

## **INTRODUCTION to the Constitution, Bylaws, and Continuing Resolutions of St. Mark's Evangelical Lutheran Church**

The Constitution, Bylaws, and Continuing Resolutions of St. Mark's Evangelical Lutheran Church, Waukegan, Illinois, substantially follows the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* (as amended in August 2019), and the instructions thereto.

Some parts of the Model Constitution are required to be included by all ELCA congregations. Required sections are designated with an asterisk. Others parts are optional, and some parts of our proposed constitution are original to St. Mark's. The bylaws and continuing resolutions are all original.

The overall structure specified in the Model Constitution requires that the constitution, bylaws, and continuing resolutions be contained in a single document. This means that the way provisions are numbered is important to provide clarity. All of the provisions are numbered beginning with a "C;" this is to designate this as a congregational constitution, differentiating it from the constitutions of the synods and the ELCA. For clarity, the provisions are color-coded with constitutional provisions being black, bylaws being purple, and continuing resolutions being blue.

The ELCA recommends that we include within the document the date on which each continuing resolution is adopted or amended. We have done this by placing a date within brackets at the end of each resolution.

The constitution, bylaws, and continuing resolutions were adopted by vote of the congregation on October 27, 2019. As required by the instructions to the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* (as amended in August 2019), the congregation then voted on February 23, 2020, to ratify the constitution thereby confirming the congregation's adoption of this document. The votes at both the October, 2019, and February, 2020, congregational meetings were unanimous.

**CONSTITUTION**  
**of**  
**ST. MARK'S EVANGELICAL**  
**LUTHERAN CHURCH**

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**\*PREAMBLE**

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

**Chapter 1.**

**NAME AND INCORPORATION**

- C1.01** The name of this congregation shall be St. Mark's Evangelical Lutheran Church, Waukegan, Illinois.
- C1.02** For the purpose of this constitution and the accompanying bylaws, the congregation of St. Mark's Evangelical Lutheran Church, Waukegan, Illinois, is hereinafter designated as "this congregation."
- C1.11** This congregation shall be incorporated under the laws of the State of Illinois.
- C1.11.01** The articles of incorporation (aka the corporate charter) of St. Mark's Evangelical Church, Waukegan, Illinois shall consist of the constitutional and bylaws provisions of this document, but not the continuing resolutions.

**Chapter 2.**

**CONFESSION OF FAITH**

- \*C2.01** This congregation confesses the Triune God, Father, Son, and Holy Spirit.
- \*C2.02** This congregation confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.
- a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.
  - b. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the

history of Israel, and centering in all its fullness in the person and work of Jesus Christ.

- c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.

**\*C2.03** This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.

**\*C2.04** This congregation accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.

**\*C2.05** This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.

**\*C2.06** This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.

**\*C2.07** This congregation confesses the Gospel, recorded in the Holy Scripture and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

### **Chapter 3.**

#### **NATURE OF THE CHURCH**

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

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

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

- \*C3.04 This church, inspired and led by the Holy Spirit, participates in The Lutheran World Federation as a global communion of churches, engaging in faithful witness to the gospel of Jesus Christ and in service for the sake of God’s mission in the world.
- \*C3.05 The name Evangelical Lutheran Church in America (ELCA or “this church”) as used herein refers in general references to this whole church, including its three expressions: congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.

#### **Chapter 4.**

#### **STATEMENT OF PURPOSE**

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

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

**\*C4.04** This congregation shall develop an organizational structure to be described in the bylaws. The Congregation Council shall prepare descriptions of the responsibilities of each committee, task force, or other organizational 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 adopt and periodically review a mission statement which will provide specific direction for its programs.

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

- a. call a pastor as provided in Chapter 9;
- b. terminate the call of a pastor as provided in Chapter 9;
- c. call a minister of Word and Service;
- d. terminate the call of a minister of Word and Service in conformity with the constitution of the Evangelical Lutheran Church in America;
- e. adopt amendments to the constitution, as provided in Chapter 16, amendments to the bylaws, as specified in Chapter 17, and continuing resolutions, as provided in Chapter 18;
- f. approve the annual budget;
- g. acquire real and personal property by gift, devise, purchase, or other lawful means;
- h. hold title to and use its property for any and all activities consistent with its purpose;
- i. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
- j. elect its Congregation Council, and require the members of the council to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
- k. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.

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

## **Chapter 6.**

### **CHURCH AFFILIATION**

- \*C6.01** This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the Metropolitan Chicago 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 this congregation according to the procedures of the Evangelical Lutheran Church in America.
- e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America and with the constitution of the synod.

**\*C6.04** Affiliation with the Evangelical Lutheran Church in America is terminated as follows:

- a. This congregation takes action to dissolve.
- b. This congregation ceases to exist.
- c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America or in accordance with provision 9.23 of the constitution and bylaws of the Evangelical Lutheran Church in America.
- d. The Chicago Metropolitan Synod takes charge and control of the property of this congregation to hold, manage, and convey the same on behalf of the synod pursuant to †S13.24. of the synod constitution. This congregation shall have the right to appeal the decision to the next Synod Assembly.
- e. This congregation follows the procedures outlined in \*C6.05.

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

- a. A resolution indicating the intent to terminate its relationship must be adopted at two legally called and conducted special meetings of this congregation by a two-thirds vote of the voting members

present at each meeting. The first such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time this congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the Congregation Council. Unless he or she is a voting member of this congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the first meeting.

- b. Within 10 days after the resolution has been voted upon at the first meeting, the secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall send copies of the resolution and certification to voting members of this congregation.
- c. If the resolution was adopted by a two-thirds vote of the voting members present at the first meeting, the bishop of the synod and this congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the bishop of the attestation and certification as specified in paragraph b. above.
- d. If this congregation, after such consultation, is still considering termination of its relationship with this church, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of the second meeting shall be sent to all voting members and to the bishop at least 10 days in advance of the meeting. Unless he or she is a voting member of this congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the second meeting.
- e. Within 10 days after the resolution has been voted upon, the secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the second special meeting was legally called and conducted and certifying the outcome of the vote, and shall send copies of the resolution and certification to the voting members of the congregation. If the resolution was adopted by a two-thirds vote of the voting members present at the second meeting, the relationship between the congregation and this church shall be terminated subject to Synod Council approval as required by paragraphs f. and g. below.
- f. Unless this notification to the bishop also certifies that this congregation has voted to affiliate with another Lutheran denomination, this congregation shall be deemed an independent or non-Lutheran church, in which case \*C7.04. shall apply.



- g. This congregation shall abide by these covenants by and among the three expressions of this church:
  - 1) Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in \*C6.05 shall be required to receive Synod Council approval before terminating their membership in this church.
  - 2) Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in \*C6.05, to receive synod approval before terminating their membership in this church.
  - 3) Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in \*C6.05, to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church.
- h. If this congregation fails to achieve the required two-thirds vote of voting members present at this congregation's first meeting as specified in paragraph a. above, or this congregation fails to achieve the required two-thirds vote of voting members present at this congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of \*C6.05 and may begin no sooner than six months after the meeting at which the two-thirds vote was not achieved.

**\*C6.06** If this congregation considers relocation, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is taken.

**\*C6.07** If this congregation considers developing an additional site to be used regularly for worship, it shall confer with the bishop of the synod in which it is territorially located and the appropriate 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 Metropolitan Chicago Synod of the Evangelical Lutheran Church in America.

**\*C7.02** If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline or pursuant to 9.23. of the constitution and bylaws of the Evangelical

Lutheran Church in America, title to property shall continue to reside in this congregation.

**\*C7.03.** If the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation, provided the process for termination of relationship in \*C6.05 has been followed. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Metropolitan Chicago Synod.

**\*C7.04** If the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body and have followed the process for termination of relationship in \*C6.05, title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the process established by the synod, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America. In neither case does title to this congregation's property transfer to the synod.

**\*C7.05** Notwithstanding the provisions of \*C7.02. and \*C7.03. above, where this congregation has received property from the synod pursuant to a deed or other instrument containing restrictions under provision 9.71.a. of the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America, this congregation accepts such restrictions and:

- a. Shall not transfer, encumber, mortgage, or in any way burden or impair any right, title, or interest in the property without prior approval of the Synod Council.
- b. Shall—upon written demand by the Synod Council, pursuant to †S13.23. of the constitution of the Metropolitan Chicago 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 this congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws. They shall not have voted as a seasonal member of another congregation of this church in the previous two calendar months.
- d. **Associate** members are persons holding membership in other Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. These individuals have all the privileges and duties of membership except voting rights or other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.
- e. **Seasonal** members are voting members of other congregations of this church who wish to retain such membership but desire to participate in the life and mission of this congregation, including exercising limited voting rights in this congregation. The Congregation Council may grant seasonal membership to such persons provided that this congregation is a member of a synod where the Synod Council has approved seasonal member voting on its territory. Such seasonal members shall have all the privileges and duties of voting members except that:
  - 1) they shall not be eligible for elected office in, or for membership on the Congregation Council or on a call committee of, this congregation;

- 2) they shall not have the right to vote on any matter concerning or affecting the call or termination of call of any minister of this congregation;
- 3) they shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with this church;
- 4) they shall not be eligible to serve as voting members from this congregation of the Synod Assembly or the Churchwide Assembly;
- 5) they shall not, even if otherwise permitted by this congregation, vote by proxy or by absentee ballot; and
- 6) they shall not, within any two calendar month period, exercise voting rights in this congregation and in the congregation where they remain voting members.

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

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

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

**C8.04.01** A member of this congregation shall be considered an *inactive member* when that member has neither financially contributed nor voted in a regular or special congregational meeting for a period of 24 months. Such an individual will remain on the roll of members and be of continuing pastoral concern.

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

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

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

**C8.05.01** An inactive member of this congregation shall be removed from the roll of membership following 48 months of inactivity – 24 months after becoming an inactive member (per B8.04.01) – but only following attempts to ascertain whether they wish to continue being considered members of this congregation. If possible, such attempts at contacting these inactive members should be both by phone and in writing.

## **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 to recommend the call, shall seek the advice and help of the bishop of the synod.

**\*C9.02** Only a member of the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Sacrament who has been recommended for this congregation by the synod bishop may be called as a pastor of this congregation.

**\*C9.03** Consistent with the faith and practice of the Evangelical Lutheran Church in America,

a. Every minister of Word and Sacrament shall:

- 1) preach the Word;
- 2) administer the sacraments;
- 3) conduct public worship;
- 4) provide pastoral care;
- 5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
- 6) impart knowledge of this church and its wider ministry through available channels of effective communication;
- 7) witness to the Kingdom of God in the community, in the nation, and abroad; and
- 8) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.

b. Each pastor with a congregational call shall, within the congregation:

- 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
- 2) relate to all schools and organizations of this congregation;
- 3) install regularly elected members of the Congregation Council;
- 4) with the council, administer discipline;

- 5) endeavor to increase the support given by the congregation to the work of the ELCA churchwide organization and of the Metropolitan Chicago Synod of the ELCA; and
- 6) encourage adherence to covenantal relationship with this church as expressed in the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.

**\*C9.04** The specific duties of the pastor, compensation, and other matters pertaining to the service of the pastor shall be included in a letter of call, which shall be attested by the bishop of the synod.

**\*C9.05** The provisions for termination of the mutual relationship between a minister of Word and Sacrament and this congregation shall be as follows:

- a. The call of this congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the pastor's death or, following consultation with the synod bishop, for the following reasons:
  - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
  - 2) resignation of the pastor, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
  - 3) inability to conduct the pastoral office effectively in this congregation in view of local conditions;
  - 4) physical disability or mental incapacity of the pastor;
  - 5) suspension of the pastor through discipline for more than three months;
  - 6) resignation or removal of the pastor from the roster of Ministers of Word and Sacrament of this church;
  - 7) termination of the relationship between this church and this congregation;
  - 8) dissolution of this congregation or the termination of a parish arrangement; or
  - 9) suspension of this congregation through discipline for more than six months.
- b. When allegations of physical 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 this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.

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

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

**\*C9.07** During the period of service, an interim pastor shall have the rights and duties in this congregation of a regularly called pastor and may

delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any rostered minister providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.

- \*C9.08** This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting.
- \*C9.09** When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- \*C9.11** With the approval of the bishop of the synod, this congregation may depart from \*\*C9.05.a and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of \*C9.05.a.
- \*C9.12** The pastor of this congregation:
- a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from this congregation;
  - b. shall submit a summary of such statistics annually to the synod; and
  - c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- \*C9.13** The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.
- \*C9.14** The parochial records of this congregation shall be maintained by the pastor and shall remain the property of this congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in his or her hands in good order by a departing pastor before the installation of that pastor in another call or approval of a request for change in roster status.



- C9.15** Under special circumstances, subject to the approval of the synod bishop and the concurrence of this congregation, a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between this congregation and the pastor in a form proposed by the synod bishop and approved by this congregation.
- \*C9.21** Authority to call a deacon shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by this congregation to recommend the call, shall seek the advice and help of the bishop of the synod.
- \*C9.22** Only a member of the roster of Ministers of Word and Service of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Service who has been recommended for this congregation by the synod bishop may be called as a deacon of this congregation.
- \*C9.23** Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:
- a. Be rooted in the Word of God, for proclamation and service;
  - b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
  - c. Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad;
  - d. Equip the baptized for ministry in God's world that affirms the gifts of all people;
  - e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
  - f. Practice stewardship that respects God's gift of time, talents, and resources;
  - g. Be grounded in a gathered community for ongoing diaconal formation;
  - h. Share knowledge of this church and its wider ministry of the gospel and advocate for the work of all expressions of this church; and
  - i. Identify and encourage qualified persons to prepare for ministry of the gospel.
- \*C9.24** The specific duties of the deacon, compensation, and other matters pertaining to the service of the deacon shall be included in a letter of call, which shall be attested by the bishop of the synod.
- \*C9.25** The provisions for termination of the mutual relationship between a minister of Word and Service and a congregation shall be as follows:

- a. The call of this congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the deacon's death or, following consultation with the synod bishop, for the following reasons:
  - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
  - 2) resignation of the deacon, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
  - 3) inability to conduct the ministry of Word and Service effectively in this congregation in view of local conditions;
  - 4) physical disability or mental incapacity of the deacon;
  - 5) suspension of the deacon through discipline for more than three months;
  - 6) resignation or removal of the deacon from the roster of Ministers of Word and Service of this church;
  - 7) termination of the relationship between this church and this congregation;
  - 8) dissolution of this congregation or the termination of a parish arrangement; or
  - 9) suspension of this congregation through discipline for more than six months.
- b. When allegations of physical disability or mental incapacity of the deacon under paragraph a.4) above, or ineffective conduct of the office of minister of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,
  - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
  - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service with disability status. Upon removal of the disability and the restoration of the deacon to health, the bishop shall take steps to

enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.

- d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the deacon, if appropriate. If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

**\*C9.26** This congregation shall make satisfactory settlement of all financial obligations to a former deacon before calling a successor. A deacon shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting.

**\*C9.27** When a deacon is called to serve in company with another rostered minister or other rostered ministers, the privileges and responsibilities of each rostered minister shall be specified in documents to accompany the call and to be drafted in consultation involving the rostered ministers, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.

**\*C9.28** With the approval of the bishop of the synod, this congregation may depart from \*C9.25.a and call a deacon for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated

representative of the bishop shall meet with the deacon and representatives of this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of \*C9.25.a.

**\*C9.29** The deacon shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the deacon shall hold membership in one of the congregations.

**\*C9.31** The deacon(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

## **Chapter 10.**

### **CONGREGATION MEETING**

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

**C10.01.01** The semi-annual congregational meetings shall occur in February or March, and in October or November.

**a.** The meeting early in the calendar year shall focus on statistical reports, reports from the ministry teams, financial updates, and such other business as the Executive Committee in consultation with the pastor shall deem appropriate to include on the agenda.

**b.** The meeting in the autumn is designated as the annual meeting, and shall focus on passing a budget for the next calendar year, the election of new members to the Congregation Council, the Nominating committee, and such committees as are elected by the congregation as a whole, and such other business as the Executive Committee in consultation with the pastor shall deem appropriate to include on the agenda.

**C10.02** A special Congregation Meeting may be called by the pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of this congregation upon the written request of twelve (12) confirmed members. The president of the Congregation Council shall call a special meeting upon request of the synod bishop. The call for each special meeting shall specify the purpose for which it is to be held, and no other business shall be transacted.

**C10.03** Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by

mail or electronic means, as permitted by state law, to all members at least 10 days in advance of the date of the meeting.

- C10.03.01** The Executive Committee shall be responsible for the creation and maintenance of contact lists, both postal mail & email, of all St. Mark's congregants. This shall be maintained for the purpose of ensuring that appropriate notification of regular and special congregational meetings is properly provided to all who should receive such notifications.
- C10.04** Twenty (20) of the voting members shall constitute a quorum.
- C10.05** Voting by proxy or by absentee ballot shall not be permitted.
- C10.06** All actions approved by this congregation shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution or by state law.
- C10.07** *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all meetings of this congregation.
- C10.08** This congregation may hold meetings by remote communication, including electronically and by telephone conference, as long as there is an opportunity for simultaneous aural communication. To the extent permitted by state law, notice of all meetings may be provided electronically.

## **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 this congregation.
  - c. The Congregation Council shall elect its officers. The president, vice president, and secretary shall be selected from the elected membership of the Congregation Council. The treasurer may also be selected from the elected membership of the Congregation Council, but the treasurer is not required to be a member of the Council. If the treasurer is not selected from the elected membership of the Congregation Council, the treasurer shall have a voice in Council deliberations but not a vote at the meetings of the Congregation Council.
- C11.01.01** The duties of the president of the congregation shall include, but not be limited to, all of the duties of Congregation Council members generally, being a member of the Executive Committee, being a member of the Long-Range Planning Committee, presiding over meetings of the Congregation Council and Congregation Meetings, calling special meetings as needed and

appropriate, and acting in consultation with the pastor and others as described in the constitution and bylaws. She/he shall be an ex officio member of all Council and standing committees.

**C11.01.02**

The duties of the vice president of the congregation shall include, but not be limited to, all of the duties of Congregation Council members generally, being a member of the Executive Committee, and being a member and the convener of the Long-Range Planning Committee. The vice president shall act in the absence of or at the request of the president, at which time she/he shall have all powers and functions applicable to the president. In addition, the vice president shall perform such functions and duties as may be specified by the Congregation Council.

**C11.01.03**

The duties of the secretary of the congregation shall include, but not be limited to, all of the duties of Congregation Council members generally, being a member of the Executive Committee, creating and maintaining accurate documentation of Congregation and Council meetings that meets legal requirements, and ensure that documented minutes are available for review and approval at subsequent meetings.

**C11.01.04**

The duties of the treasurer of the congregation shall include, but not be limited to, all of the duties of Congregation Council members generally (except, in the case of a treasurer who is not an elected member of the Council, voting), and being a member of the Executive Committee. The Treasurer shall receive, safely keep, and account for all money and other property of the congregation entrusted to his/her care, and shall disburse the same under the direction and to the satisfaction of the Congregation Council, pay the bills and charges that are in the approved budget or are approved by the Council, report to the Council at its monthly meetings and to the membership at the annual congregation meeting, and perform such other functions as assigned by the Council. With the assistance of the financial secretary, she/he shall maintain: (1) a current roster of the giving units and their pledges; (2) a complete accounting of the financial records of the church, which shall remain the property of the congregation, and which shall be open for inspection by any member; (3) the annual financial report of the Church, which shall be audited by the Audit Committee (C13.03), as approved and authorized by the Board. At least annually, the Treasurer shall furnish statements detailing the status of their giving to congregation members. The treasurer shall also serve as a member of the Investment Team, and direct and oversee the responsibilities of the financial secretary.

**C11.02**

The elected officers of the Congregation Council shall be the officers of this congregation. The officers shall be elected by written ballot and

shall serve for two years or until their successors are elected. Their terms shall begin at the close of the annual meeting at which they are elected.

**C11.02.01** The election of Council officers shall be staggered over two years, with the president and secretary elected in one year and the vice president and treasurer elected the following year. This will provide greater consistency in long-range planning and matters of concern to the Executive Committee.

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

## **Chapter 12.**

### **CONGREGATION COUNCIL**

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

**C12.01.01** The Congregation Council shall consist of a minimum of nine (9) and a maximum of twelve (12) voting members of the congregation.

**C12.01.02** Age, gender, and ethnic diversity in Council membership is encouraged, and should be a goal of each year's Nominating Committee.

**C12.01.03** A youth member of the Council is desirable, but not a requirement. Youth members of the Council shall have full voting and other rights, as well as responsibilities, of the other members of the Council.

**C12.01.04** Only one member of the same family household may be a member of the Council at any time.

**a.** For this purpose, "member of the same family household" means any of the following: persons residing at the same address, persons in a marital relationship, persons in a parent/child relationship, persons in a grandparent/grandchild relationship, or persons in a sibling relationship.

**b.** The prohibition against a second member of the same family household becoming a member of the Congregation Council does not apply to youth members of the Council.

**C12.01.05** A member of the Congregation Council may also be a paid staff member in the employment of St. Mark's Lutheran Church. However, no permanent staff member (as defined at B12.08.01b) may serve as an officer of the Council and congregation.

**C12.02** The members of the Congregation Council except the pastor(s) shall be elected by written ballot to serve for three (3) years or until their successors are elected. Such members shall be eligible to serve no more than two full terms consecutively. Their terms shall begin on the January 1<sup>st</sup> following their election to the Congregation Council, and shall continue until the election of new officers is concluded at the January meeting of the Congregation Council that follows the expiration of their term(s) of office, unless they resign or are removed from the Council for cause (C12.01) prior to serving their full term.

**C12.02.01** Any youth member elected to Council will be elected for a one-year term, and shall be eligible to serve no more than two full terms consecutively.

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

**C12.04** 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 support of the synod and churchwide organization of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-



Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.

- i. To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.
- j. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.

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

- a. The Congregation Council shall be the board of directors of this congregation and, as such, shall be responsible for maintaining and protecting its property and 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 Illinois, except as otherwise provided herein.
- b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of this congregation.
- c. The Congregation Council may enter into contracts of up to \$7,500 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 \$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 collaboration with the synod and churchwide organization.
- e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of mission support monies to the synod treasurer.
- f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.

**C12.06** The Congregation Council shall see that the provisions of this constitution, its bylaws, and the continuing resolutions are carried out.

**C12.07** The Congregation Council shall provide for an annual review of the membership roster.

**C12.08** The Congregation Council shall be responsible for the employment and supervision of the staff of this congregation. Nothing in this provision shall be deemed to affect this congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church.

- C12.08.01** In the following circumstances, a member of the Congregation Council shall recuse herself/himself from discussion and voting on the matter that is under consideration of the Council:
- a.** Recusal is appropriate for a Council member when the issue involves a specific employee who is a member of the same family household (as defined in C12.01.04a).
  - b.** Recusal is appropriate for a Council member when that person is also employed as a permanent member of the St. Mark's staff, and the Council is interviewing a candidate (recommended by the Call Committee) for the position of minister of Word and Sacrament at St. Mark's. An individual will not be considered a permanent member of the St. Mark's staff if, at the inception of that employment, there is an anticipated ending date to that employment within 36 months.
  - c.** Recusal is appropriate for a Council member when the Council is interviewing a candidate (recommended by the Call Committee) for the position of minister of Word and Sacrament, and that Council member served as a member of the Call Committee.
- 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 pastor or interim pastor, except when the pastor or interim pastor requests or consents to be absent and has given prior approval to the agenda for a particular regular or special meeting, which shall be the only business considered at that meeting. Chronic or repeated absence of the pastor or interim pastor who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synod bishop.
- C12.13** The Congregation Council and its committees may hold meetings by remote communication, including electronically and by telephone conference and, to the extent permitted by state law, notice of all meetings may be provided electronically.

## **Chapter 13.**

### **CONGREGATION COMMITTEES**

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

**C13.02** A *Long-Range Planning Committee*, made up of members of the Congregation Council, shall maintain ongoing plans for the projects and direction of St. Mark's Lutheran Church for the next three-to-five years in the future. Such plans should include categories such as faith and worship, educational programming, property concerns, outreach, and other such areas as are appropriate. The plans should be aspirational but feasible within the three-to-five year framework, and each element within the plan should have a summary description and a desired completion date. The committee shall present the plan to the Congregation Council annually, at the regular September Council meeting, for approval and adoption.

**C13.02.01** The long-range planning committee shall consist of five members of the Congregation Council, including the president and vice president.

a. The remaining three members of the committee shall be selected following consultation of the pastor with the president and vice president.

b. The vice president shall act as convener of the committee. It shall be the responsibility of the convener to set meeting times and communicate them to members of the committee, to extend invitations to Council members to join the committee (following the consultation described in C13.02.01a), to preside over meetings of the committee, and to invite the team leaders of ministry teams to committee meetings as appropriate to gather their insight and input in particular areas to which their ministry team is involved.

c. At least one of the members of the committee should be the youth or young adult member of the Council, if one exists (C12.01).

**C13.02.02** In the absence of a long-range planning committee (as described in C13.02 and C13.02.01), the Executive Committee shall serve as the Long-Range Planning Committee until such time as a separate committee is constituted.

**C13.03** A *Nominating Committee* of three voting members of this congregation, one of whom, if possible, shall be outgoing members of the Congregation Council, shall be elected at the autumn semi-annual meeting (C10.01.01b) for a term of one year. Members of the Nominating Committee are not eligible for consecutive re-election.

**C13.03.01** Members of the Nominating Committee are elected at the regular autumn meeting of the congregation and serve until they are replaced at the next regular autumn meeting of the congregation.

**C13.03.02** The Nominating Committee shall be responsible for nominating candidates to fill the following positions: members of the

Congregation Council, members of the Nominating Committee, the Mission Interpreter, the St. Mark's representative on the board of COOL Ministries, and the designated number of voting delegates to the Synod Assembly

**C13.04** 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.

**C13.04.01** The Audit Committee shall provide an unbiased and objective evaluation of the accounting and cost control procedures for the preceding year, and provide an annual report to the congregation with the committee's conclusions regarding whether such controls and procedures are operating effectively. This report is included in the annual ministry team reports provided to the congregation at the February/March congregational meeting.

**C13.04.02** The Audit Committee shall operate for the purpose of deterring fraud and theft of the organization's assets, and ensuring that the internal controls and governance processes are properly followed.

**C13.04.03** Members of the Congregation Council or representatives of the Investment and Finance Team may assist the Nominating Committee in identifying appropriate candidates to serve on the Audit Committee. However, neither the Treasurer nor the rostered minister, or any family member of the Treasurer or rostered minister, may be a member of the Audit Committee.

**C13.05** A *Mutual Ministry Committee* shall 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. In the absence of a mutual ministry committee, the duties shall be fulfilled by the executive committee.

**C13.05.01** Mutual ministry is the understanding that the whole people of God have a ministry with and to one another. The ministry of any rostered minister, lay professional, or congregation member is strengthened when there exists a small group of persons who act out of mutual concern in supporting the rostered minister, lay professional, and congregation.

**C13.05.02** Mutual ministry is also the process of listening prayerfully to each other, and treating ministry to others as a way of life. Therefore, the committee's focus should include:

- a.** Working to ensure open communications regarding the attitudes and concerns of the congregation, and provide early warnings of misunderstandings within the congregation;
- b.** Assist in identifying and resolving conflicts;

- c. Provide a “sounding board” for the rostered minister and lay professional during times of personal or professional stress;
- d. Demonstrate ongoing concern for the spiritual, emotional, and physical needs of the rostered minister and lay professional;
- e. Enhance healthy communications between the staff and congregation through mutual counsel, support, and feedback;
- f. Celebrate milestones, events, and successes with the staff;
- g. Conduct exit interviews with pastors and staff when they leave the congregation.

**C13.05.03** The Mutual Ministry Committee shall meet as needed, but not less than quarterly. A convenor shall be selected by committee consensus from its current membership. The committee shall endeavor to operate by consensus whenever possible.

**C13.05.04** Committee members must be trustworthy, committed to confidentiality, able to appreciate differing perspectives, and committed to the mission and ministry of St. Mark’s. Committee members should not be currently serving in elected positions of authority (such as on the Congregation Council), nor should they be members of the staff.

**C13.06** When a vacancy occurs in a position for which this congregation calls a rostered minister, a *Call Committee* of six voting members shall be elected by this congregation. Their term of office will terminate upon installation of the newly-called rostered minister.

**C13.06.01** The members of the Call Committee shall be nominated by the Congregation Council, in consultation with the interim pastor, and elected by vote of the congregation at a regular or special congregational meeting.

**C13.06.02** To the extent possible, the Call Committee should represent a broad cross-section of the congregation.

**C13.06.03** If none of the six nominees to the Call Committee is a youth, a non-voting seventh member who is a youth and a voting member of the congregation may be added to the Call Committee, in the discretion of the Congregation Council. Such youth member shall have equal voice with other members of the committee during discussions and deliberations, but shall not participate in voting on candidates.

**C13.07** Other committees of this congregation may be formed, as the need arises, by decision of the Congregation Council.

**C13.07.01** The Congregation Council shall enact continuing resolutions which authorize and describe the functions of the various committees or organizations of this congregation.

**C13.07.02** The Congregation Council shall authorize ministry teams for the purpose of *Faith Formation*.

**C13.07.02A**

RESOLVED, that the Congregation Council establishes a ***Worship and the Arts Team***. The Worship and the Arts team shall ensure that the worship services of the congregation are conducted regularly and in accordance with Lutheran tradition and the liturgy of the Evangelical Lutheran Church in America (ELCA). This team supervises, trains and supports all worship assistants (excepting those who are supervised by the Technology team) as well as supports and oversees the music ministries of the congregation. The Worship and the Arts team's function is to oversee the different styles of worship at St. Mark's, coordinating the various liturgies and services to provide an enriching worship experience for congregants. It shall plan special services, encourage congregational participation, and study issues related to the worship ministry. And it shall oversee various subteams including:

- a. The ***Altar Guild***, the purpose of which is to care for the altar and its furnishings and linens. This ministry involves preparing the worship space with the furnishings, appointments, vessels, elements, linens, and paraments used in the liturgy. As these items are prepared and cared for, it is important that the altar guild understand their meaning and use in worship.
- b. The ***Anamnesis Team*** is named from the Greek word "to remember." This ministry team shall use art forms, signs and symbols, visual arts, and decoration to portray the presence of the Word made flesh among us, and to communicate the Good News of salvation in Jesus Christ to all who worship and fellowship at St. Mark's. God's beauty surrounds all of us, and the Anamnesis Team shall endeavor to reflect this love within the sanctuary and narthex at St. Mark's. This shall include seasonal and holiday changes, as well as changes in the liturgical year.
- c. The ***Choir*** and other ***Music Ministries*** shall support and encourage the choir director, choir members, and musicians of this congregation, and shall coordinate with the rostered minister, staff organist, and any organist or other musicians that may from time to time be employed to perform at regular or special worship services. The primary (but not sole) purpose of the Choir is to lead the congregation in song. This team shall furnish music supplies appropriate for use in worship by a congregation of the ELCA, encourage congregants to participate in the Choir and other music ministries of the church, and actively listen to feedback from the congregation regarding the musical choices that will provide enriching

worship experiences for St. Mark's congregants and visitors.

- d. The ***Drama Team*** shall utilize its collective talents to create a dramatic element within worship services that helps worshipers to better connect with and understand the message or theme of the service. Team leadership shall participate in the selection of dramatic materials, organize volunteer participants, schedule and facilitate rehearsals, manage props, sets, and equipment (including puppets), encourage and assist new volunteers, and coordinate with the Youth & Family team leader in script and casting decisions involving children and youth. The team shall coordinate with the Technology team for lighting, sound, and any other needs that will benefit the experience provided by the drama.
- e. The team of ***Ushers*** shall help the congregation to provide a welcoming, comfortable, and safe environment for worshipers attending services. The Ushers will operate in pairs, greeting congregants and visitors coming to worship at St. Mark's, distributing programs and other materials before worship, collecting the offering, assisting worshipers to approach the rail for communion, and providing microphones to participants during announcements.
- f. The Worship and the Arts Team shall also be responsible for the scheduling of lay participants in worship services including Assisting Ministers and Communion Assistants, Lectors, and Acolytes.

[Adopted: 10/27/2019.]

**C13.07.02B**

RESOLVED, that the Congregation Council establishes a ***Youth & Family Ministry Team***. Youth and family ministry is a holistic and intergenerational approach to ministry with a focus on faith formation. It is about discipleship and passing on the faith. It is not just children's ministry or youth ministry. It is everything that God is doing in the community through the congregation. Therefore the Youth & Family Ministry Team may work with any or all of the other ministry teams, with a clear understanding of the vision and mission of the congregation, to enhance the faith formation opportunities of congregants. Youth & Family activities should endeavor to equip youth, their parents, mentors, and other adults with leadership skills to do the ministry of the church. And the Youth & Family efforts should encourage congregants to develop strong, spiritual disciplines, including personal prayer, devotional life, the daily reading of scripture, and

regular attendance at worship. Under the guidance of the Youth & Family Ministry Leader, specific activities may include:

- a. Sunday school classes for preschool and elementary school ages;
- b. Vacation Bible School;
- c. assisting on the Christmas Pageant;
- d. Testify! (high school youth group) meetings and social activities;
- e. ELCA Youth Gathering participation;
- f. camps and retreats to Lutherdale (or other camps/retreat centers), including the Campformation retreat for confirmation class participants;
- g. periodic Foundational Families activities designed to engage whole families, including craft parties, pumpkin farm visits, the church picnic, and similar events;
- h. encouragement of families and individuals to participate and engage in social outreach activities, whether organized by Youth & Family or by other ministry teams, such as Christmas caroling, the CROP Hunger Walk, PADS, Feed My Starving Children, Bernie's Book Bank, COOL Food Pantry, COOL Family Housing, blessing baskets for the needy (PADS, shut-ins, the homeless), Super Bowl of Caring, and more.
- i. Advise and consult the Long Range Planning Committee (C13.02) on annual updates to the congregation's long-range plan, as needed.

[Adopted: 10/27/2019.]

**C13.07.02C**

RESOLVED, that the Congregation Council establishes a ***Social Justice Team***. The Social Justice Team will encourage and educate the members and friends of St. Mark's and the larger community to work for peace and justice. The team's efforts shall focus on creating sustainable, theologically-grounded, strategically-effective activities that will engage the whole congregation. Such activities may be undertaken primarily by the Social Justice Team, in cooperation with other ministry teams, or primarily by other ministry teams with the support of the Social Justice Team. While there are no limitations to the scope of these activities, the following points of focus are necessary:

- a. Social justice activities shall be made available to school-age children and youth to expose them to the needs of the less fortunate and the world generally, and to empower them with the knowledge and experience of helping others to experience God's grace.



- b. Advise congregants regarding the existence of social justice organizations that are a part of the Evangelical Lutheran Church in America (ELCA), the Metropolitan Chicago Synod of the ELCA, or other Lutheran or interfaith organizations, and the opportunities for service with such organizations.
- c. Activities shall include fundraising for COOL Ministries, and coordination with and support for COOL's activities through the St. Mark's representative on the COOL Ministries Board of Directors. As a founding and continuing member congregation of COOL Ministries, St. Mark's has a special responsibility to continuously perform this outreach to the best of our ability.
- d. The team shall strive to provide opportunities that will interest and involve as many individual members of the congregation as possible.
- e. The team shall coordinate whenever possible with other ministry teams in activities that extend Christian compassion and helpfulness to the ill, the aged, the orphaned, the underprivileged, the imprisoned, and generally to persons of all ages in need of aid in body, mind, or spirit. When other ministry teams are already actively conducting a social justice activity, the Social Justice Team should offer support and encouragement.
- f. The team shall become familiar with local social conditions and issues, and encourage Christian discussion of such facts and issues within the congregation.
- g. The team shall ensure that a significant percent of the social justice activities of St. Mark's involve direct contact between members and either (1) persons of need outside the congregation or (2) persons outside the congregation who are taking direct actions to improve our world for current and future generations.

[Adopted: 10/27/2019.]

**C13.07.02D**

RESOLVED, that the Congregation Council authorizes a *Women of St. Mark's* ministry group. This group will gather to engage in service, study, advocacy, and fellowship. Their purposes include discipleship and a commitment to grow in faith, support for each other, engage in ministry and action, and to promote healing and wholeness both within and outside the church. [Adopted: 10/27/2019.]

**C13.07.02E**

RESOLVED, that the Congregation Council authorizes the formation of groups established for the purpose of creating adult spiritual growth opportunities. Such spiritual growth may occur in groups formed for the purpose of bible study,

lectio divina, meditation, book review or reading clubs, discussion of contemporary issues, Christian historical study, Christian mysticism, contemplative prayer, or any such similar groups intended to provide Christian spiritual growth opportunities for adults and interested youth. These spiritual growth groups may be formed by any of the ministry teams or independently, but newly formed groups should consult with the rostered minister on defining the purposes and practices for a particular group, and inform the Congregation Council and church office of the group's formation, focus, and meeting schedule. [Adopted: 10/27/2019.]

**C13.07.03** The team leaders (or a representative from their team) of the ***Faith Formation*** ministry teams (*Worship and the Arts, Youth & Family, Social Justice, and Women of St. Mark's*) shall meet quarterly to discuss ongoing concerns, upcoming events, changes from past practices, scheduling and calendars, and possible collaborations in support of the mission and ministries of this congregation. The convenor of these quarterly meetings shall be the pastor of the congregation. In addition, a representative from the *Church in Community* team should also attend and participate in these quarterly meetings. The *Hospitality Team* can have or not have a representative regularly participate at their discretion. In the event that the pastor is unable to call and participate in a meeting within a calendar quarter, the Stephen Minister shall fulfill that duty.

**C13.07.04** The Congregation Council shall authorize ministry teams for the purpose of ***Ministry Support***.

**C13.07.04A** RESOLVED, that the Congregation Council establishes an ***Investment and Finance Team***. The role of the Investment and Finance Team includes budgeting and financial planning, financial reporting, and the creation and monitoring of internal controls and accountability policies. Specifically, this team is responsible for:

- a. developing an annual proposed operating budget and recommending it to the Congregation Council;
- b. monitoring adherence to the budget throughout the year;
- c. recommending to the Congregation Council amendments to adopted budget, as need;
- d. informing other ministry teams when a budget or budgetary amendment that will affect those teams is being recommended for consideration at the next Congregation Council meeting;
- e. setting long-range financial goals along with funding strategies to achieve them;

- f. creating stewardship campaigns and establishing stewardship teams to manage and direct such campaigns;
- g. establishing and training teams to count the worship offerings, properly handle and keep records of such funds, and make bank deposits;
- h. advising and consulting the Long Range Planning Committee (C13.02) on annual updates to the congregation's long-range plan, as needed;
- i. creating useful and readable reports to present to the Congregation Council and the congregation;
- j. assisting the Congregation Council to understand those reports and the implications of those reports, and also reporting to the congregation at the semi-annual meetings;
- k. ensuring approved financial policies and procedures are being followed, and recommending new or updated policies that help ensure the assets of the organization are protected;
- l. developing short- and long-term investment strategies for the church's investment portfolio, if any, and reviewing such strategies on a quarterly basis;
- m. overseeing the Meyer Scholarship review process and annual selection team;
- n. assisting the Nominating Committee (C13.03) to identify appropriate candidates to serve on the Audit Committee.

The chair of the Investment and Finance Team may be the Treasurer of the congregation, but only with the approval (made annually) of the Congregation Council. The team shall meet at least quarterly, and more often as needed. [Adopted: 10/27/2019.]

**C13.07.04B**

RESOLVED, that the Congregation Council establishes a ***Church in Community Team***. The Church in Community team shall be responsible for the internal and external communication activities of St. Mark's Lutheran Church. The team shall oversee the communication of information regarding the church, its mission and activities to appropriate targeted audiences through existing channels such as the newsletter, Sunday bulletin, email, and website and social media, and shall develop other channels of communication as needed. The team shall:

- a. Create, organize, plan and implement effective messages and communication strategies for church and community audiences, and support ministry leaders in conveying their vision and communication priorities to appropriate audiences.

- b. Develop, recommend, and implement marketing and communication strategies that are reflective of the church's mission, and that preserve a positive image.
- c. Proactively plan and work with the other ministry teams, especially the Faith Formation ministry teams, to support their communications needs. And help strategize and plan communications and marketing for 6-12 months ahead.
- d. Keep the church's website and social media fresh and engaging.
- e. Own, manage, and (as appropriate) update the church's "brand identity," logos, and slogans.
- f. Utilize photography of the congregation and its members in worship and during special events on- and off-site to communicate about and promote the mission and activities of the church. The team shall maintain a policy regarding the appropriate use of photos containing minors.
- g. Advise and consult the Long Range Planning Committee (C13.02) on annual updates to the congregation's long-range plan, as needed.

The Church in Community team and its members are also encouraged to actively participate in the planning and staging of events and fundraisers on which it is working with other ministry teams, particularly when those events will occur in the community or when such events involve inviting our neighbors to visit us at St. Mark's. [Adopted: 10/27/2019.]

**C13.07.04C**

RESOLVED, that the Congregation Council establishes a ***Property and Grounds Team***. This team shall provide for the proper maintenance and protection of all property, buildings, fixtures and furnishings, and the acquisition of goods and services necessary to fulfill this responsibility. These duties include:

- a. Maintenance of church grounds, including the landscaping and lawn care needs, as well as snow removal;
- b. Custodial care, including regular janitorial services;
- c. Arrangement for systems maintenance and routine licensing, including elevators, fire alarms, and gas and smoke detection;
- d. Advising the Congregation Council of any significant concerns which may require action beyond the capabilities of the Property and Grounds Team; and
- e. Advise and consult the Long Range Planning Committee (C13.02) on annual updates to the congregation's long-range plan, as needed.

[Adopted: 10/27/2019.]

**C13.07.04D**

RESOLVED, that the Congregation Council establishes a *Hospitality Team*. The Hospitality Team is principally focused on providing meals and snacks as a caring ministry to St. Mark's congregants and guests. This may include:

- a. Small receptions to celebrate, honor, or memorialize significant family milestones. The team will work with the families involved to ensure each reception fits the needs and desires of each family for their particular event.
- b. Fellowship time following (or as a part of) regular and special worship services, designed to help facilitate fellowship among the participants of the service. Special services may be on site or off site, and include such events as the church picnic and Seder dinner. Such fellowship times may also include milestone events.
- c. Fundraisers and other special events that involve or incorporate food into the event. These may be for events within the congregation, to benefit outside organizations, or for the benefit of affiliated organizations such as COOL Ministries. Such events can, but need not, be associated with worship services.
- d. Luncheons that occur at St. Mark's and accompany other activities, such as bible studies or meetings of Church Women United.
- e. Birthday celebrations for members of this congregation who are shut-in and unable to attend services, held at their current place of residence.

[Adopted: 10/27/2019.]

**C13.07.04E**

RESOLVED, that the Congregation Council establishes a *Technology Team*. This team shall be responsible for the procurement, upgrades, and maintenance of the church computers (including software and hardware), audio/visual equipment, and other electronic equipment including the Hearing Loop system. Any equipment purchases shall be for the purpose of enhancing worship, streamlining office functions, and/or expanding educational experiences. The team shall also be responsible for the production of audio and visual materials for the use of other ministry teams, the training and (as needed) supervision of persons to handle projection and audio during worship services, and the maintenance of photo and other data archives. The Technology Team will also advise and consult the Long Range Planning Committee (C13.02) on annual updates to the congregation's long-range plan, as needed. [Adopted: 10/27/2019.]

- C13.07.05** The Congregation Council shall authorize ministry teams for the purpose of *Care Ministries*.
- C13.07.05A** RESOLVED, that the Congregation Council establishes a *Prayer Team*. The Prayer Team shall pray for the needs of this congregation (collectively and individually), our local community, our Synod, the Evangelical Lutheran Church in America, Lutheran outreach and assistance ministries, the needs of God's church, the leadership of the organizations mentioned, and the needs of people throughout the world. The Prayer Team shall also provide prayer resources, promote the use of the prayer corner, and bring the weekly supplications and thanksgivings of the congregation to God in prayer. [Adopted: 10/27/2019.]
- C13.07.05B** RESOLVED, that the Congregation Council authorizes the inclusion of *Stephen Ministry* trained lay ministers/caregivers in the life and outreach of St. Mark's Lutheran Church. The Stephen Minister will operate and serve in consultation and coordination with St. Mark's rostered minister. [Adopted: 10/27/2019.]
- C13.07.05C** RESOLVED, that the Congregation Council authorizes a *Visitation Ministry Team* to provide for those unable to attend worship and help such persons remain connected to the ministry of this congregation. The inability to attend worship may be a permanent or temporary condition. The team shall coordinate with the rostered minister to plan and schedule visits. Regularly scheduled visitation can occur in homes, nursing homes, hospitals or wherever the person may be and includes holy communion, if the person(s) visited so desires. [Adopted: 10/27/2019.]
- C13.07.06** Continuing resolutions shall be enacted or amended by a two-thirds vote of all voting members of the Congregation Council.
- C13.07.07** All continuing resolutions should include, at the end of the text, a history line containing the dates on which the resolution was enacted and, if any, amended.
- C13.08** The duties of committees of this congregation shall be specified in the bylaws and continuing resolutions.
- C13.09** The pastor of this congregation shall be *ex officio* a member of all committees and boards of this congregation. The president of this congregation shall be *ex officio* a member of all committees and boards of this congregation, except the Nominating Committee.

## **Chapter 14.**

## **ORGANIZATIONS WITHIN OR AFFILIATED WITH THIS CONGREGATION**

- C14.01** All organizations within this congregation shall exist to aid it in ministering to the members of this congregation and to all persons who can be reached with the Gospel of Christ. As outgrowths and expressions of this congregation's life, the organizations are subject to its oversight and direction. This congregation at its meeting shall determine their policies, guide their activities, and receive reports concerning their membership, work, and finances.
- C14.02** Special interest groups, other than those of the official organizations of the Evangelical Lutheran Church in America, may be organized only after authorization has been given by the Congregation Council and specified in a continuing resolution.
- C14.02.01A** RESOLVED, that the Congregation Council authorizes a charter for Boy Scout Troup 655 be located at St. Mark's Lutheran. The troop is to coordinate scheduling with the church office, and apprise the office of any changes in the troop's adult leadership including providing contact information. [Adopted: 10/27/2019.]
- C14.03** Affiliations between St. Mark's and other organizations, other than those of the official organizations of the Evangelical Lutheran Church in America, may be organized only after authorization has been given by the Congregation Council and specified in a continuing resolution.
- C14.03.01A** RESOLVED, that the Congregation Council authorizes its inclusion as a member congregation in COOL Ministries, which includes a seat on their board of directors. The mission of COOL Ministries is to give comprehensive assistance to families in need, by reducing hunger and homelessness, while encouraging personal growth and self-sufficiency. COOL maintains two programs: a food pantry structured to provide balanced meals and a transitional housing program for families focused on developing self-sufficiency. COOL originated as Christian Outreach of Lutherans, of which St. Mark's was a founding member. [Adopted: 10/27/2019.]

### **Chapter 15.**

## **DISCIPLINE OF MEMBERS AND ADJUDICATION**

- \*C15.01** Persistent and public denial of the Christian faith, willful or criminal conduct grossly unbecoming a member of the Church of Christ, continual and intentional interference with the ministry of this congregation, or willful and repeated harassment or defamation of member(s) of this congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will

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

**\*C15.02** The process for discipline of a member of this congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If the counseling, censure, and admonitions pursuant to \*C15.01 do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by 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:
- suspension from the privileges of congregation membership for a designated period of time;
  - suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
  - termination of membership in this congregation; or
  - termination of membership in this congregation and exclusion from the church property and from all congregation activities.
- \*C15.06** The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next council meeting.
- \*C15.07** No member of this congregation shall be subject to discipline a second time for offenses that a discipline hearing panel has heard previously and decided pursuant to this chapter.
- \*C15.10** **Adjudication**
- \*C15.11** When there is disagreement between or among factions within this congregation on a substantive issue which cannot be resolved by the parties, members of this congregation may petition the synod bishop for consultation after informing the president of this congregation of their intent to do so. The synod bishop shall seek a timely resolution of the dispute. If the issue relates directly to the pastor, the bishop may begin the process in †S14.18.d. In all other matters, if the bishop's consultation fails to resolve the issue, the bishop shall refer the matter to the Consultation Committee of the synod, which shall undertake efforts to find an appropriate solution. If the Consultation Committee's efforts fail to resolve the dispute, the entire matter shall be referred to the Synod Council for adjudication by whatever process the Council deems necessary. The Synod Council's decision shall be final.

## **Chapter 16.**

### **AMENDMENTS**

- \*C16.01** Unless provision \*C16.04 is applicable, those sections of 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 twelve (12) voting members or by the

Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify this congregation's members of the proposal together with the council's recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.

- \*C16.02** An amendment to this constitution, proposed under \*C16.01, shall:
- a. be approved at any legally-called meeting of this congregation by a majority vote of those voting members present and voting;
  - b. be ratified without change at the next regular meeting of this congregation held pursuant to C10.01 by a two-thirds vote of those voting members present and voting; and
  - c. have the effective date included in the resolution and noted in the constitution.
- \*C16.03** Any amendments to this constitution that result from the processes provided in \*C16.01 and \*C16.02 shall be sent by the secretary of this congregation to the synod. The synod shall notify this congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.
- \*C16.04** This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* as most recently amended by the Churchwide Assembly. Such amendments may be approved by a majority vote of those voting members present and voting at any legally called meeting of this congregation without presentation at a prior meeting of this congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to this congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of at least two (2) voting members of this congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of this congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

## **Chapter 17.**

### **BYLAWS**

- \*C17.01** This congregation may adopt bylaws. No bylaw may conflict with this constitution.

- \*C17.02 Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a two-thirds vote of those voting members present and voting.
- \*C17.03 Changes to the bylaws may be proposed by any voting member, provided that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify this congregation's members of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting. Notification may take place by mail or electronic means, as permitted by state law.
- \*C17.04 Adopted or amended bylaws shall be sent by the secretary of this congregation to the synod.

## **Chapter 18.**

### **CONTINUING RESOLUTIONS**

- \*C18.01 This congregation in a legally called meeting or the Congregation Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.
- \*C18.02 Continuing resolutions shall be enacted or amended by a majority vote of a meeting of this congregation or a two-thirds vote of all voting members of the Congregation Council.
- \*C18.03 Adopted or amended continuing resolutions shall be sent by the secretary of this congregation to the synod.

## **Chapter 19.**

### **INDEMNIFICATION**

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

## **Chapter 20.**

### **PARISH AUTHORIZATION**

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

- \*C20.01 This congregation may unite with one or more other congregations recognized by the synod named in \*6.01 to form a parish. Except as provided in \*C20.02 and \*C20.03, a written agreement, developed in

consultation with the synod and approved by the voting members of each congregation participating in the parish, shall specify the powers and responsibilities that have been delegated to the Parish Council. The Parish Agreement shall identify which congregation of the parish issues calls on behalf of the member congregations or shall establish a process for identifying which congregation issues calls on behalf of the member congregations.

- \*C20.02** One congregation of a parish shall issue a call on behalf of the member congregations to a minister of Word and Sacrament or a candidate for the roster of Ministers of Word and Sacrament who has been recommended by the synod bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.
- \*C20.03** One congregation of a parish may issue a call on behalf of the member congregations to a minister of Word and Service or a candidate for the roster of Ministers of Word and Service who has been recommended by the synod bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.
- \*C20.04** Any one of the congregations of the parish may terminate their relationship with the pastor as provided in †S14.18.d of the synod constitution of the synod named in \*C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.
- \*C20.05** Any one of the congregations of the parish may terminate their relationship with a minister of Word and Service as provided in †S14.43.d of the synod constitution of the synod named in \*C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.
- \*C20.06** Whenever a parish agreement is terminated, the call of any rostered minister serving that parish is terminated. Should any congregation that was formerly part of the parish agreement desire to issue a new call to that rostered minister, it may do so in accordance with the call process of this church.