



Lutheran Church of the Good Shepherd

Constitution & Bylaws for the Congregation of The Lutheran Church of the Good Shepherd Effective Date <TBD based on Synod approval>

Approval Authority	Date Approved
LCGS Congregation Council	September 16, 2019
LCGS Congregation	TBD
North Carolina Synod Council	TBD

Summary of Changes Effective <TBD>

The primary purpose of revising the LCGS Constitution & Bylaws was to bring it into alignment with the August 2019 *ELCA Model Constitution for Congregations*, as required. Some of the changes are significant (e.g., Chapters 9 and 15), while some are simply editorial (e.g., changing all references to “the congregation” to “this congregation”). Regardless of the nature, all changes are marked with vertical bars in the left margin and the more impactful changes are summarized in the table below.

In order to fully comply with the ELCA Model, our bylaws had to be embedded within the constitution sections to which they apply. This resulted in a slight change in the numbering convention, as follows:

- Section numbers preceded with an asterisk (*) are required by the ELCA Model and must be included in the LCGS Constitution verbatim (Example: ***C8.03.**).
- Section numbers without a preceding * are suggested by the ELCA Model, but we are able to revise the wording to reflect LCGS requirements, providing our requirements do not conflict with ELCA requirements (Example: **C10.01.**).
- Each bylaw that was previously documented in an attachment to the LCGS constitution now immediately follows its applicable constitution statement and is numbered accordingly.

For example: ***C8.03.** is a statement required by the ELCA Model constitution, is followed by **C8.03.01.**, which is an LCGS bylaw that is not required by the ELCA Model.

- Missing section numbers (e.g., **C01.03.** through **C01.10.**) indicate either section numbers not used in the ELCA model or those that have been previously deleted.

Section	Description
*C8.02.e.	Added provision and requirements for seasonal members
Chapter 9	Revised significantly to address changes in terminology relevant to “rostered ministers”, the differences between “Ministers of Word and Sacrament” and “Ministers of Word and Service”, and provisions for calling and terminating relationships with both
C10.02.	Lowered the required number of voting members to request a congregation meeting to 10%
*C12.13.	Added provision to allow Congregation Council and committee meetings to be conducted through remote/electronic communication
C13.02.	Changed the number of members required for the Nominating Committee, as well as how they are appointed
C13.03.	Revised the provisions for who may serve on the Audit Committee; added that the Congregation Council may direct conduct of a 3 rd -party independent audit of the financial records
C13.04.	Changed the number of members required for the Mutual Ministry Committee
C13.05.	Modified how Call Committee members are appointed
C13.06.	Moved memorial gifts information from continuing resolutions into a Memorial Gifts Policy approved by the Congregation Council
C13.07.	Revised how Mission Endowment Fund Committee members are appointed; moved related bylaws into the Mission Endowment Fund Policy approved by the Congregation Council
C13.08.	Moved memorial garden information from continuing resolutions into a Memorial Garden Policy approved by the Congregation Council
C13.09.07	Revised the provisions for who may serve on the Finance Committee
C13.09.12	Added the Safety & Security Committee, as approved by the Congregation Council on May 16, 2019
C13.09.13	Added the Communications Coordinator, as approved by the Congregation Council on April 11, 2019
Chapter 15	Revised extensively to clarify requirements associated with disciplinary actions
Chapter 20	Deleted – provisions not applicable to LCGS

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***PREAMBLE**

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

Chapter 1. NAME AND INCORPORATION

- C1.01.** The name of this congregation shall be The Lutheran Church of the Good Shepherd, of Brevard, North Carolina.
- C1.02.** For the purpose of this constitution and the accompanying Bylaws, the congregation of The Lutheran Church of the Good Shepherd is hereinafter designated as "this congregation."
- C1.11.** This congregation shall be incorporated under the laws of the State of North Carolina.

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 judgement and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.
 - c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.
- *C2.03.** This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.
- *C2.04.** This congregation accepts the Apostles', Nicene and Athanasian Creeds as true declarations of the faith of this congregation.
- *C2.05.** This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine 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 (ELCA), 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 to 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 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 this congregation's ministry and the ministry of the other expressions of the ELCA.
- h. Foster and participate in interdependent relationships with other congregations, the synod and the churchwide organization of the ELCA.
- 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 bylaws, continuing resolutions and in the section on the Congregation Council.

***C4.05.** This congregation shall 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 by 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 this congregation. 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 a minister of Word and Service in conformity with the constitution of the ELCA;
- e. adopt amendments to the constitution, as provided in Chapter 16, amendments to the bylaws, as specified in Chapter 17, and continuing resolution 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 Congregation Council, and require them to carry out their duties in accordance with the constitution, bylaws and continuing resolutions; and
- k. terminate its relationship with the ELCA as provided in Chapter 6.0.

- | ***C5.04.** This congregation shall 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 this congregation and other qualifications shall be as prescribed in guidelines established by the North Carolina Synod of the ELCA.
- | ***C5.05.** This congregation shall have a mission endowment fund that will operate as specified in this congregation's bylaws. The purpose of the mission endowment fund is to provide for mission work beyond the operational budget of this congregation.

Chapter 6. CHURCH AFFILIATION

- | ***C6.01.** This congregation shall be an interdependent part of the ELCA or its successor, and of the North Carolina Synod of the ELCA. This congregation is subject to the discipline of the ELCA.
- | ***C6.02.** This congregation accepts the Confession of Faith and agrees to the purposes of the ELCA and shall act in accordance with them.
- | ***C6.03.** This congregation acknowledges its relationship with the ELCA 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 ELCA.
 - c. This congregation agrees to call pastoral leadership from the roster of Ministers of Word and Sacrament of the ELCA 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 ELCA or to contracting for pastoral services with a Minister of Word and Sacrament of a church body with which ELCA 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 this congregation according to the procedures of the ELCA. These special circumstances are limited either to calling a candidate approved for the roster of ordained ministers of ELCA or to contracting for pastoral services with an ordained minister of a church body with which the ELCA officially has established a relationship of full communion.
 - 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 ELCA and with the constitution of the synod.
- | ***C6.04.** Affiliation with the ELCA 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 ELCA according to the procedures for discipline of the ELCA or in accordance with provision 9.23. of the constitution and bylaws of the ELCA.
 - d. The North Carolina 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. This congregation follows the procedures outlined in *C6.05.

***C6.05.** This congregation may terminate its relationship with the ELCA by the following procedure:

- a. A resolution indicating the intent to terminate its relationship must be adopted at two legally called and conducted special meetings of this congregation by a two-thirds vote of the voting members present at each meeting. 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 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 Council. Unless he or she is a voting member of this congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the first meeting.
- b. Within 10 days after the resolution has been voted upon at the first meeting, the Secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and send copies of the resolution and certification to voting members of this congregation.
- c. If the resolution was adopted by a two-thirds vote of the voting members present at the first meeting, the bishop of the synod and this congregation shall continue in consultation, as specified in paragraph *C6.05a. above, during a period of at least 90 days after receipt by the bishop of the attestation and certification as specified in paragraph *C6.05.b. above.
- d. If this congregation, after such consultation, is still considering termination of its relationship with this church, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of the second meeting shall be sent to all voting members and to the bishop at least 10 days in advance of the meeting. Unless he or she is a voting member of this congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the second meeting.
- e. Within 10 days after the resolution has been voted upon, the Secretary of the 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 this church shall be terminated subject to Synod Council approval as required by paragraphs *C6.05.f. and *C6.05.g. below.
- f. Unless this notification to the bishop also certifies that this congregation has voted to affiliate with another Lutheran denomination, this congregation shall be deemed an independent or non-Lutheran church, in which case *C7.04. shall apply.
- g. This congregation shall abide by these covenants by and among the three expressions of this church:
 - 1) Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in *C6.05. shall be required to receive Synod Council approval before terminating their membership in this church.
 - 2) Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to receive synod approval before terminating their membership in this church.
 - 3) Congregations established by the ELCA 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 this congregation's first meeting as specified in paragraph *C6.05.a. above, achieve the required two-thirds vote of voting members present at this congregation's second meeting as specified in paragraph *C6.05.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 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 program 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 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 program 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 North Carolina Synod of the ELCA.

***C7.02.** If this congregation is removed from membership in the ELCA according to its procedure for discipline or pursuant to 9.23. of the constitution and bylaws of the ELCA, title to property shall continue to reside in this congregation.

***C7.03.** If 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 North Carolina Synod.

***C7.04.** If 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 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 ELCA. In neither case does title to this congregation's property transfer to the synod.

***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 ELCA*, this congregation accepts such restrictions and:

- 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.
- Shall upon written demand by the Synod Council, pursuant to †S13.23. of the constitution of the North Carolina Synod, reconvey and transfer all right, title and interest in the property to be conveyed.

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 this congregation as well as other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws. They shall not have voted as a 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 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 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 this 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.

C8.03.01. In the event that the Congregation Council fails to approve an application for confirmed membership, the Congregation Council shall inform the applicant in writing of the reasons for its action and the procedure to be followed in the event an appeal is desired.

***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 ELCA through contributions of their time, abilities and financial support as biblical stewards.

C8.04.01. Biblical stewardship is understood as an expression of gratitude and obedience and an acknowledgement that all we are and have come as gifts from God.

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

- a. death;
- b. resignation;
- c. transfer or release;
- d. disciplinary action in accordance with Chapter 20 of the constitution and bylaws of the ELCA; or
- e. removal from the roll due to inactivity in accordance with the provisions of this constitution and its bylaws.

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

C8.05.01. Members may be placed on the **Inactive Roll** of this congregation under one of the following conditions:

- a. The member has not been active in this congregation for a period of two years and has not made a contribution of record. The Congregation Council may review the Active Member Roll and place such members on the Inactive Member Roll with a status of "**Inactive – Not Participating**" provided that efforts have been made to reactivate such members, and further provided that letters informing them of the intended action have been sent to those affected at least 30 days prior to the proposed action.
- b. The member has notified his congregation that they are moving to another area and/or plan to join another congregation. Such members will be placed on the Inactive Member Roll with the status of "**Inactive – In Transition**" until such time that a member requests a letter of transfer or release to another congregation.

All persons thus removed from the Active Member Roll shall be of continuing concern.

Chapter 9. THE 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 ELCA or a candidate for the roster of Ministers of Word and Sacrament who has been recommended for this congregation by the synod bishop may be called as a pastor of this congregation.

***C9.03.** Consistent with the faith and practice of the ELCA,

- 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 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 congregation call shall, within this 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 Congregational Council, administer discipline;

- 5) endeavor to increase the support given by this congregation to the work of the ELCA churchwide organization and of the North Carolina Synod; and
- 6) encourage adherence to covenantal relationship with this church as expressed in the *Constitution, Bylaws, And Continuing Resolutions of the Evangelical 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 with the synod bishop, for the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the pastor, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the pastoral office effectively in this congregation in view of local conditions;
 - 4) physical 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 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 or mental incapacity of the pastor under paragraph *C9.05.a.4) above, or ineffective conduct of the pastoral office under paragraph *C9.05.a.3) above have come to the attention of the bishop of the synod,
 - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of 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 or mental incapacity under paragraph *C9.05.a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When such disability 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 with disability status. Upon removal of the disability and the restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in this congregation last served or in another appropriate call.
- d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph *C9.05.a.3. above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the pastor and then to 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 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 pastor's call, this congregation may dismiss the pastor at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b)

by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.

f. If, in the course of proceedings described in paragraph *C9.05.c. or *C9.05.d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws and continuing resolutions.

***C9.06.** At a time of pastoral vacancy, an interim 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 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 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 this 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.

***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, 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 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:

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

C9.15. Under special circumstances, subject to the approval of the synod bishop and the concurrence of this congregation, a Minister of Word or Sacrament of a church body with which the ELCA officially has established a relationship of full communion may serve temporarily as pastor of this

congregation under a contract between this congregation and the pastor in a form proposed by the synod bishop and approved by this congregation.

***C9.21.** Authority to call a deacon shall be in this congregation by at least a two-thirds vote of voting members present and voting at a congregation meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod.

***C9.22.** Only a member of the roster of Ministers of Word and Service of the ELCA or a candidate for the roster of Ministers of Word and Service who has been recommended for this congregation by the synod bishop may be called as a deacon of this congregation.

***C9.23.** Consistent with the faith and practice of the ELCA, every Minister of Word and Service shall:

- a. be rooted in the Word of God, for proclamation and service;
- b. advocate a prophetic diaconia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
- c. speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad;
- d. equip the baptized for ministry in God's word that affirms the gifts of all people;
- e. encourage mutual relationships that invite participation and accompaniment of others in God's mission;
- f. practice stewardship that respects God's gift of time, talents, and resources;
- g. be grounded in a gathered community for ongoing diaconal formation;
- h. share knowledge of this church and its wider ministry of the gospel and advocate for the work of all expressions of this church; and
- i. identify and encourage qualified persons to prepare for ministry of the gospel.

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

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

- a. The call of a congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the deacon's death or, following consultation with the synod 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 *C9.25.a.4) above, or ineffective conduct of the office of Minister of Word and Service under paragraph *C9.25.a.3. above, have come to the attention of the bishop of this synod,
 - 1) the bishop in her or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the

voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.

- c. In case of alleged physical disability or mental incapacity under paragraph *C9.25.a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the dean on the roster of Ministers of Word and Service with disability status. Upon removal of the disability and the restoration of the deacon to health, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.
- d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph *C9.25.a.3. above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the deacon, if appropriate. If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- f. If, in the course of proceedings described in paragraph *C9.25.c. or *C9.25.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.**

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.

***C9.31.**

The deacon(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

Chapter 10. CONGREGATION MEETING

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

C10.01.01. The annual meeting of this congregation shall be held in November of each year, and the agenda may include the election of Congregation Council members; adoption of the annual budget; reception of reports of the Congregation Council officers, committees and schools; and any other matters pertaining to the life of this congregation.

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 this congregation upon the written request of 10 percent of the voting members. The President of the Congregation Council shall call a special meeting upon request of the synod 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 to all voting members at least 10 days in advance of the date of the meeting. The posting of such notice in the regular mail, with the regular postage affixed or paid, sent to the last known address of such members shall be sufficient; electronic notice of meetings may be provided in addition to notice by regular mail.

C10.04. Twenty-five percent (25%) of voting members of this congregation shall constitute a quorum.

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

C10.06. All actions approved by 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.

C10.07.01. The Congregation Council President shall appoint a parliamentarian for all congregational meetings.

Chapter 11. OFFICERS

C11.01 The officers of this congregation shall be a President, Vice President, Secretary and Treasurer.

- Duties of the officers shall be specified in the bylaws.
- The President, Vice President and Secretary shall be voting members of this congregation.
- Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.
- If the Congregation Council elects its officers, the President, Vice President and Secretary shall be selected from the elected membership of the Congregation Council. If the Treasurer is not selected from the elected membership of the Congregation Council, the Treasurer shall have voice but not vote at the meetings of the Congregation Council.

C11.01.01. **The President of this congregation** and of the Congregation Council shall be the presiding officer at all meetings of this congregation and of the Congregation Council, prepare the appropriate agendas for all meetings, make appointments of persons who may assist in the meetings (as leader of the devotions, tellers, etc.), execute necessary documents as directed on behalf of this

congregation or Congregation Council, and, in general, fill the duties of President not otherwise specified according to *Robert's Rules of Order*.

- C11.01.02.** **The Vice President of this congregation** and of the Congregation Council shall, in the absence of the president or upon the request of the president, preside at meetings of this congregation and of the Congregation Council. Should the President resign from office, the Vice President shall serve as presiding officer until a successor is elected.
- C11.01.03.** **The Secretary of this congregation** and of the Congregation Council shall be responsible for the minutes of all meetings of this congregation and of the Congregation Council, distribute them to the appropriate individuals, place the protocol copy in the permanent files, certify any documents as directed, and in general, fill unspecified duties as delineated in *Robert's Rules of Order*.
- C11.01.04.** **The Treasurer of this congregation** and of the Congregation Council shall be responsible for the proper supervision of all monies of this congregation and disburse the same at the direction of this congregation or the Congregation Council. The Treasurer shall be bonded, the blanket bond provided by the ELCA being considered as sufficient.
- C11.02.** The Congregation Council shall elect its officers and they shall be the officers of this congregation. The officers shall serve for one year. The term shall begin on January 1 and end on December 31.
- 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) and not more than 12, nor fewer than 9, members of this congregation. Any voting member of this congregation may be elected, subject only to the limitation of 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, this congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.
- C12.01.01.** With the exception of the pastor(s), staff members of this congregation shall not be eligible for election or appointment to voting membership of the Congregation Council.
- C12.02.** The members of the Congregation Council, except the pastor(s), shall be elected at a legally called congregation meeting held during the month of November. Their term of office shall be for one to three years, with the term of office beginning on January 1 and ending on December 31. Newly elected Congregation Council members shall be installed at worship the Sunday prior to the date they assume office.
- C12.03.** Should a member's place on the Congregation Council be declared vacant, the Congregation Council may elect, by majority vote, a successor until the next annual meeting. Congregation Council membership tenure shall be so arranged so that one-third of the terms expire annually. Members shall be eligible to serve no more than two consecutive full terms. For this purpose, a member who has served more than half a term is considered to have served a full term.
- 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 ELCA. 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 the 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 support of the synod and churchwide organization of the ELCA, as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the ELCA.
- i. To recommend and encourage the use of program resources produced or approved by the ELCA.
- j. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.

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

- a. The Congregation Council shall be the board of 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 North Carolina, 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 this congregation.
- c. The Congregation Council may enter into contracts of up to the dollar amount of contingency funds available for items not included in the budget.
- d. The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations not more than 10% in excess of the approved operational budget without authorization of the congregation. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in 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 mission support monies to the synod treasurer. The Congregation Council shall provide for an annual audit of the accounts of this congregation.
- 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, 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 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 an annual comprehensive report to this congregation at a legally called congregation meeting.

C12.11. The Congregation Council shall normally meet once a month. Special meetings may be called by the pastor or the President, and shall be called by the President at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.

C12.11.01. The December meeting of the Congregation Council composed of the newly elected and current members shall be the organizational session for the ensuing year. As soon as possible following the annual congregation meeting, the newly elected Congregation Council shall elect officers for the following calendar year.

C12.12. A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the pastor or interim pastor, except when the 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 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 synod 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 pastor shall constitute the **Executive Committee**.

C13.01.01. The **Executive Committee** shall make proposals to the Congregation Council; execute agreements approved by the Congregation Council; make necessary decisions between Congregation Council meetings; guide the agenda of the Congregation Council meetings; and perform such other duties as are directed by the Congregation Council. All such actions shall be reported to and ratified by the Congregation Council.

C13.02. A **Nominating Committee** of four voting members of this congregation, two of whom may be outgoing members of the Congregation Council, shall be appointed by the Council. Their term of office will end upon completion of their duties per section C13.02.01. below. Members of the Nominating Committee are not eligible for consecutive appointment.

C13.02.01. The **Nominating Committee** shall provide a slate of persons as nominees for the Congregation Council.

C13.03. An **Audit Committee** of three voting members of this congregation shall be elected by the Congregation Council. Audit Committee members shall not be members of the Congregation Council. Their term of office shall be three years, with one member elected each year. Audit Committee members shall be eligible for reelection. Neither the Treasurer, Financial Secretary nor members of the Finance Committee may serve as members of the Audit Committee.

C13.03.01. The **Audit Committee** shall perform, or cause to be performed, an annual audit of the financial records of this congregation and, when required for bonding purposes, the financial records of other organizations of this congregation. They shall report the results of the audit to this congregation and certify the same to the synod. The Congregation Council may direct that a third-party independent audit be performed at their discretion.

C13.04. A **Mutual Ministry Committee(s)** of four members shall be appointed jointly by the Congregation Council president and the rostered minister and shall be approved by the Congregation Council. Their term of office shall be three years, with at least one member to be appointed each successive year. In the absence of a Mutual Ministry Committee, the duties shall be fulfilled by the Executive Committee.

C13.04.01. The **Mutual Ministry Committee** shall provide a liaison between this congregation and its pastor and salaried employees. It shall meet on an arranged schedule for feedback, evaluation and sharing of concerns with each staff person. It shall seek to promote harmony between all staff, as well as with members of the entire congregation.

C13.05. When a vacancy occurs in a position for which this congregation calls a rostered minister, a **Call Committee** of six voting members of this congregation shall be elected by the Congregation Council following consultation by the Congregation Council with the bishop of the synod (or his/her representative). Term of office will terminate upon installation of the newly called rostered minister.

C13.05.01. The **Call Committee** shall follow the guidelines provided to this congregation by the North Carolina Synod and shall be in liaison between this congregation and the bishop of the synod. It shall conduct its role in such confidentiality and integrity as to protect the privacy of all candidates for the office of pastor.

C13.06. A **Memorial Gifts Committee** of three voting members of this congregation shall be appointed by the Congregation Council for a term of three years, with one member to be appointed each successive year. Members shall be eligible for consecutive reelection. The operations of this committee shall be as defined in the Memorial Gifts Policy approved by the Congregation Council.

C13.07. A **Mission Endowment Fund Committee** shall be established consisting of at least five, and no more than seven, voting members of this congregation appointed by the Congregation Council. Except as herein limited, the term of each member shall be three years. A member of the Audit Committee shall not be eligible to serve as a member of the Mission Endowment Fund Committee. No member should serve for more than two consecutive three-year terms. Former members may be reappointed after a lapse of one year. The pastor and a Congregation Council member shall be advisory (non-voting) members of the Mission Endowment Fund Committee. In the event of a vacancy on the committee, the Congregation Council shall appoint a member to fill the vacancy.

C13.07.01. The **Mission Endowment Fund Committee** shall administer, manage and be the custodian of this congregation's Mission Endowment Fund. The purpose of this fund shall be to enhance the mission outreach of this congregation apart from the general operation of this congregation. No portion of this Mission Endowment Fund shall be used for the annual operating budget of this congregation. The governance and operational procedures of this committee shall be as defined in the Mission Endowment Fund Policy approved by the Congregation Council.

C13.08. The **Memorial Garden Committee** shall consist of three members who are voting members of this congregation. Each committee member shall be appointed by the Congregation Council for a three-year term, with one member elected each successive year. Members are eligible for appointment to consecutive terms. The operations of this committee shall be as defined in the Memorial Garden Policy approved by the Congregation Council.

C13.09. The standing committees of this congregation shall be: Worship & Music, Membership & Evangelism, Christian Education, Stewardship, Finance, World & Community, Fellowship, Property, Volunteer Ministry, Safety & Security and Communications. Other committees of this congregation may be formed, as the need arises, by decision of the Congregation Council.

C13.09.01. The Chairperson of each standing committee shall be nominated by the pastor, the Congregation Council President and the Volunteer Ministry Coordinator based on committee input; such appointment shall be approved by the Congregation Council. The term of appointment shall be for one year. Chairpersons shall be eligible for reappointment.

C13.09.02. The Chairperson of each standing committee shall recruit members in consultation with the Volunteer Ministry Coordinator.

C13.09.03. The **Worship & Music Committee** shall assist the pastor(s) and the Congregation Council in providing regular opportunities for worship in accordance with the Confession of Faith set forth in Chapter 2 of the constitution or this congregation. This committee is responsible for assisting the pastor(s) and evaluating the worship and music programs of this congregation.

C13.09.04. The **Membership & Evangelism Committee** shall have two purposes:

- Motivate this congregation to proclaim the Gospel by witness and example and assist the pastor(s) to invite and encourage those not part of the church to share in the fellowship of this congregation. This committee is responsible for promoting a climate of welcome to visitors, integrating new members into this congregation, and bringing the mission and activities of this congregation to the attention of the community at large.
- Monitor those members who are not attending worship services and make contact to determine the reasons. Where possible, provide nurturing and support to resolve the reasons for lack of contact with this congregation.

C13.09.05. The **Christian Education Committee** shall develop opportunities for all members of this congregation and others to grow in faith through learning and study. This committee is responsible for the planning, operation and evaluation of the educational programs of this congregation. This committee shall provide opportunities for the youth of this congregation to share in activities that foster community through fellowship, worship, learning and service.

C13.09.06. The **Stewardship Committee** shall foster growth and understanding of the full concept of Christian stewardship in response to God's grace, including time, talent and financial resources. This committee is responsible for providing an ongoing program to encourage giving to the work of this congregation and the wider church.

C13.09.07. The **Finance Committee** shall be appointed annually by the Congregation Council. The committee shall consist of at least five voting members of this congregation and shall include the Treasurer, the Financial Secretary and the Stewardship Committee Chairperson. No more than three members of the committee, other than the pastor as *ex officio*, shall also be members of the Congregation Council. No member of the Audit Committee shall also be a member of the Finance Committee. The duties of this committee shall be to prepare and submit to the Congregation Council a proposed annual budget; to oversee the work of the Treasurer, Financial Secretary and the tellers; to coordinate with the Stewardship Committee regarding special giving over and above the annual budget and weekly envelopes; and to make such necessary recommendations concerning these proposals.

C13.09.08. The **World & Community Committee** shall recommend and implement Lutheran Church of the Good Shepherd's policies and programs responding to the human needs of our neighbors wherever they might be. This committee shall evaluate and oversee distribution of budgeted grants or gifts, with the exception of those from the Mission Endowment Fund.

C13.09.09. The **Fellowship Committee** shall provide means for the expression of Christian love, support and community within this congregation by establishing effective systems for congregational communication and support, and for sponsoring regular fellowship activities in coordination with other committees and organizations with this congregation.

C13.09.10. The **Property Committee** shall assure the physical means for worship, education, witness, service and fellowship take place in the best manner possible. This committee is responsible for maintaining, repairing and planning improvements of the building and grounds, and for providing leadership and coordination for the involvement of this congregation in such activities.

C13.09.11. The **Volunteer Ministry Coordinator** shall be responsible for organizing and directing efforts to involve volunteers in parish programs and services. The Volunteer Ministry Coordinator assists by working closely with the LCGS Staff, Congregation Council, committees and volunteers to ensure the best possible match between congregation needs and volunteer opportunities.

C13.09.12. The **Safety & Security Committee** is responsible for maintaining a peaceful, safe environment that is conducive to teaching, learning, working, living and sharing in the Word of our Lord and Savior. Safety & Security Committee members will strive to protect the well-being of all congregation members and visitors to LCGS facilities and grounds by ensuring that the environment, at all times, is safe and secure. The committee shall regularly assess the physical facilities and property of the church to ensure the environment is consistent with the standards and practices for other churches and recommendations of law enforcement and emergency services. Areas assessed may include, but are not limited to:

- a. Fire, electrical, and tripping hazards, as well as other physical safety concerns;
- b. Building access;
- c. Emergency response, evaluation and communications plans, e.g., for fire, medical and security incidents;
- d. Communications and signage, e.g., locations of all fire alarms and extinguishers, first aid kits and defibrillators

Policies, as well as emergency plans and recommendations for changes to the physical facilities, may be established based on these assessments. The Safety & Security Committee is accountable, and reports, to the Congregation Council.

C13.09.13. The **Communication Coordinator** is responsible for coordinating the development and execution of a comprehensive and effective communications strategy/plan that is clearly tied to the LCGS Vision, Mission and Strategic Plan goals in a manner that supports members in a) growing spiritually; b) feeling connected to, and being active in, the LCGS community; and c) making informed decisions. The Communications Coordinator is accountable, and reports, to the Congregation Council.

C13.11. The duties of this congregation's various committees shall be specified in the bylaws or individual policies/procedures approved by the Congregational Council.

C13.12. The pastor of this congregation shall be *ex officio* a member of all committees and boards of this congregation.

Chapter 14. ORGANIZATIONS WITHIN 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.

C14.02. Special interest groups, other than those of the official organizations of the ELCA, 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 this congregation, or willful and repeated harassment or defamation of member(s) of this congregation are sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation will be attempted following Matthew 18:15-17, proceeding through these successive steps: a) private 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 Committee to the Committee on Discipline of the synod. If, for any reason, the pastor is unable to administer the admonitions required by 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 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, the Congregation Council and the accused member(s) at the same time it is sent to the Committee on Discipline of the synod. The Executive Committee of the Synod Council shall then select six members from the Committee on Discipline to decide the case and shall appoint a member of the Synod Council to preside as nonvoting chair. Those six members, plus the nonvoting chair, comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the parties to the case.

***C15.04.** The discipline hearing panel shall commence and conduct the disciplinary hearing in accordance with the provisions governing discipline of congregation members prescribed in the *Constitution, Bylaws and Continuing Resolutions of the Evangelical Lutheran Church in America*.

***C15.05.** By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:

- a. suspension from the privileges of congregation membership for a designated period of time;
- b. suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
- c. termination of membership in this congregation; or
- d. termination of membership in 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 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 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 *C16.04. is applicable, those sections of the 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 five 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 this congregation's members by mail of the proposal together with the Council's recommendations at least 30 days in advance of the meeting.

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

- be approved at any legally called meeting of this congregation by a majority vote of those voting members present and voting;
- be ratified without change at the next regular meeting of this congregation held pursuant to C10.01. by a two-thirds vote of those voting members present and voting; and
- have the effective date included in the resolution and noted in the constitution.

***C16.03.** Any amendments to this constitution that result from the processes provided in *C16.01. and *C16.02. shall be sent by the Secretary of this congregation to the synod. The synod shall notify 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 this congregation without presentation at a prior meeting of this congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to 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 15 voting members of this congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the Secretary of this congregation shall submit a

copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

Chapter 17. BYLAWS

- ***C17.01.** This congregation may adopt bylaws. No bylaw may conflict with this constitution.
- C17.01.01** Changes to this constitution and bylaws shall be marked with change bars in the left margin and documented in a summary of changes, along with the associated approval and effective date(s).
- ***C17.02.** Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a two-thirds vote of those voting members present and voting.
- ***C17.03.** Changes to the bylaws may be proposed by any voting member, provided that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special congregation meeting called for that purpose. The Congregation Council shall notify 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.** Adopted or amended bylaws shall be sent by the Secretary of this congregation to the synod.

Chapter 18. CONTINUING RESOLUTIONS

- ***C18.01.** 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 this congregation or a two-thirds vote of all voting members of the Congregation Council.

Chapter 19. INDEMNIFICATION

- ***C19.01.** Consistent with the provisions of the laws under which this congregation is incorporated, this congregation may adopt provisions providing the 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.