

**CONSTITUTION AND BYLAWS FOR
THE CONGREGATION OF
THE EVANGELICAL LUTHERAN CHURCH
OF THE ASCENSION,
NORTHFIELD, ILLINOIS**

(Amended and Adopted at the
Annual Meeting on February 24, 2019)

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**CONSTITUTION FOR THE CONGREGATION OF
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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 The Evangelical Lutheran Church of the Ascension, Northfield, Illinois.**
- C1.02. For the purpose of this constitution and the accompanying bylaws, the congregation of The Evangelical Lutheran Church of the Ascension, Northfield, Illinois is hereinafter designated as "this congregation."**
- C1.03. The seal of this congregation presents a cross growing out of the base of a tree bearing symbolical leaves and fruit. The name "Evangelical Lutheran Church in America" encircles the central motif of life and fruit bearing. The name "The Evangelical Lutheran Church of the Ascension" and the words "Northfield Illinois" are in a second outer circle.**
- C1.04. For purposes of this constitution and the accompanying bylaws, to reflect common practice, the term "Congregation Council" means the voting and non-voting members of the Congregation Council. Voting members of the Congregation Council include the pastor and the council members that have been elected by the congregation. Non-voting members of the Congregation Council include officers, if any, who have been selected from outside the elected members of the Council.**
- C1.05. This constitution will go into effect February 24, 2019, subject to the approval of the Metropolitan Chicago Synod of the Evangelical Lutheran Church of America as described in section 17.03.**
- C1.06. This congregation shall be incorporated under the laws of the State of Illinois.**

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, and standing with the poor and powerless, and committing itself to their needs.
- e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
- f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.

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

- a. Provide services of worship at which the Word of God is preached and the sacraments are administered.
- b. Provide pastoral care and assist all members to participate in this ministry.
- c. Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregation.
- d. Teach the Word of God.
- e. Witness to the reconciling Word of God in Christ, reaching out to all people.
- f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
- g. Motivate its members to provide financial support for the congregation's ministry and the ministry of other parts of the Evangelical Lutheran Church in America.
- h. Foster and participate in interdependent relationships with other congregations, the Metropolitan Chicago 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 bylaws or continuing resolutions (see chapter 13).

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

B4.05. Mission Statement

To be the church of choice for those seeking to grow in relationship with God in a vibrant and progressive Lutheran faith community that cultivates excellence in music, education and service to others.

* C4.06. References herein to the nature of the relationship between the three expressions of this church—congregations, synods, and the churchwide organization—as being interdependent or as being in a partnership relationship describe the mutual responsibility of these expressions in God's mission and the fulfillment of the purposes of this church as described

in this chapter, and do not imply or describe the creation of partnerships, co-ventures, agencies, or other legal relationships recognized in civil law.

Chapter 5.

POWERS OF THE CONGREGATION

- * C5.01. **The powers of this congregation are those necessary to fulfill its purpose.**
- * C5.02. **The powers of this congregation are vested in the congregation meeting called and conducted as provided in this constitution and bylaws.**
- * C5.03. **Only such authority as is delegated to the Congregation Council or other organizational units in this congregation's governing documents is recognized. All remaining authority is retained by the congregation. The congregation is authorized to:**
 - a. **call a pastor as provided in Chapter 9;**
 - b. **call a minister of Word and Service;**
 - c. **terminate the call of a pastor as provided in Chapter 9;**
 - 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 them 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 choose from among its voting members laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected by the congregation and other qualifications shall be as prescribed in guidelines established by the Metropolitan Chicago Synod of the Evangelical Lutheran Church in America.**
 - B5.04.01. See Chapter 10, B10.01.02a for election of voting members of the Synod Assembly.
 - B5.04.02. The Congregation Council shall have authority between meetings of this congregation to choose delegates to any group or meeting in which this congregation is entitled to representation.
- * C5.05. **This congregation shall have a Vitality Fund and a Sustainability Fund that will operate as specified in this congregation's bylaws and continuing resolutions.**
 - B.5.05.01. **Vitality and Sustainability Funds**

The Vitality Fund will provide an additional funding source of benevolence. The Sustainability Fund will provide an additional funding source for capital needs.

Oversight of the Funds shall be provided by the Finance Committee, subject to the

review and approval of the Congregation Council.

Guidelines for the operation, management and investment of the Funds shall be provided in continuing resolutions.

The Finance Committee shall submit a written annual report of the status of the Funds to the Congregation Council, such other periodic reports as the Council may request, and a written report to the congregation at its annual meeting.

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 shall 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 Metropolitan Chicago 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 shall 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 shall file this constitution and any subsequent changes to this constitution with the Metropolitan Chicago 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 Metropolitan Chicago Synod.**
- * C6.04. Affiliation with the Evangelical Lutheran Church in America may be terminated as follows:**
 - a. This congregation takes action to dissolve.**
 - b. This congregation ceases to exist.**
 - c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America.**
 - d. This congregation follows the procedures outlined in section 6.5.**
- * C6.05. This congregation may terminate its relationship with the Evangelical Lutheran Church in America by the following procedure:**

- a. A resolution indicating the intent to terminate its relationship must be adopted at a legally called and conducted special meeting of the congregation by a two-thirds vote of the voting members present. Such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time the congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the congregation council. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.
- b. The secretary of the congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall mail a copy of the resolution to voting members of the congregation. This notice shall be submitted within 10 days after the resolution has been adopted.
- c. The bishop of the synod and the congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the synod of the notice as specified in paragraph b. above.
- d. If the congregation, after such consultation, still seeks to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of the meeting shall be mailed to all voting members and to the bishop at least 10 days in advance of the meeting. Unless he or she is voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.
- e. A copy of the resolution, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, shall be sent to the bishop within 10 days after the resolution has been adopted, at which time the relationship between the congregation and this church shall be terminated subject to paragraphs g., h., and i. below. Unless this notification to the bishop also certifies that the congregation has voted by a two-thirds vote to affiliate with another Lutheran denomination, the congregation will be conclusively presumed to be an independent or non- Lutheran church.
- f. Notice of termination shall be forwarded by the bishop to the secretary of the ELCA, who shall report the termination to the Churchwide Assembly.
- g. This congregation shall abide by these covenants by and among the three expressions of this church:
 - 1) Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in *C6.05., shall be required to receive Synod Council approval before terminating their membership in this church.
 - 2) Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to receive synodical approval before terminating their membership in this church.
 - 3) Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church.
- h. If this congregation fails to achieve the required two-thirds vote of voting members present at the congregation's first meeting as specified in paragraph a. above, another special meeting to consider termination of relationship with this church may

be called no sooner than six months after that first meeting. If this congregation fails to achieve the required two-thirds vote of voting members present at the congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of *C6.05. and may begin no sooner than six months after that second meeting.

- * C6.06. If this congregation considers relocation, it shall confer with the bishop of the Metropolitan Chicago Synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.
- * C6.07. If this congregation considers developing an additional site to be used regularly for worship, it shall confer with the bishop of the Metropolitan Chicago 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, title to property shall continue to reside in this congregation.
- * C7.03. If two-thirds of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation, provided the process for termination of relationship in *C6.05. has been followed. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Metropolitan Chicago Synod.
- * C7.04. If two-thirds of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body and have followed the process for termination of relationship in *C6.05., title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the established synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America.
- C7.05. Notwithstanding the provisions of sections 7.2. and .7.3. above, where this congregation has received property from the Metropolitan Chicago 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 Metropolitan Chicago Synod.

Chapter 8.
MEMBERSHIP

- * **C8.01.** **Members of this congregation shall be those baptized persons on the roll of this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.**
- * **C8.02.** **Members shall be classified as follows:**
- a. ***Baptized* members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.**
 - b. ***Confirmed* members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.**
 - c. ***Voting* members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.**
 - d. ***Associate* members are persons holding membership in other ELCA congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. These individuals have all the privileges and duties of membership except voting rights or other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.**
 - e. ***Seasonal* members are voting members of other ELCA congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, including exercising limited voting rights in this congregation. The Congregation Council may grant seasonal membership to such persons provided that this congregation is a member of a synod where the Synod Council has approved seasonal member voting on its territory. Such seasonal members shall have all the privileges and duties of voting members except that:**
 - 1) **they shall not be eligible for elected office in, or for membership on the Congregation Council or on a call committee of, this congregation;**
 - 2) **they shall not have the right to vote on any matter concerning or affecting the call or termination of call of any minister of this congregation;**
 - 3) **they shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with the ELCA;**
 - 4) **they shall not be eligible to serve as voting members from this congregation of the Synod Assembly or the Churchwide Assembly;**
 - 5) **they shall not, even if otherwise permitted by this congregation, vote by proxy or by absentee ballot; and**
 - 6) **they shall not, within any two calendar month period, exercise voting rights in this congregation and in the congregation where they remain voting members.**

*** C8.03. 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 Metropolitan Chicago Synod, and the churchwide organization of the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards..**

B8.04. Communion Participation

- a. This congregation encourages visitors who have been baptized, believe in Christ as their lord and savior, and believe that he is present in the bread and wine to participate regularly in holy communion

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

- a. death;**
- b. resignation;**
- c. transfer or release;**
- d. disciplinary action in accordance with ELCA constitutional provision 20.40. and the accompanying bylaws; or**
- e. removal from the roll due to inactivity in accordance with the provisions of this constitution and its bylaws.**

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

B8.05. Removal of Members

- a. If a member has not received Holy Communion through this congregation and has not made a contribution of record to this congregation for a period of two (2) consecutive calendar years, then he/she may be removed from the roll of members by the Congregation Council. The Congregation Council shall not initiate such action if the member (1) is under the age of thirty (30) years, or (2) is the spouse of a member who is not also being removed. This procedure will take place only when there is a pastor under call (including an interim pastor) to serve this congregation or with the approval of the Bishop of the Metropolitan Chicago Synod and after such member has been notified of, and if possible counseled on, the matter. Such persons who have been removed from the roll of members may remain persons for whom this congregation has a continuing pastoral concern.
- b. A confirmed member in good standing desiring to change his/her membership to another congregation shall, upon request, receive a letter of transfer.

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 congregation meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the Metropolitan Chicago Synod.**

*** C9.02. Only a member of the roster of Ministers of Word and Sacrament roster of the Evangelical**

Lutheran Church in America or a candidate for the roster of Ministers of Word and Sacrament who has been recommended for the congregation by the synodical bishop may be called as a pastor of this congregation.

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

a. Every Minister of Word and Sacrament shall:

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

b. Each 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 (see chapter 15); and**
- 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.**

B9.03.01. Working with the Congregation Council, the pastor shall take a direct role in planning, organizing and conducting the annual financial stewardship campaign and periodic capital campaigns.

B9.03.02. The pastor shall, in collaboration with the Congregation Council, periodically develop his/her goals and priorities, having regard for the duties set forth in this constitution, this congregation's mission statement, vision, goals and priorities established by the Congregation Council, and current needs and circumstances.

*** 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 Metropolitan Chicago Synod.**

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

a. The call of this congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or, following consultation with the synodical bishop, for the following reasons:

- 1) mutual agreement to terminate the call or the completion of a call for a specific term;**

- 2) resignation of the pastor, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the pastoral office effectively in the congregation in view of local conditions;
 - 4) physical disability or mental incapacity of the pastor;
 - 5) suspension of the pastor through discipline for more than three months;
 - 6) resignation or removal of the pastor from the roster of Ministers of Word and Sacrament of this church;
 - 7) termination of the relationship between this church and the congregation;
 - 8) dissolution of the congregation or the termination of a parish arrangement;
or
 - 9) suspension of the congregation through discipline for more than six months.
- b. When allegations of physical disability or mental incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of the Metropolitan Chicago Synod,
- 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the congregation council or by a petition signed by at least one-third of the voting members of the congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of the Metropolitan Chicago Synod may declare the pastorate. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and sacrament as disabled. Upon removal of the disability and restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.
- d. In the case of alleged local difficulties that imperil the effective functioning of the congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the pastor and then to the congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by the congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the Metropolitan Chicago Synod.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, the congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members

present and voting where the bishop and the committee recommended termination of the call.

- f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.
- * C9.06. At a time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the Metropolitan Chicago Synod with the consent of this congregation or the Congregation Council.
- * C9.07. During the period of service, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the Metropolitan Chicago Synod and this congregation or Congregation Council. The interim pastor and any rostered minister providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.
- * C9.08. This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting related to the Evangelical Lutheran Church in America.
- * C9.09. When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the Metropolitan Chicago Synod. As occasion requires, the documents may be revised through a similar consultation.
- * C9.10. With the approval of the bishop of the Metropolitan Chicago Synod, the congregation may depart from section 9.5.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of the congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of section 9.5.a.
- * C9.11. The pastor of this congregation:
- a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;
 - b. shall submit a summary of such statistics annually to the Metropolitan Chicago Synod; and
 - c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- * C9.12. The pastor(s) shall submit a report of his or her ministry to the bishop of the Metropolitan Chicago Synod at least 90 days prior to each regular meeting of the Synod Assembly.
- * C9.13. The parochial records of this congregation shall be maintained by the pastor and shall remain the property of the congregation. The secretary of this congregation shall attest in writing to the bishop of the Metropolitan Chicago Synod that such records have been placed in his or her hands in good order by a departing pastor before the installation of that pastor in another field of labor or the granting by the Metropolitan Chicago Synod of retired status

to the pastor.

- C9.14.** In addition to the salary of the pastor(s), expenses (except for travel) incident to attendance at conventions of the Metropolitan Chicago Synod, and attendance at meetings of local organizations shall be defrayed by this congregation.
- C9.15.** Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between the congregation and the pastor in a form proposed by the synodical bishop and approved by the congregation.
- * C9.16.** Authority to call a minister of Word and Service shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod.
- * C9.17.** Only a member of the roster of Ministers of Word and Service of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Service who has been recommended for this congregation by the synodical bishop may be called as a deacon of this congregation.
- * C9.18.** Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:
- a.** Be rooted in the Word of God, for proclamation and service;
 - b.** Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
 - c.** Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad;
 - d.** Equip the baptized for ministry in God's world that affirms the gifts of all people;
 - e.** Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
 - f.** Practice stewardship that respects God's gift of time, talents, and resources;
 - g.** Be grounded in a gathered community for ongoing diaconal formation;
 - h.** Share knowledge of the ELCA and its wider ministry of the gospel and advocate for the work of all expressions of this church; and
 - i.** Identify and encourage qualified persons to prepare for ministry of the gospel.

- * C9.19. 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.
- * C9.20. The provisions for termination of the mutual relationship between a minister of Word and Service and a congregation shall be as follows:
 - a. The call of a congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or, following consultation with the synodical bishop, for the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the deacon, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the ministry of Word and Service effectively in this congregation in view of local conditions;
 - 4) physical disability or mental incapacity of the deacon;
 - 5) suspension of the deacon through discipline for more than three months;
 - 6) resignation or removal of the deacon from the roster of Ministers of Word and Service of this church;
 - 7) termination of the relationship between this church and this congregation;
 - 8) dissolution of this congregation or the termination of a parish arrangement;
or
 - 9) suspension of this congregation through discipline for more than six months.
 - b. When allegations of physical disability or mental incapacity of the deacon under paragraph a.4) above, or ineffective conduct of the office of minister of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,
 - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
 - c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service as disabled. Upon removal of the disability and the restoration of the deacon to health, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.
 - d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the deacon and then to this

congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the deacon, if appropriate. If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.

- e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
 - f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.
- * C9.21. The deacon shall make satisfactory settlement of all financial obligations to a former congregation before:
- a. installation in another field of labor, or
 - b. the issuance of a certificate of dismissal or transfer.
- * C9.22. 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.
- * C9.23. 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.
- * C9.24. 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.
- * C9.25. 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 MEETINGS

- C10.01.** This congregation shall meet at least once and preferably two times each calendar year. At the "annual" meeting, the congregation shall elect members to fill vacancies in the Congregation Council, the president of the Congregation Council shall be announced, and the treasurer or a representative of the Congregation Council or the Finance Committee shall present for adoption by vote of the congregation the annual budget called for in section 12.05.c. Other meetings shall be held for informational purposes and no vote shall be taken, unless due notice has been given as specified in this Constitution or the bylaws.

B10.01.01. Fiscal Year

The fiscal year shall begin on the first (1st) day of January and end on the last day of December of a single calendar year.

B10.01.02. Annual Meeting

The annual meeting shall be held not later than the first Sunday in March, and at such hour and location, as determined by the Congregation Council. The purposes of the annual meeting shall be:

- a. Elections for Congregation Council members, Nominating Committee and Audit Committee positions, trustees for the Celebration of Life Gardens fund and voting members of the Synod Assembly;
- b. Receipt of an annual report, including financial statements and a proposed budget for the next fiscal year, and written reports by the senior pastor, officers and any committees or ministries (also known as teams) which have been made in writing and submitted to this congregation not less than ten (10) days before such meeting;
- c. The approval of the annual operating budget; and
- d. To conduct such other business as may be necessary or desirable.

B.10.01.03. Order Of Business at Congregation Meetings

Regular meetings of this congregation shall proceed as follows (to the extent applicable):

1. Scripture reading and/or prayer
2. Minutes of previous meeting(s), including special meetings
3. The purpose for which the meeting was called
4. Adjournment

The president may vary the above order in the interest of this congregation.

C10.02. A special congregation meeting may be called by the senior pastor (if there is more than one), the Congregation Council, or the president of this congregation, and shall be called by the president of the congregation upon the written request of one-tenth of the members who are qualified and registered to vote. 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 regular US or electronic 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, or the transmission of such notice by electronic mail, sent to the last known address of such members shall be sufficient.

*** C10.04. Except as otherwise provided in this Constitution and the Bylaws, ten percent (10%) of the voting membership shall constitute a quorum.**

B10.04.01. A quorum of twenty percent (20%) of the voting membership is required to call or terminate a pastor or for significant property transactions and/or financial commitments. A property transaction or financial commitment shall be deemed to be significant if the amount involved is equal to one-third or more of the expenditures of the total annual budget for the year during which the transaction or commitment is proposed to this congregation,

B10.04.02 A quorum of thirty percent (30%) of the voting membership is required for consideration of dissolution of this congregation, affiliation with another church or church body, or becoming independent of the Evangelical Lutheran Church in

America.

C10.05. Voting by proxy or by absentee ballot shall not be permitted.

C10.06. All actions approved by the congregation shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution or by state law.

C10.07. Donald A. Tortorice, *The Modern Rules of Order*, latest edition, shall govern procedure of all meetings of this congregation.

Chapter 11.
OFFICERS

C11.01. The officers of this congregation shall be the senior pastor, a president, vice president, secretary, and treasurer, and financial secretary.

a. Duties of the officers shall be specified in the bylaws.

b. The officers shall be voting members of the congregation.

c. The president and vice president shall be selected from the elected membership of the Congregation Council, and the secretary, treasurer and financial secretary may be selected from the voting membership of the Congregation Council. If the secretary, treasurer or financial secretary is not selected from the elected membership of the Congregation Council, then such officer(s) shall have voice but not vote at the meetings of the Congregation Council.

B11.01.01. No paid staff member or employee of this congregation may be nominated to be or serve as an officer of this congregation.

B11.01.02. Duties of Officers. In addition to such specific job descriptions, responsibilities and administrative duties as the Congregation Council shall direct, the duties of the officers shall be as follows:

a. President

The president shall preside at all meetings of this congregation and the Congregation Council. The president shall lead the Congregation Council in the fulfillment of its responsibilities as detailed in Chapter 12; this role includes development of meeting agendas, calling and presiding over meetings, and ensuring that decisions and actions of the Congregation Council are carried out. The president shall work together with the senior pastor to exercise general oversight in all matters of this congregation and to ensure effective conduct of this congregation's activities.

b. Vice President

The vice president shall, in the absence of the president, act for and in the stead of the president. The vice president shall be available for whatever duties the president shall assign to him/her.

c. Secretary

The secretary shall prepare and/or maintain records of all the proceedings of the Congregation Council and congregation meetings and shall maintain them with the archivist. See Chapter 12, B12.05.05.

d. Treasurer

The treasurer shall be responsible for: keeping the accounting and financial records of this congregation; ensuring that funds received are recorded in the proper accounts; and ensuring that disbursements are properly authorized and documented. The treasurer, with the financial

secretary and such other persons as the treasurer shall appoint (including, *e.g.*, a bookkeeper), shall oversee and be responsible for all of the financial responsibilities of this congregation, including:

- i. Together with the Finance Committee, preparation of a proposed annual budget for the Congregation Council; and subsequently, working in conjunction with the Congregation Council, the development of the final annual budget for presentation to this congregation.
- ii. Planning, organizing, staffing, evaluating and controlling those activities involved with the keeping of financial records and the accurate counting, recording and depositing in financial institutions of all this congregation's receipts. To this end, the treasurer shall have available to assist him or her a financial secretary, money-counters and financial bookkeepers.
- iii. Approving disbursements and signing checks.
- iv. Reconciling and allocating interest earnings on pooled investments to the applicable funds that generated such earnings.
- v. Preparing annual financial statements, in collaboration with the Finance Committee, for inclusion in the annual report to be presented at the annual congregation meeting.
- vi. Providing interim financial reports for the Congregation Council at their regular meetings.
- vii. Providing consultation, advice and information to the trustees of the the memorial garden fund

e. Financial Secretary

The financial secretary shall receive and keep record of all income from contributing members and other sources. The financial secretary is accountable to this congregation, the treasurer, the Congregation Council and the Finance Committee. The financial secretary records the funds, deposits the funds and forwards information about the deposit to the treasurer. To this end, the financial secretary shall have available to assist him or her such money-counters, recorders and financial bookkeepers as may be required and as the treasurer shall appoint. Primary functions include:

- i. Collect offerings received during worship services at the conclusion of the program/event, making certain that more than one person is involved in collecting and counting the money.
- ii. Ensure money is deposited in a bank as soon as practicable after it is received.
- iii. Establish a procedure to collect and record money received through methods other than regular offering, including money received through the mail.
- iv. Input pledge data into church software, and maintain its confidentiality, for budget preparation and reconciliation, and produce individual charitable-gift receipts summaries of all donations received (including without limitation in cash, by check, by direct deposit and credit card) during a calendar year and mail within the first two (2) weeks of January each year.

- v. Maintain current records on unpaid pledges.
- vi. Prepare contribution statements and mail to each congregation member.
- vii. Respond to requests for budget/financial information from the Pastor, Stewardship and Finance Committees and the Congregation Council.

B.11.01.03. Signing Authority of Officers

- a. Official documents and contracts may be signed only by the president, vice president or secretary; provided, however, that the Congregation Council may authorize other persons to sign documents or contracts that are provided for in the annual general fund budget and/or for capital improvements approved by congregation resolution.
- b. All checks, drafts, or other orders for the payment of money and all notes or other evidences of indebtedness issued in the name of this congregation shall be signed or endorsed by the officers or other members who shall be authorized as signatories on the accounts of this congregation by resolution of the Congregation Council.

C11.02. The Congregation Council shall elect its officers and they shall be the officers of the congregation. The officers shall serve for one year or until their successors are elected. Their terms shall begin at the close of the annual meeting immediately following their election.

B11.02.01. Nomination and Election of the President

Whenever the term of a president is about to expire, then at a time specified by the Congregation Council, but no earlier than four (4) months prior to the annual congregation meeting and no later than the Congregation Council meeting immediately preceding the annual congregation meeting, the voting members of the Congregation Council shall nominate and elect a president for the succeeding term from among the lay voting members of the Congregation Council. The pastor shall tabulate any ballots and inform the Congregation Council of the result.

The purpose of nominating the president in advance of the annual congregation meeting is to provide a learning period, and a president nominated in this manner does not begin his or her term until the first Congregation Council meeting following the annual congregation meeting.

B11.02.02. Nomination and Election of Other Officers

In consultation with the president elect, the Congregation Council shall nominate and elect candidates for vice president, secretary, treasurer and financial secretary at a Congregation Council meeting which shall be held immediately following the annual congregation meeting. The candidate for vice president shall be drawn only from the lay voting members of the Congregation Council. If the candidates for secretary, treasurer or financial secretary are not selected from the lay voting members of the Congregation Council, then such officer(s) shall have voice but not vote at the meetings of the Congregation Council.

B.11.02.03. Vacant Office

If any officer is unable to complete the term of office, the Congregation Council shall elect a successor to fill the term until the next annual election.

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

B.11.03. The treasurer, secretary and the financial secretary may succeed themselves as

officers more than once but thereafter may continue as a member of the Congregation Council only as a non-voting member.

Chapter 12.

CONGREGATION COUNCIL

C12.01. The voting membership of the Congregation Council shall consist of the pastor(s) and not less than six (6) nor more than nine (9) members elected by this congregation. Any voting member of the congregation may be elected to serve on the Congregation Council, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from four successive regular meetings of the Congregation Council without cause. Consistent with the laws of the State of Illinois, the congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.

B12.01.01. Resignation and Removal

Any member of the Congregation Council may resign at any time by giving written notice of such resignation to the president of the Congregation Council. Any member of the Congregation Council may be removed by majority vote of the Congregation Council, with cause, at any time.

B12.01.02. Attendance at Meetings of the Congregation Council

A member of the Congregation Council who is absent from two (2) consecutive regular meetings shall be consulted by the president of this congregation.

C12.02. The voting members of the Congregation Council, except the pastor(s), shall be elected to serve for three years. The term of each member's office shall begin upon installation of such member and end upon the installation of their successor. Newly elected Congregation Council members shall be installed at worship the next Sunday after they have been elected. Members shall be eligible to serve on the Congregation Council no more than two full terms consecutively. Their tenure shall be so arranged that one-third of the terms expire annually.

B12.02.01. After a person has served on the Congregation Council as a voting member two terms in succession, that person must leave the Congregation Council for one (1) full term before being eligible for election.

C12.03. Should a member's place on the Congregation Council be declared vacant, the Congregation Council may elect, by majority vote, a successor until the next annual meeting. Elections and duties of officers shall be defined in the by-laws (see chapter 11).

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

- a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.**
- b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.**
- c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.**
- d. To maintain supportive relationships with the rostered minister(s) and staff and help them annually to evaluate the fulfillment of their calling or employment.**
- e. To be examples individually and corporately of the style of life and ministry expected**

of all baptized persons.

- f. To promote a congregational climate of peace and goodwill, and, as differences and conflicts arise, to endeavor to foster mutual understanding.**
- g. To arrange for pastoral service during the sickness or absence of the pastor.**
- h. To emphasize partnership with the Metropolitan Chicago 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 Metropolitan Chicago 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, and to seek to introduce the congregation's periodicals and books of family devotion into the homes of this congregation.**
- j. To bring the call to the professional leadership of the congregation to the attention of this congregation, particularly the youth.**
- k. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.**

B12.04.01. Congregation Council Authority

- a. The Congregation Council shall have the authority to develop and implement policies, procedures, and ministries and take such actions as necessary to execute the duties and responsibilities assigned to it by the constitution and this congregation. It shall also have the power to act on behalf of this congregation between meetings of this congregation, which actions shall be reported to the next meeting of this congregation.
- b. An action of the Congregation Council shall be deemed to have been taken on the dates set forth in the minutes or other authorized written instruments.

B12.04.02. Congregation Council Duties

The Congregation Council shall:

- a. Annually review, prepare or update its goals and priorities, giving consideration to the mission, vision, beliefs and values of this congregation, the Congregation Council's duties, and current needs and circumstances. In preparing goals and priorities, the Congregation Council shall periodically evaluate and consider trends in this congregation's surrounding community and in its membership, finances, facilities, staff and programs. These goals and priorities shall be established in collaboration with the staff and the committees.
- b. Together with the pastor, exercise discipline in accordance with the provisions of the constitution and bylaws (see Chapter 15).
- c. Have such specific duties as may be identified in the continuing resolutions of this congregation.
- d. Set the dates and times for the congregation meetings.
- e. Inform this congregation of its actions through announcements in the congregation bulletin or at congregation services, summaries published in the newsletter of this congregation or on the congregation website, open forums or other communications.

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 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 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 the congregation.**
- c. 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, but may not incur obligations or make disbursements in any one year of more than ten percent (10%) in excess of this congregation's annual budget in the year in which the obligations are to be incurred or the disbursements to be made from the annual operating fund without approval by the congregation at a properly called congregation Meeting. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in partnership with the Metropolitan Chicago Synod and churchwide organization.**
- d. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to the synodical treasurer.**
- e. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.**

B12.05.01. Spending Authorization

- a. The Congregation Council may enter into and execute contracts or disburse congregational funds (annual operating fund or other funds) of up to ten percent (10%) of the annual operating budget for items not included in the budget. The Congregation Council may not enter into contracts of disbursements of any congregational funds, whether from the annual operating fund or from other congregational funds, in an amount in excess of ten percent (10%) of the annual operating budget in the year in which the contract becomes binding or the disbursement is to be made, without specific congregation approval. This provision does not apply to contracts and disbursements made under a congregation-approved budget for a capital improvement or other project, or where a donor has designated a gift for a purpose specified by that donor and the contract or disbursement is being made in accordance with the donor's designation. In such instances where contracts and disbursements not covered by congregation-approved budgets (or donor designations) are expected to exceed ten percent (10%) of the operating budget, the Congregation Council shall timely inform the congregation of such contracts and disbursements, and may undertake to obtain commitments from congregation members to advance or reimburse the amounts expended.**
- b. Commitments for a single purpose expected to total over Five Thousand Dollars (\$5,000) shall be subjected to a competitive bidding process, with two bids required for items from Five Thousand Dollars (\$5,000) to Ten Thousand Dollars (\$10,000) and three bids for items greater than Ten Thousand Dollars (\$10,000). The Congregation Council may waive the requirement for competitive bids in cases where it is not possible to obtain**

the specified number of qualified vendors.

B12.05.02. Loans

- a. Loans to called pastors may be made to facilitate the purchase of housing, and shall require specific congregation approval and be documented in writing with appropriate terms and conditions. Such loans shall be clearly and completely disclosed in this congregation's annual financial reports.
- b. Loans from the annual operating fund and all other congregation funds, except for loans from pastors' discretionary funds and loans between congregational funds, are not permitted. This provision does not apply where a donor has designated a gift for the specific purpose of making loans.

B12.05.03 Deposits

All funds of this congregation not otherwise employed shall be deposited from time to time to the credit of this congregation in such banks, trust companies or other depositories as the finance committee, subject to Congregation Council approval, may select.

B12.05.04. Maintenance of Records

The congregation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of the Congregation Council. A congregation archive shall be maintained of and by this congregation. The archives shall be, whenever possible, kept on the property of the congregation building.

B12.05.05. Gift Acceptance Policy

The Congregation Council shall by continuing resolution adopt a written gift acceptance policy in collaboration with the Finance Committee. Subject to the terms of such policy, the Congregation Council may accept on behalf of this congregation any contribution, gift, bequest or devise for the general purposes, or for any special purpose, of this congregation. All such gifts shall be deposited into an appropriate account of this congregation, including without limitation the Vitality and Sustainability Funds.

B12.05.06. All persons authorized to count or deposit receipts, disburse funds or maintain accounting records must be bonded, for which the premium shall be paid by this congregation. Fidelity coverage recommended by or provided through the Evangelical Lutheran Church in America shall be deemed fulfillment of this requirement.

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 pursuant chapter 8, and shall take such action as is appropriate under the circumstances.

C12.08. The Congregation Council shall be responsible for the employment, compensation and general direction of the paid staff of this congregation, while the pastor shall provide supervision of these staff.

B12.08.01. The Congregation Council, working through the Staff Support Committee, shall be responsible for the determination of needed staff positions, employment of staff, establishment and periodic update of job descriptions, determination and periodic adjustment of compensation and benefits, and creation and maintenance of human resources policies and procedures. In addition, the Congregation Council may periodically provide input on staff activities and performance in light of this

congregation's mission and vision.

B12.08.02 The pastor shall supervise the paid staff of this congregation. In addition, the pastor shall, at least annually, provide written performance feedback to the paid staff, including input on their goals and priorities for the upcoming year. In performing these responsibilities, the pastor shall consult with the Staff Support Committee.

B12.08.03 In the event of an irreconcilable conflict involving one (1) or more staff members, the president and the chair of the Human Relations Committee shall consult with the pastor and the staff member(s) and work toward a resolution of the conflict.

C12.09. The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.

B12.09. The contents of this report shall include, at a minimum: nominations for the Congregation Council and other open positions; a report from the pastor; a report from the current president on behalf of the Congregation Council; financial statements for the preceding year; and a proposed budget for the upcoming year.

C12.10. 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.

B12.10.01. Notices

Notice of all Congregation Council meetings shall be mailed by first class mail, electronic mail, facsimile or otherwise delivered to be received by each member of the Congregation Council not less than three (3) calendar days before the date of the meeting, which notice, in the case of special meetings, shall state generally the nature of the business to be conducted at the meeting.

B12.10.02. Waiver of Notice

Notice of the time, place and purpose of any meeting of the Congregation Council may be waived by a member of the Congregation Council or committee member, in writing, either before or after such meeting is held. The attendance of a member of the Congregation Council at a meeting shall constitute a waiver of notice of such meeting, except where the individual attends a meeting for the express purpose of objecting to the transaction of any business because the meeting was called without proper notice.

C12.11. A quorum for the transaction of business shall consist of a majority of the voting members of the Congregation Council, including the senior pastor or interim pastor, except when the senior pastor or interim pastor requests or consents to be absent and has given prior approval to the agenda for a particular regular or special meeting, which shall be the only business considered at that meeting. Chronic or repeated absence of the senior pastor or interim pastor who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synodical bishop, unless subsection b. below is applicable:

a. Routine business may be conducted in the absence of a quorum, provided that enough additional members to complete a quorum have requested to be absent and have each given prior approval to an agenda of routine matters which shall be the only business of the meeting.

b. If in the opinion of the Congregation Council a pastor is unable to attend a meeting because of an extended leave of absence, incapacitation, or emergency, the quorum need not include a pastor and need not be limited to routine matters.

B12.11.01. A quorum shall include members who are present in person or via conference telephone.

B12.11.02. Meeting by Conference Telephone

Members of the Congregation Council or of any committee of the Congregation Council may participate in and act at any meeting of such Congregation Council or committee through the use of conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other. Participation in a meeting by conference telephone shall constitute attendance and presence in person at the meeting of the person or persons so participating.

B12.11.03. Procedure

The president of the Congregation Council shall conduct meetings of the Congregation Council, according to an agenda and under the general principles of Donald A. Tortorice, *The Modern Rules of Order*, latest edition.

B12.11.04. Electronic Business/Voting

The Congregation Council may make motions and vote on motions by electronic proxy (*i.e.*, e-mail or other suitable technology) when time is of the essence in conducting congregation business. The following rules shall govern and guide members when conducting their business in this manner:

- a. All Congregation Council members (and any staff who are requested to do so) must be notified and given at least forty eight (48) hours to respond to any motion or proxy distributed electronically.
- b. Non-responding members will be contacted by other means if necessary to establish a quorum of voters. Otherwise, non-responding members will be considered as abstaining from the vote.
- c. Any member of the Congregation Council may veto the proxy vote within forty eight (48) hours of the proxy being circulated and ask that the matter be taken up at a special or regularly scheduled meeting.
- d. The motion shall be entered into minutes and confirmed by the approval of such minutes at the next available meeting.

B12.11.05. Action by Written Consent

Any action required to be taken at a meeting of the Congregation Council, or any other action which may be taken at a meeting of the Congregation Council or of any committee of the Congregation Council, may be taken without a meeting if a consent in writing setting forth the action so taken shall be signed by all members of the Congregation Council entitled to vote with respect to the subject matter thereof, or by all committee members, as the case may be. Any consent signed by all members of the Congregation Council or all committee members (including non-director members entitled to vote, if any) shall have the same effect as a unanimous vote.

C12.12. Conflict of interest policies shall be established in the bylaws.

B12.13. Conflicts of Interest Policy.

- a. All actual and apparent, direct and indirect conflicts shall be disclosed promptly and fully to all necessary parties, including the Congregation Council. "Conflict" as used in these bylaws means and refers to direct personal, proprietary interests of the person(s) covered by this policy and their immediate families, and situations where the persons covered by this

policy and their immediate families have an indirect interest whereby a party to a transaction with this congregation is an entity in which such person has a material financial interest or of which such person is an officer and also is a member of the Congregation Council. Conflict does not refer to philosophical or professional differences of opinion.

b. Coverage of this Policy

This policy shall apply to all voting members of the Congregation Council and officers, employees of this congregation (including independent contractors who provide services and materials). The Congregation Council shall publicize periodically this policy to all such persons.

c. Disclosure of All Conflicts

All persons to whom this policy applies shall make a disclosure to the Congregation Council of all real and apparent, direct or indirect conflicts which they discover or that have been brought to their attention in connection with this congregation's activities. "Disclosure" as used in these bylaws shall mean and refer to providing promptly to the appropriate persons a written description of the material facts of the transaction or conflict, and the person's interest or relationship to the transaction or conflict ("disclosure notice"). An annual disclosure statement shall be circulated to all persons to whom this policy applies to assist them in considering such disclosures, but disclosure is appropriate whenever a conflict arises. Failure to provide such statement to any person shall not excuse that person's disclosure obligation. The disclosure notice shall be filed with the president or any other person designated by him/her from time to time to receive such notifications. All disclosure notices received hereunder shall be noted in the minutes of a meeting of the Congregation Council.

d. Vote of Disinterested Members of the Congregation Council

Any transaction involving a conflict of interest by an officer or member of the Congregation Council shall be prohibited unless it is fully disclosed to, and authorized, approved or ratified by the affirmative vote of a majority of, the disinterested members (i) of the entire Congregation Council or (ii) of a committee consisting entirely of members.

Chapter 13.

ORGANIZATION STRUCTURE

C13.01. In order for this congregation to function and fulfill its mission, it shall operate through committees and other organizational units.

B13.01. Committees (also known as teams) may include standing and special committees. Standing committees operate continuously to fulfill the provisions of the congregation's statements of Vision and Mission. Special committees complete their assignments at the direction of the Congregation Council. Such committees disband at the completion of their assignment.

C13.02 The congregation shall have, at a minimum, the following standing committees: Executive Committee and Staff Support Committee, and, at a minimum, the following special committees: Nominating Committee, Audit Committee and Call Committee.

C13.03. Additional standing committees, special committees, and other organization units may be formed as need arises by the Congregation Council, and may be designated in the Bylaws.

B13.03. The Congregation Council shall establish and periodically review an appropriate organization structure in order to ensure the effectiveness of the congregation's

ministries and operations. This organization structure shall be included in continuing resolutions and shall give consideration to the following:

- a. The organization structure shall include the assignment of responsibilities for ministry functions that are critical to the congregation's mission, including the following, at a minimum: (i) faith formation, (ii) worship and the arts, and (iii) community engagement. Descriptions of the responsibilities and activities for each of these areas are included under Bylaw B13.08 below.
- b. The organization structure shall also include the assignment of responsibilities for key operational functions that support the congregation's mission and ministries, including the following, at a minimum: (i) hospitality, (ii) property, (iii) finance, and (iv) communications. Descriptions of the responsibilities and activities for each of these areas are included under Bylaw B13.08 below.
- c. The organization structure may include additional standing committees, as well as less formal organization units such as *ad hoc* task forces or work streams, and appointed individuals who are given charges and responsibilities.
- d. The determination of the appropriate form of organizational unit for each functional area will be affected by factors such as: the nature and extent of its activities; the importance and urgency of these activities; and the availability of human resources with the skills needed.
- e. Some functional areas may need more than one organization unit (*i.e.*, a standing committee to cover planning and organization, and one or more task forces or assigned individuals for specific activities).
- f. Each of the committees and other organization units are subject to the guidelines set forth in B13.05 and B13.06 below.
- g. Additions or revisions to the congregation's committees and other organization units may be made at any time by resolution of the Congregation Council. Such changes shall be included in continuing resolutions and shall serve as the congregation's committee structure until the earlier of further resolutions or such time as the Bylaws may be updated to reflect the changes.

Committee Membership

C13.04. The membership of committees specified by this Constitution shall be as follows:

- a. **Executive Committee.** The officers of this congregation including the pastor shall constitute the Executive Committee.
- b. **Nominating Committee.** A Nominating Committee of six voting members of this congregation, at least two of whom, if possible, shall be outgoing members of the Congregation Council, shall be elected at the annual meeting for a term of one year. Members of the Nominating Committee are not eligible for consecutive reelection.
- c. **Audit Committee.** An Audit Committee of three voting members shall be proposed by the nominating committee and elected by the congregation at the annual meeting. 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 reelection.
- d. **Call Committee.** When a pastoral vacancy occurs, a special Call Committee of not less than six nor more than eight voting members shall be elected by the Congregation Council. No

more than two members of the committee shall be Congregation Council members. Term of office will terminate upon installation of the newly called pastor.

- e. **Staff Support Committee. The Staff Support Committee shall consist of at least five voting members of this congregation, including the following members if deemed advisable:**
- **the current president of this congregation;**
 - **the most recent past president of this congregation;**
 - **a member who is or has been recently engaged in a personnel administration of a business or professional organization; otherwise a member who has expertise relevant to the work of the committee;**
 - **on occasions when the committee is concerned with the performance of a specific staff person, one additional individual to be selected by that staff person.**

C13.05. Additional guidelines for committee membership shall be specified in the Bylaws.

- B13.05. The following guidelines shall apply to all committees, as well as to other organization units (*i.e.*, ad hoc task forces or work streams, and charged or appointed individuals):
- a. Members of each committee or other organization unit shall be in good standing.
 - b. The pastor and president shall be *ex officio* members of each standing committee.
 - c. The pastor and president shall maintain contact with other organization units and shall attend their meetings or other events when considered appropriate.
 - d. Any paid staff members associated with each standing committee's or other organization unit's area of ministry shall be designated as full or *ex officio* members of those groups. However, other than the Senior Pastor, no paid staff member or employee of the congregation may be a member of the Audit, Executive, Staff Support or Call Committees.
 - e. Should a member of any committee desire to resign, the resulting vacancy may be filled by the committee, with assistance of the Congregation Council if needed.

Guidelines For Committee Operations

C13.06. Guidelines for the effective functioning of committees shall be specified in the Bylaws, including: selection of committee chairs; goals and priorities; meetings and minutes; accountability and reporting; subcommittees; and other appropriate provisions.

- B13.06. The following guidelines shall apply to all committees, as well as to other organization units (*i.e.*, ad hoc task forces or work streams, and charged or appointed individuals):
- B13.06.01. Selection of committee chairs and leaders of other organization units:
- a. Each committee shall have a chair to lead the committee and conduct meetings. Other organization units shall have a designated leader or responsible individual.
 - b. Chairs shall be elected by members of the committee, and the Congregation Council shall affirm the newly elected chairs. If any committee is unable to identify a chair, then the Congregation Council

may be asked to assist in identifying candidates. Leaders of other organization units may be elected by the members of the unit or may be appointed by the Congregation Council or by the committee that established the unit.

- c. Chairs and leaders should be lay members of the congregation, and paid staff should serve in a supporting and mentoring capacity and not as chairs.
- d. No person may chair or lead more than one (1) committee or other organization unit at any given time.

B13.06.02. Goals and priorities:

- a. Each committee shall periodically prepare or update its goals and priorities, giving consideration to the congregation's vision and mission, the committee's duties and current needs and circumstances. Other organization units should also prepare or update their respective goals and priorities, or alternatively, such goals and priorities may be assigned by the Congregation Council or by the committee that established the unit.
- b. The Congregation Council shall collaborate with standing committees and other organization units and encourage them to develop, pursue and achieve such goals and priorities as may be appropriate to their purpose and function.

B13.06.03. Meetings and minutes:

- a. Each committee and other organization unit shall meet at such times and places as may be required to perform the duties of the committee or organization unit.
- b. The time and frequency of meetings shall be at the discretion of the chair or leader.
- c. A majority of the members of each committee or organization unit shall constitute a quorum for the transaction of business and the act of a majority of the members at a meeting at which a quorum exists shall be the action of the committee or organization unit.
- d. Each committee and organization unit shall record minutes of its deliberations, recommendations and conclusions. Such minutes may be in the form of communications covering key decisions and action points.

B13.06.04. Accountability and reporting:

- a. Each standing committee shall be responsible to the Congregation Council. Special committees are responsible to the congregation but should keep the Congregation Council informed of their deliberations and findings. Other organization units shall be responsible to the Congregation Council or to the committee that established the unit.
- b. Each standing committee shall also prepare a written annual report describing its achievements for the preceding year and goals for the upcoming year for inclusion in the annual report to the congregation.

Duties Of Committees

C13.07. Duties of committees established by this Constitution may be specified in this Constitution.

a. **Staff Support Committee**

The Staff Support Committee shall be a resource for the pastor(s) and lay staff and shall act as a liaison between this congregation, pastors and lay staff. In addition to such responsibilities as may be spelled out in the bylaws, the Staff Support Committee shall advise the pastors and lay staff of certain conditions within the congregation which pertain to the effective performance of their duties, and shall inform the Congregation Council of concerns pertaining to the ministry of the pastors and the lay staff.

C13.08. Additional duties of committees of this congregation shall be specified in the bylaws or continuing resolutions.

B13.08.01. Each committee and organization unit shall initiate and carry out such activities and programs within the congregation as will enable it to effectively carry out its duties and responsibilities. These activities should not conflict with the Constitution and Bylaws, Congregation Council policy, or specific resolution of the congregation.

B13.08.02. The duties of committees established by article C13.02 of the Constitution are as follows:

a. Nominating Committee

The Nominating Committee shall each year identify nominees for available positions, including: (1) Congregation Council, (2) audit committee, (3) trustee(s) for the Celebration of Life Garden, (4) voting members of the Synod Assembly, and (5) Nominating Committee for the following year. The Nominating Committee shall inform the congregation of the available positions prior to the election dates. As part of its process of identifying eligible candidates, the nominating committee shall solicit input from the pastor, the staff, the Congregation Council, and members of the congregation. Ordinarily, the nominating committee should begin its process no later than three months before the annual meeting in order to provide sufficient time for the identification of candidates.

b. Audit Committee

The Audit Committee shall be responsible for auditing the financial records of this congregation and reporting its findings to the Congregation Council and to this congregation. The procedures outlined by the ELCA in its Congregational Audit Guide should be considered by the Audit Committee in performing the audit. Prior to the conduct of each year's audit, the Audit Committee shall meet with the Treasurer and Finance Committee Chair to discuss the timing and conduct of the audit. The Treasurer shall provide access to financial records and source documents to the audit committee. The auditor shall examine all bonds, sureties, and insurance policies, and report on the adequacy of the coverage. The audit committee shall prepare a report of its findings and recommendations, and this report shall be included in the annual report to the congregation. If an independent auditor is used, the committee will supervise and oversee the work of the auditor.

c. Call Committee

The Call Committee is responsible for consult/ing with the Metropolitan Chicago Synod office, searching for pastoral candidates, and proposing appropriate candidates to this congregation. The Call Committee shall periodically advise the Congregation Council during the search process

and consult with the Congregation Council when it has proposed a candidate.

d. Executive Committee

The Executive Committee shall serve as a resource to the president to assist in planning meetings of the Congregation Council and such other matters for which the president may seek assistance.

e. Staff Support Committee

The Staff Support Committee shall:

- i. Identify the staff needs of this congregation and prepare job descriptions for all paid staff persons, in consultation with the Congregation Council.
- ii. Conduct and present to the Congregation Council an annual review of the goals and priorities established by the pastor(s) and the Congregation Council (see Bylaws B9.03.02 and B12.04.02). This review shall include assessment of the accomplishment of prior year goals and priorities, input on future goals and priorities, and assessment of the performance of the pastor(s) and areas for growth and development.
- iii. Recommend to the Congregation Council compensation and benefits for the paid staff, in consultation with the Finance Committee.
- iv. Adopt hiring, evaluation and other policies and procedures for paid staff (other than a called pastor), in consultation with the Congregation Council.
- v. Maintain and update, as necessary, an employee handbook.
- vi. Serve as a confidential resource for the paid staff.
- vii. Assist the senior pastor in preparing annual evaluations of paid staff.
- viii. Serve such other human resource functions as may be necessary or appropriate for the operation of the congregation.

B13.08.03. The duties and responsibilities of the additional committees and other organization units established by the Congregation Council under Bylaw B13.03 shall include the following, at a minimum, and may be expanded by the Congregation Council in continuing resolutions:

Ministry Functions that are Critical to the Congregation's Mission

a. Worship and the arts

The duties and responsibilities of this function include planning, developing and supporting Sunday and special worship services. Activities include, but are not limited to: music and choirs, service participants, home communion, and altar guild and other support.

b. Community engagement

The duties and responsibilities of this function include planning, developing and supporting the projects, efforts, and work people do to make a positive difference in the lives of others beyond our congregation. Activities include, but are not limited to initiatives in the following areas of need: hunger, housing, disaster relief, education, and

justice

c. Faith formation

The duties and responsibilities of this function include planning and developing high quality learning experiences that help people understand Scripture, faith, and life in the supportive nurture of caring relationships. Activities include, but are not limited to: Sunday School and other children's education, confirmation, adult education and Bible studies.

Operational Functions that Support the Congregation's Mission and Ministries

a. Hospitality

The duties and responsibilities of this function include creating an atmosphere of hospitality that invites potential members and guests into our community of faith and helps new and existing members fully assimilate into our community. Activities include, but are not limited to: Greeting and ushering welcoming and following up with visitors, sponsoring and assimilation of new members, fellowship events and coffee hour.

b. Property

The duties and responsibilities of this function include the maintenance, protection and improvement of all congregational property. Activities include, but are not limited to: maintenance, service contracts, and improvement projects.

c. Finance

The duties and responsibilities of this function include oversight of all of the financial affairs of the congregation. Activities include, but are not limited to: annual and capital budgeting, monitoring of finances, annual stewardship and capital campaigns, investments, and insurance.

d. Communications

The duties and responsibilities of this function include promoting awareness of Ascension's programs and activities both within our congregation and in the community. Activities include, but are not limited to: identifying activities to be communicated, identifying the target audiences for these communications, and identifying the most effective means of communication.

Chapter 14.

ORGANIZATIONS WITHIN THE CONGREGATION

C14.01. All organizations within this congregation shall exist to aid it in ministering to the members of this congregation and to all persons who can be reached with the Gospel of Christ. As outgrowths and expressions of this congregation's life, the organizations are subject to its oversight and direction. This congregation at its meeting or the Congregation Council 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.

C14.03. Auxiliary organizations may develop their budgets and programs separately from the budget and programs adopted at the Annual Meeting. All such organizations shall be subject

to the approval and direction of the Congregation Council.

B14.03 Auxiliary organizations each shall be responsible for providing resources for and encouraging congregational ministry in the functional area assigned to them, including:

- a. Celebration of Life Gardens. A garden exists for interment of remains of this congregation and their families. Its operation and funding shall be administered by a board of trustees. Powers, responsibilities, and election of the trustees are detailed in the enabling resolution dated February 24, 2018, which follows below, and in succeeding resolutions:

Whereas, the Evangelical Lutheran Church of the Ascension (hereinafter "Church") has established a Celebration of Life Garden; and

Whereas, the Church wishes to establish a fund for the purposes of administering the funds and other matters related to the Celebration of Life Garden.

Be it resolved, that the Ascension Memorial Garden Fund established in the year 1982 as a separate fund to administer the finances and other matters relating to the Garden be known as the Celebration of Life Garden Fund (hereinafter "Fund").

Be it further resolved, that six (6) Trustees, five (5) of whom shall be lay members of this congregation, shall be nominated by the nominating committee and elected by this congregation at the Annual Meeting. At the meeting, one (1) Trustee shall be elected for a term of one (1) year, two (2) Trustees shall be elected for a term of two (2) years each, and two (2) trustees shall be elected for a term of three (3) years each. Upon the resignation, inability or unwillingness to serve as Trustee, the Congregation Council ("Council") shall appoint an otherwise qualified member of the Church to serve for the balance of the term. A trustee may also be a member of the Council. The Senior Pastor, or in his or her absence, the Associate Pastor or the Assistant Pastor, shall serve as the sixth (6th) voting Trustee. The Nominating Committee shall propose to the congregation candidates for trusteeship for election at the Annual Congregational Meeting each year.

Be it further resolved, that the Trustees shall elect a Chair, Treasurer and Secretary from their members.

Be it further resolved, that the Trustees shall be accountable to the Council for all funds and shall maintain funds in a separate account.

Be it further resolved that the Trustees shall establish and enforce all necessary rules and regulations relating to the Celebration of Life Garden subject to the review and approval of such rules and regulations by the Council.

Be it further resolved, that at least one meeting of the Trustees shall be held not more than sixty (60) days and not less than thirty (30) days before the Congregational Meeting and other meetings shall be held upon the call of the Chair or the Senior Pastor. Three (3) Trustees shall constitute a quorum.

Be it further resolved, that the Trustees shall report annually to the congregation and provide Council with interim reports as deemed necessary

by the Trustees or as requested by Council.

Be it further resolved, that this resolution may be amended only by three-quarters (3/4) vote of the members attending a duly called and convened congregational meeting.

- b. Performing Arts Team. The mission of the Performing Arts Team is to “open Ascension’s soul to the community through the gift of music and the performing arts”. The Team offers the One Tree Many Branches concert series which showcases high caliber artists and performers from across the musical spectrum. The series is offered free to the public, and each of the six to seven annual performances is followed by a social gathering and artist meet-and-greet catered by the Hospitality Committee. The series is financially supported entirely by the generosity of donors – both members and non-members – and from its proceeds tithes gifts to support music and the arts at this congregation.

The Performing Arts Team operates under the oversight of the Congregation Council and obtains Council review and approval of its concerts and other events.

C14.04. Organizations other than those officially sanctioned by the Evangelical Lutheran Church in America may use congregation facilities subject to the approval and direction of the Congregation Council.

Chapter 15.

DISCIPLINE OF MEMBERS AND ADJUDICATION

- * C15.01. Persistent and public denial of the Christian faith, willful or criminal conduct grossly unbecoming a member of the Church of Christ, continual and intentional interference with the ministry of the congregation, or willful and repeated harassment or defamation of member(s) of the congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will be attempted following Matthew 18:15-17, proceeding through these successive steps, as necessary: a) private counsel and admonition by the pastor, b) censure and admonition by the pastor in the presence of two or three witnesses, c) written referral of the matter by the Congregation Council to the vice president of the synod, who will refer it to a consultation panel drawn from the Consultation Committee of the synod, and d) written referral of the matter by the consultation panel to the Committee on Discipline of the synod. If, for any reason, the pastor is unable to administer the admonitions required by paragraphs a. and b. hereof, those steps may be performed by another pastor chosen by the Executive Committee of the Congregation Council.**

B15.01. Principles for Christian Communication

As a community of faith, this congregation wishes to promote a climate of peace and goodwill, but recognizes that differences and conflicts will sometimes arise. These principles are intended to help this congregation address such differences and achieve mutual understanding. Members are encouraged to:

- a. Be open and forthright in the sharing of views. Lay leaders, pastors, staff and congregation members all have a right to express their views about the life and ministry of the congregation and are encouraged to share their ideas, comments and suggestions.
- b. Bring their views to the appropriate committee or individual. Ideas, comments or suggestions, including disagreement with a policy or decision, shall be brought first to the leaders responsible for the area (*e.g.*, worship ministry for issues regarding worship, property committee for property-related matters, *etc.*). If matters cannot be resolved through these discussions, they should be brought to the attention of an

officer or a member of the Congregation Council.

- c. Address differences directly and timely. Following the wisdom of Matthew 18, it is best to seek out directly a person with whom one disagrees. A direct and timely discussion will often lead to a mutual understanding. Complaining or criticizing to a third party should be avoided, as this seldom leads to a resolution of the issue and often makes it worse. Expressing differences or criticism through email should also be avoided, as this can easily lead to misunderstanding.
- d. Be humble in the expression of views and respectful of others. We should each be forthright, yet humble, in the expression of our views, recognizing that none of us possesses all knowledge. All our communications should be made with Christian kindness and compassion, with respect for the dignity of others.
- e. Listen with empathy and compassion. This congregation is a diverse community of Christians, each with different spiritual gifts. With different gifts come different perspectives, which can lead to disagreements. It is important that we listen with empathy and compassion to the views of others in order to find shared objectives and common ground.
- f. Accept the decision reached by the group. Members should each be open and forthright in expressing our views and carrying them through to a resolution with the appropriate individuals and committees. Sometimes the decision reached by the group may not be what each person would have preferred, but it is important for each person to respect the process and accept the decision. Efforts to undermine the decision through private conversations with selected members of the congregation should be avoided.
- g. Be willing to seek and offer forgiveness. As human beings, no one is perfect and members may sometimes fail to follow these principles. In these cases, members should be willing to seek forgiveness for ourselves as well as offer forgiveness to others.

*** C15.02. The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If the counseling, censure, and admonitions pursuant to C15.01 do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three lay persons and two ministers of Word and Sacrament). A copy of the written charges shall be provided to the consultation panel and the accused member(s). The consultation panel, after requesting a written reply to the charges from the accused member(s), shall consider the matter and seek a resolution by means of investigation, consultation, mediation, or whatever other means may seem appropriate. The panel's efforts to reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it.**

*** C15.03. If the consultation panel fails to resolve the matter, that panel shall refer the case in writing, including the written charges and the accused member's reply, to the Committee on Discipline of the synod for a hearing. A copy of the panel's written referral shall be delivered to the vice president of the synod, the Congregation Council, and the accused member(s) at the same time it is sent to the Committee on Discipline of the synod. The Executive Committee of the Synod Council shall then select six members from the Committee on Discipline to decide the case, and shall appoint a member of the Synod Council to preside as nonvoting chair. Those six members plus the nonvoting chair comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the parties to the case.**

- * C15.04. The discipline hearing panel shall commence and conduct the disciplinary hearing in accordance with the provisions governing discipline of congregation members prescribed in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- * C15.05. By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:
 - a. suspension from the privileges of congregation membership for a designated period of time;
 - b. suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
 - c. termination of membership in the congregation; or
 - d. termination of membership in the congregation and exclusion from the church property and from all congregation activities.
- * C15.06. The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next council meeting.
- * C15.07. No member of the congregation shall be subject to discipline a second time for offenses that a discipline hearing panel has heard previously and decided pursuant to this chapter.
- * C15.08. Adjudication
- * C15.09 When there is disagreement among factions within this congregation on a substantive issue that cannot be resolved by the parties, members of this congregation shall have access to the synodical bishop for consultation after informing the chair of the Congregation Council of their intent. If the consultation fails to resolve the issue(s), the Consultation Committee of the synod shall consider the matter. If the Consultation Committee of the synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final.

Chapter 16.
AMENDMENTS

- * C16.01. Unless section 16.04. is applicable, those sections of this constitution that are not required, in accord with the *Model Constitution for congregations of the Evangelical Lutheran Church in America*, may be amended in the following manner. Amendments may be proposed by at least ten percent (10%) of the voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special congregation meeting called for that purpose. The Congregation Council shall notify the congregation's members of the proposal together with the council's recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.
- * C16.02. An amendment to this constitution, proposed under section 16.01., shall:
 - a. be approved at a legally called congregation meeting according to this constitution by a majority vote of those voting members present and voting;
 - b. be ratified without change at the next annual meeting by a two-thirds vote of those voting members present and voting; and
 - c. have the effective date included in the resolution and noted in the constitution.

* C16.03. Any amendments to this constitution that result from the processes provided in sections 16.01. and 16.02. shall be sent by the secretary of this congregation to the Metropolitan Chicago Synod. The synod shall notify the congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.

* 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—by a majority vote of those voting members present and voting at any legally called meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to the congregation of such an amendment or amendments, together with the council’s recommendations, at least 30 days prior to the meeting. Upon written request of at least two (2) voting members of the congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the Metropolitan Chicago Synod, consistent with section 17.3. 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. Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.

Chapter 18.

CONTINUING RESOLUTIONS

* C18.01. The congregation in a legally called meeting or the Congregation Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.

* C18.02. Continuing resolutions shall be enacted or amended by a majority vote of a meeting of the congregation or a two-thirds vote of all voting members of the Congregation Council.

B18.02. Any continuing resolution enacted or amended by the Congregation Council should be reported to the Congregation.

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.

B19.01. Purchase of Director and Officer Liability Insurance

This congregation shall purchase and maintain insurance on behalf of any party who is or was a member of the Congregation Council or officer, employee or agent of this congregation, against any liability asserted against such party and incurred by such party in any such capacity, or arising out of the party's status as such, whether or not this congregation would have the power to indemnify such party against such liability.

Chapter 20.

PARISH AUTHORIZATION

- * C20.01.** This congregation may unite in partnership with one or more other congregations recognized by the synod named in *C6.01. to form a parish. Except as provided in *C20.02. and *C20.03., a written agreement, developed in consultation with the synod and approved by the voting members of each congregation participating in the parish, shall specify the powers and responsibilities that have been delegated to the Parish Council. The Parish Agreement shall identify which congregation of the parish issues calls on behalf of the member congregations or shall establish a process for identifying which congregation issues calls on behalf of the member congregations.
- * C20.02.** One congregation of a parish shall issue a call on behalf of the member congregations to a minister of Word and Sacrament or a candidate for the roster of Ministers of Word and Sacrament who has been recommended by the synodical bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.
- * C20.03.** One congregation of a parish may issue a call on behalf of the member congregations to a minister of Word and Service or a candidate for the roster of Ministers of Word and Service who has been recommended by the synodical bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.
- * C20.04.** Any one of the congregations of the parish may terminate their relationship with the pastor as provided in †S14.18.d. of the synodical constitution of the synod named in *C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.
- C20.05.** Any one of the congregations of the parish may terminate their relationship with a minister of Word and Service as provided in †S14.43.d. of the synodical constitution of the synod named in *C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.
- C20.06.** Whenever a parish agreement is terminated, the call of any rostered minister serving that parish is terminated. Should any congregation that was formerly part of the parish agreement desire to issue a new call to that rostered minister, it may do so in accordance with the call process of this church.