

**CONSTITUTION and BYLAWS OF ST. MARK'S LUTHERAN
CHURCH OF OLATHE, KANSAS, INC.**

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PREAMBLE

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

Chapter 1. NAME AND INCORPORATION

C1.01. The name of this congregation shall be St. Mark's Lutheran Church of Olathe, Kansas, Inc.

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

C1.03. This congregation shall be incorporated under the laws of the State of Kansas.

Chapter 2. CONFESSION OF FAITH

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

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

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

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

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

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

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

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

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

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

Chapter 3. NATURE OF THE CHURCH

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

***C3.02. The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. The Evangelical Lutheran Church in America, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.**

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. We will offer the sacrament of Holy Communion at least once every Sunday during regular worship services, except under special circumstances.

C4.02.02. Holy Communion will be offered to baptized persons who are communicants in their home congregations.

C4.02.03. We will offer baptized members, beginning at the kindergarten level, developmentally appropriate instruction for Holy Communion. Upon completion of the instruction, the member may participate in Holy Communion. We may make exceptions for youth younger than the kindergarten level with approval and agreement between the youth, parents and the pastor.

***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 adopt an organizational structure to be described in the bylaws. The Church Council shall prepare or adopt descriptions of the responsibilities of each committee, task force, or other organizational groups and shall review their actions.**

C4.04.01. The organizational chart, outlining the structure of St. Mark's, is outlined in appendix 1 of The Constitution and Bylaws of this congregation.

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

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 Congregational Meeting called and conducted as provided in this constitution and bylaws.**

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

- a. call a pastor as provided in Chapter 9;**
- b. terminate the call of a pastor as provided in Chapter 9;**
- c. appoint or terminate the appointment of associates in ministry in conformity with the applicable policy of the Evangelical Lutheran Church in America;**
- d. adopt amendments to the constitution, as provided in Chapter 17, and amendments to the bylaws, as specified in Chapter 16;**
- e. approve the annual budget;**
- f. acquire real and personal property by gift, devise, bequest, 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 and Church Council and require them to carry out their duties in accordance with the constitution and bylaws; 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 lay persons 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 Central States Synod of the Evangelical Lutheran Church in America.**

C5.05. This congregation shall have a mission endowment fund that will operate as specified in this congregation's bylaws. The purpose of the mission endowment fund is to provide for mission work beyond the operational budget of this congregation.
(Effective 2005, if ratified at the 2005 annual meeting.)

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 Central States Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.**

***C6.02. This congregation accepts the Confession of Faith and agrees to the Purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.**

***C6.03. This congregation acknowledges its relationship with the Evangelical Lutheran Church in America, in which:**

- a. This congregation agrees to be responsible for its life as a Christian community.**
- b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.**
- c. This congregation agrees to call pastoral leadership from the clergy roster of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod.**
- d. This congregation agrees to consider associates in ministry, deaconesses, and diaconal ministers for call to other staff positions in the congregation according to the procedures of the Evangelical Lutheran Church in America.**
- e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America and with the constitution of the synod.**

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

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

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

- a. A resolution indicating the desire of this congregation to terminate its relationship must be adopted at a legally called and conducted special meeting of this congregation by a two-thirds majority of the voting members present.
- b. The secretary of this congregation shall submit a copy of the resolution to the synodical bishop and shall mail a copy of the resolution to voting members of this congregation. This notice shall be submitted within 10 days after the resolution has been adopted.
- c. The bishop of the synod shall consult with this congregation during a period of at least 90 days.
- d. If this congregation, after consultation, still desires to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds majority of the voting members present, at which meeting the bishop of the synod or an authorized representative shall be present. Notice of the meeting shall be mailed to all voting members at least 10 days in advance of the meeting.
- e. A certified copy of the resolution to terminate its relationship shall be sent to the synodical bishop, at which time the relationship between this congregation and ELCA shall be terminated.
- f. Notice of termination shall be forwarded by the synodical bishop to the secretary of this church and published in the periodical of this church.

***C6.06. If this congregation considers relocation, it shall confer with the bishop of the synod in which it is territorially located before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.**

Chapter 7. PROPERTY OWNERSHIP

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

***C7.02. If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline, title to property shall continue to reside in this congregation.**

***C7.03. If a two-thirds majority of the voting members of this congregation present at**

a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Central States Synod.

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

C7.05. Title to all real or personal property acquired by the congregation, its organizations, or individual for use by the congregation and its organizations, shall be held by the congregation as a corporation.

Chapter 8. MEMBERSHIP

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

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

a. Baptized members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.

b. Confirmed members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.

c. Voting members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation.

d. Associate members are persons holding membership in other Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, or persons who wish

to retain a relationship with this congregation while being members of other congregations. They have all the privileges and duties of membership, except voting rights, and eligibility for elected offices or membership on the Church Council of this congregation.

C8.02.01 A record of participation in Holy Communion shall be maintained for all members for two years. Each confirmed member shall be individually responsible for making a written record of having personally communed by signing the friendship register, which is distributed at Sunday worship, as an individual at least once a year, if that confirmed member wants to be determined a voting member under C8.02.c. In addition, the pastor shall report to the congregation's records the names of hospitalized, homebound and other confirmed members who have communed outside of regular worship services.

C.8.02.02 Each confirmed member shall be individually responsible for making a financial contribution of record by using the offering envelopes provided by the congregation or some other written document (i.e., check or envelope with contributor's name thereon) identifying the contributor of having made a financial contribution of record at least once a year, if that confirmed member wants to be determined a voting member under C8.02.c. Couples who use a joint envelope or joint check will each be considered to have separately made a contribution of record.

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

C8.03.01. All applications for confirmed and associate membership shall be submitted to the Church Council after consultation with the pastor.

***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, 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 by the Church Council; or
- e. removal from the roll due to inactivity as defined in the bylaws.

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

C8.05.01 Any member who fails to attend worship services, commune and make a financial contribution of record to the congregation, according to the congregation's records, for a period of two years shall be deemed potentially inactive. After an attempt by the Evangelism Committee to contact the member to discern the member's desire to remain a member, the Evangelism Committee shall recommend whether or not to remove the member from the membership roll of this congregation. The membership rolls shall be reviewed at least annually by the church council prior to the end of the calendar year. In order to verify the active participation of a member, it will be the responsibility of the individual member to use and complete the tools provided showing participation (i.e., offering envelopes, friendship register, communion cards, etc.). Minor children, who are not confirmed, neither of whose parents nor care givers are active members of this congregation, shall be dropped from the membership roll if they fail to participate in activities of the congregation for a period of two years.

Chapter 9. THE PASTOR

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

***C9.02. Only a member of the clergy roster of the Evangelical Lutheran Church in America or a candidate for the roster of ordained ministers who has been recommended for the congregation by the synodical bishop may be called as a pastor of this congregation.**

***C9.03. a. Consistent with the faith and practice of the Evangelical Lutheran Church in America, every ordained minister shall:**

- 1) preach the Word;**
- 2) administer the sacraments;**
- 3) conduct public worship;**
- 4) provide pastoral care; and**
- 5) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.**

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

- 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;**
- 2) supervise all schools and organizations of this congregation;**
- 3) install regularly elected members of the Church Council; and**
- 4) with the council, administer discipline.**

c. Every pastor shall:

- 1) strive to extend the Kingdom of God in the community, in the nation, and abroad;
- 2) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
- 3) impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and
- 4) endeavor to increase the support given by the congregation to work of the churchwide organization of the Evangelical Lutheran Church in America (ELCA) and of the Central States Synod of the ELCA.

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

C9.04.01. Following approval by the congregation, a letter of call shall be issued in a form approved by the ELCA to the pastor-elect. The letter of call shall be signed by the president, chairperson of the call committee and the secretary of the congregation.

C9.04.02 The call to a senior pastor shall normally be for an indefinite term. A call to an associate pastor may be for a definite term.

***C9.05. a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which, except in the case of the death of the pastor, shall be terminated only following consultation with the synodical bishop and for the following reasons:**

- 1) mutual agreement to terminate the call or the completion of a call for a specific term;
- 2) resignation of the pastor, which shall become effective, unless otherwise agreed, 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, without reflection on the competence or the moral and spiritual character of the pastor;
- 4) the physical or mental incapacity of the pastor;
- 5) disqualification of the pastor through discipline on grounds of doctrine, morality, or continued neglect of duty;
- 6) the dissolution of the congregation; or
- 7) suspension of the congregation as a result of discipline proceedings.

b. When allegations of physical or mental incapacity of the pastor or ineffective conduct of the pastoral office have come to the attention of the bishop of the synod, the bishop in his or her sole discretion may, or when such allegations have been brought to the synod's attention by an official recital of allegations by the Church Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop shall, investigate such conditions personally in company with a committee of two ordained ministers and one layperson.

c. In case of alleged physical or mental incapacity, competent medical testimony shall be obtained. When such disability is evident, the bishop of the synod with the advice of the committee shall declare the pastorate vacant. Upon the restoration of a disabled pastor to health, the bishop of the synod shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another field of labor.

d. In the case of alleged local difficulties which imperil the effective functioning of the congregation, all concerned persons shall be heard, after which the bishop of the synod together with the committee described in *C9.05.b shall decide on the course of action to be recommended to the pastor and the congregation. If they agree to carry out such recommendations, no further action shall be taken by the synod. If either party fails to assent, the congregation may dismiss the pastor 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 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.

e. If, in the course of proceedings described in *C9.05.d., the committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action to the synodical bishop who may bring charges, in accordance with the provisions of the constitution and bylaws of the Evangelical Lutheran Church in America and the constitution of the synod.

f. If, following the appointment of the committee described in *C9.05.b. or d., it should become apparent that the pastoral office cannot be conducted effectively in the congregation being served by the ordained minister due to local conditions, the bishop of the synod may temporarily suspend the pastor from service in the congregation without prejudice and with pay provided through a joint synodical and churchwide fund and with housing provided by the congregation.

C9.05.01. The call of an associate pastor or co-pastor shall terminate upon resignation or termination of the senior pastor or co-pastor.

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

***C9.07. During the period of service, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Church Council. The interim pastor and any ordained pastor providing assistance shall refrain from exerting influence in the selection of a pastor.**

***C9.08. This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make**

satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting related to the Evangelical Lutheran Church in America.

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

***C9.11.** With the approval of the bishop of the synod, the congregation may depart from *C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of the congregation for a review of the call. Such call may also be terminated before its expiration in accordance with the provisions of *C9.05.a.

***C9.12.** The pastor of this congregation:

- a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;
- b. shall submit a summary of such statistics annually to the Church Council and the synod; and
- c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.

***C9.13.** The pastor 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.

C9.20. Ecumenical pastoral ministry

C9.21. Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, an ordained minister of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily ~~under contract~~ as pastor of this congregation under a contract between the congregation and the ordained minister in a form proposed by the synodical bishop and approved by the congregation. *(Effective 2005, if ratified at the 2005 annual meeting.)*

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 Church Council shall determine the date, time and place for the annual meeting, which shall usually be held in January.

C10.01.02. The current roster of voting members shall be determined at the direction of the Church Council, prior to each annual meeting.

C10.01.03. The order of business at the annual meeting shall be:

- a. Opening devotions
- b. Approval of the minutes
- c. Reports of the pastor, president, treasurer, financial secretary, committees and other organizations
- d. Approval of the budget
- e. Unfinished business
- f. New business
- g. Closing prayer

C10.01.04. In the following cases at annual and special meetings of this congregation, voting shall be by written ballot:

- a. To adopt or amend the Articles of Incorporation, Constitution or Bylaws of this congregation
- b. To call a pastor or request a resignation
- c. To discipline a member from this congregation or remove a member from office in this congregation
- d. To terminate the congregation's relationship with the Evangelical Lutheran Church in America
- e. To dispose of, encumber or purchase real property
- f. When requested by ten or more voting members present
- g. For election purposes, unless otherwise provided in Robert's Rules of Order, latest edition

C10.01.05. If more than one ballot is required in an election, it shall be in order by proper motion to limit the balloting after the first ballot to the three candidates receiving the highest number of votes on the first ballot and after the second ballot to limit the balloting to the two candidates receiving the highest number of votes.

C10.02. A special Congregational Meeting may be called by the pastor, the Church Council, or the president of this congregation, and shall be called by the president upon the written request of twenty percent of the voting members. The call for each special meeting shall specify the purposes for which it is to be held and no other business shall be transacted.

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

C10.04. Voting members present shall constitute a quorum.

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

C10.06. All actions approved by the congregation shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution or by state law. (Effective 2005, if ratified at the 2005 annual meeting.)

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

Chapter 11. OFFICERS

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

- a. Duties of the officers shall be specified in the bylaws.**
- b. The officers shall be voting members of the congregation.**
- c. Officers of this congregation shall serve similar offices of the Church Council and shall be voting members of the Church Council.**

C11.01.01. The duties of the officers are as follows:

- a. President. The President shall:
 - i. Uphold and carry out the mandates of the constitution and bylaws of this congregation.
 - ii. Maintain knowledge and awareness of the spiritual and financial status of this congregation, encouraging the Church Council, staff and membership to take proper action.
 - iii. Preside at all meetings of the congregation, the Church Council and special meetings, following the most recently accepted parliamentary procedures.
 - iv. Vote in the event of a tie vote at Church Council meetings.
 - v. Review, and when necessary, direct renewal of all legal documents of this congregation.
 - vi. By July 1 of each year, secure the signatures of the incoming president, treasurer and financial secretary on the various bank and savings accounts' signature cards.
 - vii. Be bonded.
 - viii. Maintain possession of one of the two keys for the congregation's safe deposit box.
 - ix. Audit, with the secretary, after completion by the pastor, the Synod Parish Annual Report, which is due in January.
 - x. Submit an annual report to the congregation.
 - xi. Inform Church Council members of their duties.
 - a. Make available to each member:

- Committee job descriptions
- Church key
- Annual congregational report with a congregation directory
- A copy of this congregation's constitution and bylaws
- b. In May convene meeting of the current and newly elected Church Council members so that committees can be organized and full responsibilities assumed on July 1, the beginning of the new council year.
- c. Require Church Council members to present committee membership and organization at July meeting of the Church Council.
- d. Serve as an ex-officio member of all committees.
- e. Require committee chairpersons to submit the committee's request for funding by the October council meeting of each year, to assist in budget planning and formulation of upcoming new fiscal year.
- f. Require committee chairpersons to submit an annual report of the committee activities by December 1 to be included into the Congregation's Annual Report.
- xii. In addition to regular, monthly Council meetings, direct or otherwise cause the planning, organization and implementation of quarterly meetings of the Church Council for the purpose of long-range planning.
- xiii. In addition to regular, monthly Council meetings, direct or otherwise cause the planning, organization and implementation of an annual retreat of the Church Council for the purpose of orientation, training and team building of the Church Council.
- xiv. Monitor Church Council or congregational representation for business meetings at the area and synod levels.

b. Vice President. The Vice President shall:

- i. Perform the duties of the president in the president's absence, incapacity or at the president's request.
- ii. Appoint or act as parliamentarian at meetings of the congregation or Church Council.
- iii. Ensure that the president, financial secretary and treasurer have adequate bonding.
- iv. Chair the Staff Committee and serve as a liaison between the Staff Committee and the council.
- v. Be responsible for an annual review of all insurance coverage and assess risk management needs for the congregation.

c. Secretary. The Secretary shall:

- i. Record or cause to be recorded and post minutes of the proceedings of the congregational, Church Council and Executive Committee

- meetings and distribute copies, as necessary.
 - ii. Record and post attendance at each Church Council meeting. Record absences and the reason for excused absences. Notify members having two unexcused absences.
 - iii. Maintain a register of all proposed and adopted congregational and Church Council resolutions.
 - iv. With the president, audit the Synod Parish Annual Report, which is prepared by the pastor.
- d. Financial Secretary. The Financial Secretary shall:
 - i. In the absence of the president and vice president, perform the duties of the president.
 - ii. Be bonded and deposit funds in appropriate designated accounts titled in the name of the congregation.
 - iii. Record financial contributions and issue semiannual statements to contributors. All information regarding individual giving records are to be kept confidential.
 - iv. Prepare a written monthly report of income and present to the Church Council.
 - v. Prepare an annual report of income and present to this congregation at the annual meeting of this congregation.
 - vi. Be responsible for the counting and balancing of monies and gifts received.
 - vii. Designate a bonded substitute to perform the duties of the financial secretary in the absence of the financial secretary, with the person so designated to be approved by the Church Council.
- d. Treasurer. The Treasurer shall:
 - i. Be bonded.
 - ii. Be the custodian of all funds of this congregation and disburse all funds in accord with the recommendations of the finance committee and approval of the Church Council.
 - iii. Disburse funds from appropriate designated accounts.
 - iv. Keep records of all disbursements and retain all vouchers, statements, invoices, receipts and similar documentation of expenditures.
 - v. Reconcile all accounts each month and maintain all banking and account records.
 - vi. Prepare written monthly reports comparing expenses to budget and present to the Church Council.
 - vii. Retain all records for current year and six prior years.
 - viii. Prepare an annual financial report and present to the congregation at its annual meeting.

C11.02. The officers shall be elected at a legally called meeting of the congregation held in the month of April. The president, vice president and secretary shall serve

terms of one year each. The financial secretary and treasurer shall serve terms of two years each. The financial secretary and treasurer shall be elected in alternate years.

C11.03. The officer's term shall begin on July 1.

C11.04. No officer shall hold more than one office at a time.

C11.05. No elected officer shall be eligible to serve more than two consecutive terms in the same office.

Chapter 12. CHURCH COUNCIL

C12.01. The voting membership of the Church Council shall consist of the pastor, the officers of the congregation and eight elected members of the congregation. Any voting member of the congregation may be elected, subject only to the limitation on the length of continuous service permitted as a member of the Church Council. A member's place on the Church Council shall be declared vacant if the member: (a) ceases to be a voting member of this congregation or (b) is absent from three successive regular meetings of the Church Council without cause. Consistent with the laws of the state in which this congregation is incorporated (Kansas), the congregation may adopt procedures for the removal of a member of the Church Council in other circumstances.

C12.02. The members of the Church Council except the pastor shall be elected at a legally called meeting of the congregation during the month of April. Their term of office shall be for two years (unless otherwise stated for officers), with the term of office beginning on July 1 and ending on June 30. Newly elected Church Council members shall be installed prior to the date they assume office.

C12.03. No elected council member shall be eligible to serve more than two consecutive terms on the Church Council in the same position.

C12.04. Should a member's place on the Church Council be declared vacant, the Church Council shall elect, by majority vote, a successor to serve until the next annual meeting. Individuals who have served less than on-half of a regular term shall be eligible for nomination and possible election to a full term.

C12.05. The Church 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 Church Council shall include the following:

- a.** To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.

- b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
- c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
- d. To maintain supportive relationships with the pastor and staff and help them annually to evaluate the fulfillment of their calling, appointment, or employment.
- e. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
- f. To promote a congregational climate of peace and goodwill and, as differences and conflicts arise, to endeavor to foster mutual understanding.
- g. To arrange for pastoral service during the sickness or absence of the pastor.
- h. To emphasize partnership with the synod and churchwide organization of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.
- i. To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.
- j. To seek out and encourage qualified persons to prepare for the ministry of the Gospel

C12.06. The Church Council shall be responsible for the financial and property matters of this congregation and its organizations.

- a. The Church Council shall be the board of directors of this congregation, and as such shall be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Kansas, except as otherwise provided herein.
- b. The Church Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a legally called meeting of the congregation.
- c. The Church Council may enter into contracts of up to ten percent (10%) of this congregation's current fiscal year's annual budget, except in the case of an emergency, for items not included in the budget.
- d. The Church 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 not incur obligations in excess of the anticipated receipts without approval by a Congregational 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 Church 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.

f. The Church Council shall be responsible for this congregation's investments and its total insurance program.

C12.07. The Church Council shall see that the provisions of this constitution and its bylaws are carried out.

C12.08. The Church Council shall provide for an annual review of the membership roster.

C12.09. The Church Council shall be responsible for the employment, release and supervision of the salaried lay workers of this congregation after consultation with the pastoral staff, and may delegate supervision of said workers to the appropriate committee or to the pastoral staff.

C12.10. The Church Council shall submit a comprehensive report to this congregation on the previous twelve months' activities at the annual meeting.

C12.11. The Church Council shall normally meet once a month. Special meetings may be called by the pastor or the president, and shall be called 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. All meetings of the Church Council are open to any member of the Congregation.

C12.12. A quorum for the transaction of business shall consist of a majority of the members of the Church Council, including the pastor or interim pastor, except when the pastor or interim pastor requests or consent to be absent and has given prior approval to the agenda for a particular regular or special meeting, which shall be the only business considered at that meeting. Chronic or repeated absence of the pastor or interim pastor who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Church Council, following consultation with the synodical bishop.

C12.13. The Church Council shall prepare or adopt descriptions of the responsibilities of each committee, task force, or other organizational groups and shall review their actions.

C12.13.01. One council member shall serve as a liaison to each standing committee of this congregation.

C12.13.02. Newly elected members of the council should attend two council meetings (May and June) before assuming office, without voting privileges, to observe council business and operations and to become aware of issues currently under discussion.

C12.13.03. Council members are to be installed at a worship service prior to the beginning of their term of office. If the newly elected council member is unable to attend the installation at a worship service, they shall be installed before the first meeting of the new council term. In the absence of the pastor, the new council member may be installed by the

president.

C12.13.04. The Church Council shall make an annual report to the congregation of the council's activities, and shall make special reports as necessary.

Chapter 13. COMMITTEES OF THE CONGREGATION

C13.01. The pastor shall be an ex-officio member of every committee, unless otherwise stated in the constitution. The pastor, council liaison to the committee and all members of the committee shall be given reasonable notice of the date, time and place of every committee meeting.

C13.02. Committees of this congregation.

C13.02.01. The three types of committees shall be designated and their purposes are as follows:

- a. "Standing" committees shall be the committees whose purpose supports and helps fulfill the mission of this congregation. The standing committees of this congregation shall be:

Evangelism	Community Ministry
Facilities	Stewardship
Fellowship and Programs	Youth
Parish Education	Worship

Other standing committees of this congregation may be formed as the need arise

- b. "Special" committees are the committees whose purpose supports the administration of this congregation. The special committees of this congregation shall be:

Audit	Memorials and Gifts
Call	Mutual Ministry
Executive	Nominating
Finance	Staff Committee

Other special committees of the congregation may be formed as the need arise

- c. "Task forces" are committees appointed for a specific purpose on a short term basis. When the Church Council appoints a task force, the council shall specify:

- i. The purpose and scope of the work of the task force.
- ii. The chair and the members appointed to the task force.

- iii. The term of duration for the task force.
- iv. Guidelines for reporting to the council.
- v. The liaison between the council and the task force. If not specified, the Vice President shall serve as the council liaison to any task force.

C13.02.02. The duties and functions of the committees shall be as set forth in this constitution, the bylaws or in an operations manual and shall be subject to any applicable provisions or requirements of the constitution and bylaws of the Evangelical Church in America or the Central States Synod of the ELCA.

C13.02.03. The makeup of the committees should strive for diversity of membership on the committee which is representative of the diversity of members of this congregation. Each committee should strive to have at least four members, including the council liaison.

C13.02.04. Standing Committees. Each standing committee shall have a member of the church council assigned to the committee to serve as a liaison between the church council and the committee. The standing committee chairs shall be appointed by the Church Council. The church council liaison to the standing committee does not necessarily need to be the chair of the committee. Standing committee members shall be appointed by the committee chair, subject to approval by the Church Council, for a term of one year, beginning July 1 of each year. Standing committee members may be reappointed at the discretion of the committee chair, subject to the approval of the Church Council. The duties and responsibilities of the standing committees shall be set out in the operations manual of this congregation.

C13.02.05. Each standing committee shall report to the congregation, at the annual meeting of the congregation, concerning its activities. Each standing committee shall provide monthly, written reports of its business to the council, through its council liaison.

C13.03. Special Committees.

C13.04. The Executive Committee shall be composed of the officers of this congregation and the pastor.

C13.04.01. The Executive Committee shall conduct the emergency business of the congregation between meetings of the Church Council or as otherwise specified in the constitution.

C13.05. A Nominating Committee of four voting members of this congregation, two of whom shall be, if possible, outgoing members of the Church Council, shall be elected at large from the congregation at the January annual meeting. The pastors shall also serve as ex-officio members of the nominating committee. Elected members shall serve for a term of one year. Members of the Nominating Committee are not eligible for consecutive reelection. The president of the congregation shall appoint someone to fill any vacancy on the committee.

C13.05.01. The Nominating Committee shall meet within one week of its election to

organize itself and elect its chair. The chair shall be responsible for convening the committee meetings, shall preside at its meetings and make timely reports to the president. The liaison between the council and the nominating committee is the president.

C13.05.02. The Nominating Committee shall be responsible for nominating candidates for each position from eligible members of the congregation for the express purpose of filling expired terms on the Church Council, Audit Committee, Finance Committee, Nominating Committee, lay voting members to the Synod Assembly, and, when needed, the Call Committee. The Nominating Committee shall nominate one or more candidates who possess the necessary knowledge, competence and experience to be effective in the position for which they are nominated. The Nominating Committee shall strive to have the candidates on the ballot reflect the diversity within this congregation. The Nominating Committee shall announce to the congregation the slate of candidates for election at each worship service on the Sunday preceding the meeting of the congregation, and when possible provide written notice of the slate of candidates in the notice of the meeting or in the church newsletter published immediately prior to the election.

C13.06. An Audit Committee of three voting members shall be elected by the congregation at a legally called meeting of the congregation during the month of April. Audit Committee members shall not be members of the Church Council. The term of office will be three years, with one member elected each year. Members shall be eligible for reelection.

C13.06.01. The Audit Committee shall review financial records and procedures of the congregation, its council, committees and organizations, prior to the annual meeting of the congregation and at least once per year without prior announcement. The Audit Committee shall also review the insurance policies of the congregation for adequacy of coverage and confirm that all necessary coverage is in place. The Audit Committee shall prepare an audit report for the annual meeting covering audits completed since the last report.

C13.06.02. The Audit Committee shall obtain from the financial secretary, treasurer and various committees and organizations of the congregation all records necessary to complete an audit. The Audit Committee shall have the authority to review any and all financial records of the congregation, its council, committees and organizations, including the separate accounts of any committees or organizations.

C13.07. A Mutual Ministry Committee of three voting members shall be appointed jointly by the president and the pastor. During the first year, one member shall serve as one year term and two members shall serve two year terms. Thereafter, the term of office shall be two years. In the absence of a Mutual Ministry Committee, the duties shall be fulfilled by the Executive Committee.

C13.07.01. The Mutual Ministry Committee shall provide personal and professional support and counsel to the pastor and paid staff of the congregation.

C13.07.02. The Mutual Ministry Committee shall provide guidance and encouragement in matters of continuing education and sabbaticals for the pastor and in matters of continuing

education for paid staff of the congregation.

C13.07.03. The Mutual Ministry Committee shall serve as a liaison between paid staff and the congregation. The Mutual Ministry Committee shall handle matters of inter-staff concern, and promote one-on-one conflict resolution between the paid staff members. The Mutual Ministry Committee shall meet at least quarterly and notify the council that they have met.

C13.08. A Staff Committee of at least four members shall be appointed annually by the Church Council. The committee members shall serve a term of one year commencing on July 1 of each year. Committee members may be reappointed at the discretion of the council. The Vice President shall serve as the chair of the Staff Committee and will be the committee's liaison to the council. The Staff Committee shall provide staff support in personnel matters and shall set policies for compensation and benefits.

C13.08.01. The Staff Committee shall develop compensation recommendations and report to the Finance Committee for each paid staff position and shall formulate policies for vacation, sick leave, sabbaticals, continuing education and any other forms of leave. The Staff Committee shall provide guidance in setting policies for other benefits' areas, as necessary, such as pension, health and housing benefits.

C13.08.02. The Staff Committee shall develop and maintain written position descriptions and personnel policies for all staff. The Staff Committee shall recommend and advocate for any needed changes in staff support to the Church Council, including making the council aware of any additional staffing needs.

C13.08.03. The Staff Committee shall meet at least quarterly with each paid staff person to discuss areas of general concern. The Staff Committee shall serve as a liaison between staff and the congregation. The Staff Committee shall at least annually evaluate and document in writing the performance of each staff person according to the written position description.

C13.08.04. In the event the pastor is temporarily suspended due to local conditions, the Staff Committee shall make recommendations to the council for housing and utility allowances and continuation of any other benefits.

C13.09. When a pastoral vacancy occurs, a Call Committee of seven voting members, one of whom shall be a council member, shall be elected by this congregation at a legally called meeting of the congregation. The term of office will terminate at installation of the newly-called pastor. The pastor and/or interim pastor shall not serve on this committee.

C13.09.01. The Call Committee shall review candidates and make recommendations to the Church Council regarding vacancies within the pastoral staff.

C13.09.02. The Call Committee shall elect a chair from among its members. The council

member on the Call Committee will serve as a liaison between the council and the Call Committee. The Call Committee chair shall contact Synod staff for guidance on the call process and such assistance as is available from Synod staff. The committee shall follow the Synod's guidelines for the call process and the Synod staff's guidance.

C13.10. The Finance Committee shall consist of at least seven members, including the pastor, president, financial secretary, treasurer, and three eligible voting members of the congregation. The members from the congregation shall be elected at a legally called meeting of the congregation during the month of April. The term of office shall begin on July 1 of each year. Each committee member elected from the congregation shall serve a term of three years. However, during the first year, one member shall serve a one year term, one shall serve a two-year term and one shall serve a three-year term. Thereafter, the term of office shall be three years. The Finance Committee shall elect its own chair, subject to approval by the Church Council.

C13.10.01. The Finance Committee shall review the holding, management and disbursement of the funds of this congregation. The Finance Committee shall make recommendations to the Church Council on implementing financial procedures which best serve the congregation. The Finance Committee shall be responsible for recommending a long-range financial plan for this congregation.

C13.10.02. The Finance Committee shall prepare an annual budget for the congregation and submit the budget to the council by the council meeting in December of each year for review and recommendation to the congregation at the January annual meeting of the congregation.

C13.11.01. Additional duties and responsibilities of special committees of the congregation shall be specified in the Operations Manual.

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 the congregation's oversight and direction, exercised through the Church Council. This congregation at its annual 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 Church Council.

C14.02.01. All organizations of this congregation shall submit minutes of all of its meetings to the Church Council.

C14.02.02. This congregation does not approve of fellowship with organizations, secret or open, which are avowedly religious or practice forms of religion without confessing faith in the Triune God and in Jesus Christ as the eternal Son of God incarnate to be our only Savior from sin, and thus teach salvation by works. Ceremonies of lodges or other such organizations shall not be permitted in the facilities of this congregation. The pastor of this congregation shall take no part in any such ceremonies even if conducted outside of the church premises.

Chapter 15. **DISCIPLINE OF MEMBERS**

***C15.01. Denial of the Christian faith as described in this constitution, conduct grossly unbecoming a member of the Church of Christ, or persistent trouble-making in this congregation are sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation will be attempted following Matthew 18:15-17, proceeding through these successive steps: a) private admonition by the pastor, b) admonition by the pastor in the presence of two or three witnesses, and c) citation to appear before the Church Council. If for any reason, the pastor is unable to administer the admonitions required by a. and b. hereof, the president (if not the pastor) or vice president shall administer the admonitions.**

***C15.02. The process for discipline for 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. A member charged with the offense shall appear before the Church Council having received a written notice, at least ten days prior to the meeting, specifying the exact charges that have been made against the member. If a member charged with the offense fails to appear at the scheduled hearing, the Church Council may proceed with the hearing and may pass judgment in the member's absence.**

***C15.03. Members of the Church Council who participate in the preparation of the written charges or who present evidence or testimony in the hearing before the Church Council are disqualified from voting upon the question of the guilt of the accused member. Should the allegations be sustained by a two-thirds majority vote of the members of the Church Council who are not disqualified but who are present and voting, and renewed admonition prove ineffectual, the council shall impose one of the following disciplinary actions:**

- a. censure before the council or congregation;**
- b. suspension from membership for a definite period of time; or**
- c. exclusion from membership in this congregation.**

Disciplinary actions b. and c. shall be delivered to the member in writing.

***C15.04. The member against whom disciplinary action has been taken by the Church Council shall have the right to appeal the decision to the Synod Council. Such right may not be abridged and the decision of the Synod Council shall be final.**

***C15.05. Disciplinary actions may be reconsidered and revoked by the Church Council upon receipt of a) evidence that injustice has been done or b) evidence of repentance and amendment.**

***C15.06. For disciplinary actions in this congregation, “due process” shall be observed as specified in 20.41.03 in the *Constitution, Bylaws and Continuing Resolutions of the Evangelical Lutheran Church in America*.**

***C15.07. No member of a congregation shall be subject to discipline for offenses that the Church Council has previously heard and decided, unless so ordered by the Synod Council after an appeal.**

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 Church 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 issues(s), the matter shall be referred to the Synod Council, whose decision shall be final.**

Chapter 16. **BYLAWS**

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

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

***C16.03. Changes to the bylaws may be proposed by any voting member, provided, however, that such additions or amendments shall be submitted in writing to the Church Council at least 60 days before a regular or special Congregational Meeting called for that purpose and the Church Council shall notify the congregation’s members by mail of the proposal with the council's recommendations at least 30 days in advance of the Congregational Meeting.**

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

Chapter 17. **AMENDMENTS**

***C17.01. Those sections of this constitution that are not required, in accord with the *Model Constitution for Congregations of the Evangelical Church in America*, may be amended in the following manner. Amendments may be proposed by at least ten percent (10%) of the voting members or by the Church Council. Proposals must be filed in writing with the Church Council 60 days before formal consideration by this**

congregation at a regular or special Congregation meeting called for that purpose. The Church Council shall notify the congregation's members by mail of the proposal together with their recommendations at least 30 days in advance of the meeting.

***C17.02.** An amendment to this constitution, proposed under *C17.01, shall:

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

***C17.03.** Any amendments to this constitution that result from the processes provided in *C17.01 and *C17.02 shall be sent by the secretary of this congregation to the synod. The amendment shall become effective within 120 days from the date of the receipt of the notice by the synod unless the synod informs this congregation that the amendment is in conflict with the constitution and bylaws of the Evangelical Lutheran Church in America, or the constitution of the Central States Synod of the ELCA.

***C17.04.** Whenever the *Model Constitution for Congregations* is amended by the Churchwide Assembly, this constitution may be amended to incorporate any such amendment by a simple majority vote of those voting members present and voting at any subsequent meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail notice to the congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

Chapter 18. CONTINUING RESOLUTIONS

***C18.01.** The Church Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution and bylaws of this congregation.

***C18.02.** Continuing resolutions shall be enacted or amended by a two-thirds vote of all voting members of the Church 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 member of the Church Council, officer, employee, agent, or other member of any committee of this congregation, was or is threatened to be made a party to any threatened, pending, or completed civil, criminal, administrative, arbitration, or investigative proceeding.

Chapter 20. PARISH AUTHORIZATION

***C20.01.** This congregation may unite in partnership with one or more other congregations recognized by the synod in *C6.01. to form a parish. Except as provided in *C20.02 and *C20.03, a written agreement, developed in consultation with the synod and approved by the voting members of each congregation participating in the parish, shall specify the powers and responsibilities that have been delegated to a Parish Council.

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

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