

# CONSTITUTION FOR IMMANUEL LUTHERAN CHURCH

(2-2022 UPDATES)

BLUE: ADDED/RED: DELETED UPDATES NEEDING TO BE RATIFIED IN 2023

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## **CONSTITUTION FOR IMMANUEL LUTHERAN CHURCH**

### **\*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 Immanuel Lutheran Church.
- C1.02. For the purpose of this constitution and the accompanying bylaws, the congregation of Immanuel Lutheran Church is hereinafter designated as “this congregation.”
- C1.11 This congregation shall be incorporated under the laws of the State of Iowa.

## **\*Chapter 2. CONFESSION OF FAITH**

- \*C2.01. This congregation confesses the Triune God, Father, Son, and Holy Spirit.
- \*C2.02. This congregation confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.
  - a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.
  - b. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.
  - c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.
- \*C2.03. This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.
- \*C2.04. This congregation accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.
- \*C2.05. This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.
- \*C2.06. This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.
- \*C2.07. This congregation confesses the Gospel, recorded in the Holy 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 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 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 this congregation's ministry and the ministry of 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 groups and shall review their actions. Such descriptions shall be contained in continuing resolutions in the section of the Congregation Council.

\*C4.05. This congregation shall adopt and periodically review a mission statement which will provide specific direction for its programs.

C4.05.01 MISSION STATEMENT AND VALUES

1. BUILDING COMMUNITY IN THE NAME AND LIKENESS OF JESUS CHRIST.

- a. Secure in God's Word, by His Grace and to His Glory, we value:

- b. Worshipping God – Encountering the living God with diversity, excellence and humility.
- c. Following the Spirit – Opening ourselves to allow the Spirit to show us the way with creativity and innovation.
- d. Reaching out – Inviting all people into a deep, personal relationship with God. Everyone is welcome!
- e. Building a loving community – called together by Jesus Christ and united in our diversity, we live as one body.
- f. Stewarding gifts – with a servant heart we recognize our God-given gifts, developing, nurturing and sharing them generously with our neighbors at home and around the world.
- g. Leading ministry through lay people – partners of Immanuel accept the responsibility and authority for Christ's ministry within the congregation and in their daily lives.
- h. Learning for life – following Christ in humility, our expectant hearts and minds are opening listening, acting on, and sharing His Word.

## **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 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, bylaws, and continuing resolutions; and
- k. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.

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

C5.05. This congregation shall have a mission endowment fund that will operate [according to the Endowment Fund Charter and not conflict with this Constitution](#). The purpose of the mission endowment fund is to provide for: [1. Capital expenditures](#); [2. Education](#); and [3. mission work](#); all 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 Western Iowa Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.
- \*C6.02. This congregation accepts the Confession of Faith and agrees to the Purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.
- \*C6.03. This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:
  - a. This congregation agrees to be responsible for its life as a Christian community.
  - b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
  - c. This congregation agrees to call pastoral leadership from the clergy roster of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of Ministries of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services with a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.
  - d. This congregation agrees to consider ministers of Word and Service for call to other staff positions in 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 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 Western Iowa 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 Evangelical Lutheran Church in America by the following procedure:

- a. A resolution indicating the intent to terminate its relationship must be adopted at a legally called and conducted special meeting of this congregation by a two-thirds 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 the 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 shall 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 a. above, during a period of at least 90 days after receipt by the bishop of the attestation and certification as specified in paragraph 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 majority 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 the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the first meeting.
- e. 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 certify 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 the congregation has voted by a two-thirds vote 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 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 this congregation's first meeting as specified in paragraph a. above, or fails to achieve the required two-thirds vote of voting members present at 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 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 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 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 Western Iowa 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 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 Western Iowa 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 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 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 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 the Western Iowa Synod reconvey and transfer all rights, 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 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 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, or persons who wish to retain a relationship with 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 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 church wide 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 Chapter 20 of the constitution and bylaws of the Evangelical Lutheran Church in America; 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 Inactivity is defined as:

- a. No attendance for 2 years; and
- b. No communion for 2 years; and
- c. No contribution for 2 years; and
- d. An attempt to contact the member must be made by a Council representative.

C8.05.02 A "contribution of record" as stated in C8.02 is defined as a monetary contribution.

## Chapter 9. ROSTERED MINISTER

- \*C9.01. Authority to call a pastor shall be in this congregation by at least 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 ordained ministers 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 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; and
    - 5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
    - 6) impart knowledge of this church and its wider ministry through distribution of its communications and publications 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 churchwide organization and of the Western Iowa Synod; and
    - 6) encourage adherence to covenantal relationship with this church as expressed in the Constitution, 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 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, 30 days after the date on which it was submitted;
    - 3) inability to conduct the pastoral office effectively in the congregation in view of local conditions;
    - 4) the physical disability or mental incapacity of the pastor;
    - 5) suspension of the pastor through discipline on grounds of doctrine, morality or continued neglect of duty; 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) suspension of the congregation as a result of discipline proceedings 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 pastor under paragraph a. 4) above, or ineffective conduct of the pastoral office under paragraph a. 3) above, have come to the attention of the bishop of 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 lay person, or
    - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the this congregation, the bishop personally shall investigate such conditions personally together with a committee of two rostered ministers and one layperson. in company with a committee of two ordained 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 with disability status. Upon removal of the disability and the restoration of a disabled pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call
  - d. In the case of alleged local difficulties that imperil the effective functioning of this congregation, under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the 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 the congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the synod.

- e. If either party fails to assent, to the recommendations of the bishop's committee concerning the pastor's call, the congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

\*C9.06. At a time of pastoral vacancy, an interim 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 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, 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 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 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 synodical bishop and the concurrence of this congregation, a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between **the this** congregation and the pastor in a form proposed by the synodical bishop and approved by **the this** congregation.

#### **C9.20. Ecumenical pastoral ministry**

\*C9.21. Authority to call a deacon shall be in this congregation by at least a two-thirds vote of the 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. **(C9.15 was \*C9.21)**

\*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 synod bishop may be called as a deacon of this congregation.

\*C9.23. Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:  
a. Be rooted in the Word of God, for proclamation and service;

- b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
  - c. Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad;
  - d. Equip the baptized for ministry in God's world that affirms the gifts of all people;
  - e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
  - f. Practice stewardship that respects God's gift of time, talents, and resources;
  - g. Be grounded in a gathered community for ongoing diaconal formation;
  - h. Share knowledge of 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 this 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 a.4) above, or ineffective conduct of the office of minister of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,
    - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
    - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop

personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.

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

\*C9.26. This congregation shall make satisfactory settlement of all financial obligations to a 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. The annual meeting of this congregation shall be held at a date and time specified by the Congregation Council.
- C10.02. Special Congregation Meetings may be called by the president, a Pastor of the congregation, the Congregation Council, or at the written request of twenty-five (25) voting members. 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 posted in the church at least ten (10) days in advance of the date of the meeting.
- C10.04. Seventy-five (75) of the voting members shall constitute a quorum.
- C10.05. Voting by proxy or by absentee ballot shall not be permitted.
- C10.06. All actions by the congregation shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution or state law.
- C10.07. Robert's Rules of Order, latest edition, and Christian Charity 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.

## **a. 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 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 Duties of the President**

- a. Provide leadership to the Congregation Council and Congregation in the fulfillment of Immanuel's mission and upholds the give solid leadership to the mission and vision of Immanuel.
- b. Preside at or appoint another to preside at all meetings of the voting membership as well as all Congregation Council meetings.
- c. Enforce the Constitution, Bylaws and Continuing Resolutions and Policies of the Congregation. Help all council members to know them, refer to them often, follow them, and educate others to do the same.
- d. Coordinate and plan all Congregation Council and Congregational meetings by providing an agenda in advance so optimal ministry happens at Immanuel.
- e. Coordinate and plan all Congregation Council retreats and all training and equipping opportunities.
- f. Has the authority in the absence of the Treasurer to sign all checks for salaries or other financial commitments above \$10,000.00, as appropriated by the annual budget or by Congregational Council approval.
- g. Comfortably and openly claims faith as a Christian, trusting God as creator, Jesus as Redeemer, and the Holy Spirit as Sanctifier, empowering us to live and walk in the Christian faith.
- h. Teach, lead, and share consistent with the teachings and practices of the Lutheran faith.
- i. Continue to nurture your own personal faith and growth toward maturity as a follower of Jesus Christ through worship, study and prayer.
- j. Shall in consultation with Pastor(s) and staff, determine a roster of eligible voting members as defined in C8.02.c. prior to meetings of the congregation providing voting privilege only to those on the roster.

### **C11.01.02 Duties of the Vice President**

- a. Provides leadership to the Congregation Council and Congregation in the fulfillment of Immanuel's mission and upholds and gives solid leadership to the mission and values of Immanuel Lutheran Church.
- b. Assists in enforcing the Constitution, Bylaws and policies and policies of the Congregation.
- c. Preside at Congregation Council and Congregational meetings in the absence of the President.

- d. Directs review and/or revision of Immanuel Lutheran Church's Constitution, Bylaws and Policies in order to support current mission and vision of the Congregation.
- e. Acts as Congregational Council liaison and team leader for the Personnel Committee, directing the committee in areas such as policy development, job description creation and refinement, employment processes, or coaching of staff members.
- f. Comfortably and openly claims faith as a Christian, trusting God as creator, Jesus as Redeemer, and the Holy Spirit as Sanctifier, empowering us to live and walk in the Christian faith.
- g. Teach, lead, and share consistent with the teachings and practices of the Lutheran faith.
- h. Continue to nurture your own personal faith and growth toward maturity as a follower of Jesus Christ through worship, study and prayer.

#### C11.01.03 Duties of the Secretary

- a. Provides leadership to the Congregation Council and Congregation in the fulfillment of Immanuel's mission, and upholds and gives solid leadership to the mission and vision of Immanuel Lutheran Church.
- b. Takes and records minutes of any regular or special meetings called by Congregation Council or by the Congregation.
- c. Writes all official correspondence of the Council.
- d. Submits a written summary of meeting minutes to the church office for the Messenger, and when available, the website.
- e. Ensures proper storage of minutes in the approved method in the church office, which is made available at all meetings.
- f. Comfortably and openly claims faith as a Christian, trusting God as creator, Jesus as Redeemer, and the Holy Spirit as Sanctifier, empowering us to live and walk in the Christian faith.
- g. Teach, lead, and share consistent with the teachings and practices of the Lutheran faith.
- h. Continue to nurture your own personal faith and growth toward maturity as a follower of Jesus Christ through worship, study and prayer.

#### C11.01.04 Duties of the Treasurer

- a. Provides leadership to the Congregation Council and Congregation in the fulfillment of Immanuel's mission, and upholds and gives solid leadership to the mission and vision of Immanuel Lutheran Church.
- b. Assists in enforcing the Constitution, Bylaws, Continuing Resolutions and Policies of the Congregation.

#### C11.01.A10 Separation of Financial Responsibilities:

1. Treasurer has oversight responsibility and reports to Congregation Council and be a member of the Congregation Council.
2. Designated office staff records transactions and produces reports.
3. Finance Manager has check-writing authority.

- c. Provide direction for the Finance Manager to coordinate and facilitate an annual financial budget for presentation and approval by the Congregation Council and the Congregation.
- d. Sign all checks for payment of bills, salaries or other financial commitments as appropriated by the annual budget or by Congregation Council approval.
- e. Oversee reconciliation of bank account statements to Immanuel's ledger reports monthly.
- f. Provide direction to Congregation Council regarding financial and asset management for Immanuel (i.e. insurance, cash management, etc.)
- g. In the absence of the Finance Manager, act as Congregation Council liaison with Immanuel's Endowment Board.
- h. Comfortably and openly claims faith as a Christian, trusting God as creator, Jesus as Redeemer, and the Holy Spirit as Sanctifier, empowering us to live and walk in the Christian faith.
- i. Teach, lead, and share consistent with the teachings and practices of the Lutheran faith.
- j. Continue to nurture your own personal faith and growth toward maturity as a follower of Jesus Christ through worship, study and prayer.

C11.02 The congregation shall elect its officers and they shall be the officers of the congregation. The officers shall be elected by written ballot and shall serve for one year or until their successors are elected. Their terms shall begin at the time specified in the bylaws.

C11.03. No officer shall hold more than one office at a time. No elected officer shall be eligible to serve more than three consecutive terms in the same office.

## Chapter 12. CONGREGATION COUNCIL

C12.01. The voting membership of the Congregation Council shall consist of the officers of the this congregation and three to five elected congregational representatives. The lay congregational representatives shall be elected by the voting members of the congregation, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the this congregation's 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.

C12.01.01 Advisory persons to the Congregation Council granted voice are:

- a. The Immediate Past President may serve a one year term.
- b. The pastor(s) and others designated from time to time by Council.

C12.01.02 The Board of Education

It shall be the duty of the Board of Education to develop programs at Immanuel that will provide on-going learning and fellowship opportunities for all members.

1. The Board of Education shall include at least two elected Council members, and one or more at large members. There shall be at least one staff member appointed by the Council. Membership on the Board of Education will be determined annually.
2. At the first meeting each year the Board of Education shall elect from its membership a chair and a secretary. It shall be the responsibility of the chair to prepare an agenda and preside at the meeting. It shall be the responsibility of the secretary to record actions of the Board and submit this report to the Council and church office.
3. It shall be the responsibility of the Board of Education to support the entire ministry of Immanuel Lutheran Church through its direction and assistance in the following areas of mission:
  - a. Encourage and support the planning and presentation of opportunities for Christian growth for all ages at Immanuel through:
    - i. Pre-school children and parents
    - ii. Elementary age children and parents
    - iii. Vacation Bible School
  - b. Encourage, invite and involve members, non-members and visitors to become involved in the education ministry of this congregation:
    - i. Recruit, support, guide and encourage
      1. Promiseland teachers
      2. Confirmation mentors and small group leaders
      3. Youth ministry sponsors and chaperones
      4. VBS teachers
      5. Stepping stones (Bibles)

- 6. Special speakers
- 7. Mission fairs
- ii. Seek new opportunities and ways to improve existing educational ministries.
- c. Cooperate with the Board of Trustees, the Board of Parish Life and the Board of Mission & Outreach in support of the entire ministry of Immanuel Lutheran Congregation. (Specific inter-board relationships shall be described in the Continuing Resolutions.)
- 4. Organize, appoint and support such committees as needed to fulfill the discipleship ministry of Immanuel Lutheran Church.
- 5. Prepare a budget to support quality education at Immanuel.

#### C12.01.03 The Board of Mission and Outreach

It shall be the responsibility of the Board of Mission and Outreach to support the entire ministry of Immanuel Lutheran Church in its welcome to non-members and visitors and its service to missions beyond our membership.

- 1. The Board of Mission & Outreach shall include two elected Council members and one or more members at large. There shall be at least one staff member appointed by the Council.
- 2. Membership on the Board of Mission and Outreach will be determined annually.
- 3. At the first meeting each year, the Board of Mission and Outreach shall elect from its membership a chair and a secretary. It shall be the responsibility of the chair to prepare an agenda and preside at the meeting. It shall be the responsibility of the secretary to record actions of the Board and submit this report to the Council and church office.
- 4. It shall be the responsibility of the Board of Mission and Outreach to support the mission of Immanuel Lutheran Church through its direction and assistance in the following areas of mission:
  - a. Encourage and support the planning and presentation of opportunities for service and mission at Immanuel through:
    - i. Mission-related stewardship education
    - ii. Mission offerings
    - iii. Service opportunities
    - iv. Spiritual growth opportunities
  - b. Support ministries beyond ourselves:
    - i. The Damascus Road Ministry
    - ii. World Hunger
    - iii. Bible camps
    - iv. Waldorf University
    - v. Lutheran Campus Ministry
    - vi. Intercessory Prayer Group
    - vii. Prayer Shawl Ministry
    - viii. WELCA
  - c. Encourage, invite and involve members, non-members and visitors to become involved in the mission of this congregation:
    - i. Provide information about mission opportunities

- ii. Messenger
  - iii. Worship announcements
  - iv. News media and social media
  - v. Special speakers
  - vi. Mission fairs
  - vii. Seek new opportunities and ways to improve existing programs
  - viii. Recruit new participants to current groups and/or create new groups
  - d. Cooperate with the Board of Trustees, the Board of Parish Life and the Board of Education in support of the entire ministry of Immanuel Lutheran Congregation. (Specific inter-board relationships shall be described in the Continuing Resolutions.)
5. Organize, appoint, and support such committees as needed to fulfil the mission and outreach ministry of Immanuel Lutheran Church.
  6. Prepare a budget to support mission efforts at Immanuel.

#### C12.01.04 The Board of Trustees

It shall be the responsibility of the Board of Trustees to support the entire ministry of Immanuel Lutheran Church through its care for the financial and property assets of this congregation.

1. The Board of Trustees shall include the Treasurer of the congregation, two elected Council members, and one or more members at large. There shall be at least one staff member appointed by the Council.
2. Membership on the Board of Trustees will be determined annually.
3. At the first meeting each year the Board of Trustees shall elect from its membership a chair and a secretary. It shall be the responsibility of the chair to prepare an agenda and preside at the meeting. It shall be the responsibility of the secretary to record actions of the Board and submit this report to the Council and church office.
4. It shall be the responsibility of the Board of Trustees to provide assistance in the following areas:
  - a. Encourage and support the maintenance and improvement of the physical and financial resources of Immanuel through:
    - i. Support for the fiscal needs of this congregation by:
      1. Preparing a draft budget for the entire ministry of this congregation and present it to Council and the Congregation for approval.
      2. Support the Finance Manager and the boards in management of budgeted funds
      3. Educating the Congregation regarding the financial needs of the ministry
      4. Conduct capital campaigns as directed by the Council and the Congregation.
    - b. Support and assist the staff through a Personnel Committee which shall:
      - i. Maintain and annually review all job descriptions

- ii. Maintain and update the staff policy manual
- iii. Review all salaries and make recommendations to the Finance Committee for adjustments
- iv. Support and advise the Council in hiring of new employees and provide for their training
- v. Advise and mediate issues related to employee performance relative to job descriptions
- c. Support and assist through a Property Committee which shall:
  - i. Assist the Chief Custodian in reviewing options and making recommendations about property matters.
- d. Advise and encourage the Endowment Committee in the fulfillment of their charter
  - i. Advise the Council regarding appointment of new members to the Endowment Committee.
  - ii. Receive reports from the Endowment Committee at least annually.
  - iii. Receive applications for Endowment Grants, and, in consultation with the Endowment Committee, forward recommendations for grant awards to the Council.
  - iv. Review and if needed, make recommendations for revision of the Endowment Charter. (Changes would require Council endorsement and Congregation approval.)
- e. Cooperate with the Board of Discipleship, the Board of Parish Life, and the Board of Mission and Outreach in support of the entire ministry of Immanuel Lutheran Congregation. (Specific inter-board relationships shall be described in the Continuing Resolutions.)
- 5. Organize, appoint and support such committees as needed to fulfill the financial and property ministry of Immanuel Lutheran Church
- 6. Prepare a comprehensive budget to support the ministry of Immanuel.

#### C12.01.05 Board of Parish Life

It shall be the mission of the Board of Parish Life to oversee all aspects of the congregation's worship and life together.

1. The Board of Parish Life shall include two elected Council members, and one or more members at large. There shall be at least one staff member appointed by the Council.
2. Membership on the Board of Parish Life will be determined annually.
3. At the first meeting each year the Board of Parish Life shall elect from its membership a chair and a secretary. It shall be the responsibility of the chair to prepare an agenda and preside at the meeting. It shall be the responsibility of the secretary to record actions of the Board and submit this report to the Council and church office.
4. It shall be the responsibility of the Board of Parish Life to support the entire ministry of Immanuel Lutheran Church through its direction and assistance in the following areas of mission:
  - a. Encourage and support those who attend to the needs of the worship experience:

- i. Ushers and greeters
    - ii. Altar guild and communion preparers
    - iii. Scripture readers
    - iv. Communion servers
    - v. Acolytes
    - vi. Sound and video techs
  - b. Plan and coordinate special events such as:
    - i. the summer congregational picnic,
    - ii. the Waldorf block party
    - iii. the joint service with the Methodists.
  - c. Create opportunities for Congregation members to be strengthened in fellowship and fellowship events.
  - d. Encourage, support and oversee the ministry of hospitality at Immanuel, coordinating receptions for new members, volunteer appreciation, special meals and events and being responsible for the seasonal décor of the building, creating a welcoming atmosphere for all.
  - e. Encourage, support and oversee the ministry of hospitality at Immanuel.
  - f. Cooperate with the Board of Trustees, the Discipleship Board and the Board of Mission and Outreach in support of the total ministry of Immanuel Lutheran Congregation. (Specific inter-board relationships shall be described in the Continuing Resolutions.)
5. Organize, appoint and support such committees as needed to fulfill the parish life ministry of Immanuel Lutheran Church.
  6. Prepare a budget to support parish life at Immanuel.

C12.02. The members of the Congregation Council shall be elected at a legally called meeting of the congregation which shall be set by the Congregation Council. Their term of office shall be for 1 year with the term of office beginning **June 1 upon installation at the Annual Meeting of the congregation** and ending **at the installation of a new council the following year. May 31.**

C12.02.01 Officers of the Congregation Council shall be elected by the Congregation on the same ballot as the election of new and returning Congregation Council members at the congregational meeting. Officers elected shall be: President, Vice President, Secretary and Treasurer. If the President is not continuing the office, he/she may be asked to remain in a Past President role for the Congregation Council for one year.

C12.02.02 The newly elected Congregation Council members shall be installed at the annual meeting. The Council officers shall assume their duties upon installation and preside at the first meeting of the Congregation Council following the annual meeting. The term of office for all Congregation Council members shall be one year, terminating at the annual meeting following one year of service. All elected Congregation Council members will be encouraged to serve for three consecutive years with an annual covenant. Individuals so called may serve for more than three consecutive years but shall not serve more than six consecutive years on the

Congregation Council. An officer may serve in the same capacity for three consecutive years at which time he/she must step down from that office.

- C12.02.03 Orientation for Congregation Council members will begin with the annual Council/Staff Planning retreat. Newly elected members of the Congregation Council shall be in attendance with voice but no vote at Congregation Council meetings until the Council is installed.
- 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. Individuals who have served less than one-half of a regular term shall be eligible for nomination and possible election to a full term.
- C12.04. No member shall be eligible to serve as an officer of Congregation Council if such person is an immediate family member, i.e., spouse, child, parent or parent-in-law of a staff member of the congregation.
- C12.04.01 An immediate family member is your spouse, child, parent or parent-in-law.
- C12.05. 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, witnessing, welcoming, serving, and reaching out to share their gifts and support.
  - c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
  - d. To maintain supportive relationships with the pastor(s) and staff and ensure that the fulfillment of their calling, appointment, or employment is annually evaluated.
  - 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 church-wide 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 qualified persons to make use of program resources produced and approved by The Evangelical Lutheran Church in America.
  - j. To seek and encourage qualified persons for the ministry of the Gospel.

- C12.06. The Congregation Council shall be responsible for the financial and asset management of this congregation.
- a. The Congregation Council shall be responsible for maintaining and protecting its assets and the management of its business and fiscal affairs. The Congregation Council shall be responsible for this congregation's investments, through the Endowment Committee, and its total insurance program. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Iowa, 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 shall oversee the preparation of an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption. The budget shall include this congregation's share in support of the wider ministry being carried on in **membership collaboration** with the synod and church wide organization.
  - d. The Congregation Council may approve or disapprove all expenditures up to \$5,000 or 1% of the annual budget, whichever is greater, that have not been previously budgeted.
  - e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted ethically and efficiently, including the prompt payment of all obligations and to the regular forwarding of **benevolence mission support** monies to the synod**ical** treasurer.
- C12.07. The Congregation Council shall see that the provisions of this constitution, its bylaws, and the continuing resolutions are carried out and updated, amended, or altered as needed.
- C12.08. The Congregation Council shall ratify the appointment of and ensure the proper supervision of the salaried lay workers of this congregation.
- C12.09. The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.
- C12.11. A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council. Congregation Council meetings will include at least one (1) officer, the pastor(s) or interim pastor(s) (except when the pastor(s) or interim pastor(s) request or consent to being absent and have given prior approval to the agenda for a particular regular or special meeting, which shall be the only business conducted at that meeting. Chronic or repeated absence of the pastor(s) or interim pastor(s) who has refused to approve the agenda of the subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synod**ical** bishop.

C12.12. 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.

C12.12.01 A quorum for all regular and special meetings shall be not less than one-half of the full membership of the Council, provided that at least one(1) of those persons present is an officer.

## Chapter 13. CONGREGATION COMMITTEES

- C13.01. The officers of this congregation and the Senior Pastor shall constitute the Executive Committee.
- C13.02. The Congregation Council serves as the Nominating and Appointments Committee of four voting members of this congregation shall be appointed by the Congregation Council and consult with a pastor. along with the Senior Pastor. Council may appoint members of the congregation if desired to serve on the Nominating Committee.
- C13.02.01 The Congregation Council will, each year, determine the number of positions on Council that will become vacant at the end of the current term.
- C13.02.02 The Nominating Committee shall review job descriptions for the positions needing to be filled. Any member of the congregation may submit to the Nominating Committee names of possible candidates for service in any of the congregational positions. The committee shall attempt to nominate two candidates for each of the elected council positions.
- C13.02.03 Eligible candidates may not be members who are called professional or paid staff members of the congregation, or their immediate family as defined by the constitution. The slate of candidates will be submitted by the nominating committee.
- C13.05. When a senior pastor vacancy occurs, a Call Committee of no less than eight voting members shall be nominated by the Executive Council and voted on and passed by a simple majority by the congregation at a special meeting called for that purpose. Other pastoral vacancies would include the senior pastor on the committee. Terms of office of committee members will terminate upon installation of the newly installed pastor.
- C13.06. The Congregation Council may create additional congregational task teams as the needs arise. The Congregation Council shall approve all congregational task teams.
- C13.07. Duties of congregation task teams shall be specified in the by-laws.
- C13.08. Duties of congregation committees and task teams shall be specified in the Continuing Resolutions.

## **Chapter 14. ORGANIZATIONS WITHIN THE CONGREGATION**

- C14.01. All organizations within this congregation shall exist to aid it in ministering to the members of this congregation and to all persons who can be reached with the Gospel of Christ. As outgrowths and expressions of this congregation's life, the organizations are subject to its oversight and direction. The Congregation Council reserves the right to request reports concerning their membership, policies, activities and finances. All officers of such organizations shall be members of this congregation.
- 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. The leadership of such organizations shall be adequately represented by members of this congregation.

## Chapter 15. DISCIPLINE OF MEMBERS AND ADJUDICATION

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

If discipline against a member proceeds beyond counseling and admonition by the pastor, charges against the accused member(s) that are specific and in writing shall be prepared by member(s) of the congregation who shall sign the charges as the accuser(s). The written charges shall be filed with the pastor, who shall advise the Congregation Council of the need to issue a written citation to the accused and the accusers that specifies the time and place of the hearing before the Congregation Council. The written charges shall accompany the written citation to the accused. A member charged with the offense shall appear before the Congregation Council after having received the written citation, at least ten days prior to the meeting. If the member charged with the offense fails to appear at the scheduled hearing, the Congregation Council may proceed with the hearing and may pass judgement in the member's absence.

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

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

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

- a. suspension from the privileges of congregation membership for a designated period of time;
- b. suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
- c. termination of membership in the congregation; or
- d. termination of membership in the congregation and exclusion from the church property and from all congregation activities.

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

For disciplinary actions in this congregation, "due process" shall be observed as specified in 20.41.04. in the *Constitution, Bylaws and Continuing Resolutions of the Evangelical Lutheran Church in America*.

\*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 that 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 to the dispute. If the issue relates directly to the pastor, the bishop may begin the process in the S14.18.d. In all other matters, if the bishop's consultation fails to resolve the issue(s), 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 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 75 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 of the proposal together with the council's recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.
- \*C16.02. An amendment to this constitution, proposed under \*C16.01., shall:
- a. be approved at any legally called meeting of this congregation by a majority vote of those voting members present and voting;
  - b. 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
  - c. have the effective date included in the resolution<sup>2</sup> 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 at least two (2) 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.
- \*C17.02. 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 resolutions may not conflict with the constitution or bylaws of the congregation.
- \*C18.02. Continuing resolutions shall be enacted or amended by majority vote of all voting members of a meeting of 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

- \*C20.01. This congregation may unite with one or more other congregations recognized by the synod named in \*C6.01. to form a parish. Except as provided in \*C20.02. and \*C20.03., a written agreement, developed in consultation with the synod and approved by the voting members of each congregation participating in the parish, shall specify the powers and responsibilities that have been delegated to the Parish Council. The Parish Agreement shall identify which congregation of the parish issues calls on behalf of the member congregations or shall establish a process for identifying which congregation issues calls on behalf of the member congregations.
- \*C20.02. One congregation of a parish shall issue a call on behalf of the member congregations to a minister of Word and Sacrament or a candidate for the roster of Ministers of Word and Sacrament who has been recommended by the 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 named in \*C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.
- \*C20.06. Whenever a parish agreement is terminated, the call of any rostered minister serving that parish is terminated. Should any congregation that was formerly part of the parish agreement desire to issue a new call to that rostered minister, it may do so in accordance with the call process of this church.