

CONSTITUTION, BYLAWS, and CONTINUING RESOLUTIONS
For
THE NEW HANOVER EVANGELICAL LUTHERAN CHURCH
GILBERTSVILLE, PENNSYLVANIA

TABLE OF CONTENTS

	Page
Explanation of Section Identifiers.....	2
*PREAMBLE.....	3
Chapter 1 - NAME AND INCORPORATION.....	3
Chapter 2 - CONFESSION OF FAITH	3
Chapter 3 - NATURE OF THE CHURCH.....	4
Chapter 4 - STATEMENT OF PURPOSE	4
Chapter 5 - POWERS OF THE CONGREGATION.....	6
Chapter 6 - CHURCH AFFILIATION.....	7
Chapter 7 - PROPERTY OWNERSHIP	9
Chapter 8 - MEMBERSHIP	10
Chapter 9 - ROSTERED MINISTER.....	12
Chapter 10 - CONGREGATION MEETING	18
Chapter 11 - OFFICERS.....	18
Chapter 12 - CONGREGATION COUNCIL	19
Chapter 13 - CONGREGATION BOARDS AND COMMITTEES	22
Chapter 14 - ORGANIZATIONS WITHIN THIS CONGREGATION	27
Chapter 15 - DISCIPLINE OF MEMBERS AND ADJUDICATION	27
Chapter 16 - AMENDMENTS.....	29
Chapter 17 - BYLAWS.....	30
Chapter 18 - CONTINUING RESOLUTIONS.....	30
Chapter 19 - INDEMNIFICATION.....	31
Chapter 20 - PARISH AUTHORIZATION.....	31
Appendix A: RECORD OF CHANGE.....	32

Explanation of Section Identifiers

Constitutional Provisions:

C#.##. denote constitutional provisions. These have two sets of numbers, each followed by a period: the chapter number (preceded by a “C”) and a two-digit sequence number. Constitutional provisions that this congregation may not change are indicated with an [*]. These provisions are required by the ELCA Model Constitution and cannot be altered or deleted in any manner. Constitutional amendments require 1) a SEPA Synod review for approval; 2) congregation approval by majority vote at any legally called congregation meeting, and 3) congregation ratification by two-thirds vote at the Annual Congregation meeting. See Chapter 16 for details.

Bylaws:

C#.##.##. denote provisions of the bylaws. These have three sets of numbers, each followed by a period: the chapter number (preceded by a “C”), the related constitutional provision number, and a two-digit sequential bylaw number. 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. See chapter 17 for details.

Continuing Resolutions:

C#.##.###.LYY. denotes Continuing Resolutions. These have three sets of numbers, each followed by a period: the chapter number (preceded by a “C”), the related constitutional provision number, and a third set preceded by a capital letter indicating sequence and the two-digit number indicating the year of its adoption. Continuing resolutions may be enacted or amended by a majority vote of the congregation, or a two-thirds vote by the Congregation Council. See Chapter 18 for details.

Questions may be sent by email to constitution@newhanoverlutheran.org

***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 New Hanover Evangelical Lutheran Church.
- C1.01.01. The SEAL of the Congregation shall:
 - a. present the name and location of the congregation
 - b. be kept by the pastor(s) in a secure place in the church
 - c. be used by the pastor or the Congregation Council officers for all official documents
- C1.02. For the purpose of this constitution and the accompanying bylaws and continuing resolutions, the congregation of The New Hanover Evangelical Lutheran Church is hereinafter designated as "this congregation."
- C1.03. This congregation shall be incorporated under the laws of the Commonwealth of Pennsylvania.

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.

C4.05.A17. Mission Statement

Hearing, Embracing and Sharing God's Word with All through Worship, Fellowship and Outreach

C4.05.B25. Reconciling in Christ Welcome Statement

You are always welcome at New Hanover Evangelical Lutheran Church. We are a growing community of believers in Jesus Christ, rooted in God's love and guided by Christ's example. We strive to reach out with compassion, offering a place where you can grow in faith, experience God's grace and feel safe and celebrated. At New Hanover Evangelical Lutheran Church, we want you to gather with us at our table. Rooted in our Lutheran faith and belief that we are all children of God and made in God's image, we welcome all people with dignity and love.

In Romans 15:7, Paul writes, "Accept one another, then, just as Christ accepted you, in order to bring praise to God."

By this belief, we are committed to intentionally following Jesus' example of unconditional hospitality, love and justice. Here, you are not only included, you are respected. We affirm and value people of all races, ethnicities, sexual orientations, gender identities, gender expressions, cultures, ages, abilities, body sizes, relationship statuses and economic or immigration statuses. We are committed to the ongoing work toward racial equity and inclusion in all we do. You are invited to fully participate in our worship, sacraments, leadership positions, gatherings, and ministries. In our identities, we are united by the common faith we hold and recognize we each offer unique gifts and perspectives. We believe that this transforms lives and deepens the faith of our community.

Christ's door is open to all, so is ours.

- *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:
- call a pastor as provided in Chapter 9;
 - terminate the call of a pastor as provided in Chapter 9;
 - call a minister of Word and Service;

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

*C5.04. This congregation 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 Pennsylvania Synod of the Evangelical Lutheran Church in America.

Chapter 6 - CHURCH AFFILIATION

*C6.01. This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the Southeastern Pennsylvania Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.

*C6.02. This congregation accepts the Confession of Faith and agrees to the purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.

*C6.03. This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:

- a. This congregation agrees to be responsible for its life as a Christian community.
- b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
- c. This congregation agrees to call pastoral leadership from the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services with a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.
- d. This congregation agrees to consider ministers of Word and Service for call to other staff positions in this congregation according to the procedures of the Evangelical

Lutheran Church in America.

- e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America and with the constitution of the synod.

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

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

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

- a. A resolution indicating the intent to terminate its relationship must be adopted at two legally called and conducted special meetings of this congregation by a two-thirds vote of the voting members present at each meeting. The first such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time this congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the Congregation Council. Unless 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 Pennsylvania 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 Pennsylvania 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 Pennsylvania 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.

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

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

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

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

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

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

constitution and its bylaws.

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

- C8.05.01. An inactive member is defined as a confirmed person on the church rolls who has not communed in this congregation and who has also not made a contribution of record to this congregation during the current or preceding calendar year.
- C8.05.02. This congregation will always encourage inactive members to return and be part of our Christian family. As God does not forsake us, it is our duty as members of God's church at this congregation to not forsake our inactive members.

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.A26. Reconciling in Christ Called Rostered Leader Statement
We are open to calling a rostered leader of any race, ethnicity, sexual orientation or gender identity.
- *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 Pennsylvania 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.
- C9.10. (Reserved for a future amendment)
- *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.
- C9.16. through C9.20. (reserved for future amendments)
- *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.

C9.30. is reserved for a future amendment

*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 Commonwealth of Pennsylvania, the bylaws shall designate one regular meeting per year as the annual meeting of this congregation.
- C10.01.01. The annual meeting of the congregation shall occur during the months of January, February, or March. The exact time for such a meeting shall be set by the Congregation Council.
- C10.02. A special Congregation Meeting may be called by the senior pastor(s), 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 14 days in advance of the date of the meeting.
- C10.04. Eighteen (18) voting members shall constitute a quorum.
- C10.05. Voting by proxy shall not be permitted. Consistent with the laws of the Commonwealth of Pennsylvania, remote voting (e.g. absentee ballots, mail-in ballots, electronic ballots, etc.) shall be permitted, as determined by the Congregation Council for each regular and special congregation meeting. The Congregation Council shall establish and oversee the procedures, to be described in the continuing resolutions, for remote voting by voting members of this congregation, ensuring fairness, security, and the integrity of the vote.
- C10.06. All actions approved by this congregation shall be by majority vote of those voting members present (either in-person or remotely attending) 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.

Chapter 11 - OFFICERS

- C11.01. The officers of this congregation shall be a president, vice president, secretary, financial secretary and treasurer. The officers shall be voting members of this congregation. Duties of the officers shall be specified in the bylaws.

- C11.02. The Congregation Council shall elect its officers who shall also serve as the officers of this congregation.
- a. The officers shall be elected and shall serve for one year or until their successors are elected. Their terms shall begin at the meeting at which they are elected.
 - b. The president, vice president and secretary, shall be elected from the elected membership of the Congregation Council.
 - c. The financial secretary and the treasurer shall be elected from either:
 - 1) the elected membership of the Congregation Council; or
 - 2) other voting members of this congregation.
 - d. If either the financial secretary or the treasurer is not a congregation-elected member of the Congregation Council, they shall have voice but not vote at meetings of the Congregation Council.
- C11.02.01. The duties of the officers of the congregation shall be as follows:
- a. The president shall preside at all meetings of the congregation and the Congregation Council and be an ex officio member of all boards and committees. In the event of the president's inability to perform his/her duties, the vice president shall serve in his/her stead.
 - b. The vice president shall function in the role of President whenever that officer is absent or that role unfilled.
 - c. The secretary shall keep accurate minutes of all meetings of the congregation and the Congregation Council which will be preserved permanently in this congregation's archives. In addition, the Secretary shall be responsible for correspondence of these bodies and be available to sign official documents which may require the signature of officials of the congregation.
 - d. The financial secretary shall keep records of all contributions from members and report same to these individual members. The Financial Secretary shall be a member of the Stewardship and Finance Committees.
 - e. The treasurer shall keep the books of account of the congregation, shall receive all funds and disperse them on proper orders; shall make a monthly report to the Congregation Council, and shall make monthly remittance of benevolence receipts to the treasurer of the synod. The Treasurer shall be an ex officio member of all the committees for which the Finance Board is responsible.'
- C11.03. No officer shall hold more than one office at a time.

Chapter 12 - CONGREGATION COUNCIL

- C12.01. The voting membership of the Congregation Council shall consist of the pastor(s) and not more than 12 nor fewer than 6 voting members of this congregation. Any voting member of this congregation may be elected subject only to the limitation on the length of continuous service permitted in that office.
- C12.02. The members of the Congregation Council except the pastor(s) shall be elected by written or remote ballot by the congregation at its annual meeting, to serve for 3 years or until their successors are elected. Such members shall be eligible to serve no more than two full terms consecutively. Their terms shall begin at the close of the annual meeting at which they are elected.

- C12.02.A26. There shall be an annual Congregation Council orientation meeting with all newly elected Congregation Council members prior to the annual Congregation Council reorganization meeting. This orientation meeting shall be chaired by the Congregation Council President, the Pastor(s) and other appropriate Council members and guests shall be present. Topics to be discussed and reviewed shall be the last three months' meetings, an explanation of how the Congregation Council functions, how the new Congregation Council officers will be elected at the annual reorganization meeting, and other topics, as necessary.
- C12.02.B26. There shall be an annual Congregation Council reorganization meeting. The objective of the meeting will be to elect the officers of the Congregation Council and the officers of other Boards and Committees as ascribed in the constitution, bylaws, and continuing resolutions.
- C12.03. Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor until the next annual meeting. Individuals who have served less than half of a regular term shall be eligible for nomination and possible election to a full term. A member's place on the Congregation Council shall be declared vacant if
- a. the member ceases to be a voting member of this congregation or
 - b. the member is absent from four successive regular meetings of the Congregation Council without cause.
 - c. Consistent with the laws of the state in which this congregation is incorporated, this congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.
- C12.04. The Congregation Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:
- a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
 - b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
 - c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
 - d. To maintain supportive relationships with the rostered minister(s) and staff and help them annually to evaluate the fulfillment of their calling or employment.
 - e. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
 - f. To promote a congregational climate of peace and goodwill and, as differences and conflicts arise, to endeavor to foster mutual understanding.
 - g. To arrange for pastoral service during the sickness or absence of the pastor.
 - h. To emphasize support of the synod and churchwide organization of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.
 - i. To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.
 - j. To seek out and encourage qualified persons to prepare for the ministry of the

Gospel.

- C12.05. The Congregation Council shall be responsible for the financial and property matters of this congregation.
- a. The Congregation Council shall be the board of trustees of this congregation and, as such, shall be responsible for maintaining and protecting its property and managing its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the Commonwealth of Pennsylvania, except as otherwise provided herein.
 - b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of this congregation.
 - c. The Congregation Council may not enter into contracts in excess of 3 percent of the General Fund budget for items not included in the General Fund budget.
 - d. The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may not incur obligations of more than 3% (cumulative) in excess of the anticipated receipts unless approved at a Congregation Meeting. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in collaboration with the synod and churchwide organization.
 - e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of mission support monies to the synod treasurer.
 - f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.
- C12.06. The Congregation Council shall see that the provisions of this constitution, its bylaws, and the continuing resolutions are carried out.
- C12.07. The Congregation Council shall provide for an annual review of the membership roster.
- C12.08. The Congregation Council shall be responsible for the employment and supervision of the staff of this congregation. Nothing in this provision shall be deemed to affect this congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church.
- C12.08.A03. All non-rostered employee appointments shall receive a letter of acceptance from the Congregation Council that shall be signed and dated by the applicant. This letter of acceptance shall include a job description, yearly salary and benefits, as a minimum.
- C12.08.B03. The Congregation Council shall prepare and distribute a Non-Rostered Employee Handbook to all non-rostered employees. This handbook shall include a statement of purpose; a summary of federal, state, and local Employment Practice Laws; and basic information concerning the interrelationships between the congregation and its employees. In addition, the Congregation Council shall modify, explain, and distribute any changes to this handbook, as they are approved.
- C12.09. The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.

- C12.09.A26. The Congregation Council shall publish an annual report for the annual congregation meeting. This report shall include a detailed financial audit for the proceeding year; and a summary statement of the pastor's records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from this congregation that is sent to the synod, as a minimum. Reports from boards, committees, and organizations may also be reported at that time, depending on the wishes of the Congregation Council.
- C12.11. The Congregation Council shall normally meet once a month. Special meetings of the Congregation Council may be called by the pastor or the president, and shall be called by the president at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.
- C12.11.A26. The agenda of each Congregation Council meeting shall be determined by the Congregation Council President and will be distributed to the members of the Congregation Council, appropriate staff of the congregation, and any other appropriate parties prior to the meeting
- C12.12. A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the pastor or interim pastor, except when the pastor or interim pastor requests or consents to be absent and has given prior approval to the agenda for a particular regular or special meeting, which shall be the only business considered at that meeting. Chronic or repeated absence of the pastor or interim pastor who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synod bishop.
- C12.13. The Congregation Council and its committees may hold meetings by remote communication, including electronically and by telephone conference and, to the extent permitted by state law, notice of all meetings may be provided electronically.

Chapter 13 - CONGREGATION BOARDS AND COMMITTEES

- C13.01. Executive Committee
- a. There shall be an Executive Committee of the Congregation Council composed of the officers of the Congregation Council: the president, vice president, secretary, financial secretary, and treasurer, along with the pastor(s) who shall serve as an ex officio member(s) with voice and vote.
 - b. The Executive Committee shall have the authority to act for and on behalf of the Congregation Council in the interim between regular Council meetings, subject to the limitations set forth in this constitution, the bylaws, and the laws of Pennsylvania.
 - c. The duties of the Executive Committee shall be set forth in the bylaws and/or continuing resolutions.
 - d. Reporting to the Executive Committee shall be the following Standing Committees:
 - 1) Nominating Committee
 - 2) Audit Committee
 - 3) Personnel Committee

- 4) Communications Committee
- 5) Call Committee, when a vacancy occurs in a position for which this congregation calls a rostered minister.
- 6) Other committees as set forth in the bylaws and/or continuing resolutions, or as established by the Congregation Council.

The composition, membership requirements, and specific duties of each Committee reporting to the Executive Committee shall be set forth in the bylaws and/or continuing resolutions.

C13.02. Boards

- a. Boards of this congregation shall be permanent structural entities established in the bylaws of this congregation to manage and oversee a specific Ministry Focus of this congregation.

A Ministry Focus is a primary and enduring sphere of Christian service, communal life, and mission that is established by this congregation or its Congregation Council as defined in the continuing resolutions. A Ministry Focus is characterized by the need for continuity, long-range planning, and/or the carrying of specific operational or fiduciary risk.

- b. Each Board may have subordinate committees established to support the Ministry Focus of that Board.
- c. Each Board shall be responsible for its respective Ministry Focus as set forth in the bylaws and/or continuing resolutions and shall act as the primary policy-setting and coordinating body for all subordinate committees and task forces within its Ministry Focus.
- d. Each Board shall be accountable to the Congregation Council for the responsible stewardship of the Ministry Focus under its care and shall submit regular reports of its actions, plans, and financial needs to the Congregation Council.
- e. The Ministry Focus, composition, membership requirements, and specific duties of each Board shall be set forth in the bylaws and/or continuing resolutions.

C13.02.a.01. There shall be a Worship and Christian Education Board. Members of this Board shall include the following, all of whom shall have a voice and vote on this Board.

- a. A Chairperson, who shall be a voting member of this congregation, appointed annually by the Congregation Council.
- b. One or more Congregation Council members, appointed annually by the Congregation Council.
- c. One representative from each subordinate committee that reports to the Worship and Christian Education Board as defined in the Continuing Resolutions. Each representative shall be a voting member of this congregation.
- d. The Chairperson of this Board may recommend the appointment of additional At-Large Members who are voting members of this congregation, subject to approval by the Congregation Council.
- e. An individual Board member may hold multiple roles simultaneously, including serving as the representative from more than one subordinate committee, the Board Chairperson, and/or a Congregation Council appointee.

C13.02.a.A26. The Ministry Focus of the Worship and Christian Education Board shall be to ensure the services in God's house are conducted in a manner appropriate to help persons of all

ages to know and interpret the Bible and the teachings of the church.

- C13.02.a.02. There shall be a Community Outreach Board. Members of this Board shall include the following, all of whom shall have a voice and vote on this Board.
- a. A Chairperson, who shall be a voting member of this congregation, appointed annually by the Congregation Council.
 - b. One or more Congregation Council members, appointed annually by the Congregation Council.
 - c. One representative from each subordinate committee that reports to the Community Outreach Board as defined in the Continuing Resolutions. Each representative shall be a voting member of this congregation.
 - d. The Chairperson of this Board may recommend the appointment of additional At-Large Members who are voting members of this congregation, subject to approval by the Congregation Council.
 - e. An individual Board member may hold multiple roles simultaneously, including serving as the representative from more than one subordinate committee, the Board Chairperson, and/or a Congregation Council appointee.
- C13.02.a.B26. The Ministry Focus of the Community Outreach Board shall be to extend Christian compassion and helpfulness to persons of all ages in need of aid in body and soul.
- C13.02.a.03. There shall be a Property Board. Members of this Board shall include the following, all of whom shall have a voice and vote on this Board.
- a. A Chairperson, who shall be a voting member of this congregation, appointed annually by the Congregation Council.
 - b. One or more Congregation Council members, appointed annually by the Congregation Council.
 - c. One representative from each subordinate committee that reports to the Property Board as defined in the Continuing Resolutions. Each representative shall be a voting member of this congregation.
 - d. The Chairperson of this Board may recommend the appointment of additional At-Large Members who are voting members of this congregation, subject to approval by the Congregation Council.
 - e. An individual Board member may hold multiple roles simultaneously, including serving as the representative from more than one subordinate committee, the Board Chairperson, and/or a Congregation Council appointee.
- C13.02.a.C26. The Ministry Focus of the Property Board shall be the maintenance and protection of all property and equipment of this congregation, and to see that it is adequately insured.
- C13.02.a.04. There shall be a Finance Board. Members of this Board shall include the following, all of whom shall have a voice and vote on this Board.
- a. A Chairperson, who shall be a voting member of this congregation, appointed annually by the Congregation Council.
 - b. One or more Congregation Council members, appointed annually by the Congregation Council.
 - c. One representative from each subordinate committee that reports to the Finance Board as defined in the Continuing Resolutions. Each representative shall be a voting member of this congregation.
 - d. The Chairperson of this Board may recommend the appointment of additional At-

Large Members who are voting members of this congregation, subject to approval by the Congregation Council.

- e. An individual Board member may hold multiple roles simultaneously, including serving as the representative from more than one subordinate committee, the Board Chairperson, and/or a Congregation Council appointee.

C13.02.a.D26. The Ministry Focus of the Finance Board shall be to exercise oversight of all financial affairs of this congregation to ensure they are conducted efficiently.

C13.02.a.E26 Allocation of Undesignated Bequests

This resolution establishes the customary allocation for undesignated bequests to the congregation, ensuring a balance between long-term financial health, current operating needs, and external benevolence.

- a. Customary Allocation: Unless otherwise directed by the donor in writing, all undesignated bequests received by this congregation exceeding \$5,000 shall be allocated as follows:
 - Endowment Fund: 50%
 - General Fund: 50% total, with 10% of the total bequest amount designated as an outward benevolence expense to be distributed from the General Fund to agencies outside the congregation.
- b. Accounting and Distribution: Bequests shall be deposited into the Undesignated Gifts Fund into a bank or investment account as directed by the Finance Committee; 50% of which will be transferred to the Endowment Fund and 50% to the General Fund. The 10% outward benevolence portion shall be recorded as an expense of the General Fund and distributed by the Council per recommendations by the Mission Service committee in a timely manner.
- c. Threshold and Small Bequests: Undesignated bequests of \$5,000 or less shall be directed to the General Fund, unless the Congregation Council determines otherwise in a specific instance.
- d. Congregation Council Discretion: This allocation serves as a guideline for the stewardship of congregational assets. The Congregation Council retains the authority to adjust these percentages or redirect funds based on specific congregational needs, emergency financial circumstances, or mission priorities. Any deviation from these customary percentages shall be approved by a majority vote of the Council and recorded in the official meeting minutes.

C13.02.a.F26. There shall be a Learning Center Board. Members of this Board shall include the following, all of whom shall have a voice and vote on this Board except as noted:

- a. A Chairperson, who shall be a voting member of this congregation, appointed annually by the Congregation Council.
- b. One or more Congregation Council members, appointed annually by the Congregation Council.
- c. The pastor(s) of this congregation shall be an ex officio member(s) with voice and vote.
- d. The Director of Children, Family, and Youth of this congregation shall be an ex officio member with voice and vote.
- e. The New Hanover Sunshine Learning Center Director shall be an ex officio member with voice, but no vote.
- f. An accountant or business manager, appointed annually by the Congregation

Council, who may or may not be a voting member of this congregation.

- g. An educator (preferably in early childhood) not employed by The New Hanover Sunshine Learning Center, appointed annually by the Congregation Council, who may or may not be a voting member of this congregation.
- h. Two or more At-Large Members appointed annually by the Congregation Council, preferably meeting the following conditions:
 - 1) one, or more, is a parent of a student of The New Hanover Sunshine Learning Center, who may or may not be a voting member of this congregation.
 - 2) one, or more, adult who is not a parent of a student of The New Hanover Sunshine Learning Center and is a voting member of this congregation.

C13.02.a.G26. The Learning Center Board shall appoint its officers, including president, vice president, secretary, and treasurer, from among its members and shall submit those appointments for approval by the Congregation Council annually.

C13.02.a.H26. The Ministry Focus of the Learning Center Board shall be to ensure high-quality, safe learning experiences for children attending The New Hanover Sunshine Learning Center.

C13.02.b.A26. The Worship and Christian Education Board shall be responsible for the following standing committees:

- a. Worship Planning Committee
- b. Christian Education Committee
- c. Altar Guild
- d. Fellowship Committee

C13.02.b.B26. The Community Outreach Board shall be responsible for the following standing committees:

- a. Mission Service Committee
- b. Food Ministry Committee
- c. Peer Support Committee

C13.02.b.C26. The Property Board shall be responsible for the following standing committees:

- a. Property Committee
- b. Cemetery Committee
- c. Picnic Grove Committee

C13.02.b.D26. The Finance Board shall be responsible for the following standing committees:

- a. Finance Committee
- b. Stewardship Committee
- c. Endowment Committee

C13.03. Other committees of this congregation may be formed, as the need arises, by decision of the Congregation Council.

C13.03.A26. Other committees of this congregation are:

- a. Memorial Fund Committee
- b. History and Archives Committee
- c. Governing Documents Committee

- C13.04. Duties of all committees of this congregation shall be set forth in the bylaws and/or continuing resolutions.
- C13.05. The pastor of this congregation shall be an ex officio member, with voice and vote, of all boards and committees of this congregation.
- C13.06. The president of this congregation shall be an ex officio member, with voice and vote, of all boards and committees of this congregation, except the Nominating Committee.

Chapter 14 - ORGANIZATIONS WITHIN THIS CONGREGATION

- C14.01. All organizations within this congregation shall exist to aid it in ministering to the members of this congregation and to all persons who can be reached with the Gospel of Christ. As outgrowths and expressions of this congregation's life, the organizations are subject to its oversight and direction. This congregation at its meeting shall determine their policies, guide their activities, and receive reports concerning their membership, work, and finances.
- C14.02. Special interest groups, other than those of the official organizations of the Evangelical Lutheran Church in America, may be organized only after authorization has been given by the Congregation Council and specified in a continuing resolution.
- C14.02.A26. The congregation, through the Congregation Council, shall endeavor to work to encourage a positive relationship between this congregation and the communities around it. As part of this program of interrelationships between this congregation and the community shall be the establishments of a place for special interest to meet and grow.
- A designated representative of this congregation will serve as the liaison between the Congregation Council and organizations/special interest groups to facilitate the exchange of information as needed between the parties. Specific ground rules for organizations/special interest groups concerning their actions and decorum within the property of this congregation shall be established. If an organization/special interest group is to receive financial support from this congregation, the terms of the arrangement shall be agreed to in writing.
- C14.02.B19. A Chartered Organization Representative for Congregation-sponsored Scouting America programs, shall be appointed by the Executive Committee. This person shall be the liaison between the Congregation Council and the Scouting America programs. Items of business concerning special events, recognition of Scouting achievements, the use of church property, etc. shall be brought to the attention of the Church Office Manager.

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.

C15.08. and C15.09. are reserved for future amendments.

*C15.10. **Adjudication**

*C15.11. When there is disagreement between or among factions within this congregation on a substantive issue which cannot be resolved by the parties, members of this congregation may petition the synod bishop for consultation after informing the president of this congregation of their intent to do so. The synod bishop shall seek a timely resolution of the dispute. If the issue relates directly to the pastor, the bishop may begin the process in *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 50 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.

Chapter 20 - PARISH AUTHORIZATION

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

- *C20.01. This congregation may unite with one or more other congregations recognized by the synod named in *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 synod bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregation meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.
- *C20.03. One congregation of a parish may issue a call on behalf of the member congregations to a minister of Word and Service or a candidate for the roster of Ministers of Word and Service who has been recommended by the synod bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregation 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 *C9.05.d. 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 *C9.25.d. 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.

Appendix A: RECORD OF CHANGE

(This Constitution was originally adopted by this Congregation on January 19, 1992 and was amended from 1993 through 2026).

2026.02.22: The Congregation ratified significant changes at the Annual Meeting.

2026.03.19: Congregation Council renumbered C9.03.a.A26 to C9.02.A26.

2026.03.19: Congregation Council enacted the following continuing resolution:

C9.03.b.A26 regarding the congregation allowing our pastor to officiate marriages of all sexual orientations or gender identities.

2026.06.18: Congregation Council renumbered C13.02.a.E26 to C13.02.a.F26; and C13.02.a.F26 to C13.02.a.G26; and C13.02.a.G26 to C13.02.a.H26.

2026.06.18: Congregation Council enacted the following continuing resolution:

C13.02.a.E26 allocating undesignated bequeaths and other gifts.