

GUIDE FOR HOW THE CONSTITUTION PROVISIONS, BYLAWS AND CONTINUING RESOLUTIONS ARE ARRANGED WITHIN THE CONSTITUTION DOCUMENT

The provisions of the constitution, the bylaws, and the continuing resolutions of a congregation that relate to the same matter are placed together for clarity in use.

Major sections are designated as chapters “Chapter 8. Membership.”

Constitutional provisions have two sets of numbers: the chapter number and a 2-digit number, so a constitutional provision related to “Membership” is *C8.02.

Bylaws have three sets of numbers: the chapter number, the related constitutional provision number and a 2-digit number, so a bylaw related to “Membership” is C8.02.01.

Continuing resolutions also have three sets of numbers, except that the third set is preceded by a capital letter. For a continuing resolution adopted in the year 2018 under C8.02., would be C8.02.A18.

Additions are underlined. Deletions are ~~struck through~~ in the text. Changes not related to the ELCA Model Constitution amendments within the document that are specific to St. John's are italicized.

In coordination with the following amendments, the 2019 Churchwide Assembly authorized the secretary of the ELCA to:

- Strike “synodical” and replace with “synod”
- Strike “the congregation” and replace with “this congregation” where appropriate
- Make editorial changes so that the *Model Constitution for Congregations* follows the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* and the *Constitution for Synods*.

DRAFT

ST. JOHN'S LUTHERAN CHURCH CONSTITUTION BROOKFIELD, WISCONSIN

~~FEBRUARY~~ SEPTEMBER 20—12, 202018

In conformity with the 20196 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. John's Lutheran Church.
- C1.02.** For the purpose of this constitution and the accompanying bylaws, the congregation of St. John's Lutheran Church is hereinafter designated as "this congregation."
- C1.11.** This congregation shall be incorporated under the laws of the State of Wisconsin.

Chapter 2.

CONFESSION OF FAITH

- *C2.01.** This congregation confesses the Triune God, Father, Son, and Holy Spirit.
- *C2.02.** This congregation confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.
- a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.
 - b. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.

*Required provision

- c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.
- *C2.03. This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.
- *C2.04. This congregation accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.
- *C2.05. This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.
- *C2.06. This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.
- *C2.07. This congregation confesses the Gospel, recorded in the Holy Scripture and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

Chapter 3.

NATURE OF THE CHURCH

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

Chapter 4.

STATEMENT OF PURPOSE

- *C4.01. The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world.
- *C4.02. To participate in God's mission, this congregation as a part of the Church shall:
 - a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
 - b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
 - c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.

- d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, and standing with the poor and powerless, and committing itself to their needs.
 - e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
 - f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.
- *C4.03.** 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~~this congregation's ministry and the ministry of ~~other parts~~ the other expressions of the Evangelical Lutheran Church in America.
 - h. Foster and participate in interdependent relationships with other congregations, the synod, and the churchwide organization of the Evangelical Lutheran Church in America.
 - i. Foster and participate in ecumenical relationships consistent with churchwide policy.
- *C4.04.** This congregation shall develop an organizational structure to be described in the bylaws. The Congregation Council shall prepare descriptions of the responsibilities of each committee, task force, or other organizational group and shall review their actions. Such descriptions shall be contained in continuing resolutions in the section on the Congregation Committees.
- *C4.05.** This congregation shall, ~~from time to time~~, adopt and periodically review a mission statement which will provide specific direction for its programs.
- *C4.06.** References herein to the nature of the relationship between the three expressions of this church—congregations, synods, and the churchwide organization—as being interdependent or as being in a partnership relationship describe the mutual responsibility of these expressions in God's mission and the fulfillment of the purposes of this church as described in this chapter, and do not imply or describe the creation of partnerships, co-ventures, agencies, or other legal relationships recognized in civil law.

Chapter 5.

POWERS OF THE CONGREGATION

- *C5.01.** The powers of this congregation are those necessary to fulfill its purpose.
- *C5.02.** The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws.
- *C5.03.** Only such authority as is delegated to the Congregation Council or other organizational units in this congregation's governing documents is recognized. All remaining authority is retained by ~~the~~ this congregation. ~~The~~ This congregation is authorized to:
- a. call a pastor as provided in Chapter 9;
 - b. terminate the call of a pastor as provided in Chapter 9;
 - c. call a minister of Word and Service;
 - d. —terminate the call of associates in ministry, deaconesses, and diaconal ministers a minister of Word and Service in conformity with the applicable policy constitution of the Evangelical Lutheran Church in America;
 - e. adopt amendments to the constitution, as provided in Chapter 16, amendments to the bylaws, as specified in Chapter 17, and continuing resolutions, as provided in Chapter 18..
 - f. —approve the annual budget;
 - g. —acquire real and personal property by gift, devise, purchase, or other lawful means;
 - h. —hold title to and use its property for any and all activities consistent with its purpose;

- ~~_____~~ ~~_____~~ i. ~~_____~~ sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
- ~~_____~~ j. elect its officers and Congregation Council, and require them to carry out their duties in accordance with the constitution, and bylaws, and continuing resolutions; and ~~_____~~ ~~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. ~~_____~~
- ~~_____~~ k. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.
- *C5.04. This congregation shall ~~choose~~elect from among its voting members laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected by ~~the~~this congregation and other qualifications shall be as prescribed in guidelines established by the Greater Milwaukee 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 continuing resolutions. 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 Greater Milwaukee 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 pastoral services with minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.
 - d. This congregation agrees to consider ministers of Word and Service ~~for~~ call to other staff positions in ~~the~~this congregation according to the procedures of the Evangelical Lutheran Church in America.
 - e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America and with the constitution of the synod.
- *C6.04. Affiliation with the Evangelical Lutheran Church in America ~~may be~~is terminated as follows:
 - a. This congregation takes action to dissolve.
 - b. This congregation ceases to exist.
 - c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America or in accordance with provision 9.23 of the constitution and bylaws of the Evangelical Lutheran Church in America.
 - ~~_____~~ ~~d.~~ The Greater Milwaukee Synod takes charge and control of the property of this congregation to hold, manage, and convey the same on behalf of the synod pursuant to +S13.24. of the synod constitution. This congregation shall have the right to appeal the decision to the next Synod Assembly.
 - ~~_____~~ ~~e.d.~~ This congregation follows the procedures outlined in *C6.05.

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

- a. A resolution indicating the intent to terminate its relationship must be adopted at two legally called and conducted special meeting of ~~the~~this congregation by a two-thirds vote of the voting members present at each meeting. ~~Such~~The first such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time ~~the~~this congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the Congregation eCouncil. Unless he or she is a voting member of ~~the~~this congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the first meeting.
- b. ~~The~~Within 10 days after the resolution has been voted upon at the first meeting, the secretary of ~~the~~this congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall ~~mail a copy~~send copies of the resolution and certification to voting members of ~~the~~this congregation. ~~This notice shall be submitted within 10 days after the resolution has been adopted.~~
- c. ~~The~~If the resolution was adopted by a two-thirds vote of the voting members present at the first meeting, the bishop of the synod and ~~the~~this congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by ~~the~~the synod of the notice bishop of the attestation and certification as specified in paragraph b. above.
- d. If ~~the~~this congregation, after such consultation, ~~still seeks to terminate its relationship,~~is still considering termination of its relationship with this church, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of the second meeting shall be ~~mailed~~sent to all voting members and to the bishop at least 10 days in advance of the meeting. Unless he or she is a voting member of ~~the~~this congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the second meeting.
- e. ~~A copy of the resolution, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, shall be sent to the bishop within 10 days after the resolution has been adopted, at which time the relationship between the congregation and this church shall be terminated subject to paragraphs g., h., and i. below. Unless this notification to the bishop also certifies that the congregation has voted by a two thirds vote to affiliate with another Lutheran denomination, the congregation will be conclusively presumed to be an independent or non-Lutheran church.~~

Within 10 days after the resolution has been voted upon, the secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the second special meeting was legally called and conducted and certifying the outcome of the vote, and shall send copies of the resolution and certification to the voting members of the congregation. If the resolution was adopted by a two-thirds vote of the voting members present at the second meeting, the relationship between the congregation and this church shall be terminated subject to Synod Council approval as required by paragraphs f. and g. below.

- ~~f. Unless this notification to the bishop also certifies that this congregation has voted to affiliate with another Lutheran denomination, this congregation shall be deemed an independent or non-Lutheran, in which case *C7.04. shall apply.~~
- ~~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 ~~this~~ 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~~ or fails to achieve the required two-thirds vote of voting members present at ~~the~~this congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of *C6.05. and may begin no sooner than six months after ~~that second~~ the meeting at which the two-thirds vote was not achieved.
- *C6.06. If this congregation considers relocation, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is ~~effected~~ taken.
- ~~*C6.07. If this congregation considers developing an additional site to be used regularly for worship, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action.~~

Chapter 7.

PROPERTY OWNERSHIP

- *C7.01. If this congregation ceases to exist, title to undisposed property shall pass to the Greater Milwaukee 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 or pursuant to 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America, title to property shall continue to reside in this congregation.
- *C7.03. If ~~two-thirds~~ of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation, provided the process for termination of relationship in *C6.05. has been followed. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Greater Milwaukee Synod.
- *C7.04. If ~~two-thirds~~ of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body and have followed the process for termination of relationship in *C6.05., title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the ~~established synodical process~~ process established by the synod, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America. In neither case does the title to this congregation's property transfer to the synod.

(The following provision becomes required.)

- ~~*C7.05.~~ Notwithstanding the provisions of *C7.02. and *C7.03. above, where this congregation has received property from the synod pursuant to a deed or other instrument containing restrictions under provision 9.71.a of the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America, this congregation accepts such restrictions and:
- a. Shall not transfer, encumber, mortgage, or in any way burden or impair any right, title, or interest in the property without prior approval of the Synod Council.
- b. Shall upon written demand by the Synod Council, pursuant to +S13.23. of the constitution of Greater Milwaukee 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~~this congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws. They shall not have voted as seasonal member of another congregation of this church in the previous two calendar months.
- d. **Associate** members are persons holding membership in other Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. These individuals have all the privileges and duties of membership except voting rights or other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.
- e. **Seasonal** members are voting members of other ~~ELCA~~ congregations of this church who wish to retain such membership but desire to participate in the life and mission of this congregation, including exercising limited voting rights in this congregation. The Congregation Council may grant seasonal membership to such persons provided that this congregation is a member of a synod where the Synod Council has approved seasonal member voting on its territory. Such seasonal members shall have all the privileges and duties of voting members except that:
 - (1) they shall not be eligible for elected office in, or for membership on the Congregation Council or on a call committee of, this congregation;
 - (2) they shall not have the right to vote on any matter concerning or affecting the call or termination of call of any minister of this congregation;
 - (3) they shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with ~~the ELCA~~this church;
 - (4) they shall not be eligible to serve as voting members from this congregation of the Synod Assembly or the Churchwide Assembly;
 - (5) they shall not, even if otherwise permitted by this congregation, vote by proxy or by absentee ballot; and
 - (6) they shall not, within any two calendar month period, exercise voting rights in this congregation and in the congregation where they remain voting members.

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

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

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

***C8.05.** Membership in this congregation shall be terminated by any of the following:

- a. death;
- b. resignation;
- c. transfer or release;
- d. disciplinary action in accordance with ~~provision 20.4041. and the accompanying bylaws; or~~ Chapter 20 of the constitution and bylaws of the Evangelical Lutheran Church in America;
- 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 —The Congregation Council, acting in consultation with the pastor, shall remove those members deemed inactive ~~inactive~~ (based on the definition of voting membership in C8.02.c.) following discussion or attempts to discuss desired membership ~~discuss desired membership status status~~ with the inactive member, and the passage of one year following lapse in ~~lapse in~~ active status.

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~~ this 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~~ communication and publications available channels of effective communication;
 - 7) witness to the Kingdom of God in the community, in the nation, and abroad; and
 - 8) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.
 - b. Each pastor with a congregational call shall, within the congregation:
 - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2) relate to all schools and organizations of this congregation;
 - 3) install regularly elected members of the Congregation Council;
 - 4) with the council, administer discipline;
 - 5) endeavor to increase the support given by the congregation to the work of the ELCA churchwide organization and of the Greater Milwaukee Synod of the ELCA, and
 - 6) encourage adherence to covenantal relationship with this church as expressed in the Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.
- *C9.04.** The specific duties of the pastor, compensation, and other matters pertaining to the service of the pastor shall be included in a letter of call, which shall be attested by the bishop of the synod.
- *C9.05.** The provisions for termination of the mutual relationship between a minister of Word and Sacrament and this congregation shall be as follows:
- a. The call of this congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the pastor's death or, following consultation ~~consultation with the synodical bishop, for the following reasons:~~

~~_____ 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
_____ days after the date on which it was submitted;
- _____ 3) inability to conduct the pastoral office effectively in ~~the~~this congregation in view of local c
_____ eonditions;
- _____ 4) physical disability or mental incapacity of the pastor;
- _____ 5) suspension of the pastor through discipline for more than three months;
- _____ -6) resignation or removal of the pastor from the roster of Ministers of Word and
_____ Sacrament of this church;
- _____ -7) termination of the relationship between this church and ~~the~~this congregation;
- _____ -8) dissolution of ~~the~~ this congregation or the termination of a parish arrangement; or
- _____ -9) suspension of ~~the~~ this congregation through discipline for more than six months.

_____ b. -When allegations of physical disability or mental incapacity of the pastor under paragraph
_____ a.4) a
_____ above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the a
_____ 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 a
_____ allegations by the Congregation Council or by a petition signed by at least one-third of the
_____ voting members of ~~the~~ this congregation, the bishop personally shall investigate such conditions
_____ together with a committee of two rostered ministers and one layperson.

_____ c. -In case of alleged physical disability or mental incapacity under paragraph a.4) above, the
_____ bishop's committee shall obtain and document competent medical opinion concerning the
_____ pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this
_____ synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council
_____ shall list the pastor on the roster of Ministers of Word and Sacrament ~~as disabled~~with disability
_____ status. Upon removal of the
_____ ~~the~~ disability and the restoration of the pastor to health, the bishop shall take steps to enable the
_____ pastor
_____ pastor to resume the ministry, either in the congregation last served or in another appropriate call.

_____ d. In the case of alleged local difficulties that imperil the effective functioning of ~~the~~ this
_____ congregation under
_____ under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned
_____ persons
_____ persons, after which the bishop together with the committee shall present their recommendations first
_____ to the pastor and then to ~~the~~ this congregation. The recommendations of the bishop's committee must
_____ address whether the pastor's call should come to an end and, if so, may suggest appropriate severance
_____ arrangements. The committee may also propose other actions that should be undertaken by ~~the~~ this
_____ congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such
_____ recommendations, no further action need be taken by the synod.

_____ e. -If either party fails to assent to the recommendations of the bishop's committee
_____ concerning the p
_____ pastor's call, ~~the~~ this congregation may dismiss the pastor only at a legally called meeting after c
_____ consultation with the bishop, either (a) by a two-thirds vote of the voting members present and v
_____ voting where the bishop and the committee did not recommend termination of the call, or (b) by a m
_____ majority vote of the voting members present and voting where the bishop and the committee r
_____ recommended termination of the call.

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

- *C9.06. At a time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.
- *C9.07. During the period of service, an interim pastor shall have the rights and duties in ~~the~~ this congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any rostered minister providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.
- *C9.08. This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting ~~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~~ this congregation may depart from *C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of ~~the~~ this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.05.a.
- *C9.12. The pastor of this congregation:
- shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from ~~the~~ this congregation;
 - shall submit a summary of such statistics annually to the synod; and
 - shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- *C9.13. The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.
- *C9.14. The parochial records of this congregation shall be maintained by the pastor and shall remain the property of ~~the~~ this congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in his or her hands in good order by a departing pastor before the installation of that pastor in another ~~field of labor or the granting by the synod of retired status to the pastor~~ call or approval of a request for change in roster status.
- C9.15** Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, 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~~ this congregation and the pastor in a form proposed by the synodical bishop and approved by ~~the~~ this congregation.
- *C9.21. —Authority to call a ~~minister of Word and Service~~ deacon shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by 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:
- Be rooted in the Word of God, for proclamation and service;
 - Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the f
frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
 - c. S
 - e. Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming

~~proclaiming~~ God's love for the world, witnessing to the realm of God in the community, the nation,
~~a~~
~~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 m~~
~~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 this church and its wider ministry of the gospel and advocate for the~~
~~w~~
~~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 r~~
~~relationship and commitment, which shall be terminated only by the deacon's death or, following c~~
~~onsultation~~
~~with the synodical bishop, for the following reasons:~~
1) ~~mutual agreement to terminate the call or the completion of a call for a specific term;~~
2) ~~resignation of the deacon, which shall become effective, unless otherwise agreed, no later than~~
~~30 days after the date on which it was submitted;~~
3) ~~inability to conduct the ministry of Word and Service effectively in this congregation in view~~
~~of~~
~~local conditions;~~
4) ~~physical disability or mental incapacity of the deacon;~~
5) ~~suspension of the deacon through discipline for more than three months;~~
6) ~~resignation or removal of the deacon from the roster of Ministers of Word and Service of this~~
~~church;~~
7) ~~termination of the relationship between this church and this congregation;~~
8) ~~dissolution of this congregation or the termination of a parish arrangement; or~~
9) ~~suspension of this congregation through discipline for more than six months.~~
b. ~~When allegations of physical disability or mental incapacity of the deacon under paragraph a.4) a~~
~~above, or ineffective conduct of the officer of minister of Word and Service under paragraph a.3) a~~
~~above, have come to the attention of the bishop of this synod.~~
4) ~~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~~
~~when such allegations have been brought to the synod's attention by an official recital of a~~
~~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~~
~~committee shall obtain and document competent medical opinion concerning the deacon's~~
~~condition.~~
~~condition:~~ When a disability or incapacity is evident to the committee, the bishop of this synod may
~~declare~~
~~may declare t~~he position vacant. When the position is declared vacant, the Synod Council shall list
~~the deacon~~
~~the deacon o~~n the roster of Ministers of Word and Service as disabled with disability status. Upon
~~removal~~
~~removal~~ of the disability
~~disability~~ and the restoration of the deacon to health, the bishop shall take steps to enable

- ~~enable the deacon~~
~~deacon~~ to resume 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 u~~
~~nder paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned~~
~~persons.~~
~~persons;~~ after which the bishop together with the committee shall present their recommendations ~~f~~
~~first~~ ~~first~~ to the deacon and then to this congregation. The recommendations of the bishop's committee ~~m~~
~~must~~ address whether the deacon's call should come to an end, if so, may suggest appropriate ~~s~~
~~severance~~ arrangements. The committee may also propose other actions that should be undertaken ~~b~~
~~by~~ this congregation and by the deacon, if appropriate. If the deacon and congregation agree to ~~c~~
~~carry out~~ such recommendations, no further action need be taken by the synod.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds majority vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a simple majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.
- *C9.26.** ~~The deacon shall make satisfactory settlement of all financial obligations to a former congregation before:~~
~~a. installation in another field of labor, or~~
~~b. the issuance of a certificate of dismissal or transfer.~~
~~b. This congregation shall make satisfactory settlement of all financial obligations to a former deacon before calling a successor. A deacon shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting.~~
- *C9.27.** When a deacon is called to serve in company with another rostered minister or other rostered ministers, the privileges and responsibilities of each rostered minister shall be specified in documents to accompany the call and to be drafted in consultation involving the rostered ministers, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- *C9.28** With the approval of the bishop of the synod, this congregation may depart from *C9.25.a. and call a deacon for a specific term. Details of such calls shall be in writing, setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the deacon and representatives of this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.25.a.
- *C9.29.** The deacon shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the deacon shall hold membership in one of the congregations.
- *C9.30.** 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 meetings of this congregation shall be held at a time specified in the bylaws~~ ~~continuing resolutions.~~

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

C10.01.01.A19 Regular meetings of this congregation shall be held ~~once~~ *twice* during each calendar year. The annual meeting shall be held in the months of *January or February. The second meeting will be held in and May or June.* The dates and times of congregational meetings shall be set by the Congregation Council.

C10.01.02.B19 The ~~annual~~ meeting in ~~May or June~~ *January or February* shall include:

- a.* consideration and acceptance of the budget *for the current year*;
- ~~a-b.~~ *committee financial reports*
- ~~b-c.~~ report of the Audit Committee;
- ~~c-d.~~ election of officers and Congregation Council members *the Nominating Committee members*; and ~~review of programs.~~
- e.* *consideration and acceptance of goals and priorities for the current year.*

C10.01.03.C19 *The second meeting in May or June January or February shall include:*

- a.* *election of officers and Congregation Council members and*
- b.* *review of programs*

C10.01.A13 ~~—~~Order of business at regular meetings.

- Scripture reading or prayer
- Minutes of the previous meetings, including special meetings
- Treasurer's report
- Council reports
- Pastor's report
- Old Business
- New Business
- Adjournment

C10.01.B13 ~~—~~The president may, by a majority vote of the voting membership present vary or abbreviate the above ~~order of business.~~

C10.02. A special Congregation Meeting may be called by the pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of ~~the~~ *this* congregation upon the written request of ten percent of the voting members. The president of the Congregation Council shall call a special meeting upon request of the synodical bishop. The call for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted.

C10.03. 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. The voting members present shall constitute a quorum.

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

C10.06. All actions approved by ~~the~~ *this* congregation shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution or by state law.

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

C10.08. This congregation may hold meetings by remote communication, including electronically and by telephone conference, as long as there is an opportunity for simultaneous aural communication. To the extent permitted by state law, notice of all meetings may be provided electronically.

Chapter 11. OFFICERS

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

- a. Duties of the officers shall be specified in the bylaws.

- b. The officers shall be voting members of ~~the~~ this 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. The Congregation President responsibilities include the following:

- a. Preside at all meetings of the congregation, executive committee and council.
- b. May call special meetings of the congregation, executive committee or council.
- c. Direct meetings according to parliamentary rules of order, keeping meetings running smoothly, speedily and efficiently, assisting in discernment of God's will.
- d. Represent the congregation in matters of business and sign or countersign all legal documents.
- e. Prepare the agenda for council and congregation meetings in collaboration with the pastor(s).
- f. Uphold the constitution and bylaws and ensure policies are being followed.
- g. Write annual report of council activities for annual meeting.
- h. Attend and support synod and churchwide activities that would benefit from representation of council members.
- i. Support and advise council members.
- j. During a pastoral vacancy, serve as liaison between the congregation and a designated pastor as well as the synod.
- k. During a pastoral vacancy, work with the synod regarding necessary administrative submissions, such as trend (parochial) reports, etc.
- l. Recognize and seek synod advice and assistance in managing congregational matters beyond the council's expertise.
- m. Ensure congregational participation at synod assemblies.
- n. Ensure that congregational processes and procedures are documented.

C11.01.02. The Congregation vice-president responsibilities include the following:

- a. Preside at meetings of the congregation, executive committee or council at the request or in the absence of the president.
- b. Perform the duties of recording secretary in the individual's absence.
- c. Actively aid the president in the administration of office.
- d. Serve as liaison to the finance committee.
- e. Ensure that the incorporation of the congregations, tax exemptions, etc. are in good standing.
- f. Assume other duties as assigned by the council

C11.01.03 The Congregation secretary responsibilities include the following:

- a. Keep the minutes of all meetings of the congregation, executive committee and council and be responsible for the distribution and publication of such minutes.
- b. Work with the pastor and congregation's staff, if any, to ensure storage and protection of all important documents and papers.
- c. The pastor, treasurer, and administrator file the annual parochial report.
- d. Submit copies of constitution, bylaw, and continuing resolution amendments to the synod.
- e. Carry out correspondence on behalf of the council and the congregation, as directed.

C11.01.04. The Congregation treasurer responsibilities include the following

- a. Serve as financial officer of the congregation.
- b. Attend monthly meetings of the council.
- c. Provide oversight of the financial secretary duties and processes.

~~a.~~ The Congregation financial secretary responsibilities include:

~~e. _____ Record contributions to the individual contribution records.~~

~~_____ Provide periodic (usually quarterly) and annual statements to the contributors for tax reporting.~~

- ~~e.~~ • Record contributions to the individual contribution records.
- Provide periodic (usually quarterly) and annual statements to the contributors for tax reporting.
- ~~d.~~ • Be responsible for paying all bills, invoices, and charges.
- ~~e.~~ • Perform or oversee all of the bookkeeping functions.
- ~~f.~~ • Prepare the monthly (or quarterly) financial reports for the council.
- File all of the required federal and state tax forms.

- Monitor the cash position of the congregation and report monthly to the Finance Team and the council.

~~g.~~

~~h.~~

- ~~i.~~ • Invest available funds as directed.
- ~~j.~~ • Borrow funds as directed by the council.
- ~~k.~~ • Provide the congregation with financial information deemed appropriate by the council.
- Assist in the preparation of the annual budget for the council.
- Maintain, develop, and improve the reporting and monitoring techniques used to communicate the financial status of the congregation.
- ~~k.~~ Assist with closing the books for a yearly financial review.
- ~~_____ Maintain, develop, and improve the reporting and monitoring techniques used to~~
- ~~k.~~ communicate the financial status of the congregation.
- ~~q.~~ Assist with closing the books for a yearly financial review.

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

Chapter 12.

CONGREGATION COUNCIL

- C12.01.** The voting membership of the Congregation Council shall consist of the pastor(s), the deacon(s), the officers of ~~the~~ this congregation, and five members of ~~the~~ this congregation. Any voting member of ~~the~~ this congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from four successive regular meetings of the Congregation Council without cause. Consistent with the laws of the state in which this congregation is incorporated, ~~the~~ this congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.
- C12.01.A13.** Of the five council members elected to the Congregation Council at least one shall be a youth or a young adult.
- C12.02.** The members of the Congregation Council except the pastor(s) and deacons shall be elected by written ballot to serve for two years or until their successors are elected. Such members shall be eligible to serve no more than three full terms consecutively. Their terms shall begin at the close of the annual meeting at which they are elected.
- C12.02.A13** No more than one member of any family may serve on the congregational council at any one time. No member of council may be related to anyone on staff.
- C12.03.** Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor until the next annual meeting.
- C12.04.** The Congregation Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:
- a. to lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
 - b. to seek to involve all members of this congregation in worship, learning, witness, service, and support.
 - c. to oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
 - d. to maintain supportive relationships with the rostered minister(s) and staff and help them annually to evaluate the fulfillment of their calling or employment.

- e. to be examples individually and corporately of the style of life and ministry expected of all baptized persons.
- f. to promote a congregational climate of peace and goodwill, and, as differences and conflicts arise, to endeavor to foster mutual understanding.
- g. to arrange for pastoral service during the sickness or absence of the pastor.
- h. to emphasize ~~partnership with~~ support of the synod and churchwide organization of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.
- i. to recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.
- j. to seek out and encourage qualified persons to prepare for the ministry of the Gospel.

~~C12.01.01 Congregation Organizational Structure~~

- a. ~~The Senior Pastor reports to Congregation via the Congregation Council and is responsible for executing the vision of the congregation. The Senior Pastor supervises the leaders of the administrative support team and the four ministry teams. The Senior Pastor also supervises the Associate Pastor. The Associate Pastor may be the interface with one or more of the ministry teams.~~
- b. ~~Leaders for the five ministry teams and the finance team leader may be requested to serve by the Pastors and President or they may volunteer. These leaders are confirmed by the Congregation Council.~~

- C12.05.** The Congregation Council shall be responsible for the financial and property matters of this congregation.
- a. The Congregation Council shall be the board of directors of this congregation, and as such shall be responsible for maintaining and protecting its property and 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 Wisconsin, except as otherwise provided herein.
 - b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of ~~the~~ this congregation.
 - c. The Congregation Council may enter into contracts of up to ~~two~~ five percent of the approved budget.
 - d. The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations of more than ~~two~~ five percent in excess of the anticipated receipts only after approval by a Congregation Meeting. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in ~~partnership~~ collaboration with the synod and churchwide organization.
 - e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of ~~benevolence~~ mission support monies to the synodical treasurer.
 - f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.
- C12.06.** The Congregation Council shall see that the provisions of this constitution, and its bylaws, and the continuing resolutions are carried out.
- C12.07.** The Congregation Council shall provide for an annual review of the membership roster.
- C12.08.** The Congregation Council shall be responsible for the employment and supervision of the staff of this congregation. Nothing in this provision shall be deemed to affect ~~the~~ this congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church.
- C12.09.** The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.
- C12.11.** The Congregation Council shall normally meet once a month. Special meetings may be called by the pastor or the ~~president, and~~ president and shall be called by the president at the request of at least one-

half of its members. Notice of each special meeting shall be given to all Congregation Council members.

- C12.12.** A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the senior pastor or interim pastor, except when the senior pastor or interim pastor requests or consents to be absent and has given prior approval to the agenda for a particular regular or special meeting, which shall be the only business considered at that meeting. Chronic or repeated absence of the senior pastor or interim pastor who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synodical bishop.
- C12.13.** The Congregation Council and its committees may hold meetings by remote communication, including electronically and by telephone conference, and, to the extent permitted by state law, notice of all meetings may be provided electronically.

Chapter 13.

CONGREGATION COMMITTEES

- C13.01.** The officers of this congregation and the senior pastor shall constitute the *Executive Committee*.
- C13.02.** A *Nominating Committee* of six voting members of this congregation, two of whom, if possible, shall be outgoing members of the Congregation Council, shall be elected at the first meeting of the year for a term of one year. Members of the Nominating Committee are not eligible for consecutive reelection.
- C13.03.** An *Audit Committee* of three voting members shall be elected by the Congregation Council. Audit Committee members shall not be members of the Congregation Council. Term of office shall be three years, with one member elected each year. Members shall be eligible for reelection.
- C13.03.01.** This congregation shall adopt and abide by an Operational Ethics Policy based on the ELCA's Model Operational Ethics Policy for Congregations. All individuals covered by the provisions of this policy shall sign an affirmation of the policy when it is adopted and annually thereafter.
- C13.03.02.** This congregation shall adopt and abide by practices that minimize the chance for financial wrongdoing, including a separation of responsibilities in handling funds received by the congregation. This shall include delegating responsibility for the following actions to a financial secretary other than the treasurer: Overseeing the counting and deposit of offerings and other receipts; reporting these transactions to the treasurer; providing summary reports on giving to the congregation council and the congregation; and providing periodic and annual statements to contributors.
- C13.03.03.** All persons elected or appointed to handle money in this congregation and its auxiliaries shall be covered under an employee dishonesty blanket bond.
- C13.03.04.** No individual shall be required or allowed to handle this congregation's income alone at any time. Individuals involved in handling this income shall serve in rotation. Cash receipts shall not be stored in the church.
- C13.03.05.** All bills and obligations to be paid shall be approved and initialed by someone other than the preparer of a check. Blank checks shall never be signed in advance on any account. The pastor(s) shall not be an authorized signer on any congregational bank account.
- C13.03.06.** Approval for all reimbursements shall be given in writing by the treasurer, except those for her/his own expenses. Approval for reimbursements for the treasurer shall be given in writing by the president.
- C13.03.07.** Bank accounts shall be reconciled on a monthly basis by someone other than the treasurer or anyone with check-signing authority.
- C13.03.08.** Persons related to one another may not serve together in any capacity regarding financial controls. Related persons are defined as those who are spouses, parents, sons, daughters, siblings, uncles, aunts, nieces, nephews, grandparents, grandchildren, including corresponding members of blended families, and or in-laws (parents, sons, daughters, or siblings of a spouse, spouses of a sibling, or the parents or siblings of the spouse of a sibling).
- C13.04.** *Mutual Ministry Committee* (in the absence of a mutual ministry committee, the duties shall be fulfilled by the executive committee) shall be appointed jointly by the president and the rostered minister. Term of office shall be two years, with three members to be appointed each successive year.

- C13.05.** When a ~~pastoral~~ vacancy occurs, in a position for which this congregation calls a rostered minister a *Call Committee* of at least six, but no more than nine voting members shall be elected by this congregation. Term of office will terminate upon installation of the newly called ~~pastor~~pastor rostered minister.
- C13.06.** Other committees of this congregation may be formed, as the need arises, by decision of the Congregation Council.
- C13.06.A15.** The Human Resources Committee is a strategic partner with St. John's Church leadership and the Congregation and is committed to assisting in the development of a high performing staff, capable of supporting the mission of the church.
- C13.06.B15** The Human Resources Committee's core responsibilities include and are not limited to maintenance of job descriptions, participation in recruitment and staffing, performance management, employee relations, investigations and disciplinary actions through termination, employee development, compensation and benefits design, budgeting and administration, HR information management, regulatory compliance related to employment, Human Resources policy development and monitoring of compliance with them.
- C13.06.C15.** Committee members will be chosen from the membership of the congregation and should have a deep understanding of the Christian faith and the vision of the ELCA. They should possess competencies in some of the Human Resources Committee core competencies listed above in C13.17.B15, as well as a commitment to keeping confidences, sensitivity to the feelings of others and the ability to speak candidly with care.
- C13.06.D15.** The Committee shall consist of at least four (4) and no more than (6) members of St. John's Lutheran Church and shall serve terms of three (3) years beginning July 1st. The members shall be recruited and appointed by the Church Council or its delegate, such as the Human Resources Committee Chair. Committee members will elect a Chair and Recording Secretary to one-year terms beginning July 1st.
- C13.06.E15.** The Committee shall be accountable to the Church Council. The Committee shall communicate with the Council through the Church Administrator and the Senior Pastor. The Committee shall not have the authority to initiate policy or to introduce programs. Any programs or policies that this Committee may recommend will be presented to the Church Council for approval before implementation.
- C13.06.F15.** Staff Responsibilities
- The Committee will work with the church supervisory staff to create and maintain a current job description for each staff position.
 - The Committee will team with church supervisory staff to recruit and interview candidates to fill job openings.
 - The Committee will initiate and coordinate the annual staff performance review process.
 - If employee relations problems or issues arise between staff members or between the staff and the congregation, the Committee will intercede or facilitate solutions as appropriate.
 - The Committee will provide guidance to supervisory staff, on request, or may team with supervisory staff to address issues or incidents requiring investigation or leading to possible disciplinary action up and including termination.
 - The Committee will be a resource to church staff regarding development opportunities and resources.
 - The Committee will obtain labor market salary range data and merit increase data to be taken into account when determining rates of pay for new hires and annual pay increases.
 - The Committee will recommend a competitive staff benefits package to the Church Council each year as part of the budget process.
 - The Committee will ensure that human resource information is kept up to date and is maintained confidentially and securely. The Committee will examine Human Resource files periodically.
 - The Committee will ensure Human Resource policies and activities affecting church staff or applicants for employment are in compliance with federal, state and local laws.
 - The Committee will maintain Human Resources policies designed to answer employee's questions regarding their status and benefits with the church. New and updated policies will be proposed to the Church Council as needed.
 - The Committee will propose a Human Resources budget to the Church Council annually.
- 13.06.G15.** The paid staff is ultimately accountable to the Church Council, through the Human Resources Committee, for the fulfillment of the duties listed in each job description. The Human Resources

Committee will make recommendation to the Church Council regarding significant issues involving staff accountability, retention or termination. The Church Council will retain final decision-making authority in such cases.

C13.07. Duties of committees of this congregation shall be specified in the continuing resolutions.

C13.07.01. Refer to Organization Policy for reporting relationships and organizational structure.

C13.08. The senior pastor of this congregation shall be *ex officio* a member of all committees and boards of ~~the~~ this

congregation. The president of this congregation shall be *ex officio* a member of all committees and boards of ~~the~~ this congregation, except the Nominating Committee.

~~**C13.09.01.** The Administrative Support Team is led by the Church Administrator who reports to the Senior Pastor. This team provides support to the other ministry teams so that they may thrive in their mission.~~

~~**C13.09.A13.** The Administrative Support Team provides for proper maintenance and repair of church property and general protection against loss of damage.~~

~~**C13.09.B13.** The Administrative Support Team provides for office and custodial support, and provides human resource support.~~

~~**C13.10.01.** The Learning and Growing Team is led by the Learning and Growing Coordinator who reports to the Senior Pastor. The Learning and Growing Team's focus is learning, growing, and relationship building.~~

~~**C13.10.A13.** The Learning and Growing Team is responsible for small groups, adult studies, men's ministry and stewardship.~~

~~**C13.10.B13.** Women's Ministries is the community of women members, created in the image of God, called to discipleship in Jesus Christ and empowered by the Holy Spirit, committing to grow in faith, affirm their gifts, support each other in their callings, engage in ministry and action, and promote healing and wholeness in the church, society, and the world.~~

~~a. Women's congregational ministries include: women's small groups, facilitating meetings on women's issues and varied inreach and outreach service ministries.~~

~~b. Women's Ministries shall generate and distribute its monies.~~

~~**C13.11.01.** The Children, Youth, and their Families Team is led by a lay leader with the support of the Associate Pastor.~~

~~**C13.11.A13.** The Children, Youth, and their Families Team is responsible for age specific learning, fellowship, service, and stewardship for children and youth from birth through high school and their families.~~

~~**C13.12.01** The Caring and Serving Team is led by a lay leader with the support of the Associate Pastor or Senior Pastor.~~

~~**C13.12.A13.** The Caring and Serving Team's areas of responsibility include evangelism, care ministries, partnerships, local and global outreach.~~

C13.13.01 The Worship and Music Team is led by the Music and Worship Director in conjunction with the pastors.

C13.13.A13. The Worship and Music Team's responsibilities include all areas of worship planning and logistics, choirs, bands, and other music support.

C13.14.01 The Finance Team reports directly to the Congregation Council and cares for the financial matters of the Congregation.

C13.14.A13. The Finance Team's responsibilities include annual budgeting and the prudent, faithful management of financial resources. The Finance Team assures proper audits are performed and adequate insurance coverage is maintained. The Finance Team oversees the Endowment Fund and the Gifts and Memorial Fund.

C13.14.A20. -An external audit will be performed every 5 years.

C13.15.01. *Mission Endowment Fund Committee*

- C13.15.A13.** Committee Membership. In accordance with Chapter 13 of the church's constitution, the church shall have a committee to be known as The Mission Endowment Fund Committee (the "Committee") consisting of five (5) voting members of St. John's Lutheran Church. Except as herein provided, the term of each member of the Committee shall be for three (3) years. Upon adoption of resolutions by the congregation establishing the Fund and these Bylaws, the Church Council shall elect five (5) members to the Committee: two (2) members for a term of three (3) years; two (2) members for a term of two (2) years; and one member a term of one (1) year. Thereafter, following each regular May or June meeting of the church, the Church Council shall elect a member to fill the vacancy of any term expiring at such regular May meeting for a term of three (3) years. No member shall serve on the Committee for more than two (2) consecutive three (3) year terms. After a lapse of at least one (1) year, former Committee members may be re-elected to the Committee. The senior pastor and the president of the Church Council shall be advisory members of the Committee. The Committee report shall be presented at the congregational meetings in the same manner as for other offices and committees of the church. In the event a vacancy on the Committee occurs, the Church Council shall appoint a member to fill the remaining term of the vacancy.
- C13.15.B13.** Meeting schedule. The Committee shall meet quarterly, or more frequently as it deems necessary or appropriate in the best interests of the Fund.
- C13.15.C13.** Quorum. A quorum of the Committee shall consist of three (3) members. When only three (3) members are present a unanimous vote shall be required to approve any substantive action.
- C13.15.D13.** Committee Officers/Chairperson. The Committee shall elect from its membership a chairperson, recording secretary and financial secretary. The chairperson, or member designated by the chairperson, shall preside at all Committee meetings. In the absence at any meeting of the chairperson and any person designated by the chairperson, the Committee members present shall elect one of the members present to preside at the meeting.
- C13.15.E13.** Recording Secretary. The recording secretary of the Committee shall maintain complete and accurate minutes of all meetings and supply a copy thereof to each member of the Committee. The recording secretary shall also supply a copy of the minutes to the Church Council. The recording secretary shall make the complete minutes of all the Committee's meetings available for review by any member of the Committee or the Church Council.
- C13.15.F13.** Financial Secretary. The financial secretary of the Committee shall work with the treasurer of the church to maintain and coordinate complete and accurate accounts for the Fund. All checks and other financially-related documents in furtherance of the purposes of the Fund shall be signed on behalf of the Fund by the financial secretary.
- C13.15.G13.** Audit. The financial records of the Fund shall be audited annually by a certified public accountant or other appropriate person selected by the Church Council who is not a member of the Committee.
- C13.15.H13.** Reports. The Committee shall make reports to the Church Council at least annually and at other times as the Church Council may request. At each annual meeting of the congregation (and any special meeting called for that purpose), the Church Council shall render a full and complete audited account of the administration of the Fund during the period since the last such account.
- C13.15.I13.** Advice/Professional Counsel. The Committee may request other members of the congregation to serve as advisory members to the Committee and, at the expense of the fund, may obtain such professional counseling and services on investment or legal matters as the Committee deems to be necessary, appropriate or desirable in the best interests of the Fund.
- C13.15.J13.** Limitation on Liability. No member of the Committee shall be personally liable for any loss or losses which may be incurred upon the investments of the assets of the Fund, except to the extent such loss or losses shall be a direct result of such person's bad faith or gross negligence. Furthermore, no member shall be personally liable for any matter provided such person has acted in good faith and with ordinary prudence. No member of the Committee shall be personally liable for the acts or omissions of any other person.
- C13.15.K13.** Prohibition on Self-Dealing. No member of the Committee shall engage in any self dealing or transaction with the Fund in which such member has a direct or indirect personal financial interest. Members of the Committee shall at all times refrain from any conduct in which his or her personal interests would conflict with the interests of the Fund.
- C.13.15.L18.** Fund Assets. All assets of the Fund are to be held in the name of the Mission Endowment Fund of St. John's Lutheran Church (ELCA). The assets of the Fund (including specifically, and without

limitation, money, stocks, bonds, debentures, certificates of deposit, mortgages, notes, and other securities) may be held, sold, exchanged, rented, leased, transferred, converted, disposed, invested, reinvested, managed and controlled in such manner as the Committee in its judgment and discretion deems wise and prudent in accordance with the Committee's recommendations, and subject to the approval by the Church Council, with subsequent execution by the designated member or members of the Committee. Such actions may include, but are not limited to, investing assets of the Fund with the ELCA Foundation Endowment or other investment funds or managers.

C13.15.M18. Receipt of Gifts. All undesignated gifts up to \$20,000 received by St. John's Lutheran Church through wills, trusts, estates, life income instruments, life insurance beneficiary designation, and all other instruments in which our church is named as a beneficiary, shall be distributed forthwith upon receipt as follows:

- a. 50% to St. John's Lutheran Church Mission Endowment Fund, and
- b. 50% to St. John's Lutheran Church general fund.

In the event of receipt by St. John's Lutheran Church of an undesignated gift from wills, trusts, estates, life income instruments, or cash (or its equivalent such as stocks, bonds or mutual funds) exceeding \$20,000 in amount, the amount over \$20,000 shall be distributed forthwith upon receipt as follows:

- a. 100% to St. John's Lutheran Church Mission Endowment Fund, and
- b. 0% to St. John's Lutheran Church general fund.

C13.15.N18. Principal/Income. The Committee shall determine what is principal and income according to accepted accounting procedures. Gifts and bequests to the Fund shall accumulate until a minimum principal amount recommended from time to time by the Committee and approved by the Church Council (the "Minimum Amount") is reached, after which the income generated from the investment of the principal shall be expended.

C13.15.O18. Distribution of Income. Subject to the preceding paragraph, income from the Fund shall be distributed annually and at such other times as deemed necessary, desirable or appropriate in the Committee's judgment and discretion and subject to approval by the Church Council. In order to appropriately utilize the perpetual resources generated by the Fund to carry out God's mission, it is the intent of the congregation that in the process of making its recommendations for distributions the Committee will seek information from and will coordinate with the pastors, officers and administrative boards of the church. Income from the Fund is not to be used for the repayment of debtor the payment of ordinary operating expenses of the church. The goal of the Committee shall be to identify and recommend distributions that will support, supplement and enhance church programs (but not replace or be used in substitution of ordinary budget resources for such programs). Appropriate uses of the Fund's income may include, but are not restricted to, the following examples:

- a. Mission programs locally, nationally and globally to provide professional leadership, educational ministries, ecumenism and social ministries including assistance for missions of the Evangelical Lutheran Church in America and support and assistance to Heroes of Faith Church in El Salvador and All Peoples Church in Milwaukee.
- b. Religious, educational and social programs including grants and assistance to seminaries and colleges or students attending such schools, social service agencies and special situations involving persons in our church area who are in spiritual or economic need.
- c. Other programs and projects beneficial to St. John's Lutheran Church or in fulfillment of its mission including assistance and support not provided for in the annual budget of the church for capital improvements, promotion of evangelism, Christian education, human concerns, worship and fellowship needs and women's, youth and outreach ministries.

C13.15.P18. Distribution of Principal. When, in the opinion of the Committee, circumstances are so dire and of such an emergency nature that the future of the congregation is at stake, and that the only recourse seems to be the use of the principal in the Fund, the Committee may, upon a two-thirds majority vote and the approval of the Church Council, recommend to the congregation using part or all of such principal in response to such circumstance.

C13.15.Q18. Amendment of this resolution. Any amendment, addition, change or termination of the aforementioned resolution, relating to the Mission Endowment Fund, which would change, alter or amend the purpose of the Fund shall require a majority vote of the members present at a meeting of the Congregation or a two-thirds vote of the Church Council in accordance with C18.01 and C18.02.

C13.15.R18. Disposition or Transfer of the Fund. In the event that St. John's Lutheran Church ceases to exist either through merger or dissolution, disposition or transfer of the Fund shall be at the discretion of the Church Council in conformity with the approved congregational constitution and in consultation with the bishop of the synod to which St. John's Lutheran Church belongs at such time. Consultation with the Evangelical Lutheran Church in America may be desirable for continuation of the Mission Endowment Fund's obligations.

C13.16.01. *Gifts and Memorials Fund Committee*

C13.16.A17. The purpose of the Gifts and Memorials Committee is to:

- a. Establish clear communications among members and friends of the congregation;
- b. Provide order to the process of responding to the gifts and memorials,;
- c. Provide for the orderly care and disposition of gifts and memorials;
- d. Provide a process of soliciting gifts from the congregation for purchase of items not specifically budgeted by the congregation.

C13.16.B17. Gifts and Memorials Fund Committee In accordance with Chapter 13 of the church's constitution, the church shall have a committee to be known as The Gifts and Memorials Fund Committee (the Committee consisting of five (5) voting members of St. John's Lutheran Church). The Congregation Council shall elect five (5) members to the Committee: two (2) members for terms of three (3) years; two (2) members for a term of two (2) years; and one (1) member for a term of one year. Thereafter, following the May/June meeting, the Congregation Council shall elect a member to fill the vacancy of any term expiring at such regular May or June meeting for a term of three (3) years.

No member shall serve on the Committee for more than two (2) consecutive three (3) year terms.

In the event a vacancy on the Committee occurs, the Congregation Council shall appoint a member ~~to fill~~to fill the remaining term of the vacancy. After a lapse of at least one (1) year, former

Committee

members may be re-elected to the Committee. The senior pastor and the president of the Congregation Council shall be advisory members of the Committee. The Committee report shall be presented at the congregational meetings in the same manner as for other offices and committees of the church.

C13.16.C17. Meeting schedule. The Committee shall meet annually, or more frequently as it deems necessary or appropriate in the best interests of the Fund.

C13.16.D17. Quorum. A quorum of the Committee shall consist of three (3) members. When only three (3) members are present a unanimous vote shall be required to approve any substantive action.

C13.16.E17. Committee Officers. The Committee shall elect from its membership a chairperson, and recording secretary. The chairperson shall preside at all Committee meetings. The recording secretary of the Committee shall maintain complete and accurate minutes of all meetings.

C13.16.F17. Responsibilities:

- a. Gifts in memory of loved ones or gifts for special occasions will be gratefully received by St. John's and these gifts will be dedicated or acknowledged publicly.
- c. The accounting procedures for memorials, endowments or other gifts of love shall be published in the Annual Report to insure previous and prospective donors of the responsible handling of their gifts.
- d. All special gifts shall be appropriately acknowledged by the Committee's Recording Secretary and in the case of memorials recorded to serve as a permanent record available to the congregation in lieu of memorial plaques attached to the item.
- e. When a gift is designated for a specific purpose, the Committee, pastor and donor shall agree to such a designation.
- f. The Committee shall maintain and publish a list of items needed by committees and staff.
- g. The Committee shall carefully consider any gift or memorial that is not on the current published list of needs for an effective use in the ministry. If the item is not deemed useful, the Committee will redirect the donor to consider another item.

Chapter 14.

ORGANIZATIONS WITHIN ~~THE~~**THIS** CONGREGATION

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

C14.01.A19. St John's Lutheran Church Preschool

- a. The mission of St. John's Preschool is to foster learning in a nurturing environment in which our young children are loved, respected and valued.
- b. We believe that children begin a lifetime of learning through play and they learn best about God's world through experimentation and exploration.
- c. Our Preschool provides a warm, loving Christ-centered environment where children can develop to their fullest potential socially, emotionally, intellectually, physically and spiritually.

C14.01.B19. St John's Preschool Board:

- a. Shall consist of at least three (3) and no more than five (5) members and the senior staff leader responsible for Children, Youth and Family ministry. The senior staff leader responsible for Children, Youth and Family ministry ~~SEP~~ will lead the Preschool Board. The Preschool Director/Administrator may act as an advisory board member but shall have no vote on the board.
- b. Shall have an understanding of the mission, objectives and goals and basic understanding of the operation and curriculum of the Preschool.
- c. Shall hire, supervise and review the performance of the Preschool Director/Administrator regarding, but not limited to, all responsibilities outlined in job description.
- d. Shall hire Teachers and other Staff of the Preschool. ~~SEP~~
- ~~e. Shall promote the Preschool as part of the Children, Youth and Family Ministry. ~~SEP~~~~
- ~~f. Shall serve as a resource and sounding board to Preschool Director/Administrator. ~~SEP~~~~
- ~~g. Shall approve preschool policies and procedures and ensure compliance. ~~SEP~~~~
- ~~h. Shall ensure the financial viability of the Preschool through internal controls to safeguard assets. ~~SEP~~~~
- ~~i. Shall ensure the Preschool and Staff are properly licensed. ~~SEP~~~~
- ~~j. Shall ensure the Preschool is adequately insured. ~~SEP~~~~
- ~~k. Shall update the Congregation Council and Congregation on the development and operation of~~
~~P~~
~~Preschool.~~

C14.01.C19. The Preschool is an integral part of the St. John's ministry, serving children and families of the congregation.

- a. The Preschool is part of the outreach ministry of St. John's Church to the local community.
- b. It is a non-profit school committed to providing quality care and early education within a Christian environment.

C14.01.D19. The congregation's commitment to the preschool ministry is demonstrated by: ~~SEP~~

- a. The Preschool employees will be members of the St. John's staff. The Preschool Director/Administrator will attend staff meetings.
- b. St. John's will make a portion of its physical facility and property available for school use. This will also include office equipment.
- c. St. John's will provide maintenance for physical facilities and property, made available for school use, as required due to normal operating use.
- d. St. John's will provide heat, air conditioning, electricity, security, telephone, computer/internet access, water, payroll processing, sewer and garbage removal services.

C14.01.E19. The Preschool will maintain a self-sustaining budget, separate from St. John's.

- a. The budget will include staff salaries and expenditures for programs and supplies associated with the school.
- b. The Preschool will submit financial reports to the congregation in the Annual Report.
- c. The Preschool will provide St. John's Council with monthly financial reports and St. John's

will conduct an annual financial audit of the Preschool.

~~C14.01.A15.~~ St. John's Lutheran Church Preschool Mission:

- ~~a. Foster learning in a nurturing environment in which our young children are loved, respected and valued.~~
- ~~b. We believe that children begin a lifetime of learning through play and they learn best about God's world through experimentation and exploration.~~
- ~~c. Our Preschool provides a warm, loving Christ-centered environment where children can develop to their fullest potential socially, emotionally, intellectually, physically and spiritually.~~

~~C14.01.B15.~~ St. John's Lutheran Church Preschool Board membership and responsibilities:

- ~~a. Shall consist of up to five (5 members) and Associate Pastor/Children, Youth and Family Ministry Leader. The Associate Pastor will lead the Preschool Board. The Preschool Administrator may act as an advisory board member but shall have no vote on the board.~~
- ~~b. Shall operate either corporately or as designated individuals.~~
- ~~c. Shall have an understanding of the mission, objectives, goals and basic understanding of the operation and curriculum of the Preschool.~~
- ~~d. Shall hire, supervise and review the performance of the Preschool Administrator regarding, but not limited to, all responsibilities outlined in the job description.~~
- ~~e. Shall hire teachers and other staff of the Preschool.~~
- ~~f. Shall promote the Preschool as part of the Children, Youth and Family Ministry.~~
- ~~g. Shall serve as a resource and sounding board to the Preschool Administrator.~~
- ~~h. Shall approve Preschool policies and procedures and ensure compliance.~~
- ~~i. Shall ensure the financial viability of the Preschool through internal controls to safeguard assets.~~
- ~~j. Shall ensure the Preschool and staff are properly licensed.~~
- ~~k. Shall ensure the Preschool is adequately insured.~~
- ~~l. Shall update the Congregation Council and Congregation on the development and operation of the Preschool.~~

~~C14.02.~~ Special interest groups, other than those of the official organizations of the Evangelical Lutheran Church in America, may be organized only after authorization has been given by the Congregation Council and specified in a continuing resolution.

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~~ this congregation, or willful and repeated harassment or defamation of member(s) of ~~the~~ this congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will be attempted following Matthew 18:15–17, proceeding through these successive steps, as necessary: a) private counsel and admonition by the pastor, b) censure and admonition by the pastor in the presence of two or three witnesses, c) written referral of the matter by the Congregation Council to the vice president of the synod, who will refer it to a consultation panel drawn from the Consultation Committee of the synod, and d) written referral of the matter by the consultation panel to the Committee on Discipline of the synod. If, for any reason, the pastor is unable to administer the admonitions required by paragraphs a. and b. hereof, those steps may be performed by another pastor chosen by the Executive Committee of the Congregation Council.

***C15.02.** The process for discipline of a member of ~~the~~ this congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If the counseling, censure, and admonitions pursuant to C15.01 do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's Consultation Committee a panel of five

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

***C15.03.** If the consultation panel fails to resolve the matter, that panel shall refer the case in writing, including the written charges and the accused member's reply, to the Committee on Discipline of the synod for a hearing. A copy of the panel's written referral shall be delivered to the vice president of the synod, 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~~ this congregation; or
- d. termination of membership in ~~the~~ this congregation and exclusion from the church property and
_____ from all
_____ congregation activities.

***C15.06.** The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next council meeting.

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

***C15.10. Adjudication**

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

When there is disagreement between or among factions within this congregation on a substantive issue which cannot be resolved by the parties, members of this congregation may petition the synod bishop for consultation after informing the president of this congregation of their intent to do so. The synod bishop shall seek a timely resolution of the dispute. If the issue relates directly to the pastor, the bishop may begin the process in +S14.18.d. In all other matters, if the bishop's consultation fails to resolve the issue, the bishop shall refer the matter to the Consultation Committee of the synod, which shall undertake efforts to find an appropriate solution. If the Consultation Committee's efforts fail to resolve the dispute, the entire matter shall be referred to the Synod Council for adjudication by whatever process the Council deems necessary. The Synod Council's decision shall be final.

Chapter 16.

AMENDMENTS

- *C16.01.** Unless provision *C16.6.04. is applicable, those sections of this constitution that are not required, in accord with the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, may be amended in the following manner. Amendments may be proposed by at least ten percent 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~~ this congregation's members of the proposal together with the council's recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.
- *C16.02.** An amendment to this constitution, proposed under *C17.6.01., shall:
- a. be approved at a any legally called ~~Congregation Meeting according to this constitution~~ meeting of this congregation by a majority vote of those voting members present and voting;
 - b. be ratified without change at the next ~~annual meeting~~ regular meeting of this congregation held pursuant to C10.01. by a two-thirds ~~majority~~ vote of those voting members present and voting; and
 - c. have the effective date included in the resolution^{1,2} 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~~ this congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.
- *C16.04.** This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* as most recently amended by the Churchwide Assembly. Such amendments may be approved by a majority vote of those voting members present and voting at any legally called meeting of ~~the~~ this congregation without presentation at a prior meeting of ~~the~~ this congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to ~~the~~ this congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of at least two (2) voting members of ~~the~~ this congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of ~~the~~ this congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

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

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 to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify this congregation's members of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting. Notification may take place by mail or electronic means, as permitted by state law.
- *C17.04.** ~~Approved changes to the~~ Adopted or amended bylaws shall be sent by the secretary of this congregation to the synod.

¹ Such an effective date must be stated in relation to the requirements of *C17.03. to allow time for synodical review of the amendment.

Chapter 18.

CONTINUING RESOLUTIONS

- *C18.01. The This congregation in a legally called meeting or the Congregation Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.
- *C18.02. Continuing resolutions shall be enacted or amended by a majority vote of a meeting of ~~the~~ this congregation or a two-thirds vote of all voting members of the Congregation Council.
- C18.03. Adopted or amended continuing resolutions shall be sent by the secretary of this congregation to the synod.

Chapter 19.

INDEMNIFICATION

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

Chapter 20: PARISH AUTHORIZATION

(*Required provisions when congregation is part of a parish)

- C20.01. This congregation may unite with one or more other congregations recognized by the synod name 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 call on behalf of the member congregation.
- C20.02. One congregation of a parish shall issue a call on behalf of the member congregations to a minister of Word and Sacrament or a candidate for the roster of Ministers of Word and Sacrament who has been recommended by the synod bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.
- C20.03. One congregation of a parish may issue a call on behalf of the member congregations to a minister of Word and Service or a candidate for the roster of Ministers of Word and Service who has been recommended by the synod bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.
- C20.04. Any one of the congregations of the parish may terminate their relationship with the pastor as provided in +S14.18.d. of the synod constitution of the synod named in *C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.
- C20.05. Any one of the congregations of the parish may terminate their relationship with a minister of Word and Service as provided in +S14.43.d of the synod constitution of the synod name in *C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.