

Constitution
for
EMMANUEL
LUTHERAN CHURCH
Export, Pennsylvania



NALC CONSTITUTION DOCUMENT FOR CONGREGATIONS
AS AMENDED BY
EMMANUEL EVANGELICAL LUTHERAN CHURCH
OF
EXPORT, PENNSYLVANIA

NALC EXECUTIVE COMMITTEE
Published: 8/5/2011
Amended: 10/18/2011

EMMANUEL LUTHERAN CHURCH
Draft: 10/22/2013
Approved: 01/19/2014
Ratified: 05/31/2015

CONSTITUTION
FOR
EMMANUEL EVANGELICAL LUTHERAN CHURCH

PREAMBLE

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

Chapter 1. NAME AND INCORPORATION

- 1.01.** The name of this congregation shall be Emmanuel Evangelical Lutheran Church d/b/a Emmanuel Lutheran Church (ELC).
- 1.02.** For the purpose of this constitution and any accompanying bylaws, the congregation of ELC is hereinafter designated as "this congregation."
- 1.03.** This congregation shall be incorporated under the laws of the Commonwealth of Pennsylvania.

Chapter 2. CONFESSION OF FAITH

This congregation incorporates Article 2 of the constitution of the North American Lutheran Church (the "NALC"), confessing:

- 2.01. The Triune God – Father, Son, and Holy Spirit¹**
- 2.02. 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.**

¹ The NALC does not require congregations to adopt a particular constitution. However, it does require a subscription to the NALC constitution and to the NALC confession of faith. By adopting Chapter 2, Section 6.02, and Section 6.03(c)-(d) from this model, all shown in bold, a congregation complies with these requirements.

- c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by the Holy Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them the Holy Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.**
- 2.03. 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, "according to which all doctrines should and must be judged." (Formula of Concord, Epitome, Part I)**
- 2.04. The Apostles', Nicene, and Athanasius Creeds as true declarations of the faith of the Church.**
- 2.05. 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.**
- 2.06. 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. The Gospel, as recorded in the Holy Scriptures and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.**

Chapter 3. NATURE OF THE CHURCH

- 3.01.** The Church is the universal assembly of all believers among whom the Gospel is preached in its purity and the holy sacraments are administered according to the Gospel. (Augsburg Confession VII)
- 3.02.** 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.
- 3.03.** 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.
- 3.04.** This congregation exercises ministry within the mission of the NALC. This congregation embodies the Church in its community and, for the sake of mission, lives in cooperative partnership with other congregations and within the other structures of the NALC. This congregation shall share responsibility for the decision-making processes of the NALC.

Chapter 4. STATEMENT OF PURPOSE

- 4.01.** The hearers of the Gospel are a people, called and sent by God, the Father, Son, and Holy Spirit, to be a community of faith, hope and love, who witness to Christ and His coming Kingdom before the entire world.
- 4.02.** To participate in God's mission, this congregation as a part of the Church shall:
- a.** Give honor and glory to God the Father, Son, and Holy Spirit, worshipping Him in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, obedience and service.

- b. Carry out Christ's Great Commission by proclaiming to the entire world the Gospel of justification by grace through faith alone, according to the apostolic witness in Holy Scripture and in accordance with the Lutheran Confessions,
- c. Preserve and transmit the Gospel faithfully to future generations.
- d. Foster Christian fellowship and love and extend a helping hand to humans in need.
- e. Manifest the unity of our faith in Jesus Christ as God and Savior, and join with other Christians in prayer and action.
- f. Nurture its members in the Word of God so as to grow in faith and hope and love, and to develop a sense of Christian vocation in daily life.

4.03. To fulfill these purposes, this congregation shall:

- a. Provide services of worship at which the Word of God is rightly preached and the sacraments are rightly 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. Encourage its members to provide appropriate financial support for the congregation's ministry and the ministry of other parts of the NALC.
- h. Foster and participate in relationships with other congregations and structures of the NALC.
- i. Foster and participate in ecumenical relations consistent with NALC policy.

4.04. 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 the Bylaws and/or Continuing Resolutions of the congregation.

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

Chapter 5. POWERS OF THE CONGREGATION

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

5.02. The powers of this congregation are vested in the Congregational Meeting called and conducted as provided in the ELC Constitution and Bylaws.

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

- a. call a pastor as provided in Chapter 9;
- b. terminate the call of a pastor as provided in Chapter 9;
- c. appoint or terminate the service of commissioned lay leaders;
- d. approve the annual budget;
- e. acquire real and personal property by gift, devise, purchase, or other lawful means;

- f. hold title to and use its property for any and all activities consistent with its purpose;
 - g. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
 - h. elect its Congregation Council, and require the members of the Congregation Council to carry out their duties in accordance with the Constitution, Bylaws, and Continuing Resolutions;
 - i. adopt amendments to this constitution as provided in Chapter 17, and amendments to the bylaws, as specified in Chapter 16;
 - j. establish or terminate a relationship with a church body.
- 5.04.** The Congregation may select voting members of this congregation to serve as lay delegates and alternates to represent it at meetings of any conferences, convocations, and other meetings where this congregation is entitled to such representation.

Chapter 6. CHURCH AFFILIATION

- 6.01.** This congregation is a member of the NALC or any successor and is subject to the procedures of the NALC.
- 6.02.** **This congregation subscribes to the constitution of the NALC and will act in accordance with it.**
- 6.03.** This congregation will conduct its ministry in a manner consistent with its membership in the NALC:
- a. This congregation is responsible for its life as a Christian community.
 - b. This congregation pledges its participation in the life and mission of the NALC, including the prayerful consideration of appropriate financial support.
 - c. This congregation shall call only pastors who are members of the NALC or otherwise are authorized by the NALC to serve.**
 - d. This congregation shall appoint only commissioned lay leaders who are members of the NALC or otherwise are authorized by the NALC to serve.**
- 6.04.** Affiliation with the NALC may be terminated as follows:
- a. This congregation dissolves.
 - b. This congregation ceases to exist.
 - c. This congregation is removed from membership in the NALC according to the procedures for discipline of the NALC.
 - d. This congregation, at two legally called and conducted special meetings, held at least 30 days apart, approves, by a majority of those present and voting, a resolution directing that this congregation withdraw from the NALC. If this congregation adopts a resolution withdrawing from the NALC, all provisions of this constitution binding this congregation to the NALC shall be immediately ineffective. The congregation shall promptly deliver a copy of the withdrawal resolution to the NALC General Secretary.

Chapter 7. PROPERTY OWNERSHIP

- 7.01.** This congregation is an independent legal entity with rights to purchase, hold, and convey real and personal property in accord with applicable law. The NALC shall have no right to or interest in the property of this congregation unless this congregation expressly conveys such a right or interest to the NALC. If this congregation dissolves, its property

shall be distributed in accord with applicable law and with the congregation's governing documents.

Chapter 8. MEMBERSHIP

- 8.01.** Members of this congregation shall be those baptized persons (a) who are on the roll of this congregation at the time that this Constitution is adopted, or who are admitted thereafter, and (b) who have declared and maintain their membership in accordance with the provisions of this Constitution and its Bylaws.
- 8.02.** 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 who have communed and made a contribution of record during the current or preceding calendar year. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation.
 - 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. They have all the privileges and duties of membership except voting rights and eligibility for elected offices or membership on the Congregation Council of this congregation.
- 8.03.** All applications for confirmed membership shall be submitted to and shall require the approval of the Congregation Council.
- 8.04.** 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;
 - c. promote the unity and welfare of this congregation as a family of God, endeavoring through admonition and encouragement to edify one another;
 - d. regularly attend and vote at congregational meetings; and
 - e. support the work of this congregation, the NALC, and their ministries and structures through contributions of time, abilities, and financial support as biblical stewards.
- 8.05.** Responsibilities of this congregation for fostering faithful memberships shall include:
- a. proper instruction in the Word of God and the Confession of Faith described in Chapter 2 of this constitution prior to reception as confirmed members;
 - b. encouraging members who move from the community which this congregation serves to transfer to an NALC Lutheran congregation, where possible, which can serve them effectively and in which they can participate regularly; and

- c. continuing concern and conscientious pastoral care for members, in an effort to encourage discipleship and fulfillment of their duties and responsibilities.
- 8.06.** Membership in this congregation shall be terminated by any of the following:
- a. death;
 - b. resignation;
 - c. transfer or release;
 - d. disciplinary action by the Congregation Council; or
 - e. removal from the roll due to inactivity as defined in the Bylaws. Such persons who have been removed from the roll of members shall remain persons for whom the Church has a continuing pastoral concern.

Chapter 9. THE PASTOR

- 9.01.** Authority to call a pastor shall be in this congregation by at least a two-thirds majority vote of members present and voting at a meeting legally called for that purpose.
- 9.02.** Consistent with the faith and practice of the NALC,
- a. Every ordained minister shall:
 - 1) preach the Word;
 - 2) administer the sacraments;
 - 3) conduct public worship;
 - 4) provide pastoral care;
 - 5) serve as the chief evangelist in his or her ministry; and
 - 6) proclaim God's love to the world.
 - b. Each ordained minister with a congregational call shall, within the congregation:
 - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2) supervise all schools and organizations of this congregation;
 - 3) install regularly elected members of the Congregation Council; and
 - 4) with the Congregation Council, administer discipline.
 - c. Every pastor shall:
 - 1) strive to extend the Kingdom of God in the community, in the nation, and abroad;
 - 2) seek out and encourage qualified persons to prepare for the ministry of the Gospel; and
 - 3) impart knowledge of the NALC and its wider ministry through public provision of information, distribution of publications and other appropriate means.
- 9.03.** 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.
- 9.04.** a. The call of this congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which, except in the case of the death of the pastor, shall be terminated for the following reasons:
- 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the pastor, which shall become effective, unless otherwise agreed, 30 days after the date on which it was submitted;
 - 3) inability to conduct the pastoral office effectively in the congregation in view of local conditions, without reflection on the competence or the moral and spiritual character of the pastor;
 - 4) the physical or mental incapacity of the pastor;

- 5) disqualification of the pastor through discipline on grounds of doctrine, morality, or continued neglect of duty; or
 - 6) the dissolution of the congregation.
- b. If the Congregation Council determines that it may be appropriate to end a call for one of the reasons set out in sub-section (a), the Congregation Council shall consult with the pastor regarding the matter in accord with Biblical principles. If the Congregation Council and pastor do not reach agreement, the Congregation Council shall inform the Bishop of the NALC, who shall consult with the Congregation Council and the pastor and shall attempt to reach an agreed resolution. If the Bishop fails to facilitate an agreed resolution, the Congregation Council or the pastor may call a special Congregational Meeting to consider the matter. At such a meeting, the pastor and the Congregation Council leadership shall have a full and fair opportunity to present their positions on all matters relevant for consideration. At this meeting or at a subsequently called Special Congregational Meeting the congregation by a two-thirds vote may terminate the pastor's call. In all events, the Congregation Council by majority vote may suspend a pastor with pay if the Congregation Council determines that such suspension is necessary to protect the congregation and all whom it serves. No such suspension may last more than 90 days unless the pastor agrees otherwise.
- 9.05.** At a time of pastoral vacancy, an interim pastor may be appointed by the Congregation Council.
- 9.06.** During the period of service, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the Congregation Council. The interim pastor and any ordained pastor providing assistance shall refrain from exerting influence in the selection of a pastor.
- 9.07.** 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.
- 9.08.** When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors and the Congregation Council. As occasion requires, the documents may be revised through the same consultation process.
- 9.09.** The congregation may depart from the requirements in section 9.04 (a) by calling a pastor for a term of years. Details of such a call shall be in a writing that sets forth the purpose and conditions involved. Such call may be terminated before its expiration in accordance with the provisions in section 9.04 (a) and 9.04 (b).
- 9.10.** The pastor of this congregation:
- a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;
 - b. shall submit a summary of such statistics annually to the Congregation Council; 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.
- 9.11.** The parochial records of this congregation shall be maintained by the pastor and shall remain the property of the congregation.

Chapter 10. CONGREGATIONAL MEETINGS

- 10.01.** The Annual Meeting and any other regular meetings of this congregation shall be held at times set by the congregation in Bylaws or in other resolutions.
- 10.02.** A Special Congregational Meeting may be called by the pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of the congregation within 60 days of receiving a written request of ten percent (10%) of voting members. The call for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted.
- 10.03.** 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 e-mail to all voting members at least 10 days in advance of the date of the meeting. The posting of such notice in the regular mail, with the regular postage affixed or paid, sent to the last known address of such members, or sent to the last known e-mail address of such members, shall be sufficient.
- 10.04.** Ten percent (10%) of voting members shall constitute a quorum.
- 10.05.** Voting by proxy or by absentee ballot shall not be permitted.
- 10.06.** All actions approved by the congregation shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution or by applicable law.
- 10.07.** *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all meetings of this congregation.

Chapter 11. OFFICERS OF THE CONGREGATION

- 11.01.** The officers of this congregation shall be a president, vice president, secretary, and treasurer.
- Duties of the officers shall be specified in the bylaws.
 - The officers shall be voting members of the congregation who can sign legally binding contracts under the laws of the Commonwealth of Pennsylvania.²
 - The pastor(s) called by the congregation to serve on the ministry staff shall not be eligible for election or appointment as an officer of the congregation.
 - The Congregation Council elects the officers of the congregation. The president, vice president and secretary shall be selected from the membership of the Congregation Council. The treasurer may be selected from outside the membership of the Congregation Council. If the treasurer is not elected from the elected membership of the Congregation Council, the treasurer shall have voice but not vote at the meetings of the Congregation Council.
- 11.02.** The officers identified in this Chapter 11 shall be elected by the Congregation Council by majority vote and shall serve for one year or until their successors are elected. Their terms shall begin upon election. The treasurer may serve indefinite consecutive terms. Consecutive terms of service for the president, vice president and secretary shall be subject only to their tenure as a member of Council.
- 11.03.** No officer shall hold more than one office at a time.
- 11.04.** If any elected office enumerated in this Chapter 11 becomes vacant, the Congregation Council shall elect a replacement as soon as practicable to serve the remainder of the

² At the time of the adoption of this constitution, people who can sign legally binding contracts in the Commonwealth of Pennsylvania are those persons who have attained the age of eighteen (18) years.

unexpired term. The time served under this Section 11.04 shall not count for purposes of term limits.

Chapter 12. CONGREGATION COUNCIL

- 12.01.** The voting membership of the Congregation Council shall consist of the pastor(s) and a number of layperson members of this congregation as described in the by-laws. Any voting member of the congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from three (3) successive regular meetings of Council without cause. Consistent with the laws of the Commonwealth of Pennsylvania in which this congregation is incorporated, the congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.
- 12.02.** The members of the Congregation Council except the pastor(s) shall be elected by majority vote at the annual meeting of the congregation. Their terms of office shall be for three years with the term of office beginning at the first meeting of council following the annual election of Congregation Council members by this congregation. Newly elected Congregation Council members shall be installed at a worship service prior to or following the date they assume office. Their tenure shall be so arranged that one-third of the terms expire annually. Members shall be eligible to serve no more than two full terms consecutively.
- 12.03.** 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. The time served under this Section 12.03 shall not count for purposes of term limits.
- 12.04.** As the layperson members of the Congregation Council are the elected leaders of this congregation, it shall be their privilege and duty to:
- a. be faithful in worship and diligent in prayer;
 - b. seek to grow in faith through Bible study, Sunday Church School, or other Christian educational programs;
 - c. be examples of faith, active in love, to help maintain the life and harmony of this congregation;
 - d. be exemplary in the giving of time, talent, and resources to the support of this congregation, encouraging others to do likewise;
 - e. maintain strict confidentiality about staff salaries and evaluations, offerings, pledges, and other sensitive matters to the members of this congregation; and
 - f. actively participate in the life and mission of this congregation and faithfully attend the meetings of this congregation, the Congregation Council, and the standing committees upon which they serve.
- 12.05.** The Congregation Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything be done in accordance with the Word of God, the Lutheran Confessions and the faith and practice of the NALC. 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 pastor(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 foster resolution of such conflicts according to Biblical principles.
 - g. To arrange for pastoral service during the sickness or absence of the pastor.
 - h. To emphasize partnership with the NALC as well as cooperation with other Christian congregations, both Lutheran and non-Lutheran.
 - i. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.
- 12.06.** The Congregation Council shall be responsible for the financial and property matters of this congregation.
- a. The Congregation Council shall be the board of directors of this congregation, and as such shall be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the Commonwealth of Pennsylvania, unless otherwise limited by the provisions of this Constitution.
 - b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of the congregation.
 - c. The Congregation Council may enter into contracts of up to no more than one-twenty-fifth (4%) of the total fiscal year budget for items not included in the budget adopted by this congregation unless approved by this congregation.
 - 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 not incur any extra budgetary financial obligations which cumulatively exceed one-twentieth (5%) of the total fiscal year budget unless approved by this congregation. .
 - e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to designated recipients.
 - f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.
- 12.07.** The Congregation Council shall see that the provisions of this constitution and of the congregation's Bylaws and Continuing Resolutions are carried out.
- 12.08.** The Congregation Council shall provide for an annual review of the membership roster.
- 12.09.** The Congregation Council shall be responsible for the employment, supervision, and evaluation of the salaried lay employees of this congregation.
- 12.10.** The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.
- 12.11.** 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 fifty percent (50%) of its members. Notice of each special meeting shall be given to all who are entitled to be present.
- 12.12.** A quorum for the transaction of business shall consist of a majority of the lay members of the Congregation Council, plus the pastor(s) or interim pastor. When the pastor(s) 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, a quorum shall consist of a majority of the lay members of the Congregation Council. Chronic or repeated absence of the pastor(s) 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 dean of the Mission District.
- 12.13.** All actions by the Congregation Council shall be by majority vote, except as otherwise provided in this Constitution, at a meeting in which a quorum is present. Voting by proxy or absentee ballot shall not be permitted.
- 12.14.** Any lay minister of the NALC commissioned by this congregation to be on ministry staff shall be accorded voice without vote at meetings of the Congregation Council.
- 12.15.** *Robert's Rules of Order*, latest edition, shall govern parliamentary procedures of all meetings of Council.
- 12.16.** The Congregation Council shall appoint Standing Committees to help fulfill its mission, ministry and responsibilities to this congregation. Duties of Standing Committees appointed by the Congregation Council shall be specified in the Bylaws.
- 12.17.** Other duties of the Congregation Council may be specified in the Bylaws.

Chapter 13. COMMITTEES OF THE CONGREGATION

- 13.01.** The officers of this congregation and the pastor shall constitute the Executive Committee.
- 13.02.** A Nominating Committee of three (3) voting members of this congregation, one (1) of whom, if possible, shall be an outgoing member of the Congregation Council, shall be elected at the annual meeting for a term of one year. Members of the Nominating Committee are not eligible to serve consecutive terms.
- 13.03.** An Audit Committee of three (3) voting members shall be elected by the Congregation Council. Audit Committee members shall not be members of the Congregation Council, officers or staff of this congregation, nor immediate family members of the Executive Committee or hold the office of treasurer. The term of office shall be three years, with one member elected each year. Members shall be eligible for reelection.
- 13.04.** A Mutual Ministry Committee of 3 voting members shall be jointly appointed by the Pastor(s) and the President and approved by the Congregation Council. Term of office shall be three years, one member to be appointed each successive year. Members shall be eligible to serve no more than two full terms plus any partial term of a previously vacated position to which they were appointed as a successor member of the Mutual Ministry Committee, unless a year has elapsed before a subsequent appointment. Committee members shall hold no other elected office in this congregation during their term, nor shall they be staff or immediate family members of staff of this congregation. The chairperson of the Mutual Ministry Committee shall be elected by the voting members of the committee by majority vote.

- 13.05.** When a pastoral vacancy occurs, a Call Committee of five (5) voting members shall be elected by the congregation. The term of office will terminate upon installation of the newly called pastor.
- 13.06.** Duties of committees of this congregation shall be specified in the Bylaws
- 13.07.** The pastor of this congregation shall be an *ex officio* member of all committees and boards of the congregation. The president of this congregation shall also be an *ex officio* member of all committees and boards of the congregation, except the Nominating Committee.
- 13.08.** The term of office for members of congregation committees shall begin upon election or appointment.
- 13.09.** Should a member's position for an unexpired term on a congregation committee be declared vacant by the Congregation Council, the Congregation Council may appoint a successor to fulfill the remaining term of a vacated position.

Chapter 14. ORGANIZATIONS WITHIN THE CONGREGATION

- 14.01.** 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.

Chapter 15. DISCIPLINE OF MEMBERS AND ADJUDICATION

- 15.01.** Denial of the Christian faith as described in this constitution or the constitution of the NALC, conduct grossly unbecoming a member of the Church of Christ, or persistent trouble-making in this congregation are sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation will be attempted following Matthew 18:15-17, proceeding through these successive steps: a) private admonition by the pastor, b) admonition by the pastor in the presence of two or three witnesses, and c) citation to appear before the Congregation Council. If, for any reason, the pastor is unable to administer the admonitions required by a. and b. hereof, the president (if the president is not the pastor) or vice president shall administer such admonitions.
- 15.02.** If discipline against a member proceeds beyond counseling and admonition by the pastor, charges against the accused member(s) that are specific and in writing shall be prepared by member(s) of the congregation who shall sign the charges as the accuser(s). The written charges shall be filed with the pastor, who shall advise the Congregation Council of the need to issue a written citation to the accused and the accusers that specifies the time and place of the hearing before the Congregation Council. The written charges shall accompany the written citation to the accused. The written citation that specifies the time and place of the hearing before the Congregation Council and requests the presence of a member charged with an offense shall be sent at least ten days prior to the meeting. If the member charged with the offense fails to appear at the scheduled hearing, the Congregation Council may proceed with the hearing and may pass judgment in the member's absence.
- 15.03.** Members of the Congregation Council who participate in the preparation of the written charges or who present evidence or testimony in the hearing before the Congregation Council are disqualified from voting upon the question of the guilt of the accused member. Should the allegations be sustained by a two-thirds majority vote of the members

of the Congregation Council who are not disqualified but who are present and voting, and renewed admonition prove ineffectual, The Congregation Council shall impose one of the following disciplinary actions:

- a. censure before the Congregation Council or congregation;
- b. suspension from membership for a definite period of time; or
- c. exclusion from membership in this congregation. Disciplinary actions b. and c. shall be delivered to the member in writing.

- 15.04.** The member against whom disciplinary action has been taken by the Congregation Council shall have the right to appeal to a Congregational Meeting, which may revise or overturn the Council's decision by a majority vote. Any such vote will be by secret ballot.
- 15.05.** Disciplinary actions may be reconsidered and revoked by the Congregation Council upon receipt of (a) evidence that injustice has been done or (b) evidence of repentance and amendment.

Chapter 16. BYLAWS

- 16.01.** This congregation may adopt bylaws. No bylaw may conflict with this constitution.
- 16.02.** Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a majority vote of those voting members present and voting.
- 16.03.** Changes to the bylaws may be proposed by any voting member provided, however, (a) that such additions or amendments be submitted in writing to the Congregation Council at least sixty (60) days before a regular or special Congregational Meeting called for that purpose and (b) that the Congregation Council notify the members of the proposal with any recommendations regarding the disposition of the proposal at least thirty (30) days in advance of the Congregational Meeting.

Chapter 17. CONSTITUTIONAL AMENDMENTS

- 17.01.** Amendments may be proposed by at least ten percent (10%) of the voting members of the congregation or by the Congregation Council. Proposals must be filed in writing with the Congregation Council sixty (60) days before a regular or special Congregational Meeting called for that purpose. The Council shall notify the members of the proposal with the council's recommendations regarding disposition of the proposal at least thirty (30) days in advance of the meeting.
- 17.02.** An amendment to this Constitution, shall:
- a. be approved at a legally called Congregational Meeting according to this Constitution by a simple majority vote of those present and voting;
 - b. be ratified without change at the next annual Congregational Meeting by a two-thirds (2/3) majority vote of those present and voting; and
 - c. have the effective date included in the resolution and noted in the Constitution.

Chapter 18. CONTINUING RESOLUTIONS

- 18.01.** This congregation in a legally called Congregational Meeting or the Congregation Council may enact continuing resolutions. Such continuing resolutions may not conflict with the Constitution or Bylaws of this congregation.
- 18.02.** Continuing Resolutions shall be enacted or amended by a majority vote of a Congregational Meeting or a two-thirds (2/3) vote of all voting members of the Congregation Council.

Chapter 19. INDEMNIFICATION

- 19.01.** 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 proceedings.