



1/28/2018

Holy Shepherd Lutheran Church Congregation Constitution



**CONSTITUTION AND BYLAWS
FOR
HOLY SHEPHERD LUTHERAN CHURCH
LAKEWOOD, COLORADO
Rev. January 29, 2017**

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Required provisions: Sections of this constitution marked by an asterisk (*) are required when a congregation amends its governing documents. These sections must be used without alteration or amendment of the text in any manner (neither additions or deletions). ELCA.

The Model Constitution for Congregations of the Evangelical Lutheran Church in America originally was adopted by the Constituting Convention of this church in Columbus, Ohio, on April 30, 1987. This was done as required by the Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.

The model is consistent with the requirements of the constitutional governing documents of the ELCA's churchwide organization and synods. Prior to proposing changes to this document,

refer to the most current model regarding required provisions, synod review of changes, codification explanations, ease of use, missing numbers, selection of options, references to church and guidelines for amending a church's constitution. See *Model Constitution for Congregations* of the ELCA found at www.elca.org/secretary/Constitutions.

The following is an abbreviated explanation of the codification used:

This document contains general subject, constitutional provisions, bylaws and continuing resolutions.

- a. Major sectors are designated as chapters. The chapter designation becomes the first number in the codification sequence and is followed by a period. Thus, provisions in "Chapter 8. Membership" are preceded by "8."
- b. Constitutional provisions are codified with two sets of numbers: the chapter number and a two-digit number preceding the second period in the codification... Example: *C8.02. The * before the "C" are required provisions of the ELCA and must be used without alteration or amendment of the text in any manner (neither additions or deletions). See Chapter 17, Amendments.
- c. Bylaw provisions are codified with three sets of numbers: the chapter number, the related constitutional provision number, and a two-digit number. Example: C8.02.01. In this constitution, bylaws are in bold. Each congregation may develop their own bylaws, but none may conflict with the constitutions within the ELCA (model constitution, synod, or churchwide). See Chapter 16, Bylaws.
- d. Continuing Resolutions -The Congregation Council may adopt continuing resolutions which may provide descriptions of operational patterns or ongoing responsibilities of committees, etc. Within the governing documents of a congregation, continuing resolutions are the provisions most easily amended by the Congregation Council without the necessity of calling a regular or special Congregation Meeting. They are codified with three sets of numbers except that the third set is preceded by a capital letter. The first set being the chapter number, the second set relating to the subject matter within the chapter and the third set might be a capital letter indicating the first continuing resolution under that subject, followed by the year it was adopted. The sets of numbers and the headline or first line of the Continuing Resolution are bolded to be easily recognized. Example: **C10.01.A97**. See Chapter 18, Continuing Resolutions.

PREAMBLE

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

Chapter 1.

NAME AND INCORPORATION

- C1.01. The name of this congregation shall be Holy Shepherd Lutheran Church.
- C1.02. For the purpose of this constitution and the accompanying bylaws, the congregation of Holy Shepherd Lutheran Church is hereinafter designated as "this congregation."
- C1.11. This congregation shall be incorporated under the laws of the State of Colorado.

Chapter 2.

CONFESSION OF FAITH

- *C2.01. This congregation confesses the Triune God, Father, Son, and Holy Spirit.
- *C2.02. This congregation confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.
 - a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.
 - b. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.
 - c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.

- *C2.03. This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.
- *C2.04. This congregation accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.
- *C2.05. This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.
- *C2.06. This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.
- *C2.07. This congregation confesses the Gospel, recorded in the Holy Scriptures and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

Chapter 3.

NATURE OF THE CHURCH

- *C3.01. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority.
- *C3.02. This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian Unity throughout the world.
- *C3.03. The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. The Evangelical Lutheran Church in America, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.
- *C3.04. This church, inspired and led by the Holy Spirit, participates in The Lutheran World Federation as a global communion of churches, engaging in faithful

witness to the gospel of Jesus Christ and in service for the sake of God's mission in the world.

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

Chapter 4.

STATEMENT OF PURPOSE

- *C4.01. The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world.
- *C4.02. To participate in God's mission, this congregation as a part of the Church shall:
- a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
 - b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
 - c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
 - d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, and standing with the poor and powerless, and committing itself to their needs.
 - e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
 - f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.

- C4.02.01. As respects our faith this congregation is committed to the following:**

- a. **This congregation invites and encourages all its members who have been prepared to receive the sacrament to participate regularly in Holy Communion.**
- b. **The sacrament of Holy Communion will normally be celebrated at all regular worship services and certain festivals.**
- c. **We believe Holy Communion is a gift from God where Jesus Christ is truly present in the bread and wine as the church gathers around the Lord's Table.**
- d. **Participation in Holy Communion shall be open to all.**
- e. **Preparation for Holy Communion will normally be provided for persons eight years of age or older and to younger children who desire to participate in Holy Communion.**
- f. **A record of participation in Holy Communion shall be maintained.**

*C4.03.

To fulfill these purposes, this congregation shall:

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

*C4.04.

This congregation shall develop an organizational structure to be described in the bylaws. The Congregation Council shall prepare descriptions of the responsibilities of each committee, task force, or other organizational group and shall review their actions. Such descriptions shall be contained in continuing resolutions in the section on the Congregation Committees.

*C4.05.

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

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

C4.05.A12. Our congregation's Vision Statement is as follows:

As disciples of Jesus, Holy Shepherd Lutheran Church believes we are called to be in relationship with God, with God's people and with God's world every day.

C4.05.B09. Our congregation's Mission Statement is as follows:

Worshipping and Growing Together in Christ,
Serving and Reaching Out Joyfully to All.

Chapter 5.

POWERS OF THE CONGREGATION

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

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

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

- a. call a minister of Word and Sacrament as provided in Chapter 9;
- b. terminate the call of a minister of Word and Sacrament as provided in Chapter 9;
- c. call or terminate the call of minister/s of Word and Service in conformity with the applicable policy of the Evangelical Lutheran Church in America;
- d. adopt amendments to the constitution, as provided in Chapter 16, amendments to the bylaws, as specified in Chapter 17, and continuing resolutions as provided in Chapter 18;
- e. approve the annual budget;

- f. acquire real and personal property by gift, devise, purchase, or other lawful means;
- g. hold title to and use its property for any and all activities consistent with its purpose;
- h. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
- i. elect its officers, Congregation Council, boards, and committees, and require them to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
- j. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.

*C5.04. This congregation shall choose from among its voting members laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected by the congregation and other qualifications shall be as prescribed in guidelines established by the Rocky Mountain Synod of the Evangelical Lutheran Church in America.

Chapter 6.

CHURCH AFFILIATION

- *C6.01. This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the Rocky Mountain Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.
- *C6.02. This congregation accepts the Confession of Faith and agrees to the Purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.
- *C6.03. This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:
 - a. This congregation agrees to be responsible for its life as a Christian community.
 - b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
 - c. This congregation agrees to call pastoral leadership from the roster of Ministers of Word and Sacrament roster of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved

for the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services with a Minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.

- d. This congregation agrees to consider minister/s of Word and Service for call to other staff positions in the congregation according to the procedures of the Evangelical Lutheran Church in America.
- e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America and with the constitution of the synod.

*C6.04. Affiliation with the Evangelical Lutheran Church in America may be terminated as follows:

- a. This congregation takes action to dissolve.
- b. This congregation ceases to exist.
- c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America.
- d. This congregation follows the procedures outlined in *C6.05.

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

- a. A resolution indicating the intent to terminate its relationship must be adopted at a legally called and conducted special meeting of the congregation by a two-thirds vote of the voting members present. Such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time the congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the congregation council. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.
- b. The secretary of the congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall mail a copy of the resolution to voting members of the congregation. This notice shall be submitted within 10 days after the resolution has been adopted.
- c. The bishop of the synod and the congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the synod of the notice as specified in paragraph b. above.

- d. If the congregation, after such consultation, still seeks to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of the meeting shall be mailed to all voting members and to the bishop at least 10 days in advance of the meeting. Unless he or she is voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.
- e. A copy of the resolution, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, shall be sent to the bishop within 10 days after the resolution has been adopted, at which time the relationship between the congregation and this church shall be terminated subject to paragraphs g., h., and i. below. Unless this notification to the bishop also certifies that the congregation has voted by a two-thirds vote to affiliate with another Lutheran denomination, the congregation will be conclusively presumed to be an independent or non-Lutheran church.
- f. Notice of termination shall be forwarded by the bishop to the secretary of the ELCA, who shall report the termination to the Churchwide Assembly.
- g. This congregation shall abide by these covenants by and among the three expressions of this church:
 - 1) Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in *C6.05., shall be required to receive Synod Council approval before terminating their membership in this church.
 - 2) Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to receive synodical approval before terminating their membership in this church.
 - 3) Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05, to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church.
- h. If this congregation fails to achieve the required two-thirds vote of voting members present at the congregation's first meeting as specified in paragraph a. above, another special meeting to consider termination of relationship with this church may be called no sooner than six months after that first meeting. If this congregation fails to achieve the required two-thirds vote of voting members present at the congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of *C6.05. and may begin no sooner than six months after that second meeting.

- *C6.06. If this congregation considers relocation, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.
- *C6.07. If this congregation considers developing an additional site to be used regularly for worship, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action.

Chapter 7.

PROPERTY OWNERSHIP

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

Chapter 8.

MEMBERSHIP

- *C8.01. Members of this congregation shall be those baptized persons on the roll of this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.
- *C8.02. Members shall be classified as follows:
- a. **Baptized** members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
- C8.02.01. Baptized members shall also include the following:**
- a. **A child, one or both of whose parents or guardians are members of the congregation, shall become a baptized member of the congregation upon receiving baptism.**
 - b. **A child, neither of whose parents or guardians is a member of the congregation, shall become a baptized member of the congregation upon receiving baptism, unless for good reason the child is to be a baptized member of another congregation, in which case its membership shall be transferred to that congregation.**
 - c. **A child baptized in another congregation shall be received as a baptized member of this congregation when a transfer has been received.**
 - d. **When one or both parents of a baptized child are received into membership of this congregation such child should be received as a baptized member with the consent of the member parent or parents.**
 - e. **Where a baptized child is an orphan or a ward of someone who moves into the area served by this congregation, the child may be received as a baptized member when it is commended to the care of this congregation by the congregation which baptized the child.**
 - f. **When neither parent of a baptized child is a member of a Lutheran Church, but moves into the area served by this congregation, and desires to have their child put within the pastoral care of this congregation, the child may be received as a baptized member.**
- C8.02. b. **Confirmed** members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.

- C8.02.02. Confirmed members shall also include the following:**
- a. A baptized adult, not previously a confirmed member of a Lutheran congregation, shall become a confirmed member of this congregation after having received instruction, having given evidence of adequate understanding of the teachings of the Word of God as confessed by the Evangelical Lutheran Church in America, and having publicly affirmed his/her faith.**
 - b. A baptized member of this congregation shall become a confirmed member through the rite of confirmation, except that an adult who has become a baptized member in accordance with the provisions of this Constitution including its Bylaws and Continuing Resolutions shall be considered a confirmed member without participation in the rite of confirmation.**
 - c. An applicant for membership who presents a Letter of Transfer which certifies that he/she is a confirmed member of good standing of a Lutheran Congregation shall become a confirmed member of this congregation upon approval by the Congregation Council. Acceptance of the applicant shall be reported to the congregation.**
 - d. An applicant for membership who presents evidence of confirmation in a Lutheran Congregation, but does not have a Letter of Transfer, shall be admitted to confirmed membership when the Congregation Council finds the applicant meets the standards of Christian faith and life indicated in the Constitution, Bylaws and Continuing Resolutions of this congregation, and when the applicant has affirmed his/her faith before the Congregation.**

- *C8.02. c. *Voting* members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.**

- C8.02.03. Voting Members**
The Congregation Council shall maintain a roster of voting members of the congregation in compliance with the Constitution, Bylaws and Continuing Resolutions.

- *C8.02. d. *Associate* members are persons holding membership in other ELCA congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. These individuals**

have all the privileges and duties of membership except voting rights and other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.

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

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

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

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

- *C8.05. Membership in this congregation shall be terminated by any of the following:
- a. death;
 - b. resignation;
 - c. transfer or release;
 - d. disciplinary action in accordance with ELCA constitutional provision 20.41. and the accompanying bylaws;
 - 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. Pastoral Concern of Membership

- a. **A confirmed member who is no longer a voting member, as defined in C8.02c of this constitution, after a period of one year shall be visited by a minister of Word and Sacrament and/or the congregation's representative and encouraged to commune and contribute. The member shall be retained on a responsibility list as one who is in special need of the congregation's continuing pastoral concern.**
- b. **A child, neither of whose parents or guardian are confirmed members of the congregation, may be removed from the roster of baptized members if he/she fails to participate in the life and worship of the congregation.**
- c. **In the event of removal of a member from the area served by the congregation, such member shall be encouraged to request a transfer to a Lutheran Congregation which can serve the member effectively.**
- d. **A confirmed member in good standing of this congregation desiring to change membership to another Lutheran Congregation shall be issued a Letter of Transfer upon request.**

Chapter 9.

THE ROSTERED MINISTER

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

*C9.02. Only a member of the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Sacrament who has been recommended for the

congregation by the synodical bishop may be called as a minister of Word and Sacrament of this congregation.

- *C9.03. Consistent with the faith and practice of the Evangelical Lutheran Church in America,
- a. Every minister of Word and Sacrament shall:
 - 1) preach the Word;
 - 2) administer the sacraments;
 - 3) conduct public worship;
 - 4) provide pastoral care;
 - 5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
 - 6) impart knowledge of this church and its wider ministry through distribution of its communications and publications;
 - 7) witness to the Kingdom of God in the community, in the nation, and abroad; and
 - 8) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.
 - b. Each minister of Word and Sacrament with a congregational call shall, within the congregation:
 - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2) relate to all schools and organizations of this congregation;
 - 3) install regularly elected members of the Congregation Council; and
 - 4) with the council, administer discipline; and
 - 5) endeavor to increase the support given by the congregation to the work of the ELCA_churchwide organization and of the Rocky Mountain Synod of the ELCA.

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

- C9.04.01.**
- a. **The letter of call shall be signed by the President and Secretary of the Congregation.**
 - b. **A minister of Word and Sacrament who receives a call to another ministry shall immediately consult with the Congregation Council. On reaching a decision, the minister of Word and Sacrament shall convey it to the Council in writing, without delay. If the decision is to accept the**

call, the minister of Word and Sacrament will vacate the pastoral office held, normally within one month.

- *C9.05. The provisions for termination of the mutual relationship between a minister of Word and Sacrament and this congregation shall be as follows:
- a. The call of this congregation, when accepted by a minister of Word and Sacrament, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or, following consultation with the synodical bishop, for the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the minister of Word and Sacrament, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the pastoral office effectively in the congregation in view of local conditions;
 - 4) physical disability or mental incapacity of the minister of Word and Sacrament;
 - 5) suspension of the minister of Word and Sacrament through discipline for more than three months;
 - 6) resignation or removal of the minister of Word and Sacrament from the roster of Ministers of Word and Sacrament of this church;
 - 7) termination of the relationship between this church and the congregation;
 - 8) dissolution of the congregation or the termination of a parish arrangement; or
 - 9) suspension of the congregation through discipline proceedings for more than six months.
 - b. When allegations of physical disability or mental incapacity of the minister of Word and Sacrament under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,
 - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
 - c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document

competent medical opinion concerning the minister of Word and Sacrament's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament as disabled. Upon removal of the disability and the restoration of the minister of Word and Sacrament to health, the bishop shall take steps to enable the minister of Word and Sacrament to resume the ministry, either in the congregation last served or in another appropriate call.

- d. In the case of alleged local difficulties that imperil the effective functioning of the congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the minister of Word and Sacrament and then to the congregation. The recommendations of the bishop's committee must address whether the minister of Word and Sacrament's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by the congregation and by the minister of Word and Sacrament, if appropriate. If the minister of Word and Sacrament and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the minister of Word and Sacrament's call, the congregation may dismiss the minister of Word and Sacrament only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds majority vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

*C9.06. At a time of pastoral vacancy, an interim minister of Word and Sacrament shall be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.

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

- *C9.08. This congregation shall make satisfactory settlement of all financial obligations to a former minister of Word and Sacrament before calling a successor. A minister of Word and Sacrament shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting related to the Evangelical Lutheran Church in America.
- *C9.09. When a minister of Word and Sacrament is called to serve in company with another minister of Word and Sacrament or minister/s of Word and Sacrament, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the minister/s of Word and Sacrament, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- C9.09.01. A call to a minister/s of Word and Sacrament person to be an associate minister of Word and Sacrament shall be issued only with the concurrence of the senior minister of Word and Sacrament, and in accordance with this Constitution. The term of call will normally be for an indefinite term; except, in the event of the senior minister/s of Word and Sacrament's retirement, resignation, incapacity or death during the term, the associate minister of Word and Sacrament will tender a resignation and vacate the pastoral office within six months after the installation of a successor senior minister of Word and Sacrament.**
- *C9.11. With the approval of the bishop of the synod, the congregation may depart from *C9. 05.a. and call a minister of Word and Sacrament for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the minister of Word and Sacrament and representatives of the congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.05.a.
- *C9.12. The minister of Word and Sacrament of this congregation:
- a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;
 - b. shall submit a summary of such statistics annually to the synod; and
 - c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the minister of Word and Sacrament shall hold membership in one of the congregations.

- *C9.13. The minister/s of Word and Sacrament shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.
- *C9.14. The parochial records of this congregation shall be maintained by the minister of Word and Sacrament and shall remain the property of the congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in his or her hands in good order by a departing minister of Word and Sacrament before the installation of that minister of Word and Sacrament in another field of labor or the granting by the synod of retired status to the minister of Word and Sacrament.
- C.9.15. Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation an minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as minister of Word and Sacrament of this congregation under a contract between the congregation and the minister of Word and Sacrament in a form proposed by the synodical bishop and approved by the congregation.
- *C9.21. Authority to call a minister of Word and Service shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod.
- *C9.22. Only a member of the roster of Ministers of Word and Service of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Service who has been recommended for this congregation by the synodical bishop may be called as a deacon of this congregation.
- *C9.23. Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:
- a. Be rooted in the Word of God, for proclamation and service;
 - b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
 - c. Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad;
 - d. Equip the baptized for ministry in God's world that affirms the gifts of all people;
 - e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
 - f. Practice stewardship that respects God's gift of time, talents, and resources;
 - g. Be grounded in a gathered community for ongoing diaconal formation;

- h. Share knowledge of the ELCA and its wider ministry of the gospel and advocate for the work of all expressions of this church; and
- i. Identify and encourage qualified persons to prepare for ministry of the gospel.

***C9.24.** The specific duties of the deacon, compensation, and other matters pertaining to the service of the deacon shall be included in a letter of call, which shall be attested by the bishop of the synod.

***C9.25.** The provisions for termination of the mutual relationship between a minister of Word and Service and a congregation shall be as follows:

- a. The call of a congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or, following consultation with the synodical bishop, for the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the deacon, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the ministry of Word and Service effectively in this congregation in view of local conditions;
 - 4) physical disability or mental incapacity of the deacon;
 - 5) suspension of the deacon through discipline for more than three months;
 - 6) resignation or removal of the deacon from the roster of Ministers of Word and Service of this church;
 - 7) termination of the relationship between this church and this congregation;
 - 8) dissolution of this congregation or the termination of a parish arrangement; or
 - 9) suspension of this congregation through discipline for more than six months.
- b. When allegations of physical disability or mental incapacity of the deacon under paragraph a.4) above, or ineffective conduct of the office of minister of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,
 - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.

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

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

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

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

- *C9.28. With the approval of the bishop of the synod, this congregation may depart from *C9.25.a. and call a deacon for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the deacon and representatives of this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.25.a.
- *C9.29. The deacon shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the deacon shall hold membership in one of the congregations.
- *C9.31. The deacon(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

Chapter 10.

CONGREGATION MEETING

- C10.01. The annual meeting of this congregation shall be held at a time specified in the bylaws.
- C10.01.01. The annual meeting of this congregation shall be held in the month of January unless the Congregation Council establishes a different date for the annual meeting at least 60 days prior to January.**
- C10.01.A97. The congregation shall receive written reports from all congregation committees as established in Chapter 13 at the annual meeting. The Finance Committee shall include a detailed financial statement of the congregation's fiscal status.**
- C10.02. A special Congregation Meeting may be called by the minister/s of Word and Sacrament, the Congregation Council, or the president of this congregation, and shall be called by the president of the congregation upon the written request of ten percent of the voting members. The president of the Congregation Council shall call a special meeting upon request of the synodical bishop. The call for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted.
- C10.02.01. Any congregation meeting may, by majority vote, recess to convene at a specified time and place, or at the call of the President.**

- C10.03. Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and/or by mail to all voting members at least 10 days in advance of the date of the meeting. Electronic notice of meetings may be provided in addition to notice by regular mail.
- C10.03.01. Inclusion of the notice in regular church publications will satisfy the mailing provision of this section.**
- C10.03.02. Notice of the time and place of a meeting to be reconvened at the call of the President shall be announced at not less than one regular worship service of the congregation, and with not less than three days written notice mailed to voting members of the congregation.**
- C10.04. Forty (40) voting members shall constitute a quorum.
- C10.04.01. The current roster of voting members shall be available at any meeting of the congregation.**
- C10.05. Voting by absentee ballot is authorized for the election of officers and Congregation Council board representation only. Absentee ballots must be requested from the Church office within seven days prior to the annual meeting, and returned to the Church office no later than two days prior to said meeting. Proxy votes are not authorized at any meeting of the Congregation.
- C10.06. All actions approved by the congregation shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution or by state law.
- C10.07. Robert's Rules of Order, latest edition, shall govern parliamentary procedure of all meetings of this congregation.

Chapter 11.

OFFICERS

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

- C11.01.01. a. Duties and Responsibilities of the President:**
- 1. Assume the position of the official head of the congregation.**
 - 2. Preside over all meetings of the congregation and the Congregation Council.**
 - 3. Sign all documents and correspondence requiring the official signature of the congregation.**
 - 4. Ensure that each member of the Congregation Council is aware of the duties and responsibilities of their respective positions on the Congregation Council.**
 - 5. Resolve any conflict in interpretation of the duties and responsibilities by members of the Congregation Council.**
 - 6. Hold him or her available to all boards for consultation and advice.**
 - 7. Maintain close communication with pastoral staff at all times.**
 - 8. Encourage the minister/s of Word and Sacrament to leave administrative detail to the Congregation Council in order to provide more time for pastoral work.**
 - 9. Be thoroughly familiar with the Constitution, Bylaws, Continuing Resolutions and policy and procedural manuals of the congregation.**
- C11.01.01. b. Duties and Responsibilities of the Vice President:**
- 1. Perform the duties of the President in the latter's absence.**
 - 2. Succeed to the office of the President should the office become vacant.**
 - 3. Become thoroughly familiar with the Constitution, Bylaws, Continuing Resolutions and policy and procedure manuals of the congregation.**
 - 4. Be available to assist the President in attending meetings of the various boards and committees to evaluate their functions and effectiveness, and provide guidance and counsel as needed.**
 - 5. Serve as chairperson of the Nominating Committee.**
- C11.01.01. c. Duties and Responsibilities of the Secretary:**
- 1. Keep accurate minutes of each meeting of the Congregation Council and congregation for retention and permanent filing in the Church office.**
 - 2. Distribute to each Congregation Council member before the next Congregation Council meeting copies of the last Congregation Council meeting minutes.**
 - 3. Call to the attention of the President any business of a prior meeting that was tabled for later consideration.**
 - 4. Bring the current roster of voting members to all congregation meetings.**

5. Send to the Rocky Mountain Synod a copy of any amendments to the constitution or bylaws as approved at the Congregation Meeting. (*C16.04., *C17.03., *C17.04.)

- C11.02. The congregation shall elect its officers and they shall be the officers of the congregation. The officers shall serve for two years or until their successors are elected. Their terms shall begin at the close of the annual meeting at which they are elected.
- C11.03. No officer shall hold more than one office at a time. No elected officer shall be eligible to serve more than two consecutive terms in the same office.

Chapter 12.

CONGREGATION COUNCIL

- C12.01. The voting membership of the Congregation Council shall consist of the officers of the congregation, the Finance Team chair, the Personnel Team chair, and two members of the Visioning Team. The minister/s of Word and Sacrament shall be (an) advisory member(s). Any voting member of the congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from two successive regular meetings of the Congregation Council without cause.
- C12.02. The officers of the congregation, the Finance Team Chair, and the Personnel Team Chair shall be elected by the congregation to serve on the Congregation Council. In addition, all members of the Visioning Team shall also be elected by the congregation, two of which shall be appointed by the Visioning Team to be voting members of the Congregation Council. The members of the Congregation Council shall be elected to serve for two years or until their successors are elected. Such members shall be eligible to serve no more than two full terms consecutively. Their terms shall begin at the close of the annual meeting at which they are elected.
- C12.02.01 Member of the Congregation Council shall be elected to serve on a specific congregation team.**

- C12.03. Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor until the next annual meeting.
- C12.04. The Congregation Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:
- a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, to evaluate its activities in light of its mission and goals, and to lead Ministry Consultations, as described in C12.04.A12.
- C12.04.A12. At least two Ministry Consultations will be held each year, led by the Visioning Team.**
1. All elected and appointed leaders, leaders of ministry teams and organizations, staff, and all members of this congregation shall be invited to participate.
 2. The purposes of these Ministry Consultations shall include:
 - a. To develop goals and strategies that grow out of the vision and discernment conversations of this congregation;
 - b. To provide an additional means of communication between congregational leaders, ministry leaders, members and staff of this congregation.
- C12.04. Continued
- b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
 - c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
 - d. To maintain supportive relationships with the rostered minister(s) and staff and help them annually to evaluate the fulfillment of their calling or employment.
 - e. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
 - f. To promote a congregational climate of peace and goodwill, and, as differences and conflicts arise, to endeavor to foster mutual understanding.
 - g. To arrange for pastoral service during the sickness or absence of the minister of Word and Sacrament.
 - h. To emphasize partnership with the synod and churchwide units of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.

- i. To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.
- j. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.

- C12.05. The Congregation Council shall be responsible for the financial and property matters of this congregation.
- a. The Congregation Council shall be the board of trustees of the congregation, and as such shall be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Colorado, except as otherwise provided herein.
 - b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of the congregation.
 - 1) The Congregation Council may refinance a mortgage or loan for an equal or lesser amount than currently mortgaged or loaned with the prior authorization of the congregation.
 - c. The Congregation Council may enter into contracts of up to 5% in excess of the approved congregational budget for items not included in the budget.
 - d. The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations of more than five percent (5%) in excess of the anticipated receipts only after approval by a Congregation Meeting. The budget shall include this congregation's full-indicated share in support of the wider ministry being carried on in partnership with the synod and churchwide organization.
 - e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to the synodical treasurer.

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

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

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

- C12.09. The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.
- C12.11. The Congregation Council shall meet at least four times a year. Special meetings may be called by the minister of Word and Sacrament or the president, and shall be called by the president at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.
- C12.12. A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council.
- C12.13. Voting of the Congregation Council shall be done by consensus. If consensus cannot be reached, a simple majority is required for approval. Email voting may take place with the prior agreement of the Congregation Council
- a. The Congregation Council and its committees may hold meetings by remote communication, including electronically and by telephone conference, and, to the extent permitted by state law, notice of all meetings may be provided electronically.
- C12.14. The congregation shall elect a Visioning Team of at least five congregation members. The members of the Visioning Team shall be elected to serve for two years or until their successors are elected. Such members shall be eligible to serve no more than two full terms consecutively. Their terms shall begin at the close of the annual meeting at which they are elected. A staff member shall be appointed by the staff as advisor
- a. The Visioning Team shall meet at least four times per year.
 - b. The Visioning Team shall appoint two of its elected members as voting members of the Congregation Council.
 - c. The duties of the Visioning Team shall be:
 - 1) To hold the congregation accountable to the vision.
 - 2) To revise the vision as needed.
 - 3) To recommend the authorization of new ministries to the Congregation council in keeping with the vision.
 - 4) To lead in Discernment Conversations.
 - 5) To nurture an environment in which this congregation continues to listen to God.
 - 6) Recommend goals for the Congregation.
 - 7) Develop and maintain a Master Plan for the Congregation.

Chapter 13.

CONGREGATION COMMITTEES AND TEAMS

- C13.01. The officers of this congregation, the Finance Team chair, the Personnel Team chair, and the senior minister of Word and Sacrament shall constitute the **Executive Committee**. They shall meet at the call of the President or Senior minister of Word and Sacrament to discuss and recommend actions for full council approval.
- C13.02. A **Nominating Committee** of five voting members of this congregation, two of whom, if possible, shall be outgoing members of the Congregation Council, shall be elected at the annual meeting for a term of one year. Members of the Nominating Committee are not eligible for consecutive reelection. This committee will be chaired by the Vice-President of the Congregation Council who will be the sixth member of the committee.
- C13.03. An **Audit Committee** of three voting members shall be elected by the Congregation Council. Audit committee members shall not be members of the Congregation Council. Term of office shall be three years, with one member elected each year. Members shall be eligible for reelection.
- C13.03.A09. Duties and Responsibilities of the Audit Committee:**
1. Conduct audits of the fiscal records and books of the Congregation as directed by the Congregation Council.
 2. Submit a written report of its audit to the Congregation Council without delay.
 3. Maintain audit reports open to inspection by any voting member of the Congregation.
- C13.05. When a pastoral vacancy occurs, or is officially pending, a Call Committee of at least ten voting members shall be elected, six shall be elected by the Congregation, and four by the Congregation Council. Term of office will terminate upon installation of the newly called minister of Word and Sacrament.
- C13.06. The Congregation Council may authorize additional teams to carry out necessary functions of the congregation. Their duties may be described as continuing resolutions.
- a. The Congregation Council shall approve a chair(s) of each team it authorizes. The chair(s) may serve up to four one-year terms.
 - b. Each team shall present an annual budget request to the Finance Team.
 - c. Each of these teams shall oversee its portion of the approved budget.

A monthly accounting of expenditures shall be provided to the Finance Team.

- d. The chair(s) of each team shall appoint as many members as necessary to carry out the mission of that team. These members shall serve one-year terms, with no limit on the number of terms.
- e. Each team may establish task forces to carry out specific areas of the team's work.
- f. Each team shall meet as necessary to carry out its assigned duties.
- g. Each team shall participate in Ministry Consultations.

C13.07 The following Ministry Teams are authorized to carry out the assigned duties and responsibilities as specified in the continuing resolutions below.

C13.07.A12. Abundant Living Team

1. Develop stewardship education in the congregation that presents "stewardship" holistically, as having to do with the care and management of all that God has given us.
2. Supervise the receiving of financial commitments from members of the congregation.
3. Oversee the recording and maintenance of individual members giving records and provide periodic statements to members.
4. Invite and challenge this congregation to live abundantly in our daily lives.
5. Develop and oversee an annual budget for the team.
6. Provide reports to congregation council as requested.

C13.07.812. Education Team

1. Develop an effective program of Christian education including CONNECT (Sunday School), Vacation Bible School, and adult education courses.
2. Supervise, with the minister/s of Word and Sacrament, the confirmation program.
3. Maintain the Church Library.
4. Conduct necessary Christian education training programs.
5. Develop and oversee an annual budget for the team.
6. Provide reports to congregation council as requested.

C13.07.C12. Evangelism Team

1. Develop personal contacts with prospective members.
2. Provide for greeters and hosts at worship services.
3. Assist the pastoral staff with new members orientation and welcome.
4. Conduct potential member surveys and community visitations.
5. Provide for advertising, brochures, and special mailings to the community.
6. Train the congregation to be intentional, invitational witness in our daily lives.

7. Develop and oversee an annual budget for the team.
8. Provide reports to congregation council as requested.

C13.07.D12 Fellowship Team

1. Plan fellowship activities within the congregation.
2. Organize and promote fellowship teams.
3. Oversee the use of the Fellowship Hall, kitchen, and supplies.
4. Develop and oversee an annual budget for the team.
5. Provide reports to congregation council as requested.

C13.07.E12 Finance Team

1. Finance Team chair is elected by the congregation to serve on the Congregation Council.
2. Compile the financial requirements of the various teams and officers of the congregation.
3. Oversee the preparation of the annual operating budget for review by the Congregation Council, and presentation to the annual meeting of the congregation.
4. Recommend a Treasurer for appointment by the Congregation Council. The Treasurer's Duties and Responsibilities are as follows:
 - i. Serve as a member of the Finance Team.
 - ii. Record all monies received and expended on behalf of the congregation by its various organizations and activities.
 - iii. Furnish to the Congregation Council each month, and to the congregation annually, financial statements showing the current fiscal status of the congregation including all designated funds.
 - iv. Maintain records of outstanding loan obligations.
 - v. Distribute by check all monies of the congregation pursuant to vouchers issued by the various committees, teams, and organizations within the congregation or as the Congregation Council may so direct.
 - vi. Demand proper receipts for all disbursements.
 - vii. Approve vouchers on regular recurring expenses and salaries for which money has been allocated in the budget.
 - viii. Assist the Finance Team in preparing the annual budget.
 - ix. Present the fiscal records of the congregation to the Audit Committee for audit as directed by the Congregation Council.
5. Receive reports regularly from the Treasurer to ascertain that expenditures are within the budget approved by the congregation.
6. Assure that the Treasurer and others who have access to congregation funds are adequately bonded.
7. Oversee the counting and recording of all offerings received at church services, and the deposit of such monies in the approved depository.

Furnish the Treasurer with a record of all deposits by a copy of the deposit slip.

8. Oversee the accounting and receipt for and deposit all monies received by gift or otherwise, except for gifts made to the Holy Shepherd Lutheran Church Trust, and furnish a copy of the receipt and deposit slip to the Treasurer.
9. Oversee the activities and assist with the activities of the Treasurer.
10. Recommend to the Congregation Council any changes in financing and control procedures required for the safeguard of the Church assets.
11. Maintain the financial records of the congregation in accordance with standard accounting practices.

C13.07.F12. Missions Team

1. Expand and strengthen the mission of the congregation locally and globally.
2. Personalize program needs in the mission and social concerns areas.
3. Inform the congregation concerning current mission and potential mission ministries.
4. Recommend support for particular missions.
5. Engage the congregation in hands-on participation in the mission of the church beyond the walls of the church property.
6. Develop and oversee an annual budget for the team.
7. Provide reports to congregation council as requested.

C13.07.G12. Personnel Team

1. Personnel chair is elected by the congregation to serve on the Congregation Council.
2. Conduct personnel reviews and evaluation of staffing needs on at least an annual basis.
3. Encourage and facilitate healthy communication between the staff and congregation.
4. Develop and oversee personnel policies.
5. Develop and oversee an annual budget for the team.
6. Provide reports to congregation council as requested.

C13.07.H12. Property Team

1. Oversee the maintenance of the grounds, including the grass, trees, and other plantings.
2. Oversee the maintenance of all buildings and equipment, including all necessary inspections.
3. Oversee snow and ice removal from parking lots and sidewalks.
4. Update and file legal documents, insurance policies, and Church property inventories.
5. Maintain and supervise the use of congregation-owned vehicles.

6. Develop and oversee an annual budget for the team.
7. Provide reports to congregation council as requested.

C13.07.I12. Spiritual Gifts Ministry Team:

1. Educate this congregation about spiritual gifts ministry.
2. Encourage and assist this congregation in participating in the spiritual gifts identification and conversation process.
3. Oversee and encourage a ministry of volunteer service including the maintenance of a spiritual gifts database.
4. Encourage this congregation to use their spiritual gifts in their daily lives
5. Develop and oversee an annual budget for the team.
6. Provide reports to congregation council as requested.

C13.07.J12. Worship and Music Team

1. Arrange in conjunction with the pastoral staff for the ministry of worship and music.
2. Provide for nursery supervision, acolyte training, ushering staff, assisting ministers, readers, and communion assistants.
3. Arrange for special music and provide support for organized music groups.
4. Supervise Altar Guild.

C13.07.K13. Health Ministries Team

1. The Health Ministries Team provides physical, emotional and spiritual support in a safe, caring, personal, and Christian environment for members of Holy Shepherd Lutheran Church and for the community at large.
2. Review and approve requests for disbursement of and monitor usage of the Independent Living reserve fund.
3. Provide health and wellness programs and information to the congregation and community
4. Provide preventive medical care as appropriate
5. Be attentive to the health and safety of individuals in the congregation and community
6. Develop and oversee an annual budget for Health Ministries and the Parish Nurse accounts
7. Provide reports to congregation council as requested

Chapter 14.

ORGANIZATIONS WITHIN THE CONGREGATION

- C14.01. All organizations within this congregation shall exist to aid it in ministering to the members of this congregation and to all persons who can be reached with the Gospel of Christ. As outgrowths and expressions of this congregation's life, the organizations are subject to its oversight and direction. This congregation at its meeting shall determine their policies, guide their activities, and receive reports concerning their membership, work, and finances.
- C14.02. Special interest groups, other than those of the official organizations of the Evangelical Lutheran Church in America, may be organized only after authorization has been given by the Congregation Council and specified in a continuing resolution.
- C.14.03. Leaders of organizations shall be invited to participate in Ministry Consultations.

Chapter 15.

DISCIPLINE OF MEMBERS AND ADJUDICATION

- *C15.01.** Persistent and public denial of the Christian faith, willful or criminal conduct grossly unbecoming a member of the Church of Christ, continual and intentional interference with the ministry of the congregation, or willful and repeated harassment or defamation of member(s) of the congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will be attempted following Matthew 18:15–17, proceeding through these successive steps, as necessary: a) private counsel and admonition by the minister of Word and Sacrament, b) censure and admonition by the minister of Word and Sacrament in the presence of two or three witnesses, c) written referral of the matter by the Congregation Council to the vice president of the synod, who will refer it to a consultation panel drawn from the Consultation Committee of the synod, and d) written referral of the matter by the consultation panel to the Committee on Discipline of the synod. If, for any reason, the minister of Word and Sacrament is unable to administer the admonitions required by paragraphs a. and b. hereof, those steps may be performed by another minister of Word and Sacrament chosen by the Executive Committee of the Congregation Council.
- *C15.02.** The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If the counseling, censure, and admonitions pursuant to C15.01 do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select

from the synod's Consultation Committee a panel of five members (three lay persons and two ministers of Word and Sacrament). A copy of the written charges shall be provided to the consultation panel and the accused member(s). The consultation panel, after requesting a written reply to the charges from the accused member(s), shall consider the matter and seek a resolution by means of investigation, consultation, mediation, or whatever other means may seem appropriate. The panel's efforts to reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it.

- *C15.03.** If the consultation panel fails to resolve the matter, that panel shall refer the case in writing, including the written charges and the accused member's reply, to the Committee on Discipline of the synod for a hearing. A copy of the panel's written referral shall be delivered to the vice president of the synod, the Congregation Council, and the accused member(s) at the same time it is sent to the Committee on Discipline of the synod. The Executive Committee of the Synod Council shall then select six members from the Committee on Discipline to decide the case, and shall appoint a member of the Synod Council to preside as nonvoting chair. Those six members plus the nonvoting chair comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the parties to the case.
- *C15.04.** The discipline hearing panel shall commence and conduct the disciplinary hearing in accordance with the provisions governing discipline of congregation members prescribed in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- *C15.05.** By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:
- a. suspension from the privileges of congregation membership for a designated period of time;
 - b. suspension from the privileges of congregation membership until the minister of Word and Sacrament and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
 - c. termination of membership in the congregation; or
 - d. termination of membership in the congregation and exclusion from the church property and from all congregation activities.
- *C15.06.** The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next council meeting.

***C15.07.** No member of the congregation shall be subject to discipline a second time for offenses that a discipline hearing panel has heard previously and decided pursuant to this chapter.

***C15.10. Adjudication**

***C15.11.** When there is disagreement among factions within this congregation on a substantive issue that cannot be resolved by the parties, members of this congregation shall have access to the synodical bishop for consultation after informing the chair of the Congregation Council of their intent. If the consultation fails to resolve the issue(s), the Consultation Committee of the synod shall consider the matter. If the Consultation Committee of the synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final.

Chapter 16.

AMENDMENTS

***C16.01.** Unless provision *C16.04. is applicable, those sections of this constitution that are not required, in accord with the Model Constitution of the Evangelical Lutheran Church in America, may be amended in the following manner. Amendments may be proposed by at least twenty-five (25) voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members of the proposal together with the council's recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.

***C16.02.** An amendment to this constitution, proposed under *C16.01., shall:

- a. be approved at a legally called Congregation Meeting according to this constitution by a majority of those voting members present and voting;
- b. be ratified without change at the next annual meeting by a two-thirds vote of those voting members present and voting; and
- c. have the effective date included in the resolution¹ and noted in the constitution.

¹ Such an effective date must be stated in relation to the requirements of *C16.03. to allow time for synodical review of the amendment.

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

Chapter 17.

BYLAWS

- *C17.01. This congregation may adopt bylaws. No bylaw may conflict with this constitution.
- *C17.02. Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a ~~majority~~ two-thirds vote of those voting members present and voting.
- *C17.03. Changes to the bylaws may be proposed by any voting member provided that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting. Notification may take place by mail or electronic means, as permitted by state law.
- *C16.04. Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.

Chapter 18.

CONTINUING RESOLUTIONS

- *C18.01. The congregation in a legally called meeting or the Congregation Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.
- *C18.02. Continuing resolutions shall be enacted or amended by a majority vote of a meeting of the congregation or a two-thirds vote of all voting members of the Congregation Council.

Chapter 19.

INDEMNIFICATION

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

Constitution Adopted	1955
Amended by congregation	February 27, 1955
Amended by congregation (Following ELCA Constitution of Dec. 31, 1987)	January 23, 2000
Ratification of amendments by congregation	January 21, 2001
Approval of amendments by synod	Not submitted
Amended by congregation	January 25, 2004
Approval of amendments by synod	Not submitted
Amended by congregation	January 22, 2006
Approval of amendments by synod	June 13, 2007
Amended by congregation	January 27, 2008
Approval of amendments by synod	December 3, 2008
Amended by congregation	January 25, 2009
Approval of amendments by synod	February 23, 2009
Ratification of amendments by congregation	January 24, 2010
2009 Churchwide required amendments approved by congregation	January 24, 2010
Amended by congregation	January 29, 2012
Approval of amendments by synod	April 19, 2012
Amended by congregation	January 27, 2013
2011 Churchwide required amendments approved by congregation	January 27, 2013
Approval of amendments by synod	August 5, 2013
Amended by congregation	January 26, 2014
2013 Churchwide required amendments approved by congregation	January 26, 2014
Approval of amendments by synod	May 5, 2014
Ratified by congregation	January 25, 2015
Amended by congregation	January 31, 2016
Ratification of two amendments by congregation	January 29, 2017
Amended by congregation	January 29, 2017
2016 Churchwide required amendments approved by congregation	January 29, 2017
Ratification of amendments by congregation	January 28, 2018
2016 Churchwide amendment option in Provision C9.21 approved	January 28, 2018