



Evangelical
Lutheran Church
in America

Bethel Lutheran Church of Northfield,
Minnesota

CONSTITUTION, BYLAWS, AND CONTINUING RESOLUTIONS

Current as of



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BETHEL LUTHERAN CHURCH - NORTHFIELD, MINNESOTA

TABLE OF CONTENTS

CONSTITUTION

Preamble	2
Chapter 1	2
Chapter 2	2
Chapter 3	2
Chapter 4	3
Chapter 5	4
Chapter 6	5
Chapter 7	6
Chapter 8	7
Chapter 9	9
Chapter 10	14
Chapter 11	15
Chapter 12	18
Chapter 13	18
Chapter 14	19
Chapter 15	19
Chapter 16	20
Chapter 17	21
Chapter 18	21
Chapter 19	21
Name and Incorporation	
Confession of Faith	
Nature of the Church	
Statement of Purpose	
Powers of the Congregation	
Church Affiliation	
Property Ownership	
Memberships	
Rostered Minister	
Congregational Meeting	
Officers	
Congregation Council	
Congregation Committees	
Organizations within the Congregation	
Discipline of Members and Adjudication	
Amendments	
Bylaws	
Continuing Resolutions	
Indemnification	

BETHEL LUTHERAN CHURCH - NORTHFIELD, MINNESOTA
CONSTITUTION

***PREAMBLE**

We, baptized members of the Church of Christ, responding in faith to the call of the Holy Spirit through the Gospel, desiring to 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 Bethel Lutheran Church.
- C1.02.** For the purpose of this constitution and the accompanying bylaws, the congregation of Bethel Lutheran Church is hereinafter designated as "this congregation."
- C1.11** This congregation shall be incorporated under the laws of the state of Minnesota.

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, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, embracing and welcoming racially and ethnically diverse populations, and standing in solidarity with the poor and oppressed and committing itself to their needs.
- e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
- f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.

***C4.03.**

To fulfill these purposes, this congregation shall:

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

- h. Foster and participate in interdependent relationships with other congregations, the synod, and the churchwide organization of the Evangelical Lutheran Church in America.
 - i. Foster and participate in ecumenical relationships consistent with churchwide policy.
- *C4.04.** This congregation shall develop an organizational structure to be described in the bylaws. The Congregation Council shall prepare descriptions of the responsibilities of each committee, task force, or other organizational group and shall review their actions. Such descriptions shall be contained in continuing resolutions in the section on the Congregation Committees.
- *C4.05.** This congregation shall adopt and periodically review a mission statement which will provide specific direction for its programs.
- *C4.06.** References herein to the nature of the relationship between the three expressions of this church—congregations, synods, and the churchwide organization—as being interdependent or as being in a partnership relationship describe the mutual responsibility of these expressions in God’s mission and the fulfillment of the purposes of this church as described in this chapter, and do not imply or describe the creation of partnerships, co-ventures, agencies, or other legal relationships recognized in civil law.

Chapter 5. POWERS OF THE CONGREGATION

***C5.01.** The powers of this congregation are those necessary to fulfill its purpose.

***C5.02.** The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws.

***C5.03.** Only such authority as is delegated to the Congregation Council or other organizational units in this congregation’s governing documents is recognized. All remaining authority is retained by this congregation. This congregation is authorized to:

- a. call a pastor as provided in Chapter 9;
 - b. terminate the call of a pastor as provided in Chapter 9;
 - c. call a minister of Word and Service;
 - d. terminate the call of a minister of Word and Service in conformity with the constitution of the Evangelical Lutheran Church in America;
 - e. adopt amendments to the constitution, as provided in Chapter 16, amendments to the bylaws, as specified in Chapter 17, and continuing resolutions, as provided in Chapter 18;
 - f. approve the annual budget;
 - g. acquire real and personal property by gift, devise, purchase, or other lawful means;
 - h. hold title to and use its property for any and all activities consistent with its purpose;
 - i. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
 - j. elect its officers, and Congregation Council, boards, and committees, and require them the members of the council to carry out their duties in accordance with the constitution, and bylaws, and continuing resolutions; and
 - k. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.
- *C5.04.** This congregation or the Congregation Council shall elect from among the voting members of the congregation 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 and other qualifications shall be as prescribed in guidelines established by the Southeastern Minnesota Synod of the Evangelical Lutheran Church in America.
- C5.05.** This congregation shall have a mission endowment fund that will operate as specified in this congregation’s bylaws. The purpose of the mission endowment fund is to provide for mission work beyond the operational budget of this congregation.
- C5.05.01** The Bethel Lutheran Church Endowment Fund (the “Endowment Fund”) shall further support the mission and extend the ministry of Bethel Lutheran Church apart from its general operations. Except in the case of emergency as set forth in C14.04.e. below, distributions from the Endowment Fund will be limited by the Spending Policy defined in C14.04.g. below and no portion of the Endowment Fund will be used for the annual operating budget of this congregation.

- C5.05.02** The Endowment Committee shall manage and administer the Endowment Fund. The governance and operational procedures of the Endowment Committee are fully set forth in their constitution.
- C5.05.03.** The congregation, at each annual meeting, shall elect individuals to fill the vacancies on the Endowment Committee. Prior to the annual meeting, the Nominating Committee shall nominate the members for the Endowment Committee. In the event of a vacancy on the Endowment Committee prior to the annual meeting of the congregation, the Congregation Council shall appoint a member to fill the vacancy until the next annual meeting, at which time the congregation shall elect a member to complete the term of the vacancy.
- C5.05.04.** The senior pastor and one other Congregation Council member shall be ex-officio (non-voting) members of the Endowment Committee.

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 Southeastern Minnesota 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:
- This congregation agrees to be responsible for its life as a Christian community.
 - This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
 - This congregation agrees to call pastoral leadership from the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services with a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.
 - This congregation agrees to consider ministers of Word and Service for call to other staff positions in this congregation according to the procedures of the Evangelical Lutheran Church in America.
 - This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America and with the constitution of the synod.
- *C6.04.** Affiliation with the Evangelical Lutheran Church in America is terminated as follows:
- This congregation takes action to dissolve.
 - This congregation ceases to exist.
 - This congregation is removed from membership in the Evangelical Lutheran Church in America or in accordance to the procedures for discipline of the Evangelical Lutheran Church in America or in accordance with provision 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America.
 - The Southeastern Minnesota Synod takes charge and control of the property of this congregation to hold, manage, and convey the same on behalf of the synod pursuant to †S13.24. of the synod constitution. This congregation shall have the right to appeal the decision to the next Synod Assembly.
 - This congregation follows the procedures outlined in *C6.05.
- *C6.05.** This congregation may terminate its relationship with the Evangelical Lutheran Church in America by the following procedure:
- A resolution indicating the intent to terminate its relationship must be adopted at two legally called and conducted special meetings of this congregation by a two-thirds vote of the voting members present at each meeting. The first such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time this congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined

- by the bishop in consultation with the Congregation Council. Unless the bishop and/or the bishop's designees are voting members of this congregation, they shall have voice but not vote at the first meeting.
- b. Within 10 days after the resolution has been voted upon at the first meeting, the secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall send copies of the resolution and certification to voting members of this congregation.
 - c. If the resolution was adopted by a two-thirds vote of the voting members present at the first meeting, the bishop of the synod and this congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the bishop of the attestation and certification as specified in paragraph b. above.
 - d. If this congregation, after such consultation, is still considering termination of its relationship with this church, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of the second meeting shall be sent to all voting members and to the bishop at least 10 days in advance of the meeting. Unless the bishop and/or the bishop's designees are voting members of this congregation, they shall have voice but not vote at the second meeting.
 - e. Within 10 days after the resolution has been voted upon, the secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the second special meeting was legally called and conducted and certifying the outcome of the vote, and shall send copies of the resolution and certification to the voting members of the congregation. If the resolution was adopted by a two-thirds vote of the voting members present at the second meeting, the relationship between the congregation and this church shall be terminated subject to Synod Council approval as required by paragraphs f. and g. below.
 - f. Unless this notification to the bishop also certifies that this congregation has voted to affiliate with another Lutheran denomination, this congregation shall be deemed an independent or non-Lutheran church, in which case *C7.04. shall apply.
 - g. This congregation shall abide by these covenants by and among the three expressions of this church:
 - 1) Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in *C6.05. shall be required to receive Synod Council approval before terminating their membership in this church.
 - 2) Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to receive synod approval before terminating their membership in this church.
 - 3) Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church.
 - h. If this congregation fails to achieve the required two-thirds vote of voting members present at this congregation's first meeting as specified in paragraph a. above or fails to achieve the required two-thirds vote of voting members present at this congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of *C6.05. and may begin no sooner than six months after the meeting at which the two-thirds vote was not achieved.
- *C6.06.** If this congregation considers relocation, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is taken.
- *C6.07.** If this congregation considers developing an additional site to be used regularly for worship, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action.

Chapter 7. PROPERTY OWNERSHIP

- *C7.01.** If this congregation ceases to exist, title to undisposed property shall pass to the Southeastern Minnesota Synod of the Evangelical Lutheran Church in America.

- *C7.02.** If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline or pursuant to 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America, title to property shall continue to reside in this congregation.
- *C7.03.** If the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to relate 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 relate to another Lutheran church body, it shall consult with representatives of the Southeastern Minnesota Synod.
- *C7.04.** If the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body and have followed the process for termination of relationship in *C6.05., title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the process established by the synod, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America. In neither case does title to this congregation's property transfer to the synod.
- *C7.05.** Notwithstanding the provisions of *C7.02. and *C7.03. above, where this congregation has received property from the synod pursuant to a deed or other instrument containing restrictions under provision 9.71.a. of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, this congregation accepts such restrictions and:
- 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.
 - Shall—upon written demand by the Synod Council, pursuant to ¶S13.23. of the constitution of the Southeastern Minnesota Synod—reconvey and transfer all right, title, and interest in the property to the synod.

Chapter 8. MEMBERSHIP

- *C8.01.** Members of this congregation shall be those baptized persons on the roll of this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.
- *C8.02.** Members shall be classified as follows:
- 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.
 - 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.
 - Voting** members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of this congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws. They shall not have voted as a seasonal member of another congregation of this church in the previous two calendar months.
 - Associate** members are persons holding membership in other Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. These individuals have all the privileges and duties of membership except voting rights or other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.

- e. *Seasonal* members are voting members of other congregations of this church who wish to retain such membership but desire to participate in the life and mission of this congregation, including exercising limited voting rights in this congregation. The Congregation Council may grant seasonal membership to such persons provided that this congregation is a member of a synod where the Synod Council has approved seasonal member voting on its territory. Such seasonal members shall have all the privileges and duties of voting members except that:
- 1) they shall not be eligible for elected office in, or for membership on the Congregation Council or on a call committee of, this congregation;
 - 2) they shall not have the right to vote on any matter concerning or affecting the call or termination of call of any minister of this congregation;
 - 3) they shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with this church;
 - 4) they shall not be eligible to serve as voting members from this congregation of the Synod Assembly or the Churchwide Assembly;
 - 5) they shall not, even if otherwise permitted by this congregation, vote by proxy or by absentee ballot; and
 - 6) they shall not, within any two calendar month period, exercise voting rights in this congregation and in the congregation where they remain voting members.

C8.02.01 Admission of Baptized Membership

- a. Children, one or both of whose parents or guardians are members of this congregation, shall, upon receiving Christian Baptism, be received as baptized members of this congregation.
- b. Children, neither of whose parents or guardians are members of this congregation shall, upon Christian Baptism duly recorded as a ministerial act performed under the auspices of this congregation, be received as baptized members of this congregation unless there is understanding that, for good reason, they will be enrolled as baptized members of another congregation, in which case notice of the Baptism shall be sent to the congregation in which the child is to be enrolled as a baptized member.
- c. Children baptized in other congregations shall be received as baptized members of this congregation upon admission of one or both parents or guardians to membership, or by consent of one or both parents or guardians to membership, or by consent of one or both parents or guardians, or by action of the Congregation Council.
- d. Unbaptized adults who have received instruction and have given evidence of having an adequate understanding and acceptance of the teachings of the Word of God as confessed by the Lutheran Church, shall, upon confession of faith and Christian Baptism duly recorded as a ministerial act performed under the auspices of this congregation, be received as baptized members of this congregation.

C8.02.02 Admission to Confirmed Membership

- a. Baptized adults, not previously members of the congregation, who have received instruction and have given evidence of having adequate understanding and acceptance of the teachings of the Word of God as confessed by The Lutheran Church, shall be admitted to confirmed membership through the rite of confirmation.
- b. Adults received as baptized members according to the provisions of paragraph 2.01d of this part of the bylaws shall be recognized as confirmed members, whether or not, at the discretion of the pastor, they have participated in the rite of confirmation.
- c. Children who are baptized members of the congregation shall be admitted to confirmed membership through participation in the rite of confirmation.
- d. Applicants for membership presenting Letters of Transfer showing them to be in good standing in other Lutheran Congregations or presenting evidence of confirmation in a Lutheran congregation shall be admitted to confirmed membership.
- e. All persons being admitted to confirmed membership shall be formally received by the congregation at a public service.

C8.02.03 Admission to Voting Membership

a. The Congregation Council shall be responsible for determining the voting membership in accordance with the qualifications specified in the constitution and bylaws.

C8.02.04 Discontinuance of Membership

- a. Members who move away shall be encouraged to transfer their membership. A confirmed member in good standing desiring to change membership to another Lutheran congregation shall, upon request, receive a Letter of Transfer.
- b. A confirmed member who shows no interest in attending church services, and does not partake of Holy Communion, and who does not contribute to the congregational treasury according to the congregation's records, for a period of two years, shall be presumed no longer to desire membership, shall lose the right to vote, and shall not be counted in the membership statistics of the congregation. However, the name and record shall be kept in the files for a period of five years thereafter. Such a person shall be encouraged to take part in the congregational life, or to transfer elsewhere, as the situation may indicate to be advisable. Upon resuming activity within the five-year period, the member shall be restored to the active membership list; if not, the member shall be dismissed from the congregation.
- c. Children, neither of whose parents or guardians are active members of the congregation, shall be dropped from the baptized membership role if they fail to participate in the Christian education program of the congregation.
- d. Members who have been dismissed, or who have resigned; and members who have transferred to another Lutheran congregation; or who are definitely known to have become members of other congregations without transfer, have thereby terminated their membership in the congregation and have surrendered all membership rights.

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

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

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

C8.04.01. Participation in Holy Communion shall be open to members of Bethel, as well as to other Christian believers, who have been prepared by appropriate instruction to put their faith in Jesus Christ as their Savior and Lord and to appreciate the Lord's Supper as His means of meeting them with His grace.

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

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

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

Chapter 9. ROSTERED MINISTER

***C9.01.** Authority to call a pastor shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod.

***C9.02.** This congregation may call as a pastor only:

- a. a member of the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America; or

- b. a candidate for the roster of Ministers of Word and Sacrament who has been recommended for this congregation by the synod bishop.

C9.02.01

When the congregation has voted to call a pastor, it shall issue a Letter of Call to the pastor-elect in a form approved by the ELCA. It shall be signed by the president and personnel officer and shall be verified by the signature of the bishop of the synod. The senior pastor shall be consulted in issuing additional calls to positions of assistance in accordance with the provisions of this paragraph.

The call shall normally be for an indefinite time.

C9.02.02

C9.02.03

When receiving a call to another congregation, the pastor or minister of word and service is encouraged to consult with members of the present congregation before coming to a decision. The pastor or minister of word and service should attempt to reach a decision as quickly as possible, normally within three weeks, and shall thereupon notify the present congregation and the synod bishop. When a release has been granted and the call accepted, the pastor or minister of word and service shall terminate the current ministry and transfer to the new field of service as quickly as feasible, normally within one month.

C9.02.04

A desire for change in a pastor by either the congregation or the rostered leader shall be brought to the attention of the bishop of the synod, who shall advise in the matter of accordance with this constitution (Chapter 9) and with the established procedures of the ELCA.

The congregation requires that it shall be loyal to the faith and purpose of the congregation as stated in Chapters 2 and 4 of this constitution.

C9.02.05

Rostered leaders qualified according to Chapter 9.02. of this constitution may occasionally perform pastoral functions in this congregation with the approval of the congregation and its rostered leader, or in the case of vacancy in the rostered leader position, with the approval of the congregation and the synod bishop.

C9.02.06

***C9.03.**

Consistent with the faith and practice of the Evangelical Lutheran Church in America,

- a. Every minister of Word and Sacrament shall:

- 1) preach the Word;
- 2) administer the sacraments;
- 3) conduct public worship;
- 4) provide pastoral care;
- 5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
- 6) impart knowledge of this church and its wider ministry through available channels of effective communication;
- 7) witness to the Kingdom of God in the community, in the nation, and abroad; and
- 8) speak publicly to the world in solidarity with the poor and oppressed, proclaiming God's love for the world, advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations.

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

- 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
- 2) relate to all schools and organizations of this congregation;
- 3) install regularly elected members of the Congregation Council;
- 4) with the council, administer discipline;
- 5) endeavor to increase the support given by the congregation to the work of the churchwide organization and of the Southeastern Minnesota Synod; and
- 6) encourage adherence to covenantal relationship with this church as expressed in the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.

***C9.04.**

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

***C9.05.**

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

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

- 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the pastor, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the pastoral office effectively in this congregation in view of local conditions;
 - 4) inability to conduct the pastoral office effectively in view of disability or incapacity of the pastor;
 - 5) suspension of the pastor through discipline for more than three months;
 - 6) resignation or removal of the pastor from the roster of Ministers of Word and Sacrament of this church;
 - 7) termination of the relationship between this church and this congregation;
 - 8) dissolution of this congregation or the termination of a parish arrangement; or
 - 9) suspension of this congregation through discipline for more than six months.
- b. When allegations of disability or incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,
- 1) the bishop, who has 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 disability or incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament with disability status. Upon resumption of the ability to conduct the office effectively, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.
- d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the pastor and then to this congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, this congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.
- *C9.06.** At a time of pastoral vacancy, an interim pastor may be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.
- *C9.07.** During the period of service, an interim pastor shall have the rights and duties in this congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any rostered minister providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously

agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.

***C9.08.** This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting.

***C9.09.** When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.

***C9.11.** With the approval of the bishop of the synod, this congregation may depart from *C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.05.a.

***C9.12.** The pastor of this congregation:

- a. shall keep accurate records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from this congregation;
- b. shall submit a summary of such statistics annually to the synod; and
- c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.

***C9.13.** The pastor(s) shall submit a report of ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

***C9.14.** The records of this congregation shall be maintained by the pastor and shall remain the property of this congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in the secretary's hands in good order by a departing pastor before the installation of that pastor in another call or approval of a request for change in roster status.

***C9.15.** Under special circumstances, subject to the approval of the synod bishop and the concurrence of this congregation, a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between this congregation and the pastor in a form proposed by the synod bishop and approved by this congregation.

***C9.21.** Authority to call a deacon shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod.

***C9.22.** This congregation may call as a deacon only:

- a. a member of the roster of Ministers of Word and Service of the Evangelical Lutheran Church in America; or
- b. a candidate for the roster of Ministers of Word and Service who has been recommended for this congregation by the synod bishop.

***C9.23.** Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:

- a. Be rooted in the Word of God, for proclamation and service;
- b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
- c. Speak publicly to the world in solidarity with the poor and oppressed, proclaiming God's love for the world, advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations;
- d. Equip the baptized for ministry in God's world that affirms the gifts of all people;
- e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;

- f. Practice stewardship that respects God's gift of time, talents, and resources;
 - g. Be grounded in a gathered community for ongoing diaconal formation;
 - h. Share knowledge of this church and its wider ministry of the gospel and advocate for the work of all expressions of this church; and
 - i. Identify and encourage qualified persons to prepare for ministry of the gospel.
- *C9.24.** The specific duties of the deacon, compensation, and other matters pertaining to the service of the deacon shall be included in a letter of call, which shall be attested by the bishop of the synod.
- *C9.25.** The provisions for termination of the mutual relationship between a minister of Word and Service and this congregation shall be as follows:
- a. The call of this congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the deacon's death or, following consultation with the synod bishop, for any of 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) inability to conduct the office effectively in view of disability or 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 disability or 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, who has 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 disability or incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service with disability status. Upon resumption of the ability to conduct the office effectively, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.
 - d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the deacon, if appropriate. If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.
 - e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the

committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.

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

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

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

***C9.28.** With the approval of the bishop of the synod, this congregation may depart from *C9.25.a. and call a deacon for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the deacon and representatives of this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.25.a.

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

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

Chapter 10. CONGREGATION MEETING

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

C10.01.01. The Annual Meeting of this congregation shall be held on the last Sunday in January unless otherwise determined by the Congregation Council.

C10.01.02. Prior to the Annual Meeting, the final financial report of the previous fiscal year and the proposed budget for the next year will be presented to the congregation at a special meeting.

C10.01.A25. To enhance understanding and support, a special congregational meeting will be held to approve any beyond-the-budget effort that exceeds 5% of the annual operating budget (roughly \$50,000).

C10.01.03. Elections shall take place during the Annual Meeting as needed.

- a. In addition to the candidates submitted by the nominating committee, additional nominations may be made from the floor.
- b. No member shall be declared elected without receiving a majority of the votes cast.
- c. If more than one ballot is required in an election, a motion shall be in order to limit the balloting after the first ballot to the three candidates receiving the highest number of votes.

C10.01.04. The congregation, at its Annual Meeting, shall elect in the manner provided in the bylaws a Congregation Council including officers which 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 ELCA.

C10.02. A special Congregation Meeting may be called by the senior pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of this congregation upon the written request of 10 percent of the voting members. The president of the Congregation Council shall call a special meeting upon request of the synod bishop. The call for each special meeting shall specify the purpose for which it is to be held, and no other business shall be transacted.

- C10.03.** Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail or electronic means, as permitted by state law, to all voting members at least 10 days in advance of the date of the meeting.
- C10.03.01.** A meeting of the congregation may, by majority vote, recess to reconvene at a specified time and place. A reconvened meeting must be announced at a regular Sunday service of the congregation, or by mail or electronic means, to the voting members not less than five days in advance of the reconvened meeting.
- C10.04.** Sixty voting members shall constitute a quorum.
- C10.05.** Voting by proxy or by absentee ballot shall not be permitted.
- C10.05.01.** Voting shall be held by voice vote, provided however that in the following cases voting may be by written ballots:
- To elect members of the Congregation Council;
 - To adopt and amend the articles of incorporation, constitution, or bylaws of the congregation;
 - To call a rostered leader or request resignation;
 - To remove a member from office in the congregation;
 - To sever membership with the ELCA;
 - To dispose of, encumber, or purchase real property;
 - When requested by ten or more voting members present.
- C10.06.** All actions approved by this congregation shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution or by state law.
- C10.07.** *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all meetings of this congregation.
- C10.08.** This congregation may hold meetings by remote communication, including electronically and by telephone conference, as long as there is an opportunity for simultaneous aural communication or its equivalent. To the extent permitted by state law, notice of all meetings may be provided electronically.
- C10.09.** “*Ex officio*” as used herein means membership with full rights of voice and vote unless otherwise expressly limited.

Chapter 11. OFFICERS

- C11.01.** The officers of this congregation shall be a president, president-elect, secretary, and treasurer.
- Duties of the officers shall be specified in the bylaws.
 - The officers shall be voting members of this congregation.
 - Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.
 - If the Congregation Council elects its officers, the president, president-elect, and secretary shall be selected from the elected membership of the Congregation Council. If the treasurer is not selected from the elected membership of the Congregation Council, the treasurer shall have voice but not vote at the meetings of the Congregation Council.
- C.11.02.** The Congregation Council shall elect its officers, and they shall be the officers of this congregation. The Congregation, at each Annual Meeting, shall vote to accept the nominated council members. Their terms shall begin at the close of the Annual Meeting at which they are elected.
- C11.02.01.** The duties of the Congregation Council shall include the following:
- 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.
 - To seek to involve all members of this congregation in worship, learning, witness, service, and support.
 - To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
 - To maintain supportive relationships with the rostered leader and staff and help them annually to evaluate the fulfillment of their calling or employment.

- e. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
- f. To promote a congregational climate of peace and goodwill and, as differences and conflicts arise, to endeavor to foster mutual understanding.
- g. To arrange for pastoral service during the sickness or absence of the pastor.
- h. To emphasize support of the synod and churchwide organization of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.
- i. To consider the use of program resources produced or approved by the Evangelical Lutheran Church in America.
- j. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.

C11.02.02. The elected officers of this congregation shall be the President, President Elect, Secretary, Trustee, Financial Officer, Steward, Personnel Officer, and three (3) At Large Officers.

- a. A listing of the full Congregation Council and terms of service follows:

<u>Member</u>	<u>Term</u>
President	2 Years
President-Elect	2 Years
Secretary	2 years
Trustee	2 Years
Financial Officer	2 Years
Steward	2 Years
Personnel Officer	2 Years
At Large Officers (3)	2 Years

C11.02.03. A member of the Congregation Council may succeed oneself for two terms. An unexpired term of less than one year shall not be considered a term of office. Terms will be arranged so half of the council shall be elected each year. These terms shall begin at the close of the Annual Meeting at which they are elected.

C11.02.04. Duties of officers and rostered leaders of the Congregation Council:

- a. President - The President shall preside at the Annual Meetings of the Congregation and at the meetings of the Congregation Council. The President shall be a member of the Finance Committee and an ex officio member of the Personnel Committee. The President shall serve on the Executive Committee.
- b. President-Elect - The President-Elect shall perform the duties of the President in their absence and shall serve on the Executive Committee. The President-Elect shall succeed to the presidency if the President is unable to complete their term. The President-Elect shall be elected from the membership of the congregation by majority vote of members present at the Annual Meeting of the congregation. Nominations shall be pursuant to procedures provided by the by-laws. The President-Elect shall succeed to the presidency for the two years following their term as President-Elect. If the President-Elect is unable to succeed to the presidency, the President shall be elected from the membership of the congregation by a majority vote of those present at the Annual Meeting of the congregation. Nominations shall be pursuant to procedures provided in the by-laws.
- c. Secretary - The Secretary shall take minutes at all Council meetings, at the Annual Meeting, and at additional meetings as needed.
- d. Trustee - The Trustee shall be responsible for the care of church property. Building and grounds, internal and external maintenance and upgrades, insurance and contracts, document storage, and custodial supervision are the concerns of the Trustee. The Trustee may oversee an appointed group of members known as the property task force who will assist the Trustee in carrying out these duties. The Trustee shall be a member of the Finance Committee.
- e. At Large Officer - The At Large Officer(s) will serve at the direction of the President to ensure the Congregation Council gives appropriate attention to areas such as Service and Fellowship and to direct other special projects as needed. In the event a confirmed youth serves as an At Large Officer, the term may be limited to one year.

- f. **Financial Officer** - The Financial Officer shall be the custodian of all funds of the congregation, and shall disperse all such funds in accordance with the decisions of the congregation and the congregational council. The Financial Officer shall present the year-end financial statements at the annual congregational meeting and such other reports to the Congregation Council as may be required. The Financial Officer shall arrange for an audit of the financial statements as prescribed by C12.03 of the congregation's constitution. The Financial Officer shall be a member of the Finance Committee and serve as its chair. The Financial Officer shall serve on the Executive Committee.
- g. **Steward** - In addition to providing regular reports and analyses to the council on the financial stewardship of the membership, the Steward will work with the rostered leader and a Stewardship Task Force as needed in planning and executing the annual financial stewardship program. The Steward shall be a member of the Finance Committee.
- h. **Personnel Officer** - The Personnel Officer shall chair the Personnel Committee which is organized to supervise hiring procedures for all staff and to enhance job performance. The Personnel Officer shall serve on the Executive Committee.
- i. **The Executive Committee** - The officers of President, President-Elect, Personnel, Finance and the senior pastor shall constitute the Executive Committee. The Executive Committee shall be responsible for convening to tend to issues that are of an urgent and pressing need and the timeliness to act is immediate. Additional council members may be included as needed.
- C11.02.05.** The Congregation Council shall see that the provisions of this constitution and its bylaws are carried out.
- C11.02.06** The Congregation Council shall oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission. The Council will support the pastor or minister of word and service and staff in their work, and foster the fulfillment of their call or position.
- C11.02.07.** The Congregation Council shall meet before the Annual Meeting to ratify the slate of candidates for officers and pastor or minister of word and service positions recommended by the nominating committee for election at the Annual Meeting.
- C11.02.08.** The rostered leaders shall be ex officio ("by virtue of office") members of the Congregation Council. In addition, the Director of Children's and Family Ministries, the Director of Music and Worship, and the Director of Youth Ministries, shall be ex officio (non-voting) members of the Congregation Council, who may be asked by the Congregation Council to attend council meetings and participate in discussions related to church programs and business items as necessary.
- C11.02.09.** The Congregation Council shall meet monthly or as necessary as determined by the Congregation Council.
- C11.02.10** The Congregation Council shall not transact any business unless a majority of its members are present.
- C11.02.11.** The Congregation Council shall as far as possible operate within the limits of the approved budget of the congregation.
- C11.02.12.** The Congregation Council shall by its own action fill any vacancy until the next Annual Meeting, unless the time period be deemed too short.
- C11.02.13.** The Congregation Council shall be ultimately responsible for the financial and property matters of this congregation. It shall have the powers and be subject to the obligations that pertain to such bodies under the laws of the State of Minnesota except as otherwise provided herein.
- C11.02.14** 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.
- C11.02.15** The Congregation Council shall submit a comprehensive report to this congregation at the Annual Meeting.
- C11.02.16.** Other responsibilities of the Congregation Council:
- a. The Congregation Council entrusts the Personnel Committee and Finance Committee to secure such help as is needed to carry on the work of the congregation, such as organist, choir directors, youth director, office manager, financial secretary, custodian, etc., and to fix their salaries.
 - b. The salaries of the rostered leaders and all hired staff shall be the responsibility of the Personnel Committee and Finance Committee, subject to the approval of the Congregation Council and subject to the congregation's approval of the budget.

C11.03. No officer shall hold more than one office at a time.

Chapter 12. CONGREGATION COUNCIL

C12.01. The Congregation Council shall appoint (from its own membership and from the congregation) committees on Finance, Property, Personnel, and Stewardship, and shall also have authority to appoint such other boards and committees as may from time to time be necessary or advisable. The appointment of all members of such boards and committees shall be subject to approval by the Congregation Council.

C12.02. A Nominating Committee of three voting members of this congregation, two of whom shall be members of the Congregation Council, shall be elected at the Annual Meeting for a term of one year. The president of the Congregation Council shall serve as convener and the pastor as an advisory member. The members of the Nominating Committee shall serve for the year following their election. They shall nominate one or more candidates for each office to be filled and shall secure the consent of each candidate to serve if elected. When a pastoral vacancy occurs, the Nominating Committee shall be responsible for nominating candidates for the Call Committee. A vacancy in the congregationally elected membership of the nominating committee shall be filled by appointment by the Congregation Council.

C12.03. An Audit Committee of two or more voting members shall be appointed by the Congregation Council. Audit Committee members shall not be members of the Congregation Council. This committee shall complete an annual audit of all financial records of the congregation no later than March 31st of the year immediately following the year for which the audit is being conducted, and shall present its report in writing to the Congregation Council no later than April 30th of the year immediately following the year for which the audit is being conducted.

C12.04. A Staff Support Committee may be appointed as needed. Members shall be appointed jointly by the Personnel Committee chair and the pastor. Committee members will hold no other elected office in the congregation during their term.

C12.05. When a pastoral vacancy occurs, a Call Committee of 7 to 10 voting members shall be elected by this congregation, based on the candidates provided by the Nominating Committee. Term of office will terminate at installation of the newly called pastor.

C12.06. There shall be an Executive Committee of the Congregation Council, its membership and term as specified in the Bylaws, with such powers and duties as the Congregation Council may delegate to it. The Executive Committee shall consider and act on matters referred to it by the Congregation Council, rostered leaders, or by the president of this congregation.

Chapter 13. CONGREGATION COMMITTEES

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

C13.02. A *Nominating Committee* of 3 voting members of this congregation, two of whom, if possible, shall be members of the Congregation Council, shall be elected at the Annual Meeting for a term of one year.

Members of the Nominating Committee are not eligible for consecutive re-election.

C13.03. An *Audit Committee* of three voting members shall be elected by the Congregation Council. Audit Committee members shall not be members of the Congregation Council. Term of office shall be three years, with one member elected each year. Members shall be eligible for re-election.

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

C13.05. When a vacancy occurs in a position for which this congregation calls a rostered minister, a *Call Committee* of six voting members shall be elected by the Congregation Council. Term of office will terminate upon installation of the newly called rostered minister.

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

- C13.07.** Duties of committees of this congregation shall be specified in the bylaws.
- C13.08.** The senior pastor of this congregation shall be an *ex-officio* member of all committees and boards of this congregation. The president of this congregation shall be an *ex-officio* member of all committees and boards of this congregation, except the Nominating and Finance Committees.

Chapter 14. ORGANIZATIONS WITHIN THE CONGREGATION

C14.01. All organizations within this congregation shall exist to aid it in ministering to the members of this congregation and to all persons who can be reached with the Gospel of Christ. As outgrowths and expressions of this congregation's life, the organizations are subject to its oversight and direction. This congregation at its meeting shall determine their policies, guide their activities, and receive reports concerning their membership, work, and finances.

C14.02. Special interest groups, other than those of the official organizations of the Evangelical Lutheran Church in America, may be organized only after authorization has been given by the Congregation Council.

C14.02.02. All committees and organizations handling funds within the congregation shall submit accounts to the church office at least 14 days prior to the Annual Meeting for inclusion in the annual report.

Chapter 15. DISCIPLINE OF MEMBERS AND ADJUDICATION

***C15.01.** Persistent and public denial of the Christian faith, willful or criminal conduct grossly unbecoming a member of the Church of Christ, continual and intentional interference with the ministry of this congregation, or willful and repeated harassment or defamation of member(s) of this congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will be attempted following Matthew 18:15–17, proceeding through these successive steps, as necessary:

- a. private counsel and admonition by the pastor,
- b. censure and admonition by the pastor in the presence of two or three witnesses,
- c. written referral of the matter by the Congregation Council to the vice president of the synod, who will refer it to a consultation panel drawn from the Consultation Committee of the synod, and
- d. written referral of the matter by the consultation panel to the Committee on Discipline of the synod.

If, for any reason, the pastor is unable to administer the admonitions required by a. and b. hereof, those steps may be performed by another pastor chosen by the Executive Committee of the Congregation Council.

***C15.02.** The process for discipline of a member of this congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If the counseling, censure, and admonitions pursuant to *C15.01. do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three laypersons and two rostered ministers).

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 this congregation; or
- d. termination of membership in this congregation and exclusion from the church property and from all congregation activities.

***C15.06.** The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next council meeting.

***C15.07.** No member of this congregation shall be subject to discipline a second time for offenses that a discipline hearing panel has heard previously and decided pursuant to this chapter.

***C15.10. Adjudication**

***C15.11.** When there is disagreement between or among factions within this congregation on a substantive issue which cannot be resolved by the parties, members of this congregation may petition the synod bishop for consultation after informing the president [vice president] of this congregation of their intent to do so. The synod bishop shall seek a timely resolution of the dispute. If the issue relates directly to the pastor, the bishop may begin the process in *C9.05.d. In all other matters, if the bishop's consultation fails to resolve the issue, the bishop shall refer the matter to the Consultation Committee of the synod, which shall undertake efforts to find an appropriate solution. If the Consultation Committee's efforts fail to resolve the dispute, the entire matter shall be referred to the Synod Council for adjudication by whatever process the Council deems necessary. The Synod Council's decision shall be final.

Chapter 16. AMENDMENTS

***C16.01.** Unless provision *C16.04. is applicable, those sections of this constitution that are not required, in accord with the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, may be amended in the following manner. Amendments may be proposed by at least 10 voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify this congregation's members of the proposal together with the council's recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.

***C16.02.** An amendment to this constitution, proposed under *C16.01., shall:

- a. be approved at any legally called meeting of this congregation by a majority vote of those voting members present and voting; and
- b. be ratified unchanged at the next regular meeting of this congregation by a two-thirds vote of those voting members present and voting.

***C16.03.** Any amendments to this constitution that result from the processes provided in *C16.01. and *C16.02. shall be sent by the secretary of this congregation to the synod. The synod shall notify this congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.

***C16.04.** This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* as most recently amended by the Churchwide Assembly. Such amendments may be approved by a majority vote of those voting members present and voting at any legally called meeting of this congregation without presentation at a prior meeting of this congregation, provided that the Congregation Council has

submitted by mail or electronic means, as permitted by state law, notice to this congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of at least two (2) voting members of this congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of this congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following the congregation's vote of approval.

Chapter 17. BYLAWS

- *C17.01.** This congregation may adopt bylaws. No bylaw may conflict with this constitution.
- *C17.02.** Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a two-thirds vote of those voting members present and voting.
- *C17.03.** Changes to the bylaws may be proposed by any voting member, provided that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify this congregation's members of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting. Notification may take place by mail or electronic means, as permitted by state law.
- *C17.04.** Adopted or amended bylaws shall be sent by the secretary of this congregation to the synod.

Chapter 18. CONTINUING RESOLUTIONS

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

Chapter 19. INDEMNIFICATION

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

This CONSTITUTION and BYLAWS was prepared during 1996 by authorization of Bethel Congregation. It was presented to the Congregation at its Annual Meeting, November 11, 1996, and accepted. It received final adoption at the Annual Meeting of January 21, 1997.

Changes to this CONSTITUTION and BYLAWS were presented at a Bethel Congregational Meeting on December 8, 2002, and accepted by an overwhelming majority. The changes received final adoption at the Annual Meeting of January 14, 2003.

Changes to these BYLAWS were adopted by the Bethel Congregation at the Annual Meeting of January 29, 2012.

Changes to this CONSTITUTION and BYLAWS were presented at a Bethel Congregational Meeting on December 2, 2012, and accepted by an overwhelming majority. The changes were ratified at the Annual Meeting of the Congregation on January 27, 2013.

Changes to this CONSTITUTION and BYLAWS were presented at a Bethel Congregational Meeting on September 23, 2018 and accepted by an overwhelming majority.

Changes to this CONSTITUTION and BYLAWS were ratified at the Annual Meeting of the Congregation on January 27, 2019.

Changes to this CONSTITUTION and BYLAWS were presented at a Bethel Congregational Meeting on XXX and accepted by an overwhelming majority.

Changes to this CONSTITUTION and BYLAWS were presented and ratified at the Annual Meeting of the Congregation on January 26, 2025 and accepted by unanimous vote.