

# Constitution, Bylaws, and Continuing Resolutions

*Spirit of Grace Lutheran Church*

**DRAFT P1**

March 5, 2019





# Contents

<b>Forward</b>	
Pastor Ted Carnahan	<b>4</b>
<b>A Quick Guide to the First Public Draft</b>	
Pastor Ted Carnahan	<b>5</b>
<b>Introduction to the ELCA Model Constitution for Congregations</b>	
Rev. Wm. Chris Boerger	<b>11</b>
<b>Constitution, Bylaws, and Continuing Resolutions of Spirit of Grace Lutheran Church</b>	<b>15</b>
PREAMBLE	15
Chapter 1. NAME AND INCORPORATION	15
Chapter 2. CONFESSION OF FAITH	15
Chapter 3. NATURE OF THE CHURCH	16
Chapter 4. STATEMENT OF PURPOSE	17
Chapter 5. POWERS OF THE CONGREGATION	20
Chapter 6. CHURCH AFFILIATION	24
Chapter 7. PROPERTY OWNERSHIP	27
Chapter 8. MEMBERSHIP	28
Chapter 9. ROSTERED MINISTER	33
Chapter 10. CONGREGATION MEETING	41
Chapter 11. OFFICERS	41
Chapter 12. CONGREGATION COUNCIL	43
Chapter 13. CONGREGATIONAL LEADERSHIP COMMITTEES	49
Chapter 14. ORGANIZATIONS WITHIN THE CONGREGATION	53
Chapter 15. DISCIPLINE OF MEMBERS AND ADJUDICATION	53
Chapter 16. AMENDMENTS	56
Chapter 17. BYLAWS	57
Chapter 18. CONTINUING RESOLUTIONS	58
Chapter 19. INDEMNIFICATION	58
Chapter 20. PARISH AUTHORIZATION	58



## Forward from Pastor Ted Carnahan

Dear Spirit of Grace Participant,

Adopting a Constitution, Bylaws, and Continuing Resolutions for Spirit of Grace Lutheran Church is a momentous step in the history of our congregation. You are encouraged to read it over carefully, give thoughtful and prayerful consideration to the entire document, and offer your feedback.

What you have in front of you is the product of dozens and dozens of hours of careful writing, revising, and reflection.

While it may seem dry and lifeless, a Constitution is a very important document for a congregation. It sets the bounds and expectations on leaders, it expresses our procedures and our ideals, and it sets the direction and parameters for ministry.

Weighing in at just over 15,000 words, I realize that reading it is a daunting proposition. A significant portion is “boilerplate” required provisions from the ELCA Model Constitution for Congregations that we are required to adopt as part of this process. I’ve included a crib sheet in the next few pages that reduces the reading burden by 90%. I hope it will help you focus on the parts that are truly unique to Spirit of Grace.

If you have questions, comments, or suggestions about this draft, please reach out to any member of the Leadership Team. You can reach me in particular by texting/calling 308-999-9027 or emailing [Pastor@SOG.Church](mailto:Pastor@SOG.Church).

Also, remember that you are invited to bring your questions and feedback to the congregational hearing on Sunday, March 17 after church.

Thank you for your attention to this important step in our congregation’s organization process.

Peace,



Pastor Ted Carnahan

# A Quick Guide to the First Public Draft

*Pastor Ted Carnahan*

## **Chapter 1. Name and Incorporation**

The congregation is officially named Spirit of Grace Lutheran Church [C1.01](#).

## **Chapter 2. Confession of Faith**

**Our confession of faith** is rooted in the Triune God who reveals himself as the Father, Son, and Holy Spirit. [\\*C2.01](#).

**Jesus Christ is our Lord and Savior.** The Gospel is the power of salvation for all who believe. [\\*C2.02](#).

**The Holy Bible** is our authoritative source and standard of belief and practice. [\\*C2.03](#).

**The Three Ecumenical Creeds** (the Apostles', the Nicene, and the Athanasian) are our confession of the faith of the One, Holy, Catholic, and Apostolic Church. [\\*C2.04](#).

**We are Lutheran Christians**, united not by worship practice, language, or culture, but by our confessional theology. That theology is formally set forth in the Book of Concord, and especially in the Unaltered Augsburg Confession. [\\*C2.05](#). [\\*C2.06](#). [\\*C2.07](#).

## **Chapter 3. Nature of the Church**

**Jesus Christ** is the one leader, one ruler, and one source of authority. [\\*C3.01](#).

Our congregation participates in the life of the universal Church [\\*C3.02](#), through the Evangelical Lutheran Church in America (ELCA) [\\*C3.03](#), and the Lutheran World Federation (LWF) [\\*C3.04](#).

The ELCA is organized into three “expressions,” congregations, synods (geographical districts), and the churchwide organization (national church office). [\\*C3.05](#).

## **Chapter 4. Statement of Purpose**

The Church's purpose is to carry out the mission of God to bear witness to God's "creative, redeeming, and sanctifying activity in the world." [\\*C4.01.](#)

1. **Background checks** are required for people working with minor children or around money (Bylaw [C4.03.01.](#))
2. **Holy Communion** is available to all with no minimum age. [C4.03.02.](#)
3. Our **mission** statement [C4.05.01.](#), **vision** [C4.05.02.](#), vision heart [C4.05.03.](#) and **core values** [C4.05.04.](#) are established.

## **Chapter 5. Powers of the Congregation**

Establishes the legal authority of the congregation as a corporation.

1. **The congregational meeting** has ultimate authority to govern the direction of the church, but many of the day-to-day operational decisions are delegated to the Congregational Council. [\\*C5.03.](#)
2. Establishes a high bar for making changes to the rules for church funds. [C5.06.](#)
3. **Endowment Fund** policy and rules [C5.05.01.](#)
4. **Strategic Development Fund** policy and rules [C5.06.01.](#)
5. **Designated Gifts Fund** [C5.06.02.](#) and **Memorial Gifts Fund** [C5.06.03.](#),

*Note: Out of a concern that the original Designated and Memorial Gifts Fund policy that we recently passed was difficult to understand, we've separated the two. The policies aren't changing, just how they're organized.*

## **Chapter 6. Church Affiliation**

Establishes our interdependent relationship with the Nebraska Synod and the Evangelical Lutheran Church in America. It also provides a legal procedure for terminating that relationship.

## **Chapter 7. Property Ownership**

If the congregation closes, is disciplined, or chooses to leave the ELCA, this chapter determines who the church's property belongs to.

## **Chapter 8. Membership**

Establishes expectations and legal definitions of membership in the congregation, lays out the reasons that membership can be terminated, and establishes some recordkeeping requirements.

1. **Confirmation** minimum age and curriculum is the responsibility of the pastor in conversation with parents and the Congregation Council. [C8.02.01.](#)
2. **Automatic termination of membership for inactive members** who (a) are at least 21 years old, (b) haven't communed in over two years, and (c) haven't given an offering in over two years. Establishes a mechanism for waiving this policy for members who are ill, attending higher education, or are serving in the military. [C8.05.01.](#)
3. **Policy on handing off members who are moving** [C8.05.02.](#) and policy on letters of membership transfer [C8.05.03.](#)
4. **Spirit of Grace's Discipleship Covenant** is established in [C8.06.](#) and [C8.06.01.](#)
5. **Attendance** recordkeeping standards [C8.07.](#) and [C8.07.01.](#)

## **[Chapter 9. Rostered Minister](#)**

Call process, job responsibilities, authority, expectations, and disciplinary processes of "rostered ministers," a term which our denomination uses to refer to both pastors and deacons.

1. **Responsibility for convening a Call Committee** to find a candidate to recommend to the congregation to serve as a pastor or deacon is delegated to the Congregation Council. See [C9.01.](#) and [C9.21.](#)

## **[Chapter 10. Congregation Meeting](#)**

Establishes the rules around legal meetings of the congregation.

1. **Annual meeting** is to be held on a Sunday in February that the Council chooses [C10.01.01.](#)
2. **Special congregation meetings** may be called by the pastor, the Council, or by petition of ten voting members. [C10.02.](#)
3. Voting members must be notified of meetings in advance. [C10.03.](#)
4. **To determine a quorum** for congregational meetings, we will use a moving average based on worship attendance. [C10.04.](#)



## **Chapter 11. Officers**

Establishes the rules, procedures, and responsibilities relating to officers of the congregation.

1. Duties of the President and Vice President [C11.01.01.](#), Secretary [C11.01.02.](#), and Treasurer [C11.01.03.](#) are laid out here.
2. Congregational officers are elected by the Council and serve one year terms. [C11.02.](#)

## **Chapter 12. Congregation Council (aka Leadership Team)**

Establishes the rules, procedures, and responsibilities relating to the Congregation Council (aka “Leadership Team”).

1. The term “Leadership Team” is fully interchangeable with the term “Congregation Council” for legal purposes. [C12.04.01.](#)
2. **The Leadership Team** will consist of the pastor and between four and six elected laypeople. There are no age requirements for Leadership Team members. [C12.01.](#)
3. **Terms and Term Limits** for Leadership Team members [C12.02.](#) If a seat on the Leadership Team becomes vacant, they may fill that seat until the next annual meeting. [C12.03.](#)
4. **Weather Cancellation Policy** [C12.04A19.](#)
5. The Leadership Team is limited to spending no more than 10% above the annual budget without asking for permission from the congregation. [C12.05.c.](#)
6. **Covenant Leaders** (see [C13.09.](#)) may spend funds from their budget without further permission, subject to sensible limits. [C12.05.01.](#) One important rule is that we don’t spend money for special items that we are fundraising for until we have the money in hand. [C12.05.01.d.](#)
7. Sets out rules for how the congregation’s charge accounts are administered. [C12.05.02.](#)
8. The **Financial Secretary** heads an **Offering Team** which counts the offering and keeps records.
9. **The pastor is the head of staff** and is responsible for the employment and supervision of all staff members. [C12.08.](#)

## **Chapter 13. Congregational Leadership Committees**

Establishes the teams and committees that coordinate our life and ministry together..

1. **The Executive Committee** is made up of the officers of the congregation and the pastor.
2. **The Nominating Committee** selects members to become leadership candidates in a Leadership Selection Group and nominates leadership candidates for positions of

responsibility. [C13.02.](#), [C13.02.01.](#) The pastor has the right to veto nominations confidentially, which can be overridden in several ways if needed. [C13.02.02.](#)

3. **The Audit Committee** performs an annual audit of the church's finances. [C13.03.](#)
4. **A Call Committee** is elected by the Congregation Council when there is a pastoral vacancy. [C13.05.](#)
5. **Covenant Leaders** [C13.09.](#) are accountable to **Spirit of Grace's Leadership Covenant.** [C13.09.01.](#) To be elected or appointed to a leadership position you have to be a Covenant Leader.

## **[Chapter 14.](#) Organizations within the Congregation**

Establishes the standards for organizations within the congregation.

1. Non-ELCA special interest groups must get approval from a congregation meeting prior to being organized. This is aimed at limiting divisive or partisan activity within the congregation. [C14.02.](#)

## **[Chapter 15.](#) Discipline of Members and Adjudication**

Establishes the rules and standards for disciplining or expelling members.

1. **Spirit of Grace's Discipleship Covenant** ([C8.06.01.](#)) is the standard we uphold for Christian conduct in the life of our congregation.

## **[Chapter 16.](#) Amendments**

Establishes the rules and procedures for amending this constitution. To change this constitution, an amendment must be proposed, approved by a majority at a specially called congregation meeting, and then ratified without changes by a two-thirds vote at the next annual meeting.

1. Ordinarily, amendments may be proposed by petition of at least ten voting members. [\\*C16.01.](#) Changes to bring this constitution up to date with the Model Constitution have reduced requirements.

## **[Chapter 17.](#) Bylaws**

Establishes the rules and procedures for proposing, amending, or removing bylaws. Bylaws are adopted or amended by two-thirds votes of congregational meetings, so they require a lot of agreement to make changes.

## **[Chapter 18.](#) Continuing Resolutions**

Establishes the rules and procedures for enacting continuing resolutions.

### **Chapter 19. Indemnification**

Allows the congregation to provide indemnification for certain leaders.

### **Chapter 20. Parish Authorization**

Allows the congregation to enter into “parish” arrangements with other congregations to share ministries and jointly call a pastor.

*Note: Including this chapter gives Spirit of Grace the flexibility to choose to be part of a parish in the future without first undergoing a constitutional amendment process that could take up to a year to complete. This chapter is unchanged from the Model Constitution.*

# Introduction to the ELCA Model Constitution for Congregations

*W. Chris Boerger, ELCA Churchwide Secretary, August 2016.*

The Model Constitution for Congregations of the Evangelical Lutheran Church in America, like the other governing documents of this church, reflects the theology and polity of this church as it organizes itself to preach the gospel of Jesus Christ, share the sacraments, reach out to the neighbor with good news and share the love of God in the world. Each expression of this church --- churchwide, synod, and congregation --- is held together in a relationship of interdependence that encourages each to respond to its context. These documents also demonstrate our commitment to seeing ourselves with others as part of the one, holy, catholic, and apostolic Church. As such, the Model Constitution for Congregations is deeply rooted in Scripture, the Lutheran Confessions, and the history of this church and its predecessors.

The Model Constitution for Congregations was adopted by the Constituting Convention of the Evangelical Lutheran Church in America, as required by the Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America. This current edition of the Model Constitution for Congregations of the Evangelical Lutheran Church in America contains changes adopted by all churchwide assemblies, including the fourteenth Churchwide Assembly in 2016. It is consistent with the requirements of the governing documents of the ELCA's churchwide organization and synods, and it provides organizational flexibility to recognize the context of local congregations.

→ **Required provisions:** Sections of this constitution marked by an asterisk [\*] are required when a congregation amends its governing documents. These sections must be used without alteration or amendment of the text in any manner (i.e., neither additions nor deletions are permissible). This requirement is based on provision 9.52. in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America. This provision requires that when a congregation of this church "wishes to amend any provision of its governing documents, the governing documents of that congregation shall be so amended to conform to 9.25.b." in the churchwide constitution. Provisions in the Model Constitution for Congregations identified by an asterisk [\*] are those required under ELCA constitutional provision 9.25.b.

→ **Review by synod:** Each congregation of this church is to provide a copy of its governing

documents, and any amendments thereto, to its synod. In accordance with ELCA bylaw 9.53.03., amendments to a congregation constitution become effective only when approved by the synod. This bylaw provides:

*All proposed changes in the constitution or incorporation documents of a congregation shall be referred to the synod with which the congregation is affiliated. The synod shall notify the 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. The synod shall recognize that congregations may organize themselves in a manner which they deem most appropriate.*

- No governing document amendment will be approved by a synod if it conflicts with the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America. In order to meet constitutional requirements and to avoid potential problems, all proposed amendments to a congregation's constitutional provisions, bylaws, and continuing resolutions should be submitted to the synod for review.
- **Amendment consistent with the Model Constitution for Congregations:** A congregation that amends its constitution to be in conformity with the Model Constitution for Congregations will report these changes to its synod. The amendments become effective upon adoption by the congregation, [\\*C16.04](#). While synod approval is not required, it is wise to work with the synod in preparing to present these amendments to the congregational meeting.
- **Codification explanation:** The Model Constitution for Congregations is organized into chapters by general subject matter and codified as (a) constitutional provisions, (b) bylaws, and (c) continuing resolutions. Each provision is preceded by a capital "C." If a constitutional provision is mandatory, it will be preceded by an asterisk, "\*C."
  - a. Constitutional provisions are codified with two sets of numbers, preceded by a "C": the chapter number, followed by a period, and a two-digit number. A period follows the two-digit number. Thus, one required constitutional provision related to "Membership" in [Chapter 8](#) is codified as "\*C8.02." A provision in [Chapter 12](#) relating to a report by the Congregation Council to the congregation at an annual meeting is codified as "C12.09." Constitutional provisions are adopted and amended in accordance with [Chapter 16](#) titled "Amendments."
  - b. Bylaw provisions follow constitutional provisions to which they apply. They are not intended to be organized in a separate document at the end of the constitutional provisions. Bylaws are codified with three sets of numbers: the chapter number

(preceded by a "C"), the related constitutional provision number, and a two-digit number. There are periods after the chapter number, after the reference to the constitutional provision, and after the bylaw number. Thus, a bylaw provision related to "Membership" would be codified as "C8.02.01." A bylaw relating to the contents of an annual report by the Congregation Council to the congregation at an annual meeting would be codified as "C12.09.01." Because bylaws and continuing resolutions normally relate to specific practices and details of each congregation's organization, operation, and life, there is not a model set of bylaws or continuing resolutions. Thus, each congregation has discretion and may develop its own bylaws and continuing resolutions, including bylaws and continuing resolutions under required constitutional provisions, but no such bylaw or continuing resolution may conflict with constitutional provisions in the Model Constitution for Congregations, the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America, or the constitution of the synod, as indicated in [\\*C6.03.e](#). Bylaws are adopted and amended in accordance with Chapters 16 and 17.

- c. Continuing resolutions are intended to provide descriptions of operational patterns and practices or of the ongoing responsibilities of committees or other units within the organizational structure of the congregation. They follow the relevant constitutional provision or bylaw to which they refer. Continuing resolutions also are codified with three sets of numbers, except that the third set is preceded by a capital letter. Thus, a continuing resolution describing congregational committees in [Chapter 13](#) might be numbered "C13.07A13." The initial numbers "C13.07" indicate that the continuing resolution relates to the designated constitutional provision, which in this case provides that the duties of congregational committees may be specified in bylaws or continuing resolutions. The final letter and numbers "A13" designate that this is the first continuing resolution "A" and the year that it was adopted, in this example 2013. Continuing resolutions are adopted and amended in accordance with [Chapter 18](#). Unlike constitutional provisions and bylaws which are adopted by the congregation at a legally called and conducted meeting, continuing resolutions may be adopted either by a congregational meeting or by the Congregation Council.

- **Missing numbers:** You will notice that certain numbers are missing from the numbering sequence in some chapters. These omissions are intentional. For example, in some chapters the number ".10." and multiples thereof have been reserved for possible use as section headings in future editions.
- **Selection of options:** Alternatives are provided in some places within the Model Constitution for Congregations. Alternatives are noted by brackets or blank lines. For example, constitutional provision [\\*C9.01](#) offers the alternative of election of a call

committee by the congregation or by the Congregation Council. Only one alternative should be chosen in each instance where brackets appear in the text. In other provisions, alternative provisions are provided. Thus, in Chapters 11 and 12, regarding "Officers" and "Congregation Council," options are provided separated by the word "or." Each congregation should select one of those options, subject to approval through the synod's constitutional review process. Where a blank line appears, such as in [C1.01.](#) or [C10.02.](#), the appropriate word, phrase, or number determined by the individual congregation should be inserted.

- **References to church:** In the governing documents, "Church" with a capital letter refers to the one, holy, catholic, and apostolic Church. The words "church" or "this church" in lowercase letters refer to the Evangelical Lutheran Church in America. The specific congregation may be identified, as provided in [C1.02.](#), as "this congregation."
- **Guidelines:** A list of guidelines for a congregation engaging in review and amendment of its constitution is available through each synod office and at [ELCA.org](#).
- **Consultation and concluding comments:** Each synod has a process to review proposed amendments to congregational constitutions. The work of both congregations in amending their governing documents and the synod in reviewing proposed amendments is facilitated by consultation and cooperation before proposed amendments are acted upon by the congregation. In addition, each congregation should establish a process for periodic review of its governing documents. You are encouraged to contact your synod office to assist your congregation in its periodic review of governing document provisions and to assess whether problems may exist with respect to proposed amendments.

The important task of amending a constitution is challenging. It is, however, an essential endeavor that merits thoughtful work. In addressing your constitutional responsibilities, may God grant you and your colleagues wisdom, discernment, and commitment to the unity of this church in faithful witness to our Lord and Savior, Jesus Christ.

Secretary Wm Chris Boerger

Evangelical Lutheran Church in America

August 17, 2016

# Constitution, Bylaws, and Continuing Resolutions of Spirit of Grace Lutheran Church

## **PREAMBLE<sup>1</sup>**

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 Spirit of Grace Lutheran Church.
- C1.02.** For the purpose of this constitution and the accompanying bylaws, the congregation of Spirit of Grace Lutheran Church is hereinafter designated as "this congregation."
- C1.11.** This congregation shall be incorporated under the laws of the State of Nebraska.

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

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<sup>1</sup>Required provision



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

### **Chapter 3. NATURE OF THE CHURCH**

- \***C3.01.** All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this

congregation are to be carried out under his rule and authority.

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

## **Chapter 4. STATEMENT OF PURPOSE**

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

to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.

- d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, standing with the poor and powerless, and committing itself to their needs.
- e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
- f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.

**\*C4.03.** To fulfill these purposes, this congregation shall:

- a. Provide services of worship at which the Word of God is preached and the sacraments are administered.
- b. Provide pastoral care and assist all members to participate in this ministry.
- c. Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregation.
- d. Teach the Word of God.
- e. Witness to the reconciling Word of God in Christ, reaching out to all people.
- f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
- g. Motivate its members to provide financial support for 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. All persons serving regularly in this congregation in any of the following roles shall

undergo a background check prior to the beginning of their service:

- a. Those whose role is likely to place them in unsupervised contact with persons under the age of 18 years
- b. Those whose role includes the handling of of the church's funds or management of the church's finances

In addition to the roles mentioned above, the Congregation Council may add or subtract to the list of roles for which background checks are required by continuing resolution so long as such changes do not weaken the provisions above. Any such changes become effective immediately.

C4.03.02. This congregation has no established minimum age for first receiving the Sacrament of Holy Communion. Children shall be admitted to the Lord's table at the pastor's discretion in conversation with each child's parents or guardians.

**\*C4.04.** This congregation shall develop an organizational structure to be described in the bylaws. The Congregation Council shall prepare descriptions of the responsibilities of each committee, task force, or other organizational group and shall review their actions. ~~[Such descriptions shall be contained in continuing resolutions in the section on the Congregation Committees.]~~

**\*C4.05.** This congregation shall, from time to time, adopt a mission statement, a vision statement, a statement of its core values, and whatever other guiding statements which will provide specific direction for its programs.

C4.05.01. The mission of Spirit of Grace Lutheran Church is to reach Holdrege and the surrounding community with the hope of Jesus Christ.

C4.05.02. The vision statement of Spirit of Grace Lutheran Church is: "With the Holy Spirit guiding us to reach out to our community, Spirit of Grace Lutheran Church will welcome 350 people into worship each week. At least 50 percent of us will be involved in intentional discipling groups, and at least 50 percent will serve the community and reach young families through one of our ministries."

C4.05.03. The heart of Spirit of Grace Lutheran Church is to be Great Neighbors.

C4.05.04. The core values of this congregation shall be:

- a. Radical Hospitality — We will welcome and include every person who walks through our doors.
- b. Service — We will be practicing disciples of Jesus Christ by serving one another

and the community.

- c. Community — We will be committed to creating and supporting community in our church, in Holdrege, and beyond.
- d. Worship — We will be a worship-centered community, providing opportunities for all people to encounter Jesus Christ through Word and Sacrament.

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

## **Chapter 5. POWERS OF THE CONGREGATION**

- \*C5.01.** The powers of this congregation are those necessary to fulfill its purpose.
- \*C5.02.** The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws.
- \*C5.03.** Only such authority as is delegated to the Congregation Council or other organizational units in this congregation’s governing documents is recognized. All remaining authority is retained by the 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. terminate the call of a minister of Word and Service in conformity with the constitution of the Evangelical Lutheran Church in America;
  - e. adopt amendments to the constitution, as provided in [Chapter 16](#), amendments to the bylaws, as specified in [Chapter 17](#), and continuing resolutions, as provided in [Chapter 18](#);
  - f. approve the annual budget;

- g. acquire real and personal property by gift, devise, purchase, or other lawful means;
- h. hold title to and use its property for any and all activities consistent with its purpose;
- i. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
- j. elect its ~~[officers][,] [and]~~ Congregation Council, ~~[boards, and committees,]~~ and require ~~[them]~~ [the members of the council] to carry out their duties in accordance with the constitution[, ] ~~[and]~~ 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 elected by the congregation and other qualifications shall be as prescribed in guidelines established by the Nebraska of the Evangelical Lutheran Church in America.

**C5.05.** This congregation shall have a mission endowment fund that will operate as specified in this congregation's ~~[bylaws]~~ [continuing resolutions]. The purpose of the mission endowment fund is to provide for mission work beyond the operational budget of this congregation.

C5.05.01. Endowment Fund — Pursuant to [C5.05.](#), this congregation shall establish and maintain an Endowment Fund for the purpose of enhancing the ministry and mission of the congregation as it functions as an interdependent part of the ministries of the Evangelical Lutheran Church in America and works to reach Holdrege and the surrounding community with the hope of Jesus Christ.

- a. *Permanent Duration* — The Endowment Fund shall be a perpetual endowment administered and invested by the Congregation Council. The principal of the Fund shall remain intact and not be distributed except as otherwise provided for in this policy.
- b. *Gifts of Commodities* — Gifts of commodities shall be sold upon receipt, unless otherwise specified by the Leadership Team.
- c. *Uses* — Income accrued from Endowment Fund investments may be distributed

according to the following guidelines:

1) Decisions to distribute funds shall be made by the Leadership Team in order to support the mission of:

- i. Spirit of Grace Lutheran Church,
- ii. the Nebraska Synod of the Evangelical Lutheran Church in America and the agencies and causes recognized at the most recent Nebraska Synod Assembly, or
- iii. the Evangelical Lutheran Church in America and its officially recognized related ministries.

2) Funds may not be used to support regular or budgeted expenses.

d. *Accountability* — An accounting of donations, investment income, and disbursements shall be made publicly available on an annual basis or upon request.

e. *Separate Account(s)* — The Endowment Fund shall be held in one or more investment account(s) and shall not be commingled with any other funds.

f. *Dissolution* — Should Spirit of Grace Lutheran Church or its successor organization dissolve, the balance of the Endowment Fund shall be given to the Nebraska Synod of the Evangelical Lutheran Church in America or its successor organization with a designation for the development of new congregations and the redevelopment of existing congregations.

**C5.06.** This congregation shall receive funds for special projects, strategic development and outreach, and other purposes consistent with its mission statement that will operate as specified in this congregation's [bylaws]~~[continuing resolutions]~~.

C5.06.01. Strategic Development Fund — Pursuant to [C5.06.](#), this congregation shall establish and maintain a Strategic Development Fund for the purpose of facilitating the growth and strategic development of Spirit of Grace Lutheran Church.

a. *Undesignated* — Gifts to the Strategic Development Fund may not be further designated by the donor.

b. *Gifts of Commodities* — Gifts of commodities shall be sold upon receipt, unless otherwise specified by the Leadership Team.

c. *Disbursement* — The Leadership Team may approve the use of funds from the Strategic Development Fund in any manner consistent with the Fund's purpose.

- d. *Separate Account(s)* — The Strategic Development Fund shall be held in one or more investment account(s) and shall not be commingled with any other funds.
- e. *General Fund Use Excluded* — Gifts to the Strategic Development Fund and any investment income shall be used only for irregular and non-budgeted expenses, except by approval of the congregation at a specially called congregational meeting.

C5.06.02. Designated Gifts Fund — Pursuant to [C5.06.](#), this congregation shall accept designated gifts according to the following rules:

- a. *Approval in Advance* — Designated gifts shall only be accepted upon advance approval by the Congregation Council.
- b. *Designated by Written Agreement* — The congregation's treasurer shall execute a written agreement with the donor specifying each fund's designated purpose at the time it is established.
- c. *Non-monetary Gifts* — Designated gifts of commodities, securities, real estate, and items to this congregation shall be sold upon receipt unless otherwise specified by the Congregation Council.
- d. *Authority to Disburse* — Designated funds may only be disbursed upon approval of the Congregational Council.
- e. *General Fund Restrictions* — The principal and accrued interest of designated gifts shall be used only for irregular and non-budgeted expenses, except when:
  - 1) The designated purpose would not otherwise restrict such use of those funds, and
  - 2) Such use is approved by majority vote of the congregation at a congregational meeting.
- f. *Residual Amounts* — When the Congregation Council determines that there are residual amounts remaining in a dedicated fund after its purpose has been fulfilled, such residual amounts shall become undesignated gifts to this congregation, provided that:
  - 1) Total funding received for the designated purpose exceeds total expenditures,
  - 2) All agreed-upon deliverables have been met, and
  - 3) In the signed agreement, the donor does not require the return of residual funds.
- g. *Delegated Authority* — The roles and authority granted to the Congregation



Council in subsections .02.a. through .02.d. of this bylaw may be delegated to another committee or task force by continuing resolution of this congregation.

C5.06.03. Memorial Gifts Fund — Pursuant to [C5.06.](#), this congregation shall accept memorial gifts according to the following policy:

- a. *Memorials Gifts are Undesignated* — Memorial gifts are accepted “in memory of” or “in honor of” a subject established by the donor, but will not be considered legally designated to a particular use.
- b. *Non-monetary Gifts* — Memorial gifts of commodities, securities, real estate, and items to this congregation shall be sold upon receipt unless otherwise specified by the Congregation Council.
- c. *Authority to Disburse* — The Congregation Council shall, when it deems it appropriate, consult with the donors of memorial gifts prior to disbursing funds, but final authority to determine the use of memorial gifts remains with the Congregation Council.
- d. *General Fund Restrictions* — The principal and accrued interest of memorial gifts shall be used only for irregular and non-budgeted expenses, except when such use is approved at a congregational meeting.
- e. *Delegated Authority* — The roles and authority granted to the Congregation Council in subsections a. through c. of this bylaw may be delegated to another committee or task force by continuing resolution.

## **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 Nebraska 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 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. 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 the 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 the 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 the congregation, after such consultation, still seeks to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of the 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 the congregation and this church shall be terminated subject to paragraph g. below. Unless this notification to the bishop also certifies that the congregation has voted by a two-thirds vote to affiliate with another Lutheran denomination, the congregation will be conclusively presumed to be an independent or non-Lutheran church.
  - f. Notice of termination shall be forwarded by the bishop to the secretary of the ELCA, who shall report the termination to the Churchwide Assembly.
  - g. This congregation shall abide by these covenants by and among the three expressions of this church:
    - 1) Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in [\\*C6.05](#), shall be required to receive Synod Council approval before terminating their membership in this church.

- 2) Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in [\\*C6.05.](#), to receive synodical approval before terminating their membership in this church.
  - 3) Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in [\\*C6.05.](#), to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church.
- h. If this congregation fails to achieve the required two-thirds vote of voting members present at the 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 considers relocation, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.
- \*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 Nebraska 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 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 Nebraska 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 [\\*C7.03.](#) above, where this congregation has received property from the synod pursuant to a deed or other instrument containing restrictions under provision 9.71.a. of the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America, this congregation accepts such restrictions and:
- a. Shall not transfer, encumber, mortgage, or in any way burden or impair any right, title, or interest in the property without prior approval of the Synod Council.
  - b. Shall—upon written demand by the Synod Council, pursuant to †S13.23. of the constitution of the Nebraska Synod —reconvey and transfer all right, title, and interest in the property to the synod.

## **Chapter 8. MEMBERSHIP**

- \*C8.01.** Members of this congregation shall be those baptized persons on the roll of this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.
- \*C8.02.** Members shall be classified as follows:
- a. ***Baptized members*** are those persons who have been received by the

- Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
- b. **Confirmed members** are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.
  - c. **Voting members** are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the 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 [ELCA] [Lutheran][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. This congregation has no established minimum age or grade level for the rite of Affirmation of Baptism, which is also known as Confirmation. The pastor shall establish the term and curriculum of Confirmation instruction for each student in consultation with the student's parents or guardians, where appropriate, and with the Congregation Council.

**\*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 ELCA constitutional provision 20.41. and the accompanying bylaws; or
- e. removal from the roll due to inactivity in accordance with the provisions of this constitution and its bylaws.

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

C8.05.01. Pursuant to [\\*C8.05.e.](#), the membership of a confirmed member of this congregation shall be automatically terminated for inactivity effective January 1 of any year in

which these conditions are met:

- a. the member has reached the age of 21 years, and
- b. the member has not communed in this congregation in the previous two calendar years, and
- c. the member has not made a contribution of record to this congregation in the previous two calendar years, and
- d. the Congregation Council has not otherwise taken action to prevent such automatic termination in accordance with this bylaw.

The Congregation Council may waive or reinstate upon a majority vote automatic termination of membership for inactivity for confirmed members who it determines are unable to attend worship due to medical reasons or who are temporarily living at a distance for educational purposes or military service. The waiver shall remain in effect for no more than five years and may be renewed.

C8.05.02. This congregation shall, in the event of a member moving from the community it serves, encourage that member to request a transfer to a congregation of the Evangelical Lutheran Church in America (ELCA) which can serve the member effectively. Should the member fail to request a transfer, this congregation shall notify a congregation of the ELCA or of its ecumenical partners in the member's new community.

C8.05.03. This congregation shall issue a Letter of Transfer to any confirmed member in good standing upon request.

**C8.06.** This congregation shall establish in its bylaws a standard of conduct for its members.

C8.06.01. Discipleship Covenant of Spirit of Grace Lutheran Church — Pursuant to [C8.06.](#), all members of this congregation shall uphold this standard of conduct:

“In obedience to the command of Jesus Christ for Christians to love one another,<sup>2</sup> we commit ourselves to:

- a. Obey Jesus Christ, speaking the truth honestly with kindness<sup>3</sup> and responding to

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<sup>2</sup> **John 13:34** —” [Jesus said to them,] ‘I give you a new commandment, that you love one another. Just as I have loved you, you also should love one another.’”

<sup>3</sup> **Ephesians 4:15-16** — “But speaking the truth in love, we must grow up in every way into him who is the head, into Christ, from whom the whole body, joined and knit together by every ligament with which it is



- one another's needs;<sup>4</sup>
- b. Respect one another, being present and attentive in our interactions so that every person matters;<sup>5</sup>
  - c. Accept one another patiently in our unique strengths and limitations, so that we may joyfully cultivate a safe place for one another;<sup>6</sup>
  - d. Attend worship faithfully;<sup>7</sup>
  - e. Pray for and with one another;<sup>8</sup>
  - f. Encourage one another in Christ;<sup>9</sup>
  - g. Practice humility in our interactions with one another in thought, words, and actions;<sup>10</sup>
  - h. Strive for unity in diversity, by forgiving one another,<sup>11</sup> practicing faithful reconciliation according to the command of Jesus Christ,<sup>12</sup> and speaking well of

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equipped, as each part is working properly, promotes the body's growth in building itself up in love."

<sup>4</sup> **Acts 2:44-45** — "All who believed were together and had all things in common; they would sell their possessions and goods and distribute the proceeds to all, as any had need.

<sup>5</sup> **1 Corinthians 12:24b-25** — "But God has so arranged the body, giving the greater honor to the inferior member, that there may be no dissension within the body, but the members may have the same care for one another."

<sup>6</sup> **Romans 15:7** — "Welcome one another, therefore, just as Christ has welcomed you, for the glory of God."

<sup>7</sup> **Hebrews 10:24-25** — "And let us consider how to provoke one another to love and good deeds, not neglecting to meet together, as is the habit of some, but encouraging one another, and all the more as you see the Day approaching."

<sup>8</sup> **James 5:16** — "Therefore confess your sins to one another, and pray for one another, so that you may be healed. The prayer of the righteous is powerful and effective."

<sup>9</sup> **1 Thessalonians 5:11** — "Therefore encourage one another and build up each other, as indeed you are doing." and **James 4:11** — "Do not speak evil against one another, brothers and sisters. Whoever speaks evil against another or judges another, speaks evil against the law and judges the law; but if you judge the law, you are not a doer of the law but a judge."

<sup>10</sup> **Romans 12:9-10** — "Let love be genuine; hate what is evil, hold fast to what is good; love one another with mutual affection; outdo one another in showing honor."

<sup>11</sup> **Colossians 3:13** — "Bear with one another and, if anyone has a complaint against another, forgive each other; just as the Lord has forgiven you, so you also must forgive."

<sup>12</sup> **Matthew 18:15-17** — "[Jesus said,] 'If another member of the church sins against you, go and point out the fault when the two of you are alone. If the member listens to you, you have regained that one. But if you

decisions undertaken by the church.<sup>13</sup> ”

**C8.07.** This congregation shall establish in its bylaws rules and standards of recordkeeping for determining whether each confirmed member of this congregation was present for communion in order to determine voting member status in accordance with [\\*C8.02.c.](#)

C8.07.01. Pursuant to [C8.07.](#), a method of recording attendance, either in writing or electronically, shall be available to all attendees of regularly scheduled weekly worship services of this congregation. All confirmed members of this congregation who attend in person and who enter their attendance through the method provided shall be presumed to have communed in this congregation on that day for the purposes of determining voting member status in [\\*C8.02.c.](#)

## Chapter 9. ROSTERED MINISTER

**\*C9.01.** Authority to call a pastor shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by ~~[this congregation]~~[the Congregation Council] 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;

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are not listened to, take one or two others along with you, so that every word may be confirmed by the evidence of two or three witnesses. If the member refuses to listen to them, tell it to the church; and if the offender refuses to listen even to the church, let such a one be to you as a Gentile and a tax collector.”

<sup>13</sup> **1 Thessalonians 5:12-13** — “But we appeal to you, brothers and sisters, to respect those who labor among you, and have charge of you in the Lord and admonish you; esteem them very highly in love because of their work. Be at peace among yourselves.”

- 3) conduct public worship;
  - 4) provide pastoral care;
  - 5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
  - 6) impart knowledge of this church and its wider ministry through distribution of its 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 pastor with a congregational call shall, within the congregation:
- 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
  - 2) relate to all schools and organizations of this congregation;
  - 3) install regularly elected members of the Congregation Council;
  - 4) with the council, administer discipline; and
  - 5) endeavor to increase the support given by the congregation to the work of the ELCA churchwide organization and of the Nebraska 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 synod.
- \*C9.05.** The provisions for termination of the mutual relationship between a minister of Word and Sacrament and this congregation shall be as follows:
- a. The call of this congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by 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 the 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 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) suspension of the congregation through discipline for more than six months.
- b. When allegations of physical disability or mental incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,
- 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one 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 the congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament as disabled. 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 the case of alleged local difficulties that 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 the pastor and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, the congregation may dismiss the pastor only at a

legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.

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

- \*C9.06.** At a time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.
- \*C9.07.** During the period of service, an interim pastor shall have the rights and duties in 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 Congregation Council. The interim pastor and any rostered minister providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.
- \*C9.08.** This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting related to the Evangelical Lutheran Church in America.
- \*C9.09.** When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- \*C9.11.** With the approval of the bishop of the synod, the congregation may depart from [\\*C9.05.a.](#) and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of the 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 the congregation;
  - b. shall submit a summary of such statistics annually to the synod; and
  - c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- \*C9.13.** The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.
- \*C9.14.** The parochial records of this congregation shall be maintained by the pastor and shall remain the property of 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.
- C9.15.** Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between the congregation and the pastor in a form proposed by the synodical bishop and approved by the congregation.
- \*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 ~~[this congregation]~~[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 this 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 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 vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
  - f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.
- \*C9.26.** 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.

## **Chapter 10. CONGREGATION MEETING**

- C10.01.** The annual meeting of this congregation shall be held at a time specified in the bylaws.
- C10.01.01. The annual meeting of this congregation shall be held on a Sunday in February designated by the Congregation Council. This meeting shall include the receiving of a financial report and reports from each committee and ministry team of this congregation. All reports shall be submitted in writing to the pastor not less than fourteen (14) days before such meeting.
- C10.02.** A special Congregation Meeting may be called by the {senior} pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of the congregation upon the written request of ten of the voting members. The president of the Congregation Council shall call a special meeting upon request of the synodical bishop. The call for each special meeting shall specify the purpose for which it is to be held, and no other business shall be transacted.
- C10.03.** Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail or electronic means, as permitted by state law, to all voting members at least 10 days in advance of the date of the meeting.
- C10.04.** ~~\_\_\_ percent of the voting members~~ One-third of the average of the most recent ten non-festival Sunday services' attendance by voting members of this congregation shall constitute a quorum.
- C10.05.** Voting by proxy or by absentee ballot shall not be permitted.
- C10.06.** All actions approved by the congregation shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution or by state law.
- C10.07.** Robert's Rules of Order, latest edition, shall govern parliamentary procedure of all meetings of this congregation.

## **Chapter 11. OFFICERS**

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

- a. Duties of the officers shall be specified in the bylaws.
- b. The officers shall be voting members of the congregation.
- c. Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.
- d. If the Congregation Council elects its officers, the president, vice president, and secretary shall be selected from the elected membership of the Congregation Council. If the treasurer is not selected from the elected membership of the Congregation Council, the treasurer shall have voice but not vote at the meetings of the Congregation Council.

C11.01.01. Duties of the President and Vice President

The president of this congregation shall preside at meetings of the Congregational Council and of this congregation.

- a. In the absence of the president, the vice-president of this congregation shall preside at meetings of the Congregation Council and of this congregation.
- b. In the absence of both the president and vice-president, the Congregation Council shall appoint a council member to preside.

C11.01.02. Duties of the Secretary

The secretary of this congregation shall:

- a. keep accurate minutes of the meetings of the Congregational Council and of this congregation, and
- b. provide for their permanent preservation and public availability of important documents and items of historical significance, and
- c. ensure that accurate records of attendance are maintained for purposes of determining membership status and voting eligibility.

C11.01.03. Duties of the Treasurer

The treasurer of this congregation shall:

- a. have custody of all the funds of this congregation, and
- b. disburse such funds in accordance with the decisions of the Congregation

Council and this congregation, and

- c. provide current and accurate reports of the congregation's finances in a monthly report to the Congregation Council.

**C11.02.** The ~~[congregation]~~[Congregation Council] shall elect its officers and they shall be the officers of the congregation. The officers shall be elected by written ballot and shall serve for one year or until their successors are elected. Their terms shall begin at the close of the annual meeting at which they are elected.

or

~~The officers shall be elected by the [congregation] [Congregation Council] by written ballot and shall serve for one year. The term shall begin on \_\_\_\_\_ (month and day) and end on \_\_\_\_\_ (month and day).~~

or

~~The pastor shall be ex officio president of the congregation and the Congregation Council. The [congregation][Congregation Council] shall elect by written ballot the other officers of the congregation who shall serve for one year or until their successors are elected. Their terms shall begin at the close of the annual meeting at which they are elected.~~

or

~~The pastor shall be ex officio president of the congregation and the Congregation Council. The [congregation][Congregation Council] shall elect by written ballot the other officers of the congregation who shall serve for one year or until their successors are elected. Their terms shall begin on \_\_\_\_\_ (month and day) and end on \_\_\_\_\_ (month and day).~~

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

## **Chapter 12. CONGREGATION COUNCIL**

**C12.01.** The voting membership of the Congregation Council shall consist of the pastor(s); ~~the officers of the congregation;~~ and [\_\_\_\_\_ members] [not more than six nor fewer than four members] of the congregation, ~~at least one of whom shall be a youth and at least one of whom shall be a young adult.~~ 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 Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from four successive regular meetings of the Congregation Council without cause. Consistent with the laws of the state in which this congregation is incorporated, the 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 the pastor(s) shall be elected by written ballot to serve for 2 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.

or

~~The members of the Congregation Council except the pastor(s) shall be elected at a legally called meeting of the congregation during the month of \_\_\_\_\_. Their term of office shall be for \_\_\_\_\_ years, with the term of office beginning on \_\_\_\_\_ (month and day) and ending on \_\_\_\_\_ (month and day). Newly elected Congregation Council members shall be installed at worship the Sunday prior to the date they assume office.~~

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

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

- a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
- b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
- c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
- d. To maintain supportive relationships with the rostered minister(s) and staff and

help them annually to evaluate the fulfillment of their calling or employment.

- e. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
- f. To promote a congregational climate of peace and goodwill and, as differences and conflicts arise, to endeavor to foster mutual understanding.
- g. To arrange for pastoral service during the sickness or absence of the pastor.
- h. To emphasize partnership with 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.

**C12.04.01.** In accordance with the leadership function of the Congregation Council, the Congregation Council may also be called within this congregation as the “Leadership Team.” The two terms shall be considered equivalent in every sense and for every purpose.

**C12.04A19.** Weather cancellation decisions for all congregational events (including worship) shall be made by the pastor in consultation with at least one member of the Congregation Council. When a cancellation decision is made, the following actions are taken as deemed appropriate by the pastor or his/her designee:

- a. Key leaders of cancelled events are notified.
- b. Notifications are posted on all social media outlets.
- c. Traditional media is notified through church’s WeatherThreat.com account.
- d. Online calendar is modified to mark events as cancelled (but not deleted).
- e. Notice is posted to the congregation’s website.
- f. An email bulletin is sent to the congregation.

**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 [~~trustees~~] [directors] of this congregation and, as such, shall be responsible for maintaining and protecting its property and managing 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 Nebraska, except as otherwise provided herein.
- b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of the congregation.
- c. The Congregation Council may enter into contracts of up to \$\_\_\_\_\_ten percent (10%) of the most recently approved annual 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, and may incur obligations of more than ten thousand dollars (\$10,000) in excess of the anticipated receipts only after approval by a Congregation Meeting. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in partnership 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 be responsible for this congregation's investments and its total insurance program.

C12.05.01. The Congregation Council may delegate authority to spend church funds to Covenant Leaders under the following guidelines:

- a. *Pertinent Responsibility* — Church funds may only be spent upon the approval of a Covenant Leader on items that are pertinent to the ministry or ministries for which that leader are responsible in this congregation.
- b. *Large Expenditures* — Within the boundaries of a particular budget category, Covenant Leaders may spend as needed with the exception that amounts above \$100 must be approved in advance by the Treasurer or their designee.

- c. *Governed by Budget* - Covenant Leaders may not exceed their budgetary limits without approval from the Congregation Council.
- d. *Funds in Hand* — For items purchased without a designated budget category, all funds must be in the possession of the church prior to spending unless otherwise approved by the Congregation Council.
- e. *Emergency Situations* — In urgent situations where it is impossible to contact the Congregation Council in a timely fashion, emergency spending may be approved by the Pastor. Such spending must be reported to the Congregation Council as soon as possible.

C12.05.02. This congregation may employ one or more credit or debit cards (herein “charge cards”) to carry out its operations subject to the following policy:

- a. *Authority to Open Account* — No charge account may be opened without approval of the Congregation Council.
- b. *Treasurer’s Responsibilities* — The treasurer of this congregation shall:
  - 1) Securely hold the charge card, charge card statements, and supporting documentation for expenses in the congregation’s office.
  - 2) Periodically review the credit limit with the charge card company which balances the need to use the card with the need to protect the congregation from unauthorized card activity.
  - 3) Reconcile the charge card statements on a monthly basis, ensure that each transaction is documented, and if necessary pay the bill monthly.
  - 4) Act as primary contact for the congregation in case of disputes or problems with the charge account.
- c. *Authorized Users* — Charges on a charge card shall only be made by pastor, staff, and officers of this congregation or by another Covenant Leader by permission of the pastor or an officer of this congregation..
- d. *Rules* — The following rules shall govern the use of the congregation’s charge cards in all cases:
  - 1) Charges shall only be made in support of the congregation’s activities and programming and not for any personal use whatsoever.
  - 2) No charge shall be made in excess of \$200 without the approval of two persons on the congregation’s list of authorized signers for the primary checking account.
  - 3) Each charge shall be documented by an original receipt submitted promptly to the treasurer.



- 4) Charge card users shall avoid sales tax charges whenever possible.
- 5) The charge card shall not be used for any cash advances whatsoever.

- C12.05.03.** The Congregation Council shall appoint a voting member of this congregation to serve as Financial Secretary, who shall be a Covenant Leader. The financial secretary shall:
- a. receive and keep records of all income from contributing members and other sources,
  - b. head an Offering Team comprised of at least three voting members who are not officers of this congregation subject to approval by the Congregation Council.
    - 1) All members of the Offering Team shall be subject to a background check prior to appointment, and the results shall be reviewed by the pastor or the president of the previous term in the event that the pastoral office is vacant.
    - 2) The reception of all contributions shall be recorded in the presence of at least two members of the Offering Team.
- C12.05.04.** The fiscal year of this congregation shall be from January 1 to December 31.
- C12.05.05.** All bank accounts of this congregation shall, whenever possible, require two signatures of members of the Finance Team for expenditures in excess of \$200.
- C12.06.** The Congregation Council shall see that the provisions of this constitution[,] ~~and~~ its bylaws[,]~~[and the continuing resolutions]~~ are carried out.
- C12.07.** The Congregation Council shall provide for an annual review of the membership roster.
- C12.08.** ~~The Congregation Council~~ pastor shall be responsible for the employment and supervision of the staff of this congregation. Nothing in this provision shall be deemed to affect the congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church.
- C12.09.** The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.
- C12.11.** The Congregation Council shall normally meet once a month. Special meetings may be called by the pastor or the president, and 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 ~~[senior]~~ pastor or interim pastor, except when the ~~[senior]~~ pastor or interim pastor requests or consents to be absent and has given prior approval to the agenda for a particular regular or special meeting, which shall be the only business considered at that meeting. Chronic or repeated absence of the [senior] pastor or interim pastor who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synodical bishop.

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

### **Chapter 13. CONGREGATIONAL LEADERSHIP COMMITTEES**

- C13.01.** The officers of this congregation and the pastor shall constitute the Executive Committee.

- C13.02.** A Nominating Committee comprised of the pastor and ~~six~~ four voting members of this congregation, two of whom, if possible, shall be outgoing members of the Congregation Council, shall be elected at the annual meeting for a term of one year. Members of the Nominating Committee are not eligible for consecutive re-election.

- C13.02.01. The Nominating Committee shall convene quarterly in January, March, August, and October for the following purposes:

- a. To nominate individuals to this congregation's Leadership Selection Group.
- b. To provide for monthly programming for the Leadership Selection Group in order to help leadership candidates explore their spiritual gifts and discern their calling to ministry within the congregation.
- c. To nominate leadership candidates for positions of responsibility in this congregation.

- C13.02.02. When the pastor possesses information about a potential nominee to a leadership position that would disqualify that nominee for leadership in this congregation, the pastor may veto that nomination at any time.

- a. No discussion of potential leadership candidates shall occur without the presence of the pastor, or in the case of a pastoral vacancy, the president of the

congregation.

- b. To protect against the inappropriate disclosure of confidential information, the pastor shall not be required to explain the reason for the veto.
- c. The pastor's veto may be overridden by:
  - 1) the unanimous concurrence of the other four voting members of the Nominating Committee, or
  - 2) a three-fourths vote of the Congregation Council, or
  - 3) a majority vote of the Congregation Council if there is a pastoral vacancy, or
  - 4) written permission from the bishop of the synod.

**C13.03.** An Audit Committee of three voting members shall be elected by the Congregation Council. Audit Committee members shall not be members of the Congregation Council. Term of office shall be three years, with one member elected each year. Members shall be eligible for re-election. The Audit Committee of this congregation shall audit the fiscal records of this congregation annually and report its findings in writing to each annual meeting of this congregation.

**C13.04.** Mutual Ministry Committee(s) (in the absence of a mutual ministry committee, the duties shall be fulfilled by the executive committee) may be appointed jointly by the president and the rostered minister. Term of office shall be two years, with three members to be appointed each successive year.

**C13.05.** When a pastoral vacancy occurs, a Call Committee of six voting members shall be elected by the Congregation Council. Term of office will terminate upon installation of the newly called pastor.

**C13.06.** Other committees and ministry teams of this congregation may be formed, as the need arises, by decision of the Congregation Council.

**C13.07.** Duties of committees and ministry teams of this congregation shall be specified in the bylaws and continuing resolutions.

C13.07.01. The Finance Team shall consist of the treasurer and no fewer than two nor more than four additional laypeople who are appointed by the Congregation Council. Members of the Finance Team shall be Covenant Leaders and, except for the treasurer, shall not be members of the Congregation Council.

C13.07A19. The Finance Team shall:

- a. Advise the Congregation Council on financial matters,

- b. Assist in the preparation of the congregation's annual budget,
- c. Periodically review the congregation's investments,
- d. Except for the pastor as an ex officio member, serve as signatories on the congregation's financial accounts.

**C13.08.** The pastor of this congregation shall be ex officio a member of all committees and boards of the congregation and shall have voice and vote. The president of this congregation shall be ex officio a member of all committees and boards of the congregation, except the Nominating Committee.

**C13.09.** This congregation shall adopt in its bylaws a standard of conduct for its leaders.

- a. *Required for Appointed Leaders* — No one shall be appointed to any position of responsibility of this congregation without first certifying in writing their willingness to abide by the provisions of the standard of conduct established under this section.
- b. *Required for Elected Leaders* — Only voting members of the congregation who are otherwise qualified and who are willing to subscribe to and abide by the standard of conduct established under this section may be elected to positions of authority in this congregation. In particular, all members of the Congregation Council, Nominating Committee, Audit Committee, and Call Committee shall subscribe prior to being installed and exercising any privilege or responsibility of their office.
- c. *Leaders are Accountable to the Standard of Conduct* — This congregation shall establish in its bylaws a process of accountability for leaders subject to the standard of conduct established under this section.
- d. *Changes are Binding upon Current Leaders* — If this congregation should adopt, replace, substitute or amend such a standard of conduct, it shall become binding on all leaders, both present and future, effective thirty (30) days after passage.
- e. *May be Applied to New Positions* — This congregation may establish by continuing resolution additional positions of authority for which subscription to the standard of conduct established under C13.09 is required, which will take immediate effect upon passage.

C13.09.01. Leadership Covenant of Spirit of Grace Lutheran Church — Pursuant to [C13.09.](#), all leaders of this congregation shall annually pledge their willing adherence to this congregation's Leadership Covenant in writing. The Leadership Covenant of

this congregation shall be:

“As a leader with decision-making responsibilities at Spirit of Grace Lutheran Church, I commit to:

- a. Support and embody the congregation’s Discipleship Covenant.
- b. Support and embody the congregation’s mission, vision, and values.
- c. Regularly attend corporate worship.
- d. Regularly pray, read the Bible, and participate in activities that promote my growth as a disciple of Jesus Christ.
- e. Share my faith with people who are not connected to Jesus Christ.
- f. Faithfully carry out the expectations of my particular ministry.
- g. Faithfully support decisions made by the congregation and the Leadership Team. This includes:
  - 1) If in disagreement with a decision, responding to questions (whether public or private) about that decision only with reasons why the decision is good, right, and helpful for the congregation, and
  - 2) Not participating in any “meeting after the meeting” or any other campaign to undermine a decision that has been made by the congregation.
- h. Resign from my position of leadership without being asked if I cannot or will not fully embody this Leadership Covenant.”

Covenant Leaders shall be those voting members who presently hold a position of significant responsibility in this congregation, whether elected or appointed, and who are in compliance with this congregation’s Leadership Covenant.

C13.09.02. *Accountability for Covenant Leaders* — The Congregational Council shall hold Covenant Leaders accountable for conduct unbecoming a leader of this congregation. In particular:

- a. *Authority for Disciplinary Action* — Unrepentant violation of this congregation’s Leadership Covenant and failure to resign as required by [C13.09.01.g.](#) shall constitute “continual and intentional interference with the ministry of the congregation” under [C15.01.](#)
- b. *Accountability for Appointed Leaders* — Covenant Leaders who have been appointed to their position by the Congregation Council may be removed from

their position upon a majority vote of the Council.

- c. *Accountability for Elected Leaders* — Covenant Leaders who have been elected to their position at a congregational meeting may be suspended from the privileges and responsibilities of their office upon a two-thirds vote of the Congregation Council. The Council shall have the authority to appoint an interim covenant leader while disciplinary action is pursued.

C13.09A19. All employees of this congregation shall, within two weeks of beginning their employment, become Covenant Leaders.

C13.09B19. All members of this congregation's Finance Team and Offering Team shall be Covenant Leaders.

C13.09C19. The adult leader(s) of all ministries directed at minors shall be Covenant Leaders.

**C13.10.** No provision of this chapter shall be deemed to affect the call, terms of call, or termination of call of any employees who are on a roster of this church.

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

**C14.01.** All organizations within this congregation shall exist to aid it in ministering to the members of this congregation and to all persons who can be reached with the Gospel of Christ. As outgrowths and expressions of this congregation's life, the organizations are subject to its oversight and direction. 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 a legally called and conducted meeting of this congregation—the Congregation Council [and specified in a continuing resolution].

## **Chapter 15. DISCIPLINE OF MEMBERS AND ADJUDICATION**

**\*C15.01.** Persistent and public denial of the Christian faith, willful or criminal conduct grossly unbecoming a member of the Church of Christ, continual and intentional interference with the ministry of the congregation, or willful and repeated harassment or

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

- \*C15.02.** The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America. If the counseling, censure, and admonitions pursuant to [\\*C15.01.](#) do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three laypersons and two ministers of Word and Sacrament). A copy of the written charges shall be provided to the consultation panel and the accused member(s). The consultation panel, after requesting a written reply to the charges from the accused member(s), shall consider the matter and seek a resolution by means of investigation, consultation, mediation, or whatever other means may seem appropriate. The panel's efforts to reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it.
- \*C15.03.** If the consultation panel fails to resolve the matter, that panel shall refer the case in writing, including the written charges and the accused member's reply, to the Committee on Discipline of the synod for a hearing. A copy of the panel's written referral shall be delivered to the vice president of the synod, the Congregation Council, and the accused member(s) at the same time it is sent to the Committee on Discipline of the synod. The Executive Committee of the Synod Council shall then select six members from the Committee on Discipline to decide the case and shall appoint a member of the Synod Council to preside as nonvoting chair. Those six members, plus the nonvoting chair, comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the

parties to the case.

- \*C15.04.** The discipline hearing panel shall commence and conduct the disciplinary hearing in accordance with the provisions governing discipline of congregation members prescribed in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.
- \*C15.05.** By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:
  - a. suspension from the privileges of congregation membership for a designated period of time;
  - b. suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
  - c. termination of membership in the congregation; or
  - d. termination of membership in the congregation and exclusion from the church property and from all congregation activities.
- \*C15.06.** The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next council meeting.
- \*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.
- C15.08.** This congregation shall adopt in its bylaws a standard of Christian conduct, grounded in Scripture, adherence to which shall be a binding requirement for participation in the life of this congregation. Violation of the tenets of that established standard shall constitute, ipso facto, intentional interference with the ministry of the congregation and shall serve as sufficient cause for discipline of a member as provided for in [\\*C15.01](#).
- C15.08.01. The Discipleship Covenant adopted in [C8.06.01](#) shall serve as the standard of Christian conduct expected of all persons participating in the life of this congregation



as required by [C15.08](#).

**\*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 may be proposed by at least ten (10) voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the 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 Congregation 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<sup>14</sup> and noted in the constitution.

**\*C16.03.** Any amendments to this constitution that result from the processes provided in [\\*C16.01](#) and [\\*C16.02](#) shall be sent by the secretary of this congregation to the synod. The synod shall notify the congregation of its decision to approve or

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<sup>14</sup> Such an effective date must be stated in relation to the requirements of \*C16.03. to allow time for synodical review of the amendment.

disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.

- \*C16.04.** This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the Model Constitution for Congregations of the Evangelical Lutheran Church in America as most recently amended by the Churchwide Assembly. Such amendments may be approved by a majority vote of those voting members present and voting at any legally called meeting of the 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 at least two (2) voting members of the congregation, the Congregation 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 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 the 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 Congregation Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.
- \***C18.02.** Continuing resolutions shall be enacted or amended by a majority vote of a meeting of the congregation or a two-thirds vote of all voting members of the Congregation Council.

## Chapter 19. INDEMNIFICATION

- \***C19.01.** Consistent with the provisions of the laws under which this congregation is incorporated, this congregation may adopt provisions providing 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<sup>15</sup>

- \***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

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<sup>15</sup> Required provisions when congregation is part of a parish

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.