND ADJUDICATION**

1436 ***C15.01.** Persistent and public denial of the Christian faith, willful or criminal conduct
1437 grossly unbecoming a member of the Church of Christ, continual and intentional
1438 interference with the ministry of this congregation, or willful and repeated
1439 harassment or defamation of member(s) of this congregation is sufficient cause
1440 for discipline of a member. Prior to disciplinary action, reconciliation and
1441 repentance will be attempted following Matthew 18:15–17, proceeding through
1442 these successive steps, as necessary: a) private counsel and admonition by the
1443 pastor, b) censure and admonition by the pastor in the presence of two or three
1444 witnesses, c) written referral of the matter by the Congregation Council to the
1445 vice president of the synod, who will refer it to a consultation panel drawn from
1446 the Consultation Committee of the synod, and d) written referral of the matter by
1447 the consultation panel to the Committee on Discipline of the synod. If, for any
1448 reason, the pastor is unable to administer the admonitions required by
1449 paragraphs a. and b. hereof, those steps may be performed by another pastor
1450 chosen by the Executive Committee of the Congregation Council.

1451 ***C15.02.** The process for discipline of a member of this congregation shall be governed as
1452 prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing*
1453 *Resolutions of the Evangelical Lutheran Church in America*. If the counseling, censure,
1454 and admonitions pursuant to *C15.01. do not result in repentance and amendment
1455 of life, charges against the accused member(s) that are specific and in writing may be
1456 prepared by the Congregation Council, signed, and submitted to the vice president of
1457 the synod. The vice president shall select from the synod’s Consultation Committee a
1458 panel of five members (three laypersons and two rostered ministers). A copy of the
1459 written charges shall be provided to the consultation panel and the accused
1460 member(s). The consultation panel, after requesting a written reply to the charges
1461 from the accused member(s), shall consider the matter and seek a resolution by
1462 means of investigation, consultation, mediation, or whatever other means may seem
1463 appropriate. The panel’s efforts to reach a mutually agreeable resolution shall
1464 continue for no more than 45 days after the matter is submitted to it.

1465 ***C15.03.** If the consultation panel fails to resolve the matter, that panel shall refer the case
1466 in writing, including the written charges and the accused member’s reply, to the
1467 Committee on Discipline of the synod for a hearing. A copy of the panel’s written
1468 referral shall be delivered to the vice president of the synod, the Congregation
1469 Council, and the accused member(s) at the same time it is sent to the Committee
1470 on Discipline of the synod. The Executive Committee of the Synod Council shall
1471 then select six members from the Committee on Discipline to decide the case and
1472 shall appoint a member of the Synod Council to preside as nonvoting chair. Those
1473 six members, plus the nonvoting chair, comprise the discipline hearing panel for
1474 deciding the case. The Congregation Council and the accused member(s) are the
1475 parties to the case.

- 1476 *C15.04. The discipline hearing panel shall commence and conduct the disciplinary hearing
 1477 in accordance with the provisions governing discipline of congregation members
 1478 prescribed in the *Constitution, Bylaws, and Continuing Resolutions of the*
 1479 *Evangelical Lutheran Church in America.*
- 1480 *C15.05. By the vote of at least two-thirds of the members of the discipline hearing panel
 1481 who are present and voting, one of the following disciplinary sanctions can be
 1482 imposed:
- 1483 a. suspension from the privileges of congregation membership for a designated
 1484 period of time;
 - 1485 b. suspension from the privileges of congregation membership until the pastor
 1486 and Congregation Council receive evidence, satisfactory to them, of
 1487 repentance and amendment of life;
 - 1488 c. termination of membership in this congregation; or
 - 1489 d. termination of membership in this congregation and exclusion from the
 1490 church property and from all congregation activities.
- 1491 *C15.06. The written decision of the discipline hearing panel shall be sent to the vice
 1492 president of the synod, the accused member(s), and the Congregation Council as
 1493 required by the *Constitution, Bylaws, and Continuing Resolutions of the*
 1494 *Evangelical Lutheran Church in America.* The decision of the discipline hearing
 1495 panel shall be implemented by the Congregation Council and recorded in the
 1496 minutes of the next council meeting.
- 1497 *C15.07. No member of this congregation shall be subject to discipline a second time for
 1498 offenses that a discipline hearing panel has heard previously and decided
 1499 pursuant to this chapter.
- 1500 *C15.10. Adjudication
- 1501 *C15.11. When there is disagreement between or among factions within this congregation
 1502 on a substantive issue which cannot be resolved by the parties, members of this
 1503 congregation may petition the synod bishop for consultation after informing the
 1504 president of this congregation of their intent to do so. The synod bishop shall seek
 1505 a timely resolution of the dispute. If the issue relates directly to the pastor, the
 1506 bishop may begin the process in †S14.18.d. In all other matters, if the bishop's
 1507 consultation fails to resolve the issue, the bishop shall refer the matter to the
 1508 Consultation Committee of the synod, which shall undertake efforts to find an
 1509 appropriate solution. If the Consultation Committee's efforts fail to resolve the
 1510 dispute, the entire matter shall be referred to the Synod Council for adjudication
 1511 by whatever process the Council deems necessary. The Synod Council's decision
 1512 shall be final.

1513

1514 **Chapter 16 AMENDMENTS**

- 1515 *C16.01. Unless provision *C16.04. is applicable, those sections of this constitution that are
 1516 not required, in accord with the *Model Constitution for Congregations of the*

1517 **Evangelical Lutheran Church in America, may be amended in the following**
1518 **manner. Amendments may be proposed by at least 10 (ten) voting members or**
1519 **by the Congregation Council. Proposals must be filed in writing with the**
1520 **Congregation Council 60 days before formal consideration by this congregation at**
1521 **a regular or special Congregation Meeting called for that purpose. The**
1522 **Congregation Council shall notify this congregation's members of the proposal**
1523 **together with the council's recommendations at least 30 days in advance of the**
1524 **meeting. Notification may take place by mail or electronic means, as permitted by**
1525 **state law.**

1526 ***C16.02. An amendment to this constitution, proposed under *C16.01, shall:**
1527 **a. be approved at any legally called meeting of this congregation by a majority**
1528 **vote of those voting members present and voting; and**
1529 **b. be ratified without change at the next annual meeting of this congregation by**
1530 **a two-thirds vote of those voting members present and voting.**

1531 ***C16.03. Any amendments to this constitution that result from the processes provided in**
1532 ***C16.01. and *C16.02. shall be sent by the secretary of this congregation to the**
1533 **synod. The synod shall notify this congregation of its decision to approve or**
1534 **disapprove the proposed changes; the changes shall go into effect upon**
1535 **notification that the synod has approved them.**

1536 ***C16.04. This constitution may be amended to bring any section into conformity with a**
1537 **section or sections, either required or not required, of the *Model Constitution for***
1538 ***Congregations of the Evangelical Lutheran Church in America* as most recently**
1539 **amended by the Churchwide Assembly. Such amendments may be approved by a**
1540 **majority vote of those voting members present and voting at any legally called**
1541 **meeting of this congregation without presentation at a prior meeting of this**
1542 **congregation, provided that the Congregation Council has submitted by mail or**
1543 **electronic means, as permitted by state law, notice to this congregation of such**
1544 **an amendment or amendments, together with the council's recommendations, at**
1545 **least 30 days prior to the meeting. Upon the request of at least two (2) voting**
1546 **members of this congregation, the Congregation Council shall submit such notice.**
1547 **Following the adoption of an amendment, the secretary of this congregation shall**
1548 **submit a copy thereof to the synod. Such provisions shall become effective**
1549 **immediately following the congregation's vote of approval.**

1550

1551 **Chapter 17. BYLAWS**

1552 ***C17.01. This congregation may adopt bylaws. No bylaw may conflict with this**
1553 **constitution.**

1554 ***C17.02. Bylaws may be adopted or amended at any legally called meeting of this**
1555 **congregation with a quorum present by a two-thirds vote of those voting**
1556 **members present and voting.**

1557 ***C17.03. Changes to the bylaws may be proposed by any voting member provided, that**
1558 **such additions or amendments be submitted in writing to the Congregation**

*Required provision

1559 Council at least 60 days before a regular or special Congregation Meeting called
1560 for that purpose. The Congregation Council shall notify the congregation's
1561 members of the proposal with the council's recommendations at least 30 days in
1562 advance of the Congregation Meeting. Notification may take place by mail or
1563 electronic means, as permitted by state law.

1564 ***C17.04.** Adopted or amended bylaws shall be sent by the secretary of this congregation to
1565 the synod.

1566

1567 **Chapter 18. CONTINUING RESOLUTIONS**

1568 ***C18.01.** This congregation in a legally called meeting or the Congregation Council may enact
1569 continuing resolutions. Such continuing resolutions may not conflict with the
1570 constitution or bylaws of this congregation.

1571 ***C18.02.** Continuing resolutions shall be enacted or amended by a majority vote of a
1572 meeting of this congregation or a two-thirds vote of all voting members of the
1573 Congregation Council.

1574 ***C18.03.** Adopted or amended continuing resolutions shall be sent by the secretary of this
1575 congregation to the synod.

1576

1577 **Chapter 19. INDEMNIFICATION**

1578 ***C19.01.** Consistent with the provisions of the laws under which this congregation is
1579 incorporated, this congregation may adopt provisions providing indemnification
1580 for each person who, by reason of the fact that such person is or was a
1581 Congregation Council member, officer, employee, agent, or other member of any
1582 committee of this congregation, was or is threatened to be made a party to any
1583 threatened, pending, or completed civil, criminal, administrative, arbitration, or
1584 investigative proceeding.

1585

1586 **Chapter 20. PARISH AUTHORIZATION**

1587 ***C20.01.** This congregation may unite with one or more other congregations recognized by
1588 the synod named in *C6.01. to form a parish. Except as provided in *C20.02. and
1589 *C20.03., a written agreement, developed in consultation with the synod and
1590 approved by the voting members of each congregation participating in the parish,
1591 shall specify the powers and responsibilities that have been delegated to the
1592 Parish Council. The Parish Agreement shall identify which congregation of the
1593 parish issues calls on behalf of the member congregations or shall establish a
1594 process for identifying which congregation issues calls on behalf of the member
1595 congregations.

1596 ***C20.02.** One congregation of a parish shall issue a call on behalf of the member
1597 congregations to a minister of Word and Sacrament or a candidate for the roster
1598 of Ministers of Word and Sacrament who has been recommended by the synod
1599 bishop to serve the congregations of the parish. Such a call shall be approved

*Required provision

1600 prior to issuance by a two-thirds vote at a congregation meeting of each
1601 congregation forming the parish. If any congregation of the parish should fail to
1602 approve the call, the other congregations of the parish shall have the right to
1603 terminate the parish agreement.

1604 ***C20.03.** One congregation of a parish may issue a call on behalf of the member
1605 congregations to a minister of Word and Service or a candidate for the roster of
1606 Ministers of Word and Service who has been recommended by the synod bishop
1607 to serve the congregations of the parish. Such a call shall be approved prior to
1608 issuance by a two-thirds vote at a congregation meeting of each congregation
1609 forming the parish. If any congregation of the parish should fail to approve the
1610 call, the other congregations of the parish shall have the right to terminate the
1611 parish agreement.

1612 ***C20.04.** Any one of the congregations of the parish may terminate their relationship with
1613 the pastor as provided in †S14.18.d. of the synod constitution of the synod named
1614 in *C6.01. In such case, the other congregation(s) of the same parish shall have
1615 the right to terminate the parish agreement.

1616 ***C20.05.** Any one of the congregations of the parish may terminate their relationship with
1617 a minister of Word and Service as provided in †S14.43.d. of the synod constitution
1618 of the synod named in *C6.01. In such case, the other congregation(s) of the
1619 same parish shall have the right to terminate the parish agreement.

1620 ***C20.06.** Whenever a parish agreement is terminated, the call of any rostered minister
1621 serving that parish is terminated. Should any congregation that was formerly part
1622 of the parish agreement desire to issue a new call to that rostered minister, it may
1623 do so in accordance with the call process of this church.
1624