



Central States Synod
Evangelical Lutheran Church in America

March 26, 2018

St. Mark's Lutheran Church
21155 College Blvd.
Olathe, KS 66061

Dear Council Members,

Thank you for submitting your newly amended congregational constitution, for approval by the synod council. The Synod Council met on March 17, 2018 and approved your amended constitution which ratified at your annual congregational meeting on February 11, 2018

You included all the required provisions from the 2016 Model Constitution for congregations of the ELCA. Thank you for all your work on bringing your constitution up to date.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan Candea".

Rev. Susan Candea, Bishop's Associate
Central States Synod – ELCA
scandea@css-elca.org; 970-290-9111 (cell)

God's work. Our hands.

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

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Notes: **Constitution provisions are in bold.** Bylaws are not in bold. An * indicates a provision required to bring into conformity with the Model Constitution for Congregations of the Evangelical Lutheran Church in America.

***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 congregation of St. Mark's Lutheran Church of Olathe, Kansas, Inc. 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.** 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 American (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. 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 developmentally appropriate instruction for Holy Communion. If the baptized member is less than 7 years old, instruction will be offered upon approval and agreement among the youth, the youth's parent(s) or guardian(s), and the pastor. Upon completion of the instruction, the member may participate in Holy Communion.
- *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 groups and shall review their actions.**

C4.04.01. The organizational chart, outlining the structure of St. Mark's, is attached as 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.**

C4.05.01 The mission statement shall be presented as a Continuing Resolution, for approval by the congregation, as set out in *C18.01 and *C18.02 and periodically updated using the same process.

C4.05.01.A**.

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

Chapter 5.

POWERS OF THE CONGREGATION

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

***C5.02. The powers of this congregation are vested in the Congregational 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 pastor as provided in Chapter 9;
- b. terminate the call of a pastor as provided in Chapter 9;
- c. call a Minister of Word and Service;
- d. terminate the call of a Minister of Word and Service in conformity with the constitution of the Evangelical Lutheran Church in America;
- e. adopt amendments to the constitution, as provided in Chapter 16, amendments to the bylaws, as specified in Chapter 17, and continuing resolutions, as provided in Chapter 18;

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

***C5.04.** This congregation shall 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.

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 roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastor services with a Minister of Word and Sacrament of a church body with which the Evangelical Church in American officially has established a relationship of full communion.
- d. This congregation agrees to consider ministers of Word and Service for call to other staff positions in 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 by 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 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 notices 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. 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 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, provided the process for termination of the 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 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 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.

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.

C7.05.01 To the extent reasonable and possible, the concerns and interests of donors, who are current voting members, and of any voting members of the congregation, who are related to a deceased donor or a memorialized person, shall be sought and taken into consideration before any decision by the Congregation Council to transfer ownership of a specific item of tangible personal property acquired by the congregation by gift, donation or purchased with memorial funds.

C7.06. Notwithstanding the provisions of *C7.02. and *C7.03 above, where this congregation has received property from the synod pursuant to a deed or other instrument containing restrictions under provision 9.71.a. of the *Constitution, Bylaws and Continuing Resolutions of the Evangelical Lutheran Church in America*, this congregation accepts such restrictions and:

- a. Shall not transfer, encumber, mortgage, or in any way burden or impair any right, title, or interest in the property without prior approval of the Synod Council.
- b. Shall-upon written demand by the Synod Council, pursuant to †§13.23. of the constitution of the Central States Synod—reconvey and transfer all right, title, and interest in the property to the synod.

Chapter 8.

MEMBERSHIP

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

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

- a. **BAPTIZED** members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
- b. **CONFIRMED** members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.
- c. **VOTING** members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.
- d. **ASSOCIATE** members are persons holding membership in other Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. These individuals have all the privileges and duties of membership except voting rights or other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.
- e. **SEASONAL** members are voting members of other 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.

C8.02.01 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 Congregation Council.**

C8.03.01. All applications for confirmed, associate and seasonal membership shall be submitted to the Congregation 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 in accordance with ELCA constitutional provision 20.41. and the accompanying bylaws; or

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

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

C8.05.01 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 to remove the member from the membership roll of this congregation. The membership rolls shall be reviewed at least annually by the Congregation Council prior to the end of the calendar year. 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.

ROSTERED MINISTER

- *C9.01. **Authority to call a pastor shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by 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 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 pastor of this congregation.**
- *C9.03. **Consistent with the faith and practice of the Evangelical Lutheran Church in America,**
 - a. **Every Minister of Word and Sacrament shall:**
 - 1) **preach the Word;**
 - 2) **administer the sacraments;**
 - 3) **conduct public worship;**
 - 4) **provide pastoral care;**
 - 5) **seek out and encourage qualified persons to prepare for the ministry of the Gospel;**
 - 6) **impart knowledge of this church and its wider ministry through 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 of the world.**
 - b. **Each pastor with a congregational call shall, within the congregation:**
 - 1) **offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;**
 - 2) **relate to all schools and organizations of this congregation;**
 - 3) **install regularly elected members of the Congregation Council; and**
 - 4) **with the Council, administer discipline; and**

- 5) endeavor to increase the support given by the congregation to the work of the ELCA churchwide organization 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 and the bishop of the synod.

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. The provisions for termination of the mutual relationship between a Minister of Word and Sacrament and this congregation shall be as follows:**

a. **The call of this congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by 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 pastor, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
- 3) inability to conduct the pastoral office effectively in the congregation in view of local conditions;
- 4) physical disability or mental incapacity of the pastor;
- 5) suspension of the pastor through discipline for more than three;
- 6) resignation or removal of the pastor from the roster of Ministers of Word and Sacrament of this church;
- 7) termination of the relationship between this church and the congregation;
- 8) dissolution of the congregation or the termination of a parish arrangement;
- or
- 9) suspension of the congregation through discipline for more than six months.

b. **When allegations of physical disability or mental incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above have come to the attention of the bishop of the 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 pastor's condition. When a disability or incapacity is evident to the committee, the bishop of the 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 pastor to health, the bishop**

shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.

- d. In the case of alleged local difficulties which 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 pastor and then to the congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be taken by the congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, the congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and 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.

C9.05.01. 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 Congregation 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 Congregation Council. The interim pastor and any rostered minister providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.
- *C9.08. This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting 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 Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- *C9.11. With the approval of the bishop of the synod, 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 Congregation 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.
- *C9.14. The parochial records of this congregation shall be maintained by the pastor 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 pastor before the installation of that pastor in another field of labor or the granting by the synod of retired status the pastor.
- C9.15. Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, a Minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between the congregation and the pastor 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 this congregation 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 is 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 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

***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 Congregation Council shall determine the date, time and place for the annual meeting, which shall usually be held in February.

C10.01.02. The current roster of voting members shall be determined at the direction of the Congregation 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 rostered minister, 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; and
 - 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 Congregation 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 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 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 or electronic means, as permitted by state law, to all voting members at least 10 days in advance of the date of the meeting.**
- C10.04. Five percent of voting members shall constitute a quorum.**
- C10.05. Voting by proxy or by absentee ballot shall not be permitted.**
- C10.06. All actions approved by 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, 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 Congregation Council and shall be voting members of the Congregation Council.**
- C11.01.01. PRESIDENT. The duties of the President shall be:
- a. Uphold and carry out the mandates of the constitution and bylaws of this congregation.
 - b. Maintain knowledge and awareness of the spiritual and financial status of this congregation, encouraging the Congregation Council, staff and membership to take proper action.

- c. Preside at all meetings of the congregation, the Congregation Council and special meetings, following the most recently accepted parliamentary procedures.
- d. Vote in the event of a tie vote at Congregation Council meetings.
- e. Review, and when necessary, direct renewal of all legal documents of this congregation.
- f. 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.
- g. Be bonded.
- h. Maintain possession of one of the two keys for the congregation's safe deposit box.
- i. Audit, with the secretary, after completion by the pastor, the Synod Parish Annual Report, which is due in January.
- j. Submit an annual report to the congregation.
- k. Inform Congregation Council members of their duties.
- l. Make available to each Council member: committee job descriptions, annual congregational report with a current congregation directory, and a copy of this congregation's Constitution and Bylaws, and make available a key to the interior rooms and office of the church building and the storage shed to various Council members on an as needed basis.
- m. In May convene meeting of the current and newly elected Congregation Council members so that committees can be organized and full responsibilities assumed on July 1, the beginning of the new Council year.
- n. Require Congregation Council members to present committee membership and organization at July meeting of the Congregation Council.
- o. Serve as an ex-officio member of all committees.
- p. 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.
- q. Require committee chairpersons to submit an annual report of the committee activities by December 1 to be included into the Congregation's Annual Report.
- r. In addition to regular, monthly Council meetings, direct or otherwise cause the Council for long-range planning.
- s. In addition to regular, monthly Council meetings, direct or otherwise cause the planning, organization and implementation of an annual retreat of the Congregation Council for orientation, training and team building of the Congregation Council.
- t. Monitor Congregation Council or congregational representation for business meetings at the area and synod levels.

C11.01.02. VICE PRESIDENT. The duties of the Vice President shall be:

- a. Perform the duties of the president in the president's absence, incapacity or at the president's request.
- b. Appoint or act as parliamentarian at meetings of the congregation or Congregation Council.
- c. Ensure that the president, financial secretary and treasurer have adequate bonding.
- d. Chair the Staff Committee and serve as a liaison between the Staff Committee and the Council.

- e. Be responsible for an annual review of all insurance coverage, and assess risk management needs for the congregation, and recommend changes to the Council.

C11.01.03. SECRETARY. The duties of the Secretary shall be:

- a. Record or cause to be recorded and post minutes of the proceedings of the congregational, Congregation Council and Executive Committee meetings and distribute copies, as necessary.
- b. Record and post attendance at each Congregation Council meeting. Record absences and the reason for excused absences. Notify members having two unexcused absences.
- c. Maintain a register of all proposed and adopted congregational and Congregation Council resolutions. Maintain a register of all operations manuals of the committees and organizations of the congregation.
- d. With the president, audit the Synod Parish Annual Report, which is prepared by the pastor.
- e. Be responsible for updating the Constitution and Bylaws of this congregation on a triennial basis and keep it in conformity with the *Model Constitution for Congregations of the ELCA*. The Congregation Council may appoint a task force for the purpose of assisting the Secretary in this task.

C11.01.04. FINANCIAL SECRETARY. The duties of the Financial Secretary shall be:

- a. In the absence of the president and vice president, perform the duties of the president.
- b. Be bonded and deposit funds in appropriate designated accounts titled in the name of the congregation.
- c. Record financial contributions and issue semiannual statements to contributors. All information regarding individual giving records are to be kept confidential.
- d. Prepare a written monthly report of income and present to the Congregation Council.
- e. Prepare an annual report of income and present to this congregation at the annual meeting of this congregation.
- f. Be responsible for the counting and balancing of monies and gifts received.
- g. 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 Congregation Council.

C11.01.05. TREASURER. The duties of the Treasurer shall be:

- a. Be bonded.
- b. 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 Congregation Council.
- c. Disburse funds from appropriate designated accounts.
- d. Keep records of all disbursements and retain all vouchers, statements, invoices, receipts and similar documentation of expenditures.
- e. Reconcile all accounts each month and maintain all banking and account records.
- f. Prepare written monthly reports comparing expenses to budget and present to the Congregation Council.
- g. Retain all records for current year and six prior years.

- h. Prepare an annual financial report and present to the congregation at its annual meeting.

C11.01.06 ASSISTANTS. The Council may appoint assistants to aid certain officers to a one-year term. The assistants may be reappointed to consecutive terms. An assistant is not an officer of the congregation or of the Council, and shall not have vote at Council meetings. An assistant may make the monthly report to the Council on behalf of the officer in the absence of the officer.

- a. ASSISTANTS TO FINANCIAL SECRETARY. Upon recommendation by the financial secretary, the president or the pastor, the Congregation Council may appoint assistants to work with the Financial Secretary. An assistant to the Financial Secretary may not serve concurrently as an assistant to the Treasurer. The duties and responsibilities of an assistant shall be determined by the Congregation Council and shall be recorded with the Council minutes. An assistant to the Financial Secretary will report directly to the Financial Secretary, and, in the absence of the Financial Secretary, to the Council. An assistant to the Financial Secretary will not be allowed to disburse funds and will not be a signatory to any account of the congregation. All information regarding individual giving records are to be kept confidential. Assistants to the Financial Secretary shall be bonded.
- b. ASSISTANTS TO TREASURER. Upon recommendation by the treasurer, the president or the pastor, the Congregation Council may appoint assistants to work with the Treasurer. An assistant to the Treasurer may not serve concurrently as an assistant to the Financial Secretary. The duties and responsibilities of an assistant shall be determined by the Congregation Council and shall be recorded with the Council minutes. An assistant to the Treasurer will report directly to the Treasurer, and, in the absence of the Treasurer, to the Council. An assistant to the Treasurer will not be allowed to endorse or deposit receipts. An assistant to the Treasurer will not be allowed to count monies received by the congregation. All information regarding salary and benefits are to be kept confidential. The Assistant to the Treasurer shall be bonded.

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~~ three consecutive terms in the same office.

Chapter 12.

CONGREGATION COUNCIL

C12.01. The voting membership of the Congregation Council shall consist of the the rostered ministers, the officers of the congregation and eight elected members of the congregation. Each of the eight members of the congregation elected to serve on the Congregation Council shall be elected to a designated position as the liaison to a specified Standing Committee. 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 Congregation Council. 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 three successive regular meetings of the

Congregation 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 Congregation Council in other circumstances.

- C12.02. The members of the Congregation Council except the rostered ministers 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 Congregation Council members shall be installed at worship the Sunday 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 Congregation Council in the same position.
- C12.04. Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor to serve until the next ~~annual~~ April election meeting, after which the new Council member may be installed immediately, at a worship service or at the start of the next Council meeting. If the partial term served is less than one year, then the partial term shall not be included in determining the number of consecutive terms the individual has served in said position.
- C12.05. The Congregation Council shall have general oversight of the life and activities of this congregation, and its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:
- a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
 - b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
 - c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
 - d. To maintain supportive relationships with the rostered minister(s) and staff and help them annually to evaluate the fulfillment of their calling, 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 rostered minister.
 - 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 Congregation Council shall be responsible for the financial and property matters of this congregation and its organizations.
- a. The Congregation Council shall be the board of directors of this congregation, and as such shall be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It shall have the powers and be

subject to the obligations that pertain to such boards under the laws of the State of Kansas, 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 legally called meeting of the congregation.
- c. The Congregation 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 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 not incur obligations in excess of the anticipated receipts without 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.
- f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.

C12.07. The Congregation Council shall see that the provisions of this constitution, and its bylaws and the continuing resolutions are carried out.

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

C12.09. The Congregation 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 Staff Committee or to the pastoral staff.

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

C12.11. The Congregation Council shall normally meet once a month. Special meetings may be called by the rostered minister 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 Congregation 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 Congregation Council, including the senior rostered minister or interim pastor, except when the senior rostered minister or interim pastor requests or consents to be absent and has given prior approval to the agenda for a particular regular or special meeting, which shall be the only business considered at that meeting. Chronic or repeated absence of the senior rostered minister or interim pastor who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synodical bishop.

C12.13. The Congregation 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 rostered minister, the new Council member may be installed by the president.

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

C12.14. The Congregation Council and its committees may hold meetings by remote communication, including electronically and by telephone conference, and, to the extent permitted by state law, notice of all meetings may be provided electronically.

Chapter 13.

COMMITTEES OF THE CONGREGATION

C13.01. The Executive Committee shall be composed of the officers of this congregation and the senior rostered minister.

C13.01.01. The Executive Committee shall conduct the emergency business of the congregation between meetings of the Congregation Council or as otherwise specified in the constitution.

C13.02. A Nominating Committee of four voting members of this congregation, two of whom shall be, if possible, outgoing members of the Congregation Council, shall be elected at large from the congregation at the annual meeting for a term of one year. The rostered minister(s) shall also serve as ex-officio members of the nominating committee. Members of the Nominating Committee are not eligible for consecutive re-election. The president of the congregation shall appoint someone to fill any vacancy on the committee.

C13.02.01. 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.

C13.02.02. The Nominating Committee shall be responsible for nominating candidates for each position from eligible voting members of the congregation for the express purpose of filling expired terms on the Congregation 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.

C13.03. 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 Congregation Council. The term of office shall be three years, with one member elected each year. Members shall be

eligible for re-election. The Congregation Council shall appoint someone to fill any vacancy on the committee until the next election meeting, at which time the congregation will vote on a member to complete the partial term.

- C13.03.01. The committee member with the most seniority serving on the committee shall convene the first meeting of the Audit Committee. The Audit Committee shall elect a chair from among its members and the chair shall report directly to the Congregation Council and to the congregation.
- C13.03.02. Audit Committee members shall not be the Treasurer, Finance Secretary, an assistant to the Treasurer, an assistant to the Finance Secretary, a member concurrently of the Finance Committee or any treasurer, finance secretary or officer of any committee or organization of the congregation, during any of the period to be audited.
- C13.03.03. 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.
- C13.03.04. 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.
- C13.04. A Mutual Ministry Committee of six voting members shall be appointed jointly by the president and the rostered minister(s). During the first year, three members shall serve a one-year term and three members shall serve two-year terms. Thereafter, the term of office shall be two years. The chairman shall be determined by the president and the rostered ministers and shall serve a term of two years. A member of the Mutual Ministry Committee cannot concurrently serve on the Congregation Council. In the absence of a Mutual Ministry Committee, the duties shall be fulfilled by the Executive Committee. Members may serve up to three consecutive terms.**
- C13.04.01 The Mutual Ministry Committee shall provide personal and professional support and counsel to the rostered ministers of the congregation.
- C13.04.02. The Mutual Ministry Committee shall provide guidance and encouragement in matters of continuing education and sabbaticals for the rostered minister(s).
- C13.04.03. The Mutual Ministry Committee shall serve as a liaison between rostered minister(s) and the congregation. The Mutual Ministry Committee shall handle matters of concern between rostered minister(s), and promote one-on-one conflict resolution between the rostered minister(s). The Mutual Ministry Committee shall meet at least quarterly and notify the Council that they have met.
- C13.04.04. The Mutual Ministry Committee shall work with the Staff Committee regarding matters of concern between rostered minister(s) and non-rostered paid staff, and promote one-on-one conflict resolution between the rostered ministers(s) and non-rostered, paid staff members.
- C.13.04.05. The members of the Mutual Ministry Committee should be chosen to the extent reasonable to represent a diversity of the congregation, i.e. persons who primarily attend different services, age, gender, longevity of membership in this congregation, etc.

- C13.04.06. The identifies of the members of the Mutual Ministry Committee shall remain confidential and known only to the rostered minister(s), the president of the congregation and the other members of the Mutual Ministry Committee. The identity of the current chairman of the Mutual Ministry Committee shall be known to current members of the Congregation Council.
- C13.04.07. Discussions within the Mutual Ministry Committee shall remain confidential unless by consensus the committee determines that the committee chair should bring a specific matter or concern to the Council.
- C13.05 A Staff Committee of at least four members shall be appointed annually by the Congregation 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.**
- C13.05.01 The Staff Committee shall develop compensation recommendations and report to the Finance Committee for each paid staff position, rostered and non-rostered, 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.
- C13.05.02 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 Congregation Council, including making the Council aware of any additional staffing needs.
- C13.05.03 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.
- C13.05.04. In the event the rostered minister 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.
- C13.06 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 rostered minister. The rostered minister and/or the interim pastor shall not serve on this committee.**
- C13.06.01. The Call Committee shall review candidates and make recommendations to the Congregation Council regarding vacancies within the pastoral staff.
- C13.06.02 The Call Committee shall elect a chair from among its members. The Council member on the Call Committee will convene the first meeting and 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.
- C13.07 The Finance Committee shall consist of at least seven members, including the rostered minister, 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 Congregation Council.

C13.07.01 The Finance Committee shall review the holding, management and disbursement of the funds of this congregation. The Finance Committee shall make recommendations to the Congregation 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.

C13.07.02 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.

C13.07.03. The president shall convene the first meeting of each newly elected Finance Committee during the month of July or August.

C13.08 A Mission Endowment Committee shall be appointed by the Congregation Council to provide oversight concerning any endowment fund established pursuant to C5.05. A separate committee may be appointed for each separate endowment fund or one endowment committee can function for more than one endowment fund. The committee shall consist of at least six members, including the rostered minister, president, treasurer, Trustee, member representing the constituency for which the fund was established, and a representative of the funder of the endowment (or a member of the funder's family), provided the representative is a voting member of the congregation. The committee shall elect its own chair.

C13.08.01. The Mission Endowment Committee is to review the holding, management and disbursement of the endowment funds, to make recommendations to the Council on implementing financial procedures, review funds management, prepare and submit an annual report to the congregation, and recommend a long-range plan for each endowment fund. The endowment committee is responsible for monitoring management of the endowment fund to assure compliance with the designated purpose of each endowed fund and the terms and conditions of each endowment fund.

C13.09 A Gifts & Memorials Committee of at least three members shall be appointed by the Congregation Council for oversight concerning any special gifts or memorial funds donated to the congregation. The chair of the Gifts and Memorials committee shall be a member of the Finance Committee and shall serve a term corresponding to that member's term on the Finance Committee. The other members shall serve terms usually of three years, at the discretion of the Congregation Council, and shall be staggered terms.

C13.09.01. The Gifts and Memorials committee shall make recommendations regarding the use of and acquisitions made from all special gifts and memorials donated to the congregation. The committee shall work with the Treasurer and Financial Secretary in keeping records of all gifts and memorials, of all disbursements from funds received, and shall maintain records of all designated gifts and memorials, and assist the Treasurer and Financial Secretary in assuring that all designated gifts or memorials are used only for the specific purpose designated. The committee is responsible for reviewing the holding, management and disbursement of the gifts and memorial funds of the congregation, to make recommendations to the Finance Committee on implementing financial

procedures, review of funds management, preparing and submitting an annual budget for use of Gifts and Memorials, recommending a long-range plan for the fund, and recommend memorial projects.

C13.09.02 In the event that tangible personal property, that has been donated or acquired with funds given as a gift or memorial, will no longer be used by the congregation, then the Gifts and Memorials Committee will inform and consult, to the extent reasonable, with donor and/or with the voting members of the congregation who are related to the donor or the memorialized person, about the future plans for the said personal property prior to a final determination by the Council regarding transfer of ownership of said personal property.

C13.09.03 The Gifts and Memorials Committee shall be consulted and shall report to the Council prior to any gift of tangible personal property (with a value greater than \$500.00) is donated to the congregation regarding the appropriateness of the planned gift. In the event a proposed gift or memorial is planned or designated for use in the sanctuary, the Worship Committee shall also be consulted and report to the Council regarding the appropriateness of the planned gift or memorial. Likewise, the Gifts and Memorials Committee shall consult and make plans for any gift or memorial with the appropriate standing committees. The Gifts and Memorials Committee shall be consulted and shall report to the Council regarding whether to accept or decline any proposed transfers of real estate to the congregation.

C13.10. The Standing Committees shall be the committees whose purpose supports and helps fulfill the mission of this congregation.

C13.10.01. The Standing Committees shall be: Community Ministry, Evangelism, Facilities, Fellowship, Parish Education, Stewardship, Worship and Youth, and such other standing committees as the need arises by decision of the Congregation Council. The duties and responsibilities of these committees shall be established by the Council.

C13.10.02. Each standing committee shall have a member of the Congregation Council assigned to the committee to serve as a liaison between the Congregation Council and the committee. The standing committee chairs shall be appointed by the Congregation Council. The 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 Congregation 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 Congregation Council. The duties and responsibilities of the standing committees shall be set out in the operations manual of this congregation.

C13.10.03 Each standing committee shall submit a written 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.

C13.10.04 Among its responsibilities, the Community Ministry Committee will be responsible for providing and overseeing programs to promote social awareness within our community, and congregation, both locally and internationally, including annual projects such as Mountains of Food, serving meals at The Center of Grace, and working with other charitable organizations, and serving as the liaison to Council for Stephen Ministry.

C13.10.05. Among its responsibilities, the Evangelism Committee will be responsible for communicating God's Love to people outside of the church, keeping the

membership directory current, contacting members who have not been worshipping regularly at St. Mark's, coordinating the Door Step Visitor program, and all marketing efforts by the congregation.

- C13.10.06. Among its responsibilities, the Facilities Committee will be responsible for the maintenance and improvements to the congregation's buildings and premises, including all equipment and furnishings. Any plans, projects and/or recommendations regarding decorating the premises should be coordinated through the Facilities Committee. If plans, projects and recommendations regarding decorating involve the sanctuary or narthex, then the Worship Committee shall be consulted and the Worship Committee shall determine decorating, furnishing and equipment to be used in the sanctuary (see 13.10.11). The Council may appoint advisory task forces, as needed, to research and advise the Facilities Committee regarding all choices for paint colors, sound systems, video and audio equipment, items to be hung on the walls, bulletin boards, information kiosks, carousels, stands, and similar such devices.
- C13.10.07 Among its responsibilities, the Fellowship Committee will be responsible for planning and organizing all fellowship events of the congregation, for adults and youth, including refreshments offered between services. The Fellowship Committee will coordinate events with WELCA and serve as the liaison to Council for WELCA.
- C13.10.08 Among its responsibilities, the Parish Education Committee oversees and supports all Christian education activities of the congregation. The committee also provides community ministry opportunities for the youth groups of the congregation. The Parish Education Committee's responsibilities will include Sunday School, early age communion, Confirmation, high school graduation recognition, adult education, the library and Vacation Bible School.
- C13.10.09 Among its responsibilities, the Stewardship Committee will be responsible for organizing an annual stewardship drive, all capital campaigns, and provide general daily encouragement of good Christian stewardship by the members of the congregation. The Stewardship Committee also collects time and talent volunteer information and distributes the information to the respective committees.
- C13.10.10 Among its responsibilities, the Worship Committee will plan worship, including special worship events, working with the organist, choirs, bell choirs and other musicians, altar care, and the puppets program. The Worship Committee is responsible for scheduling and training all worship leaders, including acolytes/crucifers, assisting ministers, communion assistants, greeters, lectors and ushers. The Worship Committee shall consider and recommend to Council any proposed changes to furnishings, décor and equipment used in the sanctuary. All suggestions for changes shall pass through the Worship Committee. The Worship Committee will determine all décor in the sanctuary and narthex, maintaining liturgical appropriateness in consultation with the rostered minister.
- C13.10.11. Among its responsibilities, the Youth Committee will plan and organize fellowship events for the youth of the congregation, including organizing and fund raising for youth attending the triennial ELCA Youth Gathering, provide opportunities for the youth to serve the community outside of St. Mark's to increase social awareness and involve the entire congregation in supporting the youth.
- C13.11. Other committees of this congregation may be formed, as the need arises, by decision of the Congregation Council.**

- C13.11.01. "Task forces" are committees appointed for a specific purpose on a short-term basis. When the Congregation Council appoints a task force, the Council shall specify:
- a. the purpose and scope of the work of the task force;
 - b. the chair and the members appointed to the task force;
 - c. the term of duration for the task force;
 - d. guidelines for reporting to the Council; and
 - e. 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.

C13.12. Regarding All Committees

- a. **The senior rostered minister shall be an ex-officio member of every committee and organization of the congregation, unless otherwise stated in the constitution. The senior rostered minister, 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.**
- b. **The president of this congregation shall be ex officio a member of all committees and boards of the congregation, unless otherwise stated in the constitution.**
- c. **The duties and functions of the committees shall be as set forth in this constitution, the bylaws, continuing resolutions or in an operation manual and shall be subject to any applicable provisions or requirements of *the Constitution, Bylaws and Continuing Resolutions of the Evangelical Church in America* or the Constitution and Bylaws of the Central States Synod of the ELCA.**
- d. **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.**
- e. **Each committee shall submit a written report to the congregation, at the annual meeting of the congregation, concerning its activities. Each committee shall provide monthly, written reports of its business to the Council, through its Council liaison.**
- f. **Each committee shall elect its own chair, unless otherwise provided in this Constitution and Bylaws. The duties of the chair, subject to direction by the Council, are to schedule meetings, conduct the meetings, make work assignments, and see that the committee's duties and responsibilities are carried out. Minutes shall be taken at each meeting, and the president shall keep a record of the minutes. A monthly report shall be made to the Council regarding the work of the committee. The president may convene a meeting of the committee and shall convene the first meeting of the year, in the absence of a chair.**
- g. **At any time during the year the Council may approve additional members to serve on a committee or fill a vacancy on a committee, unless otherwise provided in the Constitution or Bylaws of this congregation.**

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 Congregation 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 Congregation Council.

C14.02.01. All organizations of this congregation shall submit minutes of all of its meetings to the Congregation 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 rostered minister of this congregation shall take no part in any such ceremonies even if conducted outside of the church premises.

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 pastor, b) censure and admonition by the pastor in the presence of two or three witnesses, c) written referral of the matter by the Congregation Council to the vice president of the synod, who will refer it to a consultation panel drawn from the Consultation Committee of the synod, and d) written referral of the matter by the consultation panel to the Committee on Discipline of the synod. If, for any reason, the pastor is unable to administer the admonitions required by paragraphs a. and b. hereof, those steps may be performed by another pastor chosen by the Executive Committee of the Congregation Council.**

***C15.02. The process for discipline 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*. 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 not more than 45 days after the matter is submitted to it.**

***C15.03. If the consultation panel fails to resolve the matter, that panel shall refer the case in writing, including the written charges and the accused member's reply, to the Committee on Discipline of the synod for a hearing. A copy of the panel's written referral shall be delivered to the vice president of the synod, the Congregation Council, and the accused member/s at the same time it is sent to the Committee on Discipline of the synod. The Executive Committee of the Synod Council shall then select six members from the Committee on Discipline to decide the case, and shall appoint a member of the Synod Council to preside as nonvoting chair. Those six**

members plus the nonvoting chair comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member/s are the parties to the case.

- *C15.04. The discipline hearing panel shall commence and conduct the disciplinary hearing in accordance with the provisions governing discipline of congregation members prescribed in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- *C15.05. By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:
 - a. suspension from the privileges of congregation membership for a designated period of time;
 - b. suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
 - c. termination of membership in 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 issues/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 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 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 vote of those voting members present and voting;

- b. be ratified without change at the next annual meeting by a two-thirds majority vote of those voting members present and voting; and
 - c. have the effective date included in the resolution and noted in the constitution.
- *C16.03.** Any amendments to this constitution that result from the processes provided in *C16.01 and *C16.02 shall be sent by the secretary of this congregation to the synod. The synod shall notify 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 meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail or by 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 shall become effective immediately following a vote of approval.

Chapter 17.

BYLAWS

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

- *C20.01.** This congregation may unite in partnership with one or more other congregations recognized by the synod named in *C6.01. to form a parish. Except as provided in *C20.02. and *C20.03., a written agreement, developed in consultation with the synod and approved by the voting members of each congregation participating in the parish, shall specify the powers and responsibilities that have been delegated to the Parish Council. The Parish Agreement shall identify which congregation of the parish issues calls on behalf of the member congregations or shall establish a process for identifying which congregation issues calls on behalf of the member congregations.
- *C20.02.** One congregation of a parish shall issue a call on behalf of the member congregations to a Minister of Word and Sacrament or a candidate for the roster of Ministers of Word and Sacrament who has been recommended by the synodical bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.
- *C20.03.** One congregation of a parish may issue a call on behalf of the member congregations to a Minister of Word and Service or a candidate for the roster of Ministers of Word and Service who has been recommended by the synodical bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.
- *C20.04.** Any one of the congregations of the parish may terminate their relationship with the pastor as provided in †S14.18.d. of the synodical constitution of the synod named in *C6.01. In such case, the other congregation/s of the same parish shall have the right to terminate the parish agreement.
- *C20.05.** Any one of the congregations of the parish may terminate their relationship with a Minister of Word and Service as provided in †S14.43.d. of the synodical constitution of the synod named in *C6.01. In such case, the other congregation/s of the same parish shall have the right to terminate the parish agreement.
- *C20.06.** Whenever a parish agreement is terminated, the call of any rostered minister serving that parish is terminated. Should any congregation that was formerly part of the parish agreement desire to issue a new call to that rostered minister, it may do so in accordance with the call process of this church.

Appendix 1, Organizational Chart, is attached.

Appendix 1, ORGANIZATIONAL CHART

