

**THE
CONSTITUTION
OF
BETHEL LUTHERAN CHURCH
ROCHESTER, MINNESOTA**

**AMENDED AT THE ANNUAL MEETING OF
BETHEL LUTHERAN CHURCH, JANUARY 29,
2017 AND ACCEPTED AT THE ANNUAL MEETING,
JANUARY 28, 2018**

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 Bethel Lutheran Church.

C1.02. For the purpose of this constitution and accompanying by-laws, the Bethel Lutheran Church congregation is hereinafter designated as "this congregation".

C1.11. This congregation shall be incorporated under the laws of the State of Minnesota.

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 the Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

Chapter 3.

NATURE OF THE CHURCH

- C3.01. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority.
- C3.02. This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian Unity throughout the world.
- C3.03. The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. This church, 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: congregation, 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 therein.

Chapter 4.

STATEMENT OF PURPOSE

- C4.01. The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world.
- C4.02. To participate in God's mission, this congregation as a part of the Church shall:
 - a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
 - b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
 - c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
 - d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, and standing with the poor and powerless, and committing itself to their needs.
 - e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
 - f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.
- C4.03. To fulfill these purposes, this congregation shall:
 - a. Provide services of worship at which the Word of God is preached and the

sacraments are administered.

- b. Provide pastoral care and assist all members to participate in this ministry.
- c. Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregation.
- d. Teach the Word of God.
- e. Witness to the reconciling Word of God in Christ, reaching out to all people.
- f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
- g. Motivate its members to provide financial support for the 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 Evangelical Lutheran Church in America.
- i. Foster and participate in ecumenical relationships consistent with churchwide policy.

C4.04. This congregation shall develop an organizational structure to be described in the by-laws.

C4.05. This congregation shall, from time to time, adopt a mission statement which will provide specific direction for its programs.

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

Chapter 5.

POWERS OF THE CONGREGATION

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

C5.02. The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and its by-laws.

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

- a. call pastor(s);
- b. terminate the calls of pastor(s);
- c. call a minister of Word and Service;
- d. appoint or terminate the appointment 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, vice-president, secretary, treasurer, Congregational Council [boards and committees] and require them to carry out their duties in accordance

- with the constitution [and] by-laws, [and continuing resolutions]; and
- k. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.

C05.04 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 subdivision of which it is a member. The number of persons to be elected by the congregation and the qualifications shall be as prescribed in guidelines established by the Southeast Minnesota Synod of the Evangelical Lutheran Church in America.

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 Minnesota Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.

C6.02. This congregation accepts the Confession of Faith and agrees to the Purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.

C6.03. This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:

- a. This congregation agrees to be responsible for its life as a Christian community.
- b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
- c. This congregation agrees to call pastoral leadership from the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services with a Minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America has established a relationship of full communion.
- d. This congregation agrees to consider Ministers of Word and Service for appointment 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 by-laws of the Evangelical Lutheran Church in America or 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 desire of this congregation to terminate its relationship must be adopted at a legally called and conducted special meeting of this congregation by a two-thirds majority of the voting members present.
- b. The secretary of this congregation shall submit a copy of the resolution to the synodical bishop 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 shall consult with this congregation during a period of at least 90 days.
- d. If this congregation, after consultation, still desires to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds majority of the voting members present, at which meeting the bishop of the synod or an authorized representative shall be present. Notice of the meeting shall be mailed to all voting members at least 10 days in advance of the meeting.
- e. A certified copy of the resolution to terminate its relationship shall be sent to the synodical bishop, at which time the relationship between this congregation and the ELCA shall be terminated.
- f. Notice of termination shall be forwarded by the bishop to the secretary of the ELCA who shall report the termination to the Churchwide Assembly.
- g. This congregation shall abide by these covenants by and among the three expressions of this church:
 1. Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in C6.05. shall be required to receive Synod Council approval before terminating their membership in this church.
 2. Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in C6.05., to receive synodical approval before terminating their membership in this church.
 3. Congregations established by the Evangelical Church in America shall be required, in addition to complying with the foregoing provisions in C6.05, to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church.
- h. If this congregation fails to achieve the required two-thirds vote of voting members present at the congregation's first meeting as specified in paragraph a. above, another special meeting to consider termination of relationship with this church may be called no sooner than six months after that first meeting. If this congregation fails to achieve the required two-thirds vote of voting members present at the congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of C6.05. and may begin no sooner than six months after that second meeting.

C6.06. If this congregation is considering relocation, it shall confer with the bishop of the synod before any steps are taken leading to such action. The approval of the Synod shall be sought before any action is effected.

C6.07. If this congregation considers developing an additional site to be used 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 Minnesota 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 regularly 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. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Southeastern Minnesota Synod.
- C7.04. If two-thirds of the voting members of this congregation present at a regularly called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body, title to property of this congregation shall continue to reside in the congregation only with the consent of the Synod Council. The Synod Council after consultation with the 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 the 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.

Chapter 8.
MEMBERSHIP

- C8.01. Members of this congregation shall be those baptized persons on the roll of the congregation at the time 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 by-laws.
- C8.02. Members shall be classified as follows:
- a. *Baptized* members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
 - b. *Confirmed* members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism, or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.
 - c. *Voting* members are confirmed members. Such confirmed members during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied the 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 Lutheran/Christian

congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, or persons who wish to retain a relationship with this congregation while being members of other congregations. These individuals have all the privileges and duties of membership except voting rights or other rights and privileges ascribed to voting members by 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 Congregational 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 Congregational Council or on a call committee of this congregation;
2. They shall not have the right to vote on any matter concerning of 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.

C8.03. 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 and of the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards.

C8.04. Membership in this congregation shall be terminated by any of the following:

- a. death;
- b. resignation;
- c. transfer or release;
- d. disciplinary action in accordance with ELCA constitutional provision 20.4041. and the accompanying bylaws; or
- e. removal from the roll due to inactivity in accordance with the provisions of this constitution and its bylaws
- f. 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

- C9.01. Authority to call a pastor shall be in this congregation by at least a two-thirds vote of members present and voting at a meeting regularly called for that purpose. Before a call is issued, the officers or a committee elected by this congregation to recommend the call, shall seek the advice and help of the bishop of the synod.
- C9.02. Only a member of the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Sacrament who has been recommended for the congregation by the synodical bishop may be called as a pastor of this congregation.
- C9.03. Consistent with the faith and practice of the Evangelical Lutheran Church in America,
- a) Every minister of Word and Sacrament shall:
 - 1) preach the Word
 - 2) administer the sacraments
 - 3) conduct public worship
 - 4) provide pastoral care, and
 - 5) seek out and encourage qualified persons to prepare for the ministry of the Gospel
 - 6) impart knowledge of this church and its wider ministry through distribution of its communications and publications
 - 7) witness to the Kingdom of God in the community, in the nation, and abroad, and
 - 8) speak publicly to the world, in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.
 - b) Each ordained pastor with congregational call shall, within the congregation
 - 1) Offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2) Relate to all schools and organizations of the congregation;
 - 3) Install regularly elected members of the Congregational Council;
 - 4) With the council administer discipline and,
 - 5) Endeavor to increase the support given by the congregation to the work of the ELCA churchwide organization of the Southeastern Minnesota Synod of the ELCA.
- C9.04. The specific duties of the pastor, compensation, and other matters pertaining to the service of the pastor shall be included in a letter of call, which shall be attested by the Bishop of the Southeastern Minnesota Synod of the ELCA.
- C9.05. The provisions for termination of the mutual relationship between a minister of Word and Sacrament and this congregation shall be as follows:
- a. The call of this congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment which shall be terminated only by death or, following consultation with the synodical bishop and 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;
 3. inability to conduct the pastoral office effectively in the congregation in view of local conditions,
 4. physical or mental incapacity of the pastor;
 5. suspension of the pastor through discipline for more than three months;
 6. resignation or removal of the pastor from the roster of Ministers of Word and Sacrament of this church;

7. termination of the relationship between this church and the congregation
 8. dissolution of the congregation or the termination of a parish arrangement; or
 9. suspicion of the congregation through discipline for more than six months
- b. When allegations of alleged physical or mental incapacity of the pastor or ineffective conduct 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 or two rostered ministers and one lay person, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council, or by a petition signed by at least one-third of the voting members of the congregation the bishop shall personally investigate such conditions together with a committee of two rostered ministers and one lay person.
- c. In case of alleged physical or mental incapacity under paragraph a.4) above the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament as disabled. Upon removal of the disability and the restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.
- d. In case of alleged local difficulties which imperil the effective functioning of the congregation, under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons after which the bishop together with the committee shall present their recommendations first to the pastor and then to the congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by the congregation and by the pastor, if appropriate. If they agree to carry out such recommendations, no further action shall be taken by the synod.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, the congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a 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 majority vote of the voting members present and voting where the bishop and committee recommended termination of the call.
- f. If in the course of the proceedings, described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning discipline in accordance with the provisions of this church's constitution, bylaws and continuing resolutions.

C9.06. At a time of pastoral vacancy, an interim pastor may be appointed by the bishop of the synod with the consent of this congregation or by the Congregational Council.

C9.07. During the period of service, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Church Congregational 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 of 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, and the Church Congregational Council and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- C9.10. With the approval of the bishop of the synod the congregation may depart from C9.05a, and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop, shall meet with the pastor and representatives of the congregation for a review of the call. Such call may also be terminated before its expiration in accordance with the provisions of C9.05a.
- C9.11. The pastor of this congregation:
- a) shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation,
 - b) and shall submit a summary of such statistics annually to the synod, and;
 - c) Shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- C9.12. The pastor(s) shall submit a report of his/her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the synod assembly.
- C9.13. The parochial records of this congregation shall be maintained by the pastor and shall remain the property of the congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in his or her hands in good order by a departing pastor before the installation of that pastor in another field of labor or the granting by the synod of retired status to the pastor.
- C9.14. Authority to call a minister of Word and Service shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by (this congregation) (the Congregation Council) to recommend the call, shall seek the advice and help of the bishop of the synod.
- C9.15. 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.
- C9.16. 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.

C9.17. 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.

C9.18. 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 position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Minister 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 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 recommendation first to the deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the deacon, if appropriate. If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- e) if either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a 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.

C9.19. 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.

C9.20. 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.

C9.21. 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 representative 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.

C9.22. 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.

C9.23. The deacon(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

Chapter 10.

CONGREGATION MEETING

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

C10.02. A special Congregation Meeting shall be called by the pastor(s), the Congregational Council, or by the president of this congregation, or shall be called at the written request of 100 voting members. The call for each special meeting shall specify the purpose for which it is to be

held and no other business shall be transacted.

- C10.03. Notice of all meetings of this congregation shall be given at the services of worship on two consecutive Sundays and by mail to voting members at least 10 days in advance of the date of the meeting. The posting of such notice in the regular mail, with the regular postage affixed or paid, sent to the last known address of such members shall be sufficient.
- C10.04. 100 voting members shall constitute a quorum.
- C10.05. Voting by proxy or by absentee ballot shall not be permitted.
- C10.06. All actions by this congregation shall be by majority vote except as otherwise provided in this constitution.
- C10.07. Robert's Rules of Order, latest edition, shall govern parliamentary procedure of all meetings of this congregation.

Chapter 11.

OFFICERS OF THE CONGREGATION

- C11.01. The officers of this congregation shall be president, vice-president, secretary, and treasurer. The president, vice-president, secretary and treasurer shall be elected to two year terms. The President of the congregation shall chair the Church Council and the Vice-President of the congregation shall be the vice-chair of the Council. All officers shall be eligible to serve no more than two full terms consecutively. The president and vice-president shall be elected in alternate years.
- C11.02. a. Duties of the officers shall be specified in the by-laws.
 b. The officers shall be voting members of this congregation.
 c. The treasurer and secretary of this congregation shall serve similar offices of the Congregational Council.
- C11.03. No officer shall hold more than one office at a time. No officer shall be eligible to serve more than two consecutive terms in the same office.

Chapter 12.

CHURCH COUNCIL

- C12.01. The voting membership of the Congregational Council shall consist of the Pastors, elected members of the Congregational Council (the ministry board positions), the president, the vice-president, the treasurer, and secretary of the congregation. Any voting member of the 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 Congregational 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 Congregational Council without cause.
- C12.02. The elected members of the Congregational Council shall be elected at the congregational meeting by written ballot to serve for 3 years or until their successors are elected. 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. The elected members of the Congregational Council shall also serve as chairpersons for their respective ministry board.
- C12.03. Should a member's place on the Congregational Council be declared vacant, the Congregational Council shall elect, by majority vote, a successor to serve until the next annual meeting.
- C12.04. The Congregational 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 Congregational 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 evaluate the ongoing programs of the congregation to see that they are effective and fall within the parameters of the values statement.
- e. To maintain supportive relationships with the pastor(s) and staff and help them annually to evaluate the fulfillment of their calling, appointment, or employment.
- f. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
- g. To promote a congregational climate of peace and goodwill and, as differences and conflicts arise, to endeavor to foster mutual understanding.
- h. To arrange for pastoral service during the sickness or absence of the pastor(s).
- i. To emphasize partnership with the synod and churchwide units 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.
- j. To recommend and encourage the use of program resources produced and approved by the Evangelical Lutheran Church in America.

C12.06. The Congregational Council shall be responsible for the financial and property matters of this congregation.

- a. The Congregational Council shall be responsible for the maintaining and protecting of 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 Minnesota, except as otherwise provided herein.
- b. The Congregational Council shall not have authority to buy, sell, or encumber real property unless specifically authorized by a meeting of this congregation.
- c. The Congregational Council may enter into contracts of up to 2% of the approved budget of the congregation for items not included in the budget.
- d. The Congregational Council shall prepare an annual budget for adoption by this congregation and shall supervise the expenditures of funds. The budget shall include this congregation's support of the wider ministry being carried on in partnership with the synod and churchwide organizations.
- e. The Congregational 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 Congregational Council shall be responsible for this congregation's investments and its total insurance program.

C12.07. The Congregational Council shall see that the provisions of this constitution, its by-laws and the continuing resolutions are carried out.

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

C12.09. With the exception of Associates in Ministry, the Congregational Council shall be responsible for the appointment of the salaried lay workers of this congregation.

C12.10. The Congregational Council shall submit a comprehensive report to this congregation at the annual meeting.

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

- C12.12. A quorum for the transaction of business shall consist of a majority of the members of the Congregational Council, including the pastor(s) or interim pastor(s), except when such person(s) requests or consents to be absent and has given prior approval to an agenda of routine matters which shall be the only business of the meeting.

Chapter 13

CONGREGATIONAL COMMITTEES

- C13.01. A Nominating Committee of six voting members of this congregation, two of whom shall be appointed by the Congregational Council, elected by their peers, and four who shall be elected at the annual meeting for a term of two years with terms staggered so that two are elected each year. Members of the Nominating Committee are not eligible for consecutive re-election. The Administrative Pastor shall serve as an advisory member.
- C13.02. An Audit Committee of three voting members shall be elected by the Congregational Council with staggered terms so that one member is elected each year. Audit Committee members shall not be members of the Congregational Council. Members shall be eligible for re-election.
- C13.03. When a pastoral vacancy occurs, a Call Committee of five voting members shall be appointed by the Congregation Council. Term of office will terminate at the installation of the newly-called pastor.

Chapter 14

ORGANIZATIONS WITHIN THE CONGREGATION

- C14.01. All organizations within this congregation shall exist to aid it in ministering to the members of this congregation and all persons who can be reached with the Gospel of Christ. As outgrowths and expressions of this congregation's life, the organizations are subject to its oversight and direction. This congregation at its meeting shall determine their policies, guide their activities, and receive reports concerning their membership, work, and finances.
- C14.02. Special interest groups, other than those of the official organizations of the Evangelical Lutheran Church in America, may be organized only after authorization has been given by the Congregational Council [and specified in a continuing resolution.]

Chapter 15

DISCIPLINE OF MEMBERS AND ADJUDICATION

- C15.01. Persistent and public denial of the Christian faith, willful or criminal, conduct grossly unbecoming a member of the Church of Christ, continued and intentional interference with the ministry of the congregation, or willful and repeated harassment or defamation of member(s) of the congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation will be attempted following Matthew 18:15-17, proceeding through these successive steps, as necessary: (a) private counsel and admonition by the pastor(s), (b) censure and admonition by the pastor(s) in the presence of two or three witnesses, and (c) written referral of the matter by the Congregational 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 Congregational Council.

- C15.02. The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America. If the counseling, censure, and admonitions pursuant to C15.01 do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three 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. Should the allegations be sustained by a two-thirds majority vote of the Congregational Council, the Council shall impose one of the following disciplinary actions:
- 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. The member against whom disciplinary action has been taken by the Congregational Council shall have the right to appeal the decision to the Synod Council. Such right may not be abridged (and the decision of the Synod Council shall be final.)
- C15.05. By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:
- a) suspension from the privileges of congregation membership for a designated period of time;
 - b. suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
 - c. termination of membership in the congregation; or
 - d. termination of membership in the congregation and exclusion from the church property and from all congregation activities.
- C15.06. The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next council meeting.
- C15.07. No member of the congregation shall be subject to discipline a second time for offenses that a discipline hearing panel has heard previously and decided pursuant to this chapter.

C15.10. Adjudication 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 *C167.04. is applicable, those sections of this constitution that are not required, in accord with the Model Constitution for Congregations of the Evangelical Lutheran Church in America, may be amended in the following manner. Amendments may be proposed by at least 50 voting members or by the Congregational Council. Proposals must be filed in writing with the Congregational Council 60 days before formal consideration by this congregation at its regular or special meeting called for that purpose. The Congregational Council shall notify the congregation's members of the proposal together with the council's recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.

C16.02. An amendment to this constitution, proposed under C167.01. shall:

- a. be approved at a properly called Congregation Meeting according to this constitution by a majority vote of those voting members present and voting; and
- 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 (Such an effective date must be stated in relation to the requirements of C17.03. to allow time for synodical review of the amendment) and noted in the constitution.

C16.03. Any amendments to this constitution that result from the processes provided in C167.01. and C167.02 shall be sent by the secretary of this congregation to the synod. The synod shall notify the congregation of its decision to approve or disapprove of the proposed changes; the changes shall go into effect upon notification that the synod has approved them.

C16.04. This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the Model Constitution for Congregations of the Evangelical Lutheran Church in America as most recently amended by the Churchwide Assembly. Such amendments may be approved by a majority vote of those voting members present and voting at any legally called meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to the congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of two (2) voting members of the congregation, the Congregational Council shall submit such notice. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

Chapter 17.
BYLAWS

- C17.01. This congregation may adopt bylaws. No bylaw may conflict with this constitution.
- C17.02. Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a majority 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 in a legally called meeting or the Congregational Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.
- C18.02 Continuing resolutions shall be enacted or amended by a majority vote of all voting members of the Congregational 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.

Congregational Secretary

Date

Congregational Business Administrator

Date