



**CONSTITUTION, BYLAWS
and CONTINUING RESOLUTIONS OF
HOLY TRINITY LUTHERAN CHURCH OF ANKENY, IOWA**

**Southeastern Iowa Synod of the
Evangelical Lutheran Church
in America**

Effective & Last Amended – August 15, 2019

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*Denotes provisions and language required by the ELCA.

INTRODUCTION

Codification:

* Required ELCA Provision

Cx.xx. Congregation Constitution

Cx.xx.xx. Congregation Bylaw

Cx.xx.Lxx Congregation Continuing Resolution

Placement together of those constitutional provisions, bylaws, and continuing resolutions that pertain to the same matter is recommended.

Each is separately codified, but all are preceded by the letter, "C," denoting that they are part of the congregation constitution.

Constitutional provisions are codified by two sets of numbers, as in C9.08. or C10.01.

A bylaw related to C9.08. would be codified as C9.08.01., and to C10.01. as C10.01.01. A bylaw under a required provision would not carry the asterisk, "*", that designates a required constitutional provision.

Continuing resolutions also are codified by three sets of numbers, except that the third set is preceded by a capital letter. Thus, a continuing resolution might be numbered C10. to designate the chapter; C10.07. to designate the subject matter within the chapter; and the third set might be numbered A03. in the codification C10.07.A2003.07. to indicate by the "A" that it is the first continuing resolution regarding that subject and by the "2003.07" that it was adopted in July of 2003.

***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 Holy Trinity Lutheran Church of Ankeny, Iowa.**

***C1.02. For the purpose of this constitution and the accompanying bylaws, the congregation of Holy Trinity Lutheran Church of Ankeny, Iowa is hereinafter designated as “this congregation.”**

***C1.03. 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 Scriptures and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.**

C2.07.01. Conflicting Loyalties

- a. Relationships and cooperation with other Christian and interfaith communities or organizations will be guided by the ecumenical and interfaith agreements and principles of the ELCA.
- b. Ceremonies of lodges or other such organizations shall not be permitted in the church or on the church premises of this congregation.
- c. No pastor or rostered staff person of this congregation shall take part in any such ceremonies even if conducted outside of the church premises.

Chapter 3

NATURE OF THE CHURCH

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

***C3.02. This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian Unity throughout the world.**

***C3.03. The church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. The Evangelical Lutheran Church in America, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.**

***C3.04. This church, inspired and led by the Holy Spirit, participates in the Lutheran World Federation as a global communion of churches, engaging in faithful witness to the gospel of Jesus Christ and in service for the sake of God's mission in the world.**

***C3.05. The name Evangelical Lutheran Church in America (ELCA or "this church") as used herein refers in general references to this whole church, including its three expressions: congregations, synods, and the churchwide organization. The name**

Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.

Chapter 4

STATEMENT OF PURPOSE

***C4.01. The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world.**

***C4.02. To participate in God's mission, this congregation as a part of the Church shall:**

- a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.**
- b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the Apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.**
- c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.**
- d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, and standing with the poor and powerless, and committing itself to their needs.**
- e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.**
- f. Manifest the unity given to the people by God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity, which the Spirit gives.**

C4.02.A2017.08. Continuing Resolution on Worship and Flags

- a. The liturgical calendar and the lectionary or preaching of the congregation be the primary source for planning worship, selection of music and administration of Word and sacrament; and that such decisions are the task of those who have been called or invited to serve to administer our worship life together;*
- b. the observance of national holidays be a part of the prayers of the church as determined by the Ministers of Word and Sacrament of the congregation;*
- c. a U.S. Flag may be displayed outside the sanctuary, governed by civil regulations concerning such, in a place that can be seen and that does not cause a safety concern.*

C4.02.B2019.08. Continuing Resolution on Values, Beliefs, Mission and Vision

The values that guide the congregation's action and aspirations are:

Authentic Worship - *Worship that is focused on God, God's Word and sacraments, and invites genuine praise and meaningful encounter with God in Christ.*

Radical Hospitality - *Going the extra mile to welcome and include all people into our life as a congregation and individuals.*

Intentional Compassion - *Sharing God's love and care for family, friends, members, neighbors and the world on purpose.*

Extravagant Generosity - *Sharing what God has first given us in ways that show the abundance of God's grace.*

Spiritual Transformation - *Learning, growing, worshiping and living in a way that invites Christ, through the power of the Spirit, to transform and change us.*

Fearless Witness - *Making decisions and acting boldly in faith in ways that demonstrate our trust in God and each other.*

The beliefs that ground the congregation's identity in Christ are:

God is love that binds together everyone and everything.

God's love is guaranteed for all through the life, death and resurrection of Jesus Christ.

God's love is not earned but is a free gift to broken people.

God's love is poured out when God's people gather around Word, water, wine and bread.

God's love is shared abundantly when God's people are the hands, feet and open arms of Jesus.

God's love transforms us to be the people God created us to be.

*The congregation's mission is to: **SHARE GOD'S LOVE**; and the congregation's vision is:*

The people of Holy Trinity Lutheran Church strive to emulate and incarnate the open arms of Jesus Christ as he revealed God's love by embracing the broken, welcoming the outcast, and giving his life on the cross.

***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 suffering, and participate responsibly in society.**

- g. Motivate its members to provide financial support for the congregation's ministry and the ministry of other parts of the Evangelical Lutheran Church in America.**
- h. Foster and participate in interdependent relationships with other congregations, the synod, and the churchwide organization of the Evangelical Lutheran Church in America.**
- i. Foster and participate in ecumenical relationships consistent with churchwide policy.**

C4.03.01. Communion Participation

- a. All baptized Christians who trust that Jesus Christ is present in the Lord's Supper, in, with and under the bread and wine, are welcome to participate in the Sacrament of the Table.
- b. Baptized children are welcome at the Lord's Table. Communion instruction classes will be held regularly for elementary age children who may commune following the class. Children may receive communion prior to this instruction. The decision to do so shall be made by parent in dialogue with child and pastor or staff. Children who are younger than the age for communion instruction should receive instruction from parents using resources provided by the congregation. When a child desires participation and a parent is not active, available or willing to be responsible for instruction, another confirmed member shall be chosen to share the instruction with the child.

***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 and/or continuing resolutions in the section on the committees of the Congregation Council.**

***C4.05. This congregation shall, from time to time, adopt 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 (ELCA)—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 (ELCA) as described in this chapter, and do not imply or describe the creation of partnerships, co-ventures, agencies, or other legal relationships recognized in civil law.**

Chapter 5

POWERS OF THE CONGREGATION

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

***C5.02. The powers of this congregation are vested in the Congregation Meeting called and**

conducted as provided in this constitution and bylaws.

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

- a. Call a pastor as provided in Chapter 9;
- b. terminate the call of a pastor as provided in Chapter 9;
- c. call a minister of Word and Service;
- d. or 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 President, President-Elect, Vice President, Treasurer, Recording Secretary, Congregation Council, Trust Committee, Nominating Committee, Financial Review Committee, and Call Committee 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 choose 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 chosen by the congregation and other qualifications shall be as prescribed in guidelines established by the Southeastern Iowa Synod of the Evangelical Lutheran Church in America.**

C5.05. This congregation may have a mission trust fund that will operate as specified in this congregation's bylaws. The purpose of the mission endowment fund is to provide for mission work beyond the operational budget of this congregation.

Chapter 6

CHURCH AFFILIATION

- *C6.01.** This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the Southeastern 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 roster of ministers of Word and Sacrament of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of ~~ordained~~ ministers of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services with an ~~ordained~~ minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.
 - d. This congregation agrees to consider ministers of Word and Service for call to other staff positions in the congregation according to the procedures of the Evangelical Lutheran Church in America.
 - e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America and with the constitution of the synod.
- *C6.04.** Affiliation with the Evangelical Lutheran Church in America may be terminated as follows:
- a. This congregation takes action to dissolve.
 - b. This congregation ceases to exist.
 - c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America.
 - d. This congregation follows the procedures outlined in *C6.05.

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

- a. A resolution indicating the intent to terminate its relationship must be adopted at a legally called and conducted special meeting of the congregation by a two-thirds vote of the voting members present. The quorum for such a meeting shall be 150 voting members. Such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time the congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the Congregation Council. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.**
- b. 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 mail a copy of the resolution to voting members of the congregation. This notice shall be submitted within 10 days after the resolution has been adopted.**
- c. The bishop of the synod and this congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the synod of the notice as specified in paragraph b. above.**
- d. If this congregation, after such consultation, still seeks to terminate its relationship, such action may be taken at a legally called and conducted special meeting (see C.10) by a two-thirds vote of the voting members present. The quorum for such meeting shall be 150 voting members. Notice of the meeting shall be mailed to all voting members and to the bishop at least 10 days in advance of the meeting. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.**
- e. A copy of the resolution, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, shall be sent to the bishop within 10 days after the resolution has been adopted, at which time the relationship between this congregation and this church (ELCA) shall be terminated subject to paragraphs g., h., and i. below. Unless this notification to the bishop also certifies that this congregation has voted by a two-thirds vote to affiliate with another Lutheran denomination, this congregation will be conclusively presumed to be an independent or non-Lutheran church.**
- f. Notice of termination shall be forwarded by the bishop to the secretary of the Evangelical Lutheran Church in America, who shall report the termination to the Churchwide Assembly.**
- g. This congregation shall abide by these covenants by and among the three expressions of this church:**

- 1) **Congregations seeking to terminate their relationship with this church (ELCA) 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 (ELCA).**
 - 2) **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 (ELCA) and receive synod council approval before terminating their membership in this church (ELCA).**
- 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, another special meeting to consider termination of relationship with this church (ELCA) may be called no sooner than six months after that first meeting. If this congregation fails to achieve the required two-thirds vote of voting members present at this congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church (ELCA) must follow all requirements of *C6.05. and may begin no sooner than six months after that second meeting.**
- *C6.06. If this congregation considers relocation, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is affected.**
- *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 Southeastern 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, title to property shall continue to reside in this congregation.**
- *C7.03. If two-thirds of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation provided that 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 Southeastern Iowa Synod.**

***C7.04. If two-thirds of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body, and have followed the process for termination of relationship in *C6.05., title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the established synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America.**

C7.05. Notwithstanding the provisions of *C7.02. and *C.7.03. 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:

- 1) 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.**
- 2) Shall—upon written demand by the Synod Council, pursuant to †S13.23. of the constitution of the Southeastern Iowa Synod re-convey and transfer all right, title, and interest in the property to the synod.**

C7.06. Real property shall not be purchased, disposed of, or encumbered in any manner except by resolution adopted by vote of two-thirds or more of the members present and voting at a legally called and conducted meeting of this congregation.

C7.07. All congregational monies placed in savings accounts, invested or held in trust in any manner shall be held by this congregation as a corporation.

Chapter 8 MEMBERSHIP

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

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

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

received by affirmation of faith.

- c. ***Voting* members are confirmed members. Such confirmed members shall have communed and made a contribution of record during the current or preceding year. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.**
- d. ***Associate* members are persons holding membership in other Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. These individuals have all the privileges and duties of membership except voting rights or other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.**
- e. **Seasonal members are voting members of other ELCA congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, including exercising limited voting rights in this congregation. The Congregation Council may grant seasonal membership to such persons provided that this congregation is a member of a synod where the Synod Council has approved seasonal member voting on its territory. Such seasonal members shall have all the privileges and duties of voting members except that:**
 - 1) **they shall not be eligible for elected office in, or for membership on the Congregation Council or on a call committee of, this congregation;**
 - 2) **they shall not have the right to vote on any matter concerning or affecting the call or termination of call of any minister of this congregation;**
 - 3) **they shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with the ELCA;**
 - 4) **they shall not be eligible to serve as voting members from this congregation of the Synod Assembly or the Churchwide Assembly;**
 - 5) **they shall not, even if otherwise permitted by this congregation, vote by proxy or by absentee ballot; and**
 - 6) **they shall not, within any two-calendar month period, exercise voting rights in this congregation and in the congregation where they remain voting members.**

C8.02.01. Baptized Membership

- a. Children are received as members of the congregation at the time of baptism. They must be presented for baptism by a parent who is a confirmed member (C8.02.b) of the congregation.
- b. Children may be baptized by the congregation if neither parent is a confirmed member under the following circumstances:
 - 1. Parent(s) are confirmed members of another congregation and the baptism is done on behalf of the home congregation where baptismal promises will be lived out. The child's baptism will be recorded in this congregation and membership transferred to the home congregation immediately.
 - 2. A confirmed member of this congregation will act as sponsor of the child, tending to

the promises made to raise the child in the faith. The child will be connected to the sponsor's household.

- c. Persons age 14 or more will be baptized without requiring parental involvement other than as potential sponsors. These persons shall be received as baptized and confirmed members at baptism.
- d. All baptisms shall be preceded by instruction with parents of those under age 14 and with the baptismal candidate age 14 and over.

C8.02.02. Members who move away shall be encouraged to transfer to another congregation of the Evangelical Lutheran Church in America. A letter of transfer will be provided upon request from the member or new congregation.

C8.02.03. Confirmed members who do not commune and contribute for a period of two years shall no longer be considered voting members of the congregation and may be removed from the record of membership of the congregation. These members shall remain persons for whom the congregation has a continuing pastoral concern and will be welcomed to re-establish membership at any time.

C8.02.04. Members, who have resigned, transferred to other Lutheran congregations, or who are definitely known to have become members of another congregation without transfer, shall cease to be voting members of this congregation and be removed from congregational records as appropriate.

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

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

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

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

- a. **Death;**
- b. **Resignation;**
- c. **Transfer or release;**
- d. **Disciplinary action in accordance with C.15 and the accompanying bylaws;**
- 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.**

Chapter 9

ROSTERED MINISTER(S)

- *C9.01. Authority to call a pastor shall be in this congregation by at least a two-thirds ballot vote of members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by this congregation to recommend the call, shall seek the advice and help of the bishop of the synod.**
- *C9.02. Only a member of the roster of ministers of Word and Sacrament of the Evangelical Lutheran Church in America or a candidate for the roster of ministers of Word and Sacrament who has been recommended for this congregation by the synodical bishop may be called as a pastor of this congregation.**
- *C9.03. Consistent with the faith and practice of the Evangelical Lutheran Church in America,**
- a. Every minister of Word and Sacrament shall:**
 - 1) Provide pastoral care;**
 - 2) seek out and encourage qualified persons to prepare for the ministry of the Gospel;**
 - 3) impart knowledge of this church and its wider ministry through distribution of its communications and publications;**
 - 4) witness to the Kingdom of God in the community, in the nation and abroad; and**
 - 5) Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.**
 - b. Each pastor with a congregational 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 council, administer discipline.**
 - 5) Endeavor to increase the support given by this congregation to the work of the ELCA churchwide organization and the Southeastern Iowa Synod of the ELCA.**

C9.03.A.2014.08. Continuing Resolution on Marriage

- a. The congregation shall, in accordance with the ELCA social statement, Human Sexuality: Gift and Trust, affirm that marriage is between a man and a woman; that co-habitation before marriage and divorce are not the normative models for marriage or the end of marriage;*
- b. The congregation support decisions to bless or not to bless unions made by pastors under call or contract at Holy Trinity Lutheran Church as they exercise pastoral sensitivity and formulate a grace-filled response to any member who seeks to have a union blessed regardless of gender, co-habitation status or divorce of either or both*

persons;

- c. The marriage licenses issued in the state of Iowa are executed by pastors according to their civil responsibility as a religious functionary apart from a call to serve a congregation; and that said execution is a matter of personal decision and bound conscience of the pastor alone.*

***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, shall be terminated only by death or, following consultation with the synodical bishop for the following reasons:**
- 1) Mutual agreement to terminate the call or the completion of a call for a specific term;**
 - 2) Resignation of the pastor, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;**
 - 3) Inability to conduct the pastoral office effectively in this congregation in view of local conditions;**
 - 4) Physical disability or mental incapacity of the pastor;**
 - 5) Suspension of the pastor through discipline for more than three months;**
 - 6) Resignation or removal of the pastor from the roster of rostered ministers of this church (ELCA);**
 - 7) Termination of the relationship between this church (ELCA) and this congregation;**
 - 8) Dissolution of this congregation; 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 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.**
 - 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 pastor's condition. When a disability or incapacity is evident to the committee, the bishop of the synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of ministers of Word and Sacrament as disabled. Upon removal of the disability and 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 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 to the pastor and 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 this 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 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 simple majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call. The quorum for such a meeting shall be 150 voting members.
- 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 (ELCA) 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.**
- *C9.10. Reserved**
- *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 these 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 field of labor or the granting by the synod of retired status to the pastor.**
- *C9.15. Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between this congregation and the pastor in a form proposed by the synodical bishop and approved by this congregation.**

(*C9:16-20 are reserved)

- *C9.21 Authority to call a minister of Word and Service shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by 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 Evangelical Lutheran Church in America or a candidate for the roster of ministers of Word and Service who has been recommended for this congregation by the synodical bishop may be called as a deacon of this congregation.**
- *C9.23. Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:**
- a. Be rooted in the Word of God, for proclamation and service;**
 - b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;**
 - c. Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad;**
 - d. Equip the baptized for ministry in God's world that affirms the gifts of all people;**
 - e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;**
 - f. Practice stewardship that respects God's gift of time, talents, and resources;**
 - g. Be grounded in a gathered community for ongoing diaconal formation;**
 - h. Share knowledge of the ELCA and its wider ministry of the gospel, and advocate for the work of all expressions of this church; and**
 - i. Identify and encourage qualified persons to prepare for ministry of the gospel.**
- *C9.24. The specific duties of the deacon, compensation, and other matters pertaining to the service of the deacon shall be included in a letter of call, which shall be attested by the bishop of the synod.**
- *C9.25. The provisions for termination of the mutual relationship between a minister of Word and Service and a congregation shall be as follows:**
- a. The call of a congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or, following consultation with the synodical bishop, for the following reasons:**
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;**

- 2) resignation of the deacon, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the ministry of Word and Service effectively in this congregation in view of local conditions;
 - 4) physical disability or mental incapacity of the deacon;
 - 5) suspension of the deacon through discipline for more than three months;
 - 6) resignation or removal of the deacon from the roster of ministers of Word and Service 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 office vacant and the deacon shall be listed on the roster of ministers of Word and Service as disabled. Upon removal of the disability and the restoration of the deacon to health, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.
- d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other

actions that should be undertaken by this congregation and by the deacon, if appropriate. If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.

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

***C9.26.** The deacon shall make satisfactory settlement of all financial obligations to a former congregation before:

- a. installation in another field of labor, or
- b. the issuance of a certificate of dismissal or transfer.

***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

C10.01. The annual meeting of this congregation shall be held at a time specified in the bylaws.

C10.02. A special Congregation Meeting may be called by (a) a pastor in concurrence with the executive committee; (b) the Congregation Council; (c) the congregation president in concurrence with the executive committee; or (d) shall be called by the Congregation Council at the written request to the Congregation Council by not less than 100 voting members. The president of the Congregation Council shall call a special meeting upon request of the synodical bishop. The call for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted.

C10.03. No special meeting of this congregation may be held without properly notifying the pastors, in view of their position as members of this congregation and advisors in all congregational affairs.

C10.04. Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive weekends and by mail or electronic means as permitted by state law, to all voting members at least 10 days in advance of the date of the meeting.

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

C10.06 One hundred voting members shall constitute a quorum. However, any decision involving the expenditure in excess of twenty percent of the congregation's current budget shall require a quorum of 150 voting members.

C10.07. In the following cases, voting shall be by ballot:

- a. To elect the members of Congregation Council
- b. To adopt or amend the articles of incorporation, constitution, or bylaws of this congregation
- c. To call or terminate the call of a pastor or deacon as provided for in *C.09
- d. To exclude a member from an office in this congregation.
- e. To terminate membership in the Evangelical Lutheran Church in America
- f. To dispose of, encumber, or purchase real property.

C10.08. 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.

C10.09. Robert's Rules of Order, latest edition, shall govern parliamentary procedure of all meetings of this congregation.

Chapter 11

OFFICERS

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

- a. Duties and terms of the officers shall be specified in the bylaws.
- b. The officers shall be voting members of this congregation.

C11.02. This congregation shall elect its officers, and they shall also be the officers of the Congregation Council as provided for in C11.01. above. Their terms shall begin at the close of the annual meeting at which they are elected.

C11.03. No elected officer shall hold more than one office at a time. No elected officer shall be eligible to serve more than two consecutive terms as a member of the Congregation Council.

Chapter 12

CONGREGATION COUNCIL

C12.01. The voting membership of this congregation Council shall consist of the pastor(s), the officers of this congregation as defined in C.11.01, the Recording Secretary, and other members as defined in the Bylaws (B.4.01). Any voting member of this congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from four successive regular meetings of the Congregation Council without cause. Consistent with the laws of the state in which this congregation is incorporated, this congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.

C12.02. The members of the Congregation Council, except for the pastor(s), shall be elected by written ballot. Three members will be elected to a term of three years to serve in the first year as Vice-President, the second as President-elect, and the third as President. The Recording Secretary, Treasurer, and other members shall be elected to serve for two (2) years or until their successors are elected (C.11.01 and 02.). Such members shall be eligible to serve no more than two full terms consecutively. Their terms shall begin at the close of the annual meeting at which they are elected.

C12.02.01. The Nominating Committee shall recommend a slate of candidates offering one (1) or more nominees for each council position to be filled. This slate shall be submitted to the Congregation Council no later than sixty days before the congregational meeting when elections will be held. The ballot will be published in the annual report of the congregation. In the event that no nominees are available for election at the annual meeting of the Congregation the Congregation Council shall be responsible for promptly appointing a qualified person to such office.

- a. The vice president shall be elected for a term of three (3) years and serve the first year as vice president, then succeed to the position of president-elect the second year of the term and succeed to the position of president the third year.
- b. The recording secretary and treasurer shall be elected for terms of two (2) years and may serve two (2) consecutive terms. Terms shall begin at the close of the annual meeting.

- c. The five (5) members of the congregation elected to serve on the Congregation Council shall be nominated to represent one of each of the five (5) Standing Ministry Areas (SMA) of the Congregation – Care & Community, Learning, Outreach, Stewardship, and Worship. These Council Representatives shall be elected by the congregation for terms of two (2) years, with such terms staggered so that the terms of three (3) Representatives will expire one year and the terms of the remaining two (2) Representatives will expire the following year. The SMA Council Representatives may serve two (2) consecutive terms. Terms shall begin at the close of the annual meeting.

C12.03. Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor until the next annual meeting.

C12.03.01. Vacancies of Officers and Members of Congregation Council shall be filled and/or administered in the following manner:

- a. Vacancies in the offices of president and president-elect will be filled by succession. A vacancy created in the position of vice president shall be filled by appointment of the Congregation Council until the next election of the congregation when a president-elect and vice president will be elected. The filling of an unexpired term shall not be deemed to be a term of office for the purpose of qualifying for election.
- b. Vacancies of officers (other than the president, president-elect, and vice president) and SMA Council Representatives of the congregation shall be filled by appointment of the Congregation Council until the next election of the congregation when a successor will be elected to fulfill the balance of the term. Persons appointed by the Congregation Council to fill such vacancies may succeed themselves in office. The filling of an unexpired term shall not be deemed to be a term of office for the purpose of qualifying for election.

C12.04. The Congregation Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:

- a. **To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.**
- b. **To seek to involve all members of this congregation in worship, learning, witness, service, and support.**
- c. **To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.**
- d. **To maintain supportive relationships with the rostered ministers and staff and help them annually to evaluate the fulfillment of their calling or employment.**
- e. **To be examples individually and corporately of the style of life and ministry expected of all baptized persons.**
- f. **To promote a congregational climate of peace and goodwill and, as differences**

and conflicts arise, to endeavor to foster mutual understanding.

- g. To arrange for pastoral service during the sickness or absence of the pastor.
- h. To emphasize partnership with the synod and churchwide organization of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.
- i. To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.
- j. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.

C12.05. 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 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 legally called and conducted meeting of this congregation.
- c. The Congregation Council may enter into contracts of up to five percent (5%) of the annual general budget 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. The Congregation Council may incur obligations of no more than five percent (5%) in excess of the total expenses in the annual budget adopted. Expenditures in excess of five percent (5%) of the annual budget adopted by the congregation must be approved at a duly called congregational meeting. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in partnership with the synod and churchwide organization.
- e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to the synodical treasurer.
- f. The Congregation Council shall directly or through appropriate policies and procedures ensure proper oversight of this congregation's assets 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 ensuring that policies, procedures and structures are in place for 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 (ELCA).

C12.09. The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.

C12.10. Reserved

C12.11. The Congregation Council shall normally meet once a month. Special meetings may be called by the pastor or the President, or 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. A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the pastor(s) or interim pastor, except when the pastor or interim pastor requests or consents to be absent and has given prior approval of 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 synodical bishop.

C12.13 The Congregation Council and its committees may hold meetings by remote communication, including electronically and by telephone conference, and, to the extent permitted by state law, notice of all meetings may be provided electronically.

C12.14 The Congregation Council shall, on behalf of this congregation, receive any recommendations received from the bishop regarding the relationship between pastor and congregation as outlined in C.9. The Congregation Council will be the primary contact for the synod and bishop in disputes between pastor and congregation.

Chapter 13

CONGREGATION MINISTRIES

C13.01. Committees, task forces or other organizational groups of this congregation shall be formed according to the Bylaws and/or as the need arises by decision of the Congregation Council.

C13.02. Duties of committees, task forces or other organizational groups of this congregation shall be specified in the bylaws, and/or continuing resolutions.

C13.02.01. The following committees and teams shall or may include but are not limited to

- a. The Executive Committee shall include the Officers of the Congregation (C11.01) and the Lead Pastor for Mission and Vision.

- b. The Congregation Council shall appoint a Financial Secretary to a term of two (2) years who will:
 1. Work with the staff member who coordinates finances and the treasurer to ensure that policies and procedures are in place to handle the accounting of offerings received; and
 2. Form and oversee a team of individuals who will count weekly offering in a timely fashion and ensure that contributions are recorded properly.
- c. A Pastoral/Rostered Call Committee elected by the congregation according to C5.03 shall consist of not less than seven (7) members. The mission of the Pastoral/Rostered Call Committee is to recommend to the congregation, the extension of a call to a pastor or other rostered staff person.
- d. A Human Resources Team consisting of not less than six (6) members shall be appointed by the Congregation Council. Members shall serve terms of two (2) years so that three (3) terms expire each year. Terms shall begin immediately following the congregation annual meeting. The Lead Pastor for Mission and Vision, vice president and Minister for Administration shall serve as advisors and resource persons to the committee. The mission of the Human Resources Team is to address personnel matters concerning the paid positions in the congregation and make recommendations to the Congregation Council in accordance with the Human Resources Team Ministry Description.
- e. A Constitution and Bylaws Committee may be appointed by the Congregation Council to review the Constitution of Holy Trinity Lutheran Church to ensure it is in compliance with the *Model Constitution for ELCA Congregations*, and to review the Bylaws of Holy Trinity Lutheran Church to assure they reflect the current needs of the congregation and Congregation Council.
- f. A Strategic Planning Committee may be appointed by the Congregation Council. Six (6) members shall serve terms of three (3) years, with two (2) members' terms expiring each year. The mission of the Strategic Planning Committee is to work with the Congregation Council, develop and maintain a short-term and long-term (5-10 year) vision for Holy Trinity Lutheran Church and report to the congregation as directed by the Council. The Lead Pastor for Mission and Vision and/or an appropriate staff person and the president-elect will be a member of the Committee.
- g. A Mission Trust Fund & Memorial Committee shall be elected by the congregation. This Committee shall consist of six (6) members elected by the congregation, plus the vice president. One pastor of the congregation shall serve with voice and vote. The members, except for the vice president and pastor, shall be elected for a three (3) year term. No member shall serve more than two (2) consecutive terms. The mission of this committee is to accept, administer and disburse special gifts, memorials, bequests and contributions to the Memorial Fund and the Mission Trust Fund. The actions of the Committee shall be governed by the bylaws of the congregation, B.06.
- h. A Financial Oversight Committee consisting of not less than six (6) members shall be appointed by the Congregation Council. Members shall serve three (3) year terms to

provide continuity and may be re-appointed for an additional term. The congregation Treasurer and the staff person(s) responsible for finance and/or administration shall serve as resource persons to the committee. The mission of the Financial Oversight Committee is to perform or provide for an annual review of the congregation's financial records in accord with direction of the Congregation Council.

- i. A Nominating Committee consisting of not less than six (6) members shall be elected by the congregation. The Lead Pastor for Mission and Vision or designee shall serve as a resource person to the Nominating Committee, together with the president-elect. The mission of the Nominating Committee is to identify qualified nominees and facilitate the election of leadership according to the Constitution of the Congregation.

C13.02.02. Vacancies on the aforementioned committees shall be filled by appointment of the Congregation Council for the balance of the term, and they may succeed themselves in office.

C13.02.03. Standing Ministry Areas (SMAs) of the Congregation (SMAs exist to "equip the saints for the work of ministry" . . . Ephesians 4:12) will be represented on the Congregation Council by a member of the congregation elected according to these bylaws (B4.01.c) who will also serve as the chair of the SMA as it meets to coordinate various teams and do the work of ministry.

- a. Care and Community Standing Ministry Area (SMA) strategically leads individuals and groups through intentional faith-building opportunities that open us to the Spirit's transforming power in our lives. The Spiritually transformed person shares God's loving compassion through intentional and radical love and care to all people as a way of life; and integrates newcomers into the communal life of the congregation. This SMA oversees and promotes efforts to:
 1. Care for the sick, homebound, and grieving members of the congregation;
 2. Promote and support the spiritual and physical wellbeing of members;
 3. Promote fellowship among members and visitors that creates a deep sense of friendship and Christian community.
 4. Welcome guests and integrate newcomers onto the life of the congregation;
 5. Provide opportunities for adults to grow in faith and seek to understand faith more deeply; and
 6. Offer prayer for those in need, the church, and the congregation.
- b. Learning Standing Ministry Area (SMA) provides strategic leadership and governance of ministries that create young disciples who embrace, and live out in their daily lives, the values and beliefs of Holy Trinity Lutheran Church. This SMA oversees and promotes efforts to:
 1. Catechize and pass on the faith to members of this congregation who are 19 years of age and under in partnership with parents;
 2. Build Christian community, through fellowship, service opportunities, and shared learning among middle school and high school aged members;

3. Coordinate the sacrament of baptism for children in partnership with the pastors and Worship SMA.
 4. Provide means of marking the growth and development of young people throughout their baptismal journey in cooperation with parents; and
 5. Provide nursery services to support parents during worship and other key events.
- c. Outreach Standing Ministry Area (SMA) provides strategic guidance and governance of ministries that encourage members and the whole congregation to be the hands and feet of Christ to those who are searching for spiritual life in Jesus Christ and those who are in need locally and globally and through partner organizations that serve others on the congregation's behalf. This SMA oversees and promotes efforts that:
1. Share the good news of God in Christ with people in the community who do not have active relationships with another congregation;
 2. Provide a climate of radical hospitality that welcomes all people to journey in faith as members of this congregation;
 3. Welcome guests and newcomers as they explore a relationship with the congregation.
 4. Support, satisfy and advocate for the needs of the poor, hungry, sick, imprisoned and oppressed beyond our congregation;
 5. Educate and promote the partnership with mission partners beyond our congregation, specifically those with the Southeastern Iowa Synod, The ELCA World Hunger Appeal, Lutheran World Relief, Lutheran Disaster Response, Des Moines Area Religious Council, Mosaic and Lutheran Services of Iowa;
 6. Develop programs and partnerships in Ankeny and the Des Moines area that minister to those in need; and
 7. Promote service among members in their daily lives that show the love of Christ to those in need.
- d. Stewardship Standing Ministry Area (SMA) provides strategic leadership and governance to all efforts that provide resources (giving, finances), infrastructure (communications, information technology, audio and visual) and facilities (building and property) used by the congregation in the pursuit of its mission. This SMA oversees and promotes efforts that:
1. Coordinate and provide for the maintenance and upkeep of the building and grounds in ways that ensure a welcoming, hospitable, professional appearance and function;
 2. Provide for the infrastructure necessary to accomplish the mission and ministry of the congregation (i.e. computers & networks, a/v equipment, trash collection, service contracts);
 3. In partnership with staff, guide the communication efforts of the congregation through print, social media, internet, telephone, etc.; and

4. Guide and provide vigorous, faith-based programs and communications that promote generosity to ensure adequate financial resources.
- e. Worship Standing Ministry Area (SMA) provides strategic leadership and governance to ensure that authentic worship, rooted in Word and sacrament, and augmented by quality music is a central aspect of the congregation's mission. This SMA oversees and promotes worship life through:
 1. Well planned, creative, and relevant worship services that reflect the life of the congregation, the tradition of the faith, and the flow of the church year;
 2. Music ministries that enhance worship and provide a means of service for members with a variety of musical abilities and talents;
 3. Lay involvement in worship services;
 4. Artistic expression and decoration in the worship and adjacent spaces that emphasize themes and seasons.

C13.02.04. Ministry Teams of the Congregation Standing Ministry Areas

- a. Each Standing Ministry will create Ministry Teams as necessary or advisable to fulfill the mission of the Standing Ministry Area.
- b. Members of the various Ministry Teams will choose a chair of their Ministry Team as necessary throughout the year. The chair will represent the team as part of the SMA.
- c. Each Ministry Team may enlist members to carry out that team's mission. Ministry Team members need not be approved by the Congregation Council.

C13.02.05. Additional Committees, Supporting Ministries and Standing Ministries: The Congregation Council may establish temporary Committees or Supporting Ministries to carry out the mission of the congregation.

C13.03. The Lead Pastor (or designee) of this congregation shall be *ex officio* a member of all committees and boards of this congregation. The president of this congregation shall be *ex officio* a member of all committees and boards of this congregation, except the Nominating Committee.

Chapter 14

ORGANIZATIONS WITHIN THIS CONGREGATION

C14.01. All organizations, groups, or ministries (which have arisen from or are formed in response to the mission of this congregation and which derive resources from or depend in anyway on this congregation's existence) shall exist to aid this congregation in ministering to its members 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 annual meeting, shall receive reports concerning their membership, work, and finances. The Congregation Council shall determine or approve their policies, guide their activities, and provide

procedures for reporting to this congregation.

C14.01.01. Mission Trust Fund

- A. The Holy Trinity Lutheran Church Mission Trust Fund (hereafter MTF) is established as a means of segregating and managing those funds of the congregation that are not a part of either the annual congregational budget or the designated funds of the congregation. The funds in the MTF shall be held in the name of Holy Trinity Lutheran Church Mission Trust Fund and invested in the ELCA Endowment Fund Pooled Trust and/or the ELCA Mission Investment Fund.
- B. Any gifts given to the MTF, as well as all income derived from the MTF, shall be used exclusively for religious, charitable and educational purposes in conformity with Section 501(c)(3) of the Internal Revenue Code of 1986 or the corresponding provision of any future United States Internal Revenue Law. This Mission Trust Fund is created and shall be operated exclusively for church purposes. No part of the income or property of the MTF shall inure to the benefit of or be distributed to any member, director or officer of the church or to any other private person, except that the MTF Committee is authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth herein. No part of the activities of the MTF shall be the carrying on of propaganda or otherwise attempting to influence legislation, and it shall not participate in or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of this document, the MTF shall not (a) carry on any activities not permitted to be carried on by any entity exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986 or the corresponding provision of any future United States Internal Revenue Law or (b) do any act which would render contributions to the MTF non-deductible under Section 170(c)(2) of the Internal Revenue Code of 1986 or the corresponding provision of any future United States Internal Revenue Law.
- C. The Mission Trust Fund Committee shall be responsible for recommending the distribution of grants and scholarships in accord with the MTF Guidelines for such distributions.
 - 1) Members of the Committee shall not be liable for any losses which may be incurred upon investments of the assets of the Fund except to the extent such losses shall have been caused by bad faith or gross negligence. No member shall be personally liable as long as he/she acts in good faith and with ordinary prudence. Each member shall be liable only for his/her own willful misconduct or omissions, and shall not be liable for the acts and omissions of any other member. No member shall engage in any self dealing or transactions with the Fund in which the member has direct or indirect financial interest and shall at all times refrain from any conduct in which his/her personal interests would conflict with the interest of the Fund.
 - 2) The Committee shall meet as follows:

- a) The members of the Committee shall meet in regularly scheduled meetings at least quarterly for the purpose of organization, the election of Committee officers, and the transaction of other business.
 - b) At all meetings of the Committee, a majority of the members shall be necessary and sufficient to constitute a quorum for the transaction of business, and the act of the majority of the members present at any meeting having a quorum shall be the act of the Committee.
 - c) The Committee shall present at the annual meeting of the congregation a report summarizing the financial and operating results for the twelve (12) month period following the last report.
- D. The Committee shall be structured as follows:
- 1) The officers of the Committee shall be the chairperson, vice chairperson, and the secretary/treasurer.
 - 2) The chairperson shall be elected by the Committee and will preside at all meetings of the Committee. The chairperson shall have and exercise general charge and supervision of the affairs of the Committee. The chairperson shall direct the treasurer of the congregation to make such distributions as authorized by the Committee.
 - 3) A vice chairperson shall also be elected by the Committee. The vice chairperson shall act as chairperson in the absence or at the request of the chair.
 - 4) The secretary/treasurer shall be selected by the committee and have charge of such books, documents and papers as the Committee may determine. The secretary/treasurer shall attend and keep minutes of all the meetings of the Committee.
- E. The Committee shall carry out its responsibilities in accord with MTF Policy and the following requirements:
1. All Committee recommendations must be approved by the Congregation Council.
 2. The Committee, in consultation with the Congregation Council, has the right to refuse any gift that would compromise the Mission, Vision, and Values of the Congregation, is given with unreasonable restrictions, or would place undue burden on the Committee or the congregation.
- F. Distribution of Funds from the MTF
1. Distributions from the MTF shall commence when the MTF has a balance of at least \$100,000.
 2. Each year the amount of the annual distribution shall be a percentage of the principal of the MTF based on earnings over the last 3-5 years. This percentage will be recommended by the Committee by March 31 each year and approved by the Congregation Council by May 31.
 3. Distributions shall be made to support mission and ministry according to the following

guidelines:

- a) 10% of the total amount distributed will be given as additional mission support to the Southeastern Iowa Synod;
 - b) Up to 40% of the total amount distributed shall be given to establish and support programs beyond the congregation's ministries which advance the mission of the congregation in the community and the world;
 - c) Up to 40% of the total amount distributed shall be given to further partnerships in mission through the Synodical, Regional, and Churchwide expressions of the ELCA;
 - d) Up to 40% of the total amount distributed shall provide scholarships for persons who are members of this congregation and show potential to serve as leaders of Christ's church, with the following priorities;
 - i. Education for rostered leaders or those pursuing rostered status;
 - ii. Undergraduate or graduate studies that will lead to a church- related occupation;
 - iii. Undergraduate studies at an ELCA college or university;
 - iv. Persons who demonstrate leadership who are pursuing a degree.
- G. When, in the opinion of the Committee, circumstances are so dire and of such an emergency nature that the future of the congregation is at stake, and the only recourse seems to be the use of the Fund, the Committee may, with a unanimous vote, recommend such authorizing action to the Congregation Council. The Council must recommend the action to the congregation with a three-quarters plurality. The congregation, in special meeting, may then adopt the recommendation of the Committee and Council with a plurality of three- quarters of the votes. Un-disbursed income in the Fund shall be used before any liquidation of principal in this instance.
- H. In the event the congregation ceases to exist, either through merger or dissolution, disposition or transfer of the MTF shall be at the discretion of the Congregation Council in conformity with the approved congregational constitution and in consultation with the Bishop of the Southeastern Iowa Synod. Consultation with the Evangelical Lutheran Church in America may be desirable for continuation of MTF obligations.
- I. The Committee may appoint such agents and representatives of the Committee, with such powers and to perform such acts or duties on behalf of the Committee, as it may see fit, so far as may be consistent with these Guidelines and Policies.
- J. The Committee may, except as in these Bylaws otherwise provide, authorize any officer or member to enter into any contract or execute and deliver any such instrument in the name of the Committee and the congregation, and such authority may be general or confined to a special instance. Unless so authorized by the Committee, no officer shall have any power or authority to bind the Committee or the congregation by any contract or engagement, or render it liable pecuniarily for any purpose or to any amount.

- K. The Committee shall liquidate all marketable securities received as soon as practicable for deposit in the fund prescribed in B6.01. Real estate, land or other property shall be held or liquidated by the Committee in a manner that best serves the mission of the congregation. The Committee shall act with prudence, discretion, intelligence, and regard for the safety of the capital as well as income.
- L. Funds Established by Committee: The Committee shall establish two separate funds to be managed by the Committee pursuant to these Guidelines and Policies.
 - 1. The Memorial Fund shall consist of all gifts, devices or bequests made to HTLC, other than a general offering for purposes of meeting the annual budget, which have been specifically designated for the Memorial Fund.
 - 2. The Mission Trust Fund shall consist of all gifts, devices or bequests made to HTLC, which have not been specifically designated for the Memorial Fund, other than a general offering for purposes of meeting the annual budget or special purpose offerings.

C14.01.02. Congregation Preschool

- A. The members of Holy Trinity Lutheran Church, hereby establish as a part of the congregation's mission and ministry a preschool.
- B. The purpose of the preschool is to provide students with developmentally appropriate academic and social opportunities in a Christian environment. The preschool is available to members of the congregation and children in surrounding communities.
- C. The operations, policies and procedures of the preschool shall be governed by the Holy Trinity Lutheran Church Preschool Committee.
 - 1. The Preschool Committee shall be accountable to the Holy Trinity Lutheran Church Congregation Council, under the general supervision of the Learning Standing Ministries Area (SMA). The Learning SMA shall be responsible for monitoring the direction and mission of the preschool and ensuring that the preschool aligns with the congregation's values, beliefs, mission and vision. The Congregational Council shall be responsible for evaluating and continuing the preschool's ministry.
 - 2. The Preschool Committee shall consist of six (6) members:
 - a) Four (4) members of the congregation, including at least one with a child currently enrolled in the preschool.
 - b) The Learning SMA shall designate from its members or the staff assigned to the Learning SMA a member of the committee with voice and without vote.
 - c) The Preschool Director shall be a member of the committee with voice and vote.
 - d) The Learning SMA Council Representative shall serve as a liaison between the Preschool Committee and the Congregation Council with voice and without vote at Committee meetings when attended.
 - 3. Teachers hired by Holy Trinity Lutheran Church shall not be eligible to serve on the Preschool Committee.

4. The Preschool Committee members shall be nominated for service by the current Committee members. The nominations shall be sent by April 1 of each year to the Nominating Committee of the congregation for inclusion in the ballot for the annual meeting. Members will be elected by the congregation at the annual meeting.
 5. Terms shall be two (2) years. Members may serve no more than two (2) consecutive terms.
 6. The Committee shall elect persons from its members to fill the following positions:
 - a) Chairperson
 - b) Secretary
 - c) Two members at Large
 7. Vacancies of members shall be filled by appointment of the Congregation Council upon recommendation from the Committee until the next nominations are sent to the Congregation Council. Persons appointed by the Congregation Council to fill such vacancies may succeed themselves in office. The filling of an unexpired term shall not be deemed to be a term of office for the purpose of qualifying for election.
 8. The Preschool Committee may appoint an advisory group made up of a parent of a child from each class.
 - a) Parent Representatives would serve for one year with voice and without vote. Their primary function would be serve as “homeroom parent” for the class, helping with communications with other parents.
 - b) Parent Representatives need not be members of HTLC.
 9. The Preschool Committee shall meet bi-monthly (every other month) or as needed as determined by the Chairperson and Preschool Director.
 - c) All regular meetings shall be open to all members of the Congregational Council, the congregation, the instructors, and the parents of the students.
 - d) Special meetings of the Preschool Committee may be called by the ~~President~~ Chairperson and Preschool Director.
 - e) Quorum shall be set at three of the five voting members of the Preschool Committee.
- D. The Preschool Director shall be responsible for the day-to-day operations and administration of the preschool and its staff.
1. The Preschool Director shall be responsible to the Preschool Committee as the administrative officer of the school. The Preschool Committee shall work with the school director to set the overall direction and mission of the preschool.
 2. Day-to-day operations include, but are not limited to:
 - a) maintaining accurate students and enrollment records;
 - b) maintaining an understanding of the preschools financial status.
 3. The school director shall meet at least quarterly with the Lead Pastor regarding theological, faith-based, and organizational matters.

- E. All preschool staff members shall be employees of Holy Trinity Lutheran Church. Policies and procedures for employments and hiring shall be governed by the policies of the HR Team of the Congregation and the HTLC Employee Handbook.
 - 1. Annual contracts for the hiring of teachers will be recommended by the Preschool Committee and executed by HTLC, and/or its representatives.
 - 2. The hiring of a Preschool Director will be executed as a program staff hire of the congregation and follow the pattern of hiring program staff laid out by the HR Team.
 - 3. Holidays and vacation days will follow the HTLC Employee Handbook, unless the needs of the school year take precedence
 - 4. termination of any staff member of the Preschool will be recommended by the Preschool Committee and executed by Holy Trinity, and/or it's representative, according to the policies laid out in the Employee Handbook.
- F. The Preschool Committee, with guidance and oversight of the Congregation Council, shall be charged with the responsibility of establishing policies for the administration and operation of the school. Their duties shall include, but are not limited to the following:
 - 1. Responsible for the financial operations of the preschool including:
 - a) Submitting a budget for the program year to the Congregation Council for approval;
 - b) Participating in the annual financial review of the congregation at the direction of the Congregation Council;
 - c) Working with the Minister for Finance of the Congregation to provide a system of income and expense accounting that will allow for a clear and consolidated accounting of the congregation's finances.
 - 2. The curricular plan of the preschool, including:
 - a) the curriculum, the ages of students entitled to enter the school;
 - b) the dates for the school year;
 - c) the enrollment fee and tuition to be paid by the students, including policies for payment and refunds, if any, when a student withdraws;
- G. The school shall assume no responsibility for transportation of the students to and from school or to and from school field trips.
- H. Holy Trinity Lutheran Church shall provide space, utilities, snow removal to the preschool as part of the church's support of the preschool's mission.
 - 1. Maintenance of the preschool facilities shall be shared between the preschool and the congregation. Sharing of costs shall be determined by the Preschool Committee and/or Preschool Director and the Stewardship SMA. Disagreements shall be resolved by the Congregational Council.

C14.02. Special interest groups, civic organizations, outside groups which require sponsorship, charter, or other official relationship with this congregation] other than those of the

official organizations of the Evangelical Lutheran Church in America, may be organized only after authorization has been given by the Congregation Council and specified in a continuing resolution. These groups must operate in a way that does not conflict with the beliefs, values, or policies 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 this congregation, or willful and repeated harassment or defamation of member(s) of this congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will be attempted following Matthew 18:15-17, proceeding through these successive steps, as necessary: a) private counsel and admonition by the pastor, b) censure and admonition by the pastor in the presence of two or three witnesses, c) written referral of the matter by the Congregation Council to the vice president of the synod, who will refer it to a consultation panel drawn from the Consultation Committee of the synod, and d) written referral of the matter by the consultation panel to the Committee on Discipline of the synod. If, for any reason, the pastor is unable to administer the admonitions required by paragraphs a. and b. hereof, those steps may be performed by another pastor chosen by the Executive Committee of the Congregation Council.
- *C15.02.** The process for discipline of a member of 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 this 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.
- *C15.08.** Reserved
- *C15.09.** Reserved
- *C15.10.** Adjudication
- *C15.11.** When there is disagreement among factions within this congregation on a substantive issue that cannot be resolved by the parties, members of this congregation shall have access to the synodical bishop for consultation after informing the chair of the Congregation Council of their intent. If the consultation fails to resolve the issue(s), the Consultation Committee of the synod shall consider the matter. If the Consultation Committee of the synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final.

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 to this constitution may be proposed by at least 50 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 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 a legally called meeting according to this constitution by a majority vote of those voting members present and voting;
- b. Be ratified without change at the next annual meeting by a two-thirds vote of those voting members present and voting; and
- c. Have the effective date included in the resolution and noted in the constitution.

***C16.03.** Any amendments to this constitution that result from the processes provided in *C16.01. and *C16.02. shall be sent by the secretary of this congregation to the synod. The synod shall notify 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 simple 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. Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.**

Chapter 18

CONTINUING RESOLUTIONS

***C18.01. The Congregation 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 two-thirds vote of all voting members of the Congregation Council.**

Chapter 19 INDEMNIFICATION

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

Chapter 20.

PARISH AUTHORIZATION

[* Required provisions when congregation is part of a parish]

***C20.01. This congregation may unite in partnership with one or more other congregations recognized by the synod named in *C6.01. to form a parish. Except as provided in *C20.02. and *C20.03., a written agreement, developed in consultation with the synod and approved by the voting members of each congregation participating in the parish, shall specify the powers and responsibilities that have been delegated to the Parish Council. The Parish Agreement shall identify which congregation of the parish issues calls on behalf of the member congregations or shall establish a process for identifying which congregation issues calls on behalf of the member congregations.**

***C20.02. One congregation of a parish shall issue a call on behalf of the member congregations to a minister of Word and Sacrament or a candidate for the roster of ministers of Word and Sacrament who has been recommended by the synodical bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.**

***C20.03. One congregation of a parish may issue a call on behalf of the member congregations to a minister of Word and Service or a candidate for the roster of ministers of Word and Service who has been recommended by the synodical bishop to serve the**

congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.

***C20.04. Any one of the congregations of the parish may terminate their relationship with the pastor as provided in †S14.18.d. of the synodical constitution of the synod named in *C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.**

***C20.05. Any one of the congregations of the parish may terminate their relationship with a minister of Word and Service as provided in †S14.43.d. of the synodical constitution of the synod named in *C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.**

***C20.06. Whenever a parish agreement is terminated, the call of any rostered minister serving that parish is terminated. Should any congregation that was formerly part of the parish agreement desire to issue a new call to that rostered minister, it may do so in accordance with the call process of this church.**

End