

# ZION CONSTITUTION

July, 2010

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**ZION EVANGELICAL LUTHERAN CHURCH  
SOUTHINGTON, CONNECTICUT  
CONSTITUTION**

**PREAMBLE**

We, baptized members of the Church of Christ, responding in faith to the call of the Holy Spirit through the Gospel, desiring to continue together to preach the Word, administer the sacraments, and carry out God's mission, do hereby adopt this revised constitution and shall replace and supersede all constitution documents by which we have been governed. 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 remain **Zion Evangelical Lutheran Church of the Unaltered Augsburg Confession**.
- C1.02** This congregation shall be known as **Zion Evangelical Lutheran Church**.
- C1.03** For the purpose of this constitution and the accompanying bylaws, the Zion Evangelical Lutheran Church is hereinafter designated as "*this congregation*".
- C1.04** The seal of this congregation is the cross, with the legend on the outer rim "Zion Ev. Lutheran Church, Southington, CT."
- C1.11** This congregation was incorporated under the laws of the State of Connecticut in April 1930 and shall remain incorporated.

**Chapter 2 CONFSSION 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 declaration of the faith of this congregation.

- C2.05** This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.
- C2.06** This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.
- C2.07** This congregation confesses the Gospel, recorded in the Holy Scriptures and confessed in the ecumenical creeds and Lutheran confessional writing, as the power of God to create and sustain the Church for God's mission in the world.

### **Chapter 3 CONGREGATION AND CHURCH**

- C3.01** This congregation, by virtue of its nature as an "assembly . . . among whom the gospel is preached in its purity and the holy sacraments are administered according to the Gospel" (Augsburg Confession, Article VII), shall understand itself to be a local manifestation of the one, holy, catholic, and apostolic Church, and shall conduct all its affairs in the light of that understanding.
- C3.02** This congregation, by virtue of its Lutheran heritage and identity, shall understand itself to be an instrument through which the Holy Spirit seeks continually to strengthen the Church and to bless the world through a clear and unencumbered confession of God's Gospel of justification by grace, through faith, for Christ's sake alone, as exemplified in the Lutheran Confessions of the 16<sup>th</sup> century.
- C3.03** This congregation, by virtue of its peculiar history, for the sake of being sustained in its confession of the Gospel, and as one means among many of giving concrete expression to its catholic and apostolic character, shall continue to be affiliated with the New England Synod of the Evangelical Lutheran Church in America (ELCA), such affiliation having been undertaken in consequence of its prior affiliation with the East Coast Synod of the Association of Evangelical Lutheran Churches (AELC). This congregation shall therefore conduct its affairs in accordance with the constitutions, rules and procedures of the New England Synod and the Evangelical Lutheran Church in America, doing so in the light of any and all assumptions pertaining to existing AELC congregations on the occasion of the formation of the ELCA, A.D. 1988.
- C3.04** This congregation, by virtue of its affiliation:
  - a.** Shall render regular financial support, consistent with its abilities, to the New England Synod and the Evangelical Lutheran Church in America;
  - b.** Shall otherwise participate as required, expected, and invited in the life and mission of those organizations;
  - c.** Shall participate in the activities of the local conference to which it is assigned by the New England Synod, and shall strive at all times to maintain a spirit of amicable cooperation with neighboring congregations of the Evangelical Lutheran Church in America;
  - d.** Shall move from its present location and address only upon consultation with the bishop of the New England Synod and with the approval of the New England Synod Council.
- C3.05** This congregation recognizes the right of the New England Synod and the Evangelical Lutheran Church in America to terminate its affiliation according to the procedures of the Evangelical Lutheran Church in America for the discipline of congregations.

- C3.06** This congregation retains the right to withdraw from affiliation with the New England Synod and the Evangelical Lutheran Church in America. This right shall be exercised only on the grounds that such affiliation has ceased to be a means by which this congregation is sustained in its confession of the Gospel, and for at least one of the following reasons:
- a.** That the New England Synod and the Evangelical Lutheran Church in America have departed in official teaching and practice from the Confession of Faith as set forth in their founding documents and in Chapter 2 of this constitution
  - b.** That continued affiliation with the New England Synod and the Evangelical Lutheran Church in America unduly hinders the prosecution of this congregation's purposes as set forth in Chapter C3.01, 3.02, 3.03 of this constitution.
- C3.07** Withdrawal from the New England Synod and the Evangelical Lutheran Church in America shall take place by the following procedure:
- a.** A resolution indicating the desire of this congregation to withdraw from affiliation shall be adopted by a two-thirds majority of the voting members present at a special meeting of the Congregational Assembly, called and conducted according to the procedures outlined in Chapter 9.
  - b.** The secretary of this congregation shall submit a copy of the resolution to the bishop of the New England Synod, doing so by registered mail, and shall also send a copy of the resolution by first-class mail to all voting members of this congregation. Both acts shall take place within ten (10) days after the resolution has been adopted.
  - c.** The bishop of the New England Synod shall be permitted to consult with this congregation for a period of at least ninety (90) days following bishop's receipt of the resolution.
  - d.** When the ninety (90) days are past, the resolution to withdraw from affiliation shall be reconsidered at a second special meeting of the Congregational Assembly procedures in Chapter 10. The bishop of the New England Synod shall be given ten (10) days advance notice of the meeting; the bishop or an authorized representative of the bishop shall be permitted to attend and to address the meeting. A two-thirds majority of voting members present shall be required for adoption of the resolution.
  - e.** If adopted, a certified copy of the resolution shall be sent by registered mail to the bishop of the New England Synod, at which time this congregation's affiliation in the New England synod and the Evangelical Lutheran Church in America shall cease.
- C3.08** Should this congregation withdraw from the New England Synod and the Evangelical Lutheran Church in America, it shall seek immediately to affiliate with another wider expression of the Church, doing so in light of the understandings set forth in Chapter 3.07a & b.

#### **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 along, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
- c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
- d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, and standing with the poor and powerless, and committing itself to their needs.
- e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling 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.

## **Chapter 5 AUTHORITY**

- C5.01** All authority in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are therefore to be carried out under his gracious rule.
- C5.02** The specific powers of this congregation are those which have been granted by its Lord, to forgive and to retain sins, as well as those which it possesses as a legally incorporated entity for the sake of carrying out its purposes. These powers are vested in the Congregational Assembly, called and conducted as provided in this constitution and in the bylaws.
- C5.03** The exercise of these powers may be delegated, whether by this constitution and the bylaws or by resolution of the Congregational Assembly, to the Parish Council or to other organizational units of the congregation. Neither the Parish Council nor any other organization of this congregation shall possess any power or authority which has not been specifically delegated to it.
- C5.05** The Congregational Assembly shall not delegate the following:
  - a. The power to enter into or to terminate an affiliation with a synod or with any other wider expression of the Church.
  - b. The power to call a pastor or to terminate the call of a pastor.
  - c. The power to appoint or to terminate the appointment of a lay minister who is officially rostered by the synod with which this congregation is affiliated.
  - d. The power to approve the annual budget.
  - e. The power to acquire real and personal property by gift, devise, purchase, or other lawful means, and when acquired, to hold title to such property.

**f.** The power to sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means.

**g.** The power to elect its officers and Parish Council, and to require them to carry out their duties in accordance with this constitution, bylaws, and continuing resolutions of this congregation.

**h.** The power to pass a formal sentence of excommunication on a member, or to rescind such a sentence.

**C5.06** This congregation shall recognize and honor the peculiar authority of its pastor, as one called and sent by the Holy Spirit to exercise and oversee the public proclamation of the Word of God and the administration of the sacraments in its midst.

## **Chapter 6 PROPERTY OWNERSHIP**

**C6.01** All real and personal properties, title to which is held by Zion Evangelical Lutheran Church, shall be possessed and owned neither by the individual members of this congregation nor by the synod with which this congregation is affiliated, but by the congregation itself as a legally incorporated entity. The use and disposal of this property shall be governed solely by the principles, purposes, rules and procedures which are set forth in this constitution and its bylaws.

**C6.02** To the end that the use and disposal of this congregation's property shall serve the interests of the Lord of the Church and the confession of faith to which this congregation is presently committed, the following shall apply:

**a.** If this congregation, acting in accord with the procedures described in Chapter 3 of this constitution, elects to withdraw from the Evangelical Lutheran Church in America and thereafter to affiliate with another wider expression of the Church which formally subscribes to the Lutheran Confessions, title to property shall continue to reside with this congregation.

**b.** If this congregation elects to withdraw from the Evangelical Lutheran Church in America and thereafter to remain independent or to affiliate with another wider expression of the Church which does not formally subscribe to the Lutheran Confessions; and if, within ninety 90 days of the final adoption of the resolution to withdraw (see Chapter 3.07d), a group of members opposed to said resolution shall have withdrawn from this congregation and organized themselves as a separate congregation affiliated with a wider expression of the Church which does subscribe formally to the Lutheran Confessions; and if, within thirty 30 days of the date of their organization as a separate Lutheran congregation, this group presents the Parish Council with proof of their new organization and affiliation: then title to the property of Zion Evangelical Lutheran Church shall pass to the new organization. Otherwise title to property shall continue to reside with this congregation.

- c. If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline, title to property shall continue to reside with this congregation.
- d. If this congregation ceases to exist, title to undisposed property shall pass to the Evangelical Lutheran Church in America.

## Chapter 7 MEMBERSHIP

**C7.01** Members of this congregation shall be those baptized persons on the roll of the 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.

**C7.02** 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 are at least 18 years or age and have received Holy Communion and have made a contribution of record within the current or preceding calendar year. Such a review to be conducted by the Parish Council.

**d. ASSOCIATE** members are persons holding membership in other Lutheran (Christian) congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. They have all the privileges and duties of membership except voting rights and eligibility for elected offices or membership on the Parish Council of this congregation.

**C7.03** All applications for confirmed membership shall be submitted to and shall require the approval of the Parish Council. In the event that the Parish Council shall refuse to approve an application for confirmed membership, the Parish Council shall inform the applicant in writing of the reasons for its action and the procedure to be followed in the event an appeal is made. The procedure shall be the same as that for a member of the congregation who has been placed under discipline (see C14.04).

**C7.04** 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 and of the Evangelical Lutheran Church in America through contribution of their time, abilities, and financial support as biblical stewards.

**C7.05** 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 Parish 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 8 THE PASTOR**

- C8.01** The pastor is that person who, within this congregation, holds and exercises the office of the public ministry of Word and Sacrament. The pastor shall have been duly ordained to that office, and shall hold membership on the clergy roster of the Evangelical Lutheran Church in America.
- C8.02** This congregation shall not hire but shall call its pastors. This is to say that when selecting a person to fill the pastoral office the congregation shall do so with the prayer for the blessing and guidance of the Holy Spirit, and shall receive the person so selected as one whom God Himself has sent to proclaim the Word of God, both Law and Gospel, in its midst.
- C8.03** Authority to call a pastor shall reside solely with the parish assembly,(a special meeting of the Congregational Assembly, called and conducted according to the procedures outlined in Chapter 9). acting in assembly and by a two-thirds majority of those present. No person may occupy the pastoral office in this congregation who has not been so called. When this office is vacant the Parish Council shall, under the guidance of the bishop of the New England Synod, enlist qualified persons to perform essential pastoral services.
- C8.04** Procedures for calling a pastor, culminating in the issuing of a formal letter of call, shall be specified in the bylaws of this constitution. This congregation shall always seek the help and guidance of the bishop of the New England Synod before issuing a call. Under no circumstances shall a call be issued without the bishop's knowledge.
- C8.05** Consistent with the office to which he or she has been called, the pastor shall proclaim the Word of God and administer the sacraments within this congregation, and shall oversee all aspects of the congregation's life in the light of that Word and those sacraments. Every ordained minister shall conduct public worship, provide pastoral care, and offer instruction, confirm, marry, visit the sick and distressed, and bury the dead. The specific duties of the pastor shall be listed in the letter of call. The pastor shall conform, in the performance of these duties, to the standards and expectations of the New England Synod and the Evangelical Lutheran Church in America.
- C8.06** This congregation shall provide for the care and well-being of the pastor. Details of such provision shall also be listed in the letter of call.
- C8.07** The pastor shall render to this congregation and also to the bishop of the New England Synod an annual account of his or her conduct of the pastoral office. In addition to a monthly account to the Parish Council.
- C8.08**
- a:** The call of a 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 only following consultation with the synodical bishop and for the following reasons:
    1. mutual agreement to terminate the call or the completion of a call for a specific term of years



2. resignation of the pastor;
3. inability to conduct the pastoral office effectively in this 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.** In the case of alleged physical or mental incapacity of the pastor or ineffective conduct of the pastoral office, it shall be the responsibility of the bishop of the synod, when such difficulties are personally known or have been brought to the synod's attention by an official recital of allegations by the Parish Council, or by a petition signed by at least one-third of the voting members of the congregation, to investigate such conditions personally in company with a committee of two ordained ministers and one lay person.

**c.** In case of alleged physical or mental incapacity competent medical testimony shall be obtained. When such disability is evident, the bishop of the synod, with the advice of the committee, shall declare the pastorate vacant. Upon the restoration of a disabled pastor to health, the bishop of the synod shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another field of labor.

**d.** In the case of alleged local difficulties which imperil the effective functioning of this congregation, all concerned persons shall be heard, after which the bishop of the synod together with the committee described in C8.08.b. shall decide on the course of action to be recommended to the pastor and the congregation. If they agree to carry out such recommendations, no further action shall be taken by the synod. If either party fails to assent, the congregation may dismiss the pastor by a two-thirds majority vote of the voting members present at a Specially called meeting (a special meeting of the Congregational Assembly, called and conducted according to the procedures outlined in Chapter 9) after consultation with the bishop.

**e.** The foregoing procedure shall never be invoked when questions of doctrine, morality, or continued neglect of duty are involved, all cases being treated as disciplinary matters.

**f.** If in the course of the proceedings, it should become apparent that the pastoral office cannot be conducted effectively in this congregation being served by the ordained minister due to local conditions, the bishop of the synod may temporarily suspend the pastor from service in the congregation without prejudice and with pay provided through a joint churchwide/synod fund and with housing provided by the congregation.

**C8.09** At a time of pastoral vacancy, an interim pastor may be appointed by the bishop of the synod with the consent of this congregation.

**C8.10** During the period of service, an interim pastor shall have the rights and duties 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. The interim pastor and any ordained pastor providing assistance shall refrain from exerting influence in the selection of a pastor.

**C8.11** 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.

- C8.12** 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 Parish Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar condition.
- C8.13** With the approval of the bishop of the synod the congregation may depart from C8.08.a. and call a pastor for a specific term of years. 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 call may also be terminated before its expiration in accordance with the provisions of C8.08.a.
- C8.14** The pastor shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation, and shall submit a summary of such statistics annually to the synod.

## **Chapter 9 CONGREGATION MEETING**

- C9.01** The congregation shall hold at least one annual meeting a year, at a time specified in the bylaws.
- C9.02** Special Congregation Assembly Meetings may be called by the pastor, the Parish Council, or the president of the congregation, and shall be called at the written request of ten (10) 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. A quorum for items C3.07a., C8.03 & C8.08d. will be 50 % of the average weekly worship attendance of the previous fiscal year. All other special meetings need 10% of the voting membership to be a quorum.
- C9.03** Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail to all (voting) members at least ten (10) days in advance of the date of the meeting.
- C9.04** A quorum shall consist of 10% of the voting membership present for the meeting (see C7.02.c).
- C9.05**
  - a.** Voting by absentee ballot shall be permitted if a person is homebound. All such persons are requested to send a letter to have their name enrolled at the church office. Request must be approved by the Parish Council, and the Parish Council secretary shall record all names of persons making this request. The Parish Council shall have the responsibility to notify all who are enrolled. Members then must call the church office to request a ballot for that meeting day only. The Parish Council shall be responsible to hand deliver the ballot. It shall not be opened prior to the vote, and shall be counted at that time.
  - b.** Voting by absentee ballot shall be permitted by Voting Members who call the church office and request an absentee ballot. The ballot must be received prior to the voting and shall be counted at that time. It shall not be opened prior to the vote.
- C9.06** All actions by the congregation shall be by majority vote except as otherwise provided in this constitution.
- C9.07** Robert's Rules of Order, latest edition, shall govern parliamentary procedure of all meetings of this congregation.

## **Chapter 10 OFFICERS**

**C10.01** The officers of this congregation shall be a president, vice president, secretary, and treasurer.

- a.** Duties of the officers shall be specified in the bylaws.
- b.** The officers shall be voting members of the congregation.
- c.** Officers of this congregation shall serve similar offices of the Parish Council and shall be voting members of the Parish Council.

**C10.02** The officers shall be elected by this Parish Assembly and shall serve as specified in the bylaws. The term shall begin on February 1<sup>st</sup> and end on January 31<sup>st</sup> of the following year.

**C10.03** No officer shall hold more than one office at a time.

## **Chapter 11 PARISH COUNCIL**

**C11.01** The voting membership of the Parish Council shall consist of not more than seven (7) members of the congregation in addition to the four (4) officers of the congregation. The Pastor shall be ex officio member of the Parish Council, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Parish 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 Parish Council without cause.

**C11.02** The members of the Parish Council shall be elected to serve as specified in the bylaws.

**C11.03** Should a member's place on the Parish Council be declared vacant, the Parish Council shall elect, by majority vote, a successor until the next annual meeting.

**C11.04** The Parish 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 Parish 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.** Seek to involve all members of this congregation in worship, learning, witness, service, and support.
- c.** Oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
- d.** Maintain supportive relationships with the pastor's staff and help them annually to evaluate the fulfillment of their calling, appointment, or employment.
- e.** Be examples individually and corporately of the style of life and ministry expected of all baptized persons.

**f.** Promote a congregational climate of peace and good will and, as differences and conflicts arise, to endeavor and foster mutual understanding.

**g.** Arrange for pastoral service during the sickness or absence of the pastor.

**h.** Emphasize partnership with the synod and churchwide units of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.

**i.** Recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.

**C11.05** The Parish Council shall be responsible for the financial and property matters of this congregation.

**a.** The Parish Council shall be the board of directors of this congregation, and as such shall be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Connecticut, except as otherwise provided herein.

**b.** The Parish Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of this Congregational Assembly.

**c.** The Parish Council may not enter into individual contracts of more than \$2,000.00 for items not included in the budget.

**d.** In any given year the Parish Council may not incur obligations which exceed the total spending plan of the budget by more than \$5,000.00 without prior approval of the Congregational Assembly. The budget shall include the congregation's annual financial commitment to the New England Synod and the ELCA.

**e.** The Parish Council shall ascertain that the financial affairs of this congregation are conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to the synodical treasurer.

**f.** The Parish Council shall be responsible for this congregation's investments and its total insurance program.

**g.** The Parish Council shall provide for the bonding of the President, Treasurer, and Financial Secretary.

**C11.06** The Parish Council shall see that the provisions of this constitution (and) its bylaws (and the continuing resolutions) are carried out.

**C11.07** The Parish Council shall oversee the review of the membership roster.

**C11.08** The Parish Council shall be responsible for the appointment and supervision of the salaried lay workers of this congregation.

**C11.09** The Parish Council shall submit a comprehensive report to this congregation at the January meeting.

**C11.10** The Parish Council shall meet in accordance with the constitution and bylaws. Special meetings may be called by the pastor or the president, and shall be called at the request of at least one-half of its members. The rules governing the meeting shall be set forth in the bylaws.

**C11.11** A quorum for the transaction of business shall consist of one half + 1 members of the Parish Council, including the pastor or interim pastor.

## **Chapter 12 CONGREGATIONAL COMMITTEES**

- C12.01** The officers of this congregation and the pastor shall constitute the **EXECUTIVE COMMITTEE**.
- C12.02** A **NOMINATING COMMITTEE** of three (3) voting members of this congregation, one (1) of whom shall be outgoing members of this Parish Council, shall be elected at the Fall meeting for a term of one year (Ref. Article II.4 bylaws). Members of the Nominating Committee are not eligible for the consecutive reelection.
- C12.03** An **AUDIT COMMITTEE** of two (2) voting members shall be appointed by the Parish Council President. Audit Committee members shall not be members of the Parish Council. Term of office will be two (2) years, with one member appointed each year. Members shall be eligible for re appointment (Ref. Article V. bylaws).
- C12.04** When a pastoral vacancy occurs, a **CALL COMMITTEE** of seven (7) members shall be appointed by the Congregational Assembly. The committee will terminate thirty (30) days after the call of the new pastor.
- C12.05** Other congregational committees may be formed as the need arises, by decision of the Parish Council or the Congregational Assembly.

## **Chapter 13 ORGANIZATIONS WITHIN THE CONGREGATION**

- C13.01** 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 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.
- C13.02** Special interest groups, other than those of the official organizations of the Evangelical Lutheran Church in America, may be organized only after authorization has been given by the Congregational Assembly (and specified in a continuing resolution).

## **Chapter 14 DISCIPLINE OF MEMBERS**

- C14.01** Denial of the Christian faith as described in this constitution, 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 consultation with the pastor
  - b. consultation with the pastor in the presence of two or three witnesses, and
  - c. citation to appear before the Parish Council.
- C14.02** A member charged with the offense shall appear before the Parish Council having received a written notice, specifying the exact charges that have been made against the member, at least ten (10) days prior to the meeting.
- C14.03** Should the allegations be sustained by a two-thirds majority vote of the Parish Council, the Parish Council shall impose one of the following disciplinary actions:

- a. censure before the Parish 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.

**C14.04** The member against whom disciplinary action has been taken by the Parish Council shall have the right to appeal the decision to the Synod Council. Such right may not be abridged and the decision of the Synod Council shall be final.

**C14.05** Disciplinary actions may be reconsidered and revoked by the Parish Council upon receipt of

- a. evidence that injustice has been done; or
- b. evidence of repentance and amendment.

## **Chapter 15 BYLAWS**

**C15.01** This congregation may adopt bylaws. No bylaw may conflict with this constitution.

**C15.02** 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.

**C15.03** Changes to the bylaws may be proposed by any voting member provided, however, that such additions or amendments be submitted in writing to the Parish Council at least sixty (60) days before formal consideration by this congregation at its regular or special meeting called for that purpose. The Parish Council shall notify the members of the proposal with their recommendations at least thirty (30) days in advance of the meeting.

**C15.04** Approved changes to the bylaws shall be sent to the Synod.

## **Chapter 16 AMENDMENTS**

**C16.01** Amendments to this constitution may be proposed by at least eleven (11) voting members or by the Parish Council sixty (60) days before formal consideration by this congregation at its regular or special meeting called for that purpose. The Parish Council shall notify the members of the proposal with their recommendations at least thirty (30) days in advance of the meeting.

**C16.02** A proposed amendment to this constitution shall:

- a. be approved at a properly called Congregational Assembly meeting according to this constitution by a majority vote of two-thirds of those present and voting;
- b. be ratified without changes at the next regular congregational assembly meeting by a two-thirds majority vote of those 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 shall be sent by the secretary of this congregation to the Synod. The amendment shall become effective within one hundred and twenty (120) days from the date of the receipt of the notice by the Synod unless the Synod informs this congregation that the amendment is in conflict with the constitution and bylaws of the Evangelical Lutheran Church in America, or the constitution of the New England Synod.

## **Chapter 17 CONTINUING RESOLUTIONS**

**C17.01** The Parish Council may enact continuing resolution which describe the function of the various committees or organizations of this congregation.

**C17.02** Continuing resolutions shall be enacted or amended by a two-thirds vote of all voting members of the Parish Council.