



Evangelical Lutheran Church in America

God's work. Our hands.

Deleted: The Constitution

Formatted: Font: Minion, 19.5 pt

CONSTITUTION and BYLAWS of
Zion Lutheran Church
City of Garfield
County of Bergen
State of New Jersey



Revised: February 13, 2011

Approved: Special Meeting May 1, 2011

Effective (Synodical Approval): June 18, 2011

Revised: November 12, 2012

Approved: Annual Meeting February 24, 2013

Deleted: as of

CONTENTS

| | |
|---|-----------|
| Preamble..... | <u>4</u> |
| Chapter 1 Name and Incorporation | <u>4</u> |
| Chapter 2 Confession of Faith..... | <u>4</u> |
| Chapter 3 Nature of the Church | <u>4</u> |
| Chapter 4 Statement of Purpose | <u>5</u> |
| Chapter 5 Powers of the Congregation..... | <u>6</u> |
| Chapter 6 Church Affiliation | <u>6</u> |
| Chapter 7 Property Ownership | <u>7</u> |
| Chapter 8 Membership..... | <u>8</u> |
| Chapter 9 The Pastor | <u>9</u> |
| Chapter 10 Congregation Meeting | <u>11</u> |
| Chapter 11 Officers..... | <u>12</u> |
| Chapter 12 Congregation Council..... | <u>12</u> |
| Chapter 13 Congregation Committees..... | <u>14</u> |
| Chapter 14 Organizations within the Congregation..... | <u>15</u> |
| Chapter 15 Discipline of Members and Adjudication | <u>15</u> |
| Chapter 16 Bylaws..... | <u>16</u> |
| Chapter 17 Amendments | <u>16</u> |
| Chapter 18 Continuing Resolutions | <u>17</u> |
| Chapter 19 Indemnification..... | <u>17</u> |
| Chapter 20 Parish Authorization | <u>18</u> |

Bylaws

Deleted: ByLawsf

| | |
|---|-----------|
| Article 1 – Meetings | |
| 1.1 Meeting Place | <u>19</u> |
| 1.2 Annual Meeting Time..... | <u>19</u> |
| 1.3 Annual Meeting – Order of Business..... | <u>19</u> |
| 1.4 <u>Annual Budget</u> | |
| 1.5 Special Meetings..... | <u>19</u> |
| 1.6 Notice | <u>19</u> |
| 1.7 Voting Record | <u>19</u> |
| 1.8 Quorum..... | <u>19</u> |
| 1.9 Audit <u>Committee</u> | <u>19</u> |
| Article 2 – Officers | |
| 2.1 Designations | <u>20</u> |
| 2.2 President | <u>20</u> |
| 2.3 <u>Vice President</u> | <u>20</u> |
| 2.4 <u>Council</u> Secretary..... | <u>20</u> |
| 2.5 Treasurer..... | <u>20</u> |
| 2.6 Delegation | <u>20</u> |
| 2.7 <u>Vacancies</u> | <u>20</u> |
| 2.8 Other Officers..... | <u>20</u> |
| Article 3 – Special Corporate Acts | |
| 3.1 Execution of Written Instruments | <u>20</u> |
| 3.2 Signing of Checks or Notes..... | <u>20</u> |
| 3.3 <u>Removal from the church roll due to inactivity</u> | <u>20</u> |
| Article 4 – Amendments | |

4.1 Adoption of Amendments of Bylaws21

4.2 Emergency Bylaws21

Article 5 – Position Descriptions/Responsibilities

5.1 Church Council Members21

5.2 Alternates21

5.3 Pastor22

5.4 Council President22

5.5 Vice-President22

5.6 Treasurer.....22

5.7 Church Secretary22

5.8 Council Secretary.....23

5.9 Financial Secretary.....24

5.10 Deacon24

5.11 Organist.....24

5.12 Sexton.....25

5.13 Review/Agreement25

Article 6 – Committee Responsibilities

6.1 Executive Committee26

6.2 Nominating Committee.....26

6.3 Worship Committee.....27

6.4 Stewardship Committee.....27

6.5 Finance Committee28

6.6 Audit Committee.....29

6.7 Youth/Christian Education.....29

Article 7 – Data Management/Records Retention

7.1 Procedures for Data Management and Records Retention.....30

Article 8 - Mission and Goals

8.1 Long Term and Short Term Goals to be developed30

Article 9 – Organizational Structure

9.1 Structure30

Addendum

Responsibilities of a Vice Pastor31

Attachment

Records Retention Schedule for the Congregations of the Evangelical Lutheran Church in America

Deleted: Organization

***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 Zion Lutheran Church.
- C1.02.** For the purpose of this constitution and the accompanying bylaws, the congregation of Zion Lutheran Church is hereinafter designated as "this congregation."
- C1.11.** This congregation shall be incorporated under the laws of the State of New Jersey.

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

* Required provision

congregation are to be carried out under his rule and authority.

- *C3.02.** 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.

Chapter 4.

STATEMENT OF PURPOSE

- *C4.01.** The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world.
- *C4.02.** To participate in God's mission, this congregation as a part of the Church shall:
- a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
 - b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
 - c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
 - d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, and standing with the poor and powerless, and committing itself to their needs.
 - e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
 - f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.
- *C4.03.** To fulfill these purposes, this congregation shall:
- a. Provide services of worship at which the Word of God is preached and the sacraments are administered.
 - b. Provide pastoral care and assist all members to participate in this ministry.
 - c. Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregation.
 - d. Teach the Word of God.
 - e. Witness to the reconciling Word of God in Christ, reaching out to all people.
 - f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
 - g. Motivate its members to provide financial support for the congregation's ministry and the ministry of other parts of the Evangelical Lutheran Church in America.
 - h. Foster and participate in interdependent relationships with other congregations, the 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.

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

Chapter 5.

POWERS OF THE CONGREGATION

- *C5.01. The powers of this congregation are those necessary to fulfill its purpose.
- *C5.02. The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws.
- *C5.03. Only such authority as is delegated to the Congregation Council or other organizational units in this congregation's governing documents is recognized. All remaining authority is retained by the congregation. The congregation is authorized to:
- a. call a pastor as provided in Chapter 9;
 - b. terminate the call of a pastor as provided in Chapter 9;
 - c. call or terminate the call of associates in ministry, deaconesses, and diaconal ministers in conformity with the applicable policy of the Evangelical Lutheran Church in America;
 - d. adopt amendments to the constitution, as provided in Chapter 17, and amendments to the bylaws, as specified in Chapter 16.
 - e. approve the annual budget;
 - f. acquire real and personal property by gift, devise, purchase, or other lawful means;
 - g. hold title to and use its property for any and all activities consistent with its purpose;
 - h. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
 - i. elect its Congregation Council, and require the members of the council to carry out their duties in accordance with the constitution and bylaws; and
 - j. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.
- *C5.04. This congregation shall choose from among its voting members laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected by the congregation and other qualifications shall be as prescribed in guidelines established by the New Jersey 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 New Jersey 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 clergy roster 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.
 - d. This congregation agrees to consider associates in ministry, deaconesses, and diaconal ministers for call to other staff positions in the 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 may be terminated as follows:

- a. This congregation takes action to dissolve.
- b. This congregation ceases to exist.
- c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America.
- d. This congregation follows the procedures outlined in *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 desire of this congregation to terminate its relationship must be adopted at a legally called and conducted special meeting of this congregation by a two-thirds majority of the voting members present.
- b. The secretary of this congregation shall submit a copy of the resolution to the synodical bishop and shall mail a copy of the resolution to voting members of this congregation. This notice shall be submitted within 10 days after the resolution has been adopted.
- c. The bishop of the synod shall consult with this congregation during a period of at least 90 days.
- d. If this congregation, after consultation, still desires to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds majority of the voting members present, at which meeting the bishop of the synod or an authorized representative shall be present. Notice of the meeting shall be mailed to all voting members at least 10 days in advance of the meeting.
- e. A certified copy of the resolution to terminate its relationship shall be sent to the synodical bishop, at which time the relationship between this congregation and the Evangelical Lutheran Church in America shall be terminated.
- f. Notice of termination shall be forwarded by the synodical bishop to the secretary of this church and published in the periodical of this church.
- g.¹ Since this congregation was a member of the Lutheran Church in America, it shall be required, in addition to the foregoing provisions in *C6.05., to receive synodical approval before terminating its membership in the Evangelical Lutheran Church in America.

***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 program unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.

***C6.07.** If this congregation considers developing an additional site to be used for worship, it shall confer with the bishop of the synod in which it is territorially located and the appropriate program 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 and assets shall pass to the New Jersey Synod of the Evangelical Lutheran Church in America.

***C7.02.** If this congregation is removed from membership in the Evangelical Lutheran Church

¹ This provision is to be used in the constitutions of all congregations that formerly were a part of the Lutheran Church in America, in accord with provision 9.62.g. in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.

in America according to its procedure for discipline, title to property shall continue to reside in this congregation.

- *C7.03. If a two-thirds majority of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the New Jersey Synod.
- *C7.04. If a two-thirds majority of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body, title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the established synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America.

Chapter 8. MEMBERSHIP

- *C8.01. Members of this congregation shall be those baptized persons on the roll of this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.
- *C8.02. Members shall be classified as follows:
 - a. **Baptized** members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
 - b. **Confirmed** members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.
 - c. **Voting** members are confirmed members. Such confirmed members, during the preceding year, shall have communed a minimum of three times in this congregation and shall have made an individual contribution of record to this congregation totaling at least \$50.00 or 10 hours of volunteer service within the congregation, or any combination of the two in the preceding year. Families are expected to contribute \$50.00 or 10 hours of volunteer service per family member. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation.
 - d. **Associate** members are persons holding membership in other Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, or persons who wish to retain a relationship with this congregation while being members of other congregations. They have all the privileges and duties of membership except voting rights and eligibility for elected offices or membership on the Congregation Council of this congregation.
- *C8.03. All applications for confirmed membership shall be submitted to and shall require the approval of the Congregation Council or committee established by the 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

Deleted: current or

Deleted: calendar

Deleted: at least once

Deleted: a

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 by the Congregation Council; or
- e. removal from the roll due to inactivity as defined in the bylaws.

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

Chapter 9.

THE PASTOR

***C9.01.** Authority to call a pastor shall be in this congregation by at least a two-thirds majority ballot vote of 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.** Only a member of the clergy roster of the Evangelical Lutheran Church in America or a candidate for the roster of ordained ministers who has been recommended for the congregation by the synodical bishop may be called as a pastor of this congregation.

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

- a. Every ordained minister shall:
 - 1) preach the Word;
 - 2) administer the sacraments;
 - 3) conduct public worship;
 - 4) provide pastoral care; and
 - 5) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.
- b. Each ordained minister with a congregational call shall, within the congregation:
 - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2) supervise all schools and organizations of this congregation;
 - 3) install regularly elected members of the Congregation Council; and
 - 4) with the council, administer discipline.
- c. Every pastor shall:
 - 1) strive to extend the Kingdom of God in the community, in the nation, and abroad;
 - 2) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
 - 3) impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and
 - 4) endeavor to increase the support given by the congregation to the work of the churchwide organization of the Evangelical Lutheran Church in America (ELCA) and of the New Jersey Synod of the ELCA.

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

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

- 2) resignation of the pastor, which shall become effective, unless otherwise agreed, 30 days after the date on which it was submitted;
 - 3) inability to conduct the pastoral office effectively in the congregation in view of local conditions, without reflection on the competence or the moral and spiritual character of the pastor;
 - 4) the physical or mental incapacity of the pastor;
 - 5) disqualification of the pastor through discipline on grounds of doctrine, morality, or continued neglect of duty;
 - 6) the dissolution of the congregation or the termination of a parish arrangement; or
 - 7) suspension of the congregation as a result of discipline proceedings.
- b. When allegations of physical or mental incapacity of the pastor or ineffective conduct of the pastoral office have come to the attention of the bishop of the synod, the bishop in his or her sole discretion may, or when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop shall, investigate such conditions personally in company with a committee of two ordained ministers and one layperson.
 - c. In case of alleged physical or mental incapacity, competent medical testimony shall be obtained. When such disability is evident, the bishop of the synod with the advice of the committee shall declare the pastorate vacant. Upon the restoration of a disabled pastor to health, the bishop of the synod shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another field of labor.
 - d. In the case of alleged local difficulties that imperil the effective functioning of the congregation, all concerned persons shall be heard, after which the bishop of the synod together with the committee described in *C9.05.b. shall decide on the course of action to be recommended to the pastor and the congregation. If they agree to carry out such recommendations, no further action shall be taken by the synod. If either party fails to assent, the congregation may dismiss the pastor at a legally called meeting after consultation with the bishop, either (a) by a two-thirds majority 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 simple majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
 - e. If, in the course of proceedings described in *C9.05.d., the committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action to the synodical bishop, who may bring charges in accordance with the provisions of the constitution and bylaws of the Evangelical Lutheran Church in America and the constitution of this synod.
 - f. If, following the appointment of the committee described in *C9.05.b. or d., it should become apparent that the pastoral office cannot be conducted effectively in the congregation(s) being served by the ordained minister due to local conditions, the bishop of the synod may temporarily suspend the pastor from service in the congregation(s) without prejudice and with pay provided through a joint synodical and churchwide fund and with housing provided by the congregation(s).
- *C9.06.** At a time of pastoral vacancy, an interim pastor shall 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 the congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any ordained pastor providing assistance shall refrain from exerting influence in the selection of a pastor.
- *C9.08.** This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of

all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting related to the Evangelical Lutheran Church in America.

- *C9.09. When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- *C9.11. With the approval of the bishop of the synod, the 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 the 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 parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;
 - b. shall submit a summary of such statistics annually to the 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 his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.
- *C9.14. The parochial records of this congregation shall be maintained by the pastor and shall remain the property of the congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in his or her hands in good order by a departing pastor before the installation of that pastor in another field of labor or the granting by the synod of retired status to the pastor.
- C9.15 **Ecumenical pastoral ministry.** Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, an ordained minister of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between the congregation and the ordained minister in a form proposed by the synodical bishop and approved by the congregation.

Chapter 10.

CONGREGATION MEETING

- C10.01. The annual meeting of this congregation shall be held at a time specified in the bylaws.
- C10.02. A special Congregation Meeting may be called by the pastor, a quorum of the Congregation Council, or the president of the council, - or upon the written request of 20 percent of the voting members. The call for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted.
- 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 to all voting members at least 10 days in advance of the date of the meeting. The posting of such notice in the regular mail, with the regular postage affixed or paid and/or electronic mail, sent to the last known address of such members shall be sufficient.
- C10.04. Twenty-five percent of voting members shall constitute a quorum.
- C10.05. Voting by proxy or by absentee ballot shall not be permitted.
- C10.06. All actions approved by the congregation shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution or by state law.
- C10.07. *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all

Deleted: this congregation, and shall be called by

Deleted: president of the congregation

Deleted: 25

meetings of this congregation.

Chapter 11. OFFICERS

- C11.01. The officers of this congregation shall be a president, vice president, council secretary, and treasurer.
- Duties of the officers shall be specified in the bylaws.
 - The officers shall be voting members of the congregation.
 - Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.
 - If the Congregation Council elects its officers, the president, vice president and council secretary shall be selected from the elected membership of the Congregation Council. If the treasurer is not selected from the elected membership of the Congregation Council, the treasurer shall have voice but not vote at the meetings of the Congregation Council.
- C11.02. The Congregation Council shall elect its officers at the first Church Council meeting, and they shall be the officers of the congregation. The officers shall be elected by written or verbal ballot and shall serve for one year or until their successors are elected. Their terms shall begin under new business at the Church Council meeting at which they are elected.
- C11.03. No officer shall hold more than one office at a time. No elected officer shall be eligible to serve more than two consecutive terms in the same office.

Deleted:

Deleted: the close of

Chapter 12. CONGREGATION COUNCIL

- C12.01. The voting membership of the Congregation Council shall consist of the pastor(s), the officers of the congregation, and 3 members of the congregation. If the treasurer is not selected from the elected membership of the Congregation Council, then the voting membership of the Congregation Council shall consist of the pastor(s), the officers of the congregation and 4 members of the congregation. Any voting member of the congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from two successive or four regular meetings of the Congregation Council without cause. Consistent with the laws of the state in which this congregation is incorporated, the congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.
- C12.02. The members of the Congregation Council except the pastor(s) shall be elected by written or verbal ballot to serve for 2 years or until their successors are elected. Four terms shall expire in one year, followed by three terms expiring the next year. Such members shall be eligible to serve no more than three full terms consecutively. Their terms shall begin at the close of the annual meeting at which they are elected. Newly elected Congregation Council members shall be installed at worship the Sunday following the date they assume office, or as soon thereafter as possible.
- C12.03. Two Alternates shall be elected at the Annual Congregational Meeting. Their terms shall be for one year and shall begin at the close of the annual meeting. Should an elected council member be unable to attend a meeting they shall arrange for one of the alternates to take their place at the meeting. The Alternate shall have both voice and vote at that meeting. Although not required they are encouraged to attend every council meeting to keep up with current events. That shall have voice at any attended meeting but only vote if less than a quorum of elected council members are present.
- C12.04. 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 one-half or more of a regular term shall have it

Deleted: 4

Deleted: 5

Deleted: four

Deleted: be eligible for nomination and election to

~~counted as a full term, towards the three consecutive maximum terms.~~

Deleted: .

~~C12.05. The Congregation Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:~~

Deleted: 04

- a. To lead this congregation in stating its mission, to do short and/or long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
- b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
- c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
- d. To maintain supportive relationships with the pastor(s) and staff and help them annually to evaluate the fulfillment of their calling or employment.
- e. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
- f. To promote a congregational climate of peace and goodwill, and, as differences and conflicts arise, to endeavor to foster mutual understanding.
- g. To arrange for pastoral service during the sickness or absence of the pastor.
- h. To emphasize partnership with the 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.

~~C12.06. The Congregation Council shall be responsible for the financial and property matters of this congregation.~~

Deleted: 05

- 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 the management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of New Jersey, except as otherwise provided herein.
- b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of the congregation.
- c. The Congregation Council may enter into ~~financial obligations~~ of up to \$10,000.00 ~~per incident~~ for items ~~pertaining to the upkeep and operations of the congregation~~ not included in the budget.
- d. The Finance Committee shall prepare an annual budget and present it to the Congregation Council for approval prior to presentation for adoption by this congregation. The Congregation Council shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations of more than \$10,000.00 in excess of the anticipated receipts only after approval ~~at~~ a Congregation Meeting. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in partnership with the 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 benevolence monies to the synodical treasurer.
- f. The Congregation Council, ~~in conjunction with the Finance Committee~~ shall be

Deleted: contracts

Deleted: by

responsible for this congregation's investments and its total insurance program.

~~C12.07.~~ The Congregation Council shall see that the provisions of this constitution and its bylaws are carried out.

Deleted: 06

~~C12.08.~~ The Congregation Council shall provide for an annual review of the membership roster.

Deleted: 07

~~C12.09.~~ The Congregation Council shall be responsible for the employment and supervision of the salaried lay workers of this congregation.

Deleted: 08

~~C12.10.~~ The Congregation Council shall submit a comprehensive report (consisting of reports such as the Secretary's report, Treasurer's report, etc.) to this congregation at the annual meeting.

Deleted: 09

Deleted:)

~~C12.11.~~ The Congregation Council shall normally meet once a month, but at least 6 times a year. Special meetings may be called by the pastor or the president, and shall be called by the president at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.

Deleted: .

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 synodical bishop.

Chapter 13.

CONGREGATION COMMITTEES

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

~~C13.02.~~ A *Nominating Committee* consisting of four voting members of this congregation, two of whom, if possible, shall be outgoing members of the Congregation Council, shall be elected at the annual meeting for a term of one year. If possible, a minimum of two of the members of the committee shall be new members.

Deleted: Members of the Nominating Committee are not eligible for consecutive reelection

C13.03. An *Audit Committee* consisting of three voting members shall be elected by the Congregation Council. Audit Committee members shall not be members of the *Executive Committee of the* Congregation Council. Term of office shall be three years, with one member elected each year. Members shall be eligible for reelection. Election of the new member shall occur at the first meeting of the Church Council.

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

C13.05. When a pastoral vacancy occurs, a *Call Committee* of six voting members shall be elected by the Congregation Council. Term of office will terminate upon installation of the newly called pastor.

~~C13.06.~~ A *Finance Committee* shall consist of the treasurer, financial secretary, one Council member, and a voting member of the congregation. The finance committee shall hold regular monthly meetings, or at the minimum quarterly meetings and will provide the minutes of their meetings to the church council. The Council members and voting member of the congregation shall be elected at the first Council meeting and the term shall be for one year. Audit Committee members are not eligible for membership on the Finance Committee.

Deleted: C13.06

~~C13.07.~~ Other committees of this congregation may be formed, as the need arises, by decision of the Congregation Council. Examples include:

- *Worship Committee* – Oversees the preparation and materials needed to conduct worship. Consists of the pastor, organist, and other voluntary

- members.
- Stewardship Committee – Develops communication means to inform and appeal to the congregation in matters of servant-hood of time, talent, and treasures. Consists of the financial secretary, a member of the finance committee, and one or more members of the congregation.
- Planning and Implementation Committee (Goals Committee) – Plans for an annual review of the congregational goal plan and a biannual preparation of a short and long term goal plan.
- Property Committee – Oversees the maintenance and upkeep of the church facility.
- Youth/Christian Education Committee - Oversees the quality, scope and curriculum of the church's total youth program.

C13.08. Duties of committees of this congregation shall be specified in the bylaws.

Deleted: 07

Chapter 14.

ORGANIZATIONS WITHIN THE CONGREGATION

- C14.01. All organizations within this congregation shall exist to aid it in ministering to the members of this congregation and to all persons who can be reached with the Gospel of Christ. As outgrowths and expressions of this congregation's life, the organizations are subject to its oversight and direction. This congregation at its meeting shall determine their policies, guide their activities, and receive reports concerning their membership, work, and finances.
- C14.02. Special interest groups, other than those of the official organizations of the Evangelical Lutheran Church in America, may be organized only after authorization has been given by the Congregation Council.

Chapter 15.

DISCIPLINE OF MEMBERS AND ADJUDICATION

- *C15.01. Denial of the Christian faith as described in this constitution, conduct grossly unbecoming a member of the Church of Christ, or persistent trouble-making in this congregation are sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation will be attempted following Matthew 18:15-17, proceeding through these successive steps: a) private admonition by the pastor, b) admonition by the pastor in the presence of two or three witnesses, and c) citation to appear before the Congregation Council. If, for any reason, the pastor is unable to administer the admonitions required by a. and b. hereof, the president (if not the pastor) or vice president shall administer such admonitions.
- *C15.02. The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If discipline against a member proceeds beyond counseling and admonition by the pastor, charges against the accused member(s) that are specific and in writing shall be prepared by member(s) of the congregation who shall sign the charges as the accuser(s). The written charges shall be filed with the pastor, who shall advise the Congregation Council of the need to issue a written citation to the accused and the accusers that specifies the time and place of the hearing before the Congregation Council. The written charges shall accompany the written citation to the accused. The written citation that specifies the time and place of the hearing before the Congregation Council and requests the presence of a member charged with the offense shall be sent at least ten days prior to the meeting. If the member charged with the offense fails to appear at the scheduled hearing, the Congregation Council may proceed with the hearing and may pass judgment in the member's absence.
- *C15.03. Members of the Congregation Council who participate in the preparation of the

written charges or who present evidence or testimony in the hearing before the Congregation Council are disqualified from voting upon the question of the guilt of the accused member. Should the allegations be sustained by a two-thirds majority vote of the members of the Congregation Council who are not disqualified but who are present and voting, and renewed admonition prove ineffectual, the council shall impose one of the following disciplinary actions:

- a. censure before the council or congregation;
- b. suspension from membership for a definite period of time; or
- c. exclusion from membership in this congregation.

Disciplinary actions b. and c. shall be delivered to the member in writing.

- *C15.04. The member against whom disciplinary action has been taken by the Congregation Council shall have the right to appeal the decision to the Synod Council. Such right may not be abridged and the decision of the Synod Council shall be final.
- *C15.05. Disciplinary actions may be reconsidered and revoked by the Congregation Council upon receipt of a) evidence that injustice has been done or b) evidence of repentance and amendment.
- *C15.06. For disciplinary actions in this congregation, “due process” shall be observed as specified in 20.41.04. in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- *C15.07. No member of a congregation shall be subject to discipline for offenses that the Congregation Council has previously heard and decided, unless so ordered by the Synod Council after an appeal.
- *C15.10. **Adjudication**
- *C15.11. When there is disagreement among factions within this congregation on a substantive issue that cannot be resolved by the parties, members of this congregation shall have access to the synodical bishop for consultation after informing the chair of the Congregation Council of their intent. If the consultation fails to resolve the issue(s), the Consultation Committee of the synod shall consider the matter. If the Consultation Committee of the synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final.

Chapter 16. BYLAWS

- *C16.01. This congregation may adopt bylaws. No bylaw may conflict with this constitution.
- *C16.02. Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a majority vote of those voting members present and voting.
- *C16.03. Changes to the bylaws may be proposed by any voting member provided, however, that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose and that the Congregation Council notify the congregation’s members by mail of the proposal with the council’s recommendations at least 30 days in advance of the Congregation Meeting. ~~The posting of such notice in the regular mail, with the regular postage affixed or paid and/or electronic mail, sent to the last known address of such members shall be sufficient.~~
- *C16.04. Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.

Chapter 17. AMENDMENTS

- *C17.01. Unless provision *C17.04. 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 20 percent of voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days

Deleted: ¶

before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members by mail of the proposal together with the council's recommendations at least 30 days in advance of the meeting. The posting of such notice in the regular mail, with the regular postage affixed or paid and/or electronic mail, sent to the last known address of such members shall be sufficient.

- *C17.02. An amendment to this constitution, proposed under *C17.01., shall:
- be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those present and voting;
 - be ratified without change at the next annual meeting by a two-thirds majority vote of those present and voting; and
 - have the effective date included in the resolution² and noted in the constitution.
- *C17.03. Any amendments to this constitution that result from the processes provided in *C17.01. and *C17.02. shall be sent by the secretary of this congregation to the synod. The amendment shall become effective within 120 days from the date of the receipt of the notice by the synod unless the synod informs this congregation that the amendment is in conflict with the constitution and bylaws of the Evangelical Lutheran Church in America or the constitution of the New Jersey Synod of the ELCA.
- *C17.04. This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*—as most recently amended by the Churchwide Assembly—by a simple majority vote of those voting members present and voting at any legally called meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail notice to the congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. The posting of such notice in the regular mail, with the regular postage affixed or paid and/or electronic mail, sent to the last known address of such members shall be sufficient. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

Deleted: Upon the request of 20% of voting members of the congregation, the Congregation Council shall submit such notice.

Chapter 18. CONTINUING RESOLUTIONS

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

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.

² Such an effective date must be stated in relation to the requirements of *C17.03. to allow time for synodical review of the amendment.

| Chapter 20.
PARISH AUTHORIZATION

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

- *C20.01. This congregation may unite in partnership with one or more other congregations recognized by the synod named in *C6.01. to form a parish. Except as provided in *C20.02. and *C20.03., a written agreement, developed in consultation with the synod and approved by the voting members of each congregation participating in the parish, shall specify the powers and responsibilities that have been delegated to a Parish Council.
- *C20.02. Whenever a letter of call is being recommended for extension to an ordained minister of the Evangelical Lutheran Church in America or a candidate for the roster of ordained ministers who has been recommended to the congregation by the synodical bishop to serve the congregations of a parish, such letter of call shall be first approved by a two-thirds vote at congregational meetings of each of the congregations forming the parish. If any congregation of the parish should fail to approve extending this call, the other congregation(s) in the same parish shall have the right to terminate the parish arrangement.
- *C20.03. Any one of the congregations of a parish may terminate the call of a pastor as provided in †S14.13.d. of the synodical constitution of the synod named in *C6.01. In such case, the other congregation(s) in the same parish shall have the right to terminate the parish arrangement.
- | ~~*C20.04. Whenever a parish arrangement is terminated, the call of any rostered person serving that parish is terminated. Should any congregation that formerly was part of the parish arrangement desire to issue a new call to that rostered person, it may do so in accordance with the call process of this church.~~

Deleted: ¶

BYLAWS

ARTICLE 1

Meetings

- 1.1 Meeting Place: All meetings of the congregation shall be held on the church grounds (111 Midland Avenue, Garfield), or at such place as shall be determined from time to time by the Church Council, and the place at which any such meeting shall be held shall be stated in the notice of the meeting.
- 1.2 Annual Meeting Date: The annual meeting of this congregation shall be held on a Sunday within the first six weeks of the year, or by the last Sunday of February the latest. If the meeting is postponed for whatever reason (e.g. inclement weather, lack of a quorum) the meeting shall be held on the following Sunday or as soon thereafter as possible.
- 1.3 Annual Meeting - Order of Business: At the annual meeting of the congregation, the order of business shall be as follows:
 - a. Calling of the meeting to order.
 - b. Reading of minutes of last annual meeting.
 - c. Report of officers.
 - d. Reports of committees.
 - e. Election of council members.
 - f. Election of Nominating Committee members
 - g. Miscellaneous business.
- 1.4 Annual Budget:
 - a. The fiscal year shall be from 1 January through 31 December.
 - b. The Finance committee shall prepare a draft budget for the following year within the first two weeks of September, and present said budget to the Church Council at the October Church Council Meeting.
 - c. The draft budget will be submitted to the Congregation for discussion and approval at a special meeting to be held in December
- 1.5 Special Meetings: Special meetings of the congregation for any purpose may be called at any time by the pastor, President, quorum of the Church Council, or 20% of the voting members of the congregation.
- 1.6 Notice: Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail to all voting members at least 10 days, but no more than 60 days in advance of the date of the meeting. The posting of such notice in the regular mail, with the regular postage affixed or paid and/or electronic mail, sent to the last known address of such members shall be sufficient.
- 1.7 Voting Record: At least 30 days, but no more than 60 days, and no less than two weeks (to allow for the 10 day notification) before each meeting of the congregation, a complete record of the members entitled to vote at such meeting, or any adjournment thereof, shall be made by a committee consisting of the secretary and treasurer and/or delegates appointed by the church council. The records shall be kept available at the time and place of such meeting for inspection by any member.
- 1.8 Quorum: Except as otherwise required by law, A quorum at any annual or special meeting of the congregation shall consist of 25 percent of voting members.
- 1.9 Audit Committee: An audit of the financial records of the church should be conducted at a minimum once each year approximately one month before the annual congregational meeting and when there has been a change in pastor or a change in treasurer.

Deleted: Time

Deleted: 5

Deleted: 6

Deleted: open

Deleted: the

Deleted: of

Deleted: 7

Deleted: 5

Deleted: 8

ARTICLE 2

Officers

- 2.1 Designations: The officers of the corporation shall be a President, a Vice-President, a Secretary and a Treasurer.
- 2.2 President: The president shall preside at all meetings of the congregation, shall have general supervision of the affairs of the congregation, and shall perform all other duties as are incident to the office or are properly required by the Church Council.
- ~~2.3 Vice President: The Vice-President shall chair the meetings of the congregation council and Congregational meetings in the absence of the president. The vice-president shall carry out the duties of the president when the president is unable to do so due to health or other valid reasons.~~
- 2.4 Council Secretary: The Secretary shall issue notices for all meetings of the congregation, shall keep the minutes of all meetings, shall have charge of the seal and the corporate books, shall make such reports and perform other duties as are incident to the office, or are properly required by the Church Council.
- ~~2.5 Treasurer: The Treasurer shall have the custody of all moneys and securities of the corporation and shall keep regular books on account. The treasurer shall disburse funds of the corporation in payment of the just demands against the congregation or as may be ordered by the Church Council, taking proper vouchers for such disbursements, and shall render to the Church Council from time to time as may be required, an account of all transactions as Treasurer and of the financial conditions of the office or that are properly required by the Church Council.~~
- ~~2.6 Delegation: In the case of absence or inability to act of any officer of the congregation and of any person herein authorized to act in his place, the Church Council may delegate the powers or duties of such officer to any other officer or any director or other person whom it may select.~~
- ~~2.7 Vacancies: Vacancies in any office arising from any cause may be filled until the next annual meeting by the Church Council at any regular or special meeting of the Council by majority vote.~~
- ~~2.8 Other Officers: The Church Council may appoint such other officers and agents as it shall deem necessary or expedient, who shall hold their offices for such terms and shall exercise such powers and perform such duties as shall be determined by the Church Council.~~

Deleted: 2.3

Deleted: 4

Deleted: 5

Deleted: 6

Deleted: 7

ARTICLE 3

Special Corporate Acts

- 3.1 Execution of Written Instruments: Contracts, deeds, documents, and instruments shall be executed by the President after approval by the Church Council unless the Church Council shall, in a particular situation, designate another procedure for their execution.
- 3.2 Signing of Checks or Notes: Checks, notes, drafts, and demands for money shall be signed by the officers or individuals as designated by the Church Council.
- ~~3.3 Removal from the church roll due to inactivity: After a period of approximately one year if a person has had no contact with the church, a letter shall be sent to the individual's address of record indicating that they may be dropped from the rolls of the church should their inactivity continue. After a period of one year from the date of the letter if there has been no active communication with the individual they may be dropped. Removal from the roll of the congregation is by action of the Congregation Council upon recommendation of the pastor. Notice of removal from the roll of membership in the congregation is recorded in the minutes of the Congregation Council and in the minutes of the annual Congregational Meeting.~~

ARTICLE 4

Amendments

- 4.1 Adoption or Amendment of Bylaws: Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a majority vote of those voting members present and voting.
- 4.2 Emergency Bylaws: The Church Council may adopt emergency Bylaws: subject to repeal or change by action of the congregation, which shall be operative during any emergency in the conduct of business of the congregation.

ARTICLE 5

Position Descriptions/Responsibilities

- 5.1 Church Council Members: 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:
 - To lead this congregation in stating its mission, to do short and/or long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
 - To seek to involve all members of this congregation in worship, learning, witness, service, and support.
 - To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
 - To maintain supportive relationships with the pastor(s) and staff and help them annually to evaluate the fulfillment of their calling or employment.
 - To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
 - To promote a congregational climate of peace and goodwill, and, as differences and conflicts arise, to endeavor to foster mutual understanding.
 - To arrange for pastoral service during the sickness or absence of the pastor.
 - To emphasize partnership with 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.
 - To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.
 - To seek out and encourage qualified persons to prepare for the ministry of the Gospel.
 - The Congregation Council shall be responsible for the financial and property matters of this congregation.
- 5.2 Alternates: Should an elected council member be unable to attend a meeting they shall arrange for one of the alternates to take their place at the meeting. The Alternate shall have both voice and vote at that meeting. Although not required they are encouraged to attend every council meeting to keep up with current events. That shall have voice at any attended meeting but only vote if less than a quorum of elected council members are present.

- 5.3 Pastor: The pastor will carry out all of the pastoral functions charged to him/her in his/her ordination, including but not limited to preaching, leading worship, caring for the sick, officiating at weddings, funerals and baptisms, teaching God's word, counseling, conducting confirmation classes, etc. The pastor will be responsible to the church counsel, and will carry out specific, timely and measurable goals based on the areas of Zion's Congregational vision, and in line with congregational goals. The pastor will coordinate goals, plans and activities with the church council. See also Constitution Chapter 9.
- 5.4 Council President: The president shall prepare the agendas for all council meetings, and shall chair the meetings of the Congregation Council and Congregational meetings. The president shall assure that the actions of the Congregational Council and Congregational Meetings are conducted according to the guidelines of the congregation's constitution and shall govern parliamentary procedure of all meetings of this congregation according to Robert's Rules of Order. The president shall have general supervision of the affairs of the congregation, and shall perform all other duties as are incident to the office or are properly required by the church council. See also Bylaws Section 2.2, Constitution Chapter 11.
- 5.5 Vice-President: The Vice-President shall chair the meetings of the congregation council and Congregational meetings in the absence of the president. The vice-president shall carry out the duties of the president when the president is unable to do so due to health or other valid reasons. See also Bylaws Section 2.3, Constitution Chapter 11.
- 5.6 Treasurer: The treasurer serves as financial officer of the congregation. The treasurer is responsible for payment of all bills, invoices, and charges and performs or oversees all of the bookkeeping functions. The treasurer prepares a monthly (or quarterly) financial report for the church council. As appropriate, the treasurer files all of the required Federal and State tax forms. The treasurer monitors the cash position of the congregation and invests available funds as directed. The treasurer is empowered to funds as directed by the church council. The treasurer provides the congregation or church council with any requested financial information. The treasurer assists in the preparation of the annual budget for the church council. The treasurer is responsible for providing the financial information necessary to complete the annual report. See also Bylaws Section 2.5, Constitution Chapter 11.
- 5.7 Church Secretary: The Church Secretary must be familiar with the operation of basic office machinery (like copiers, fax machines, computers, etc), and be able to perform routine office duties with little to no supervision. Should have a good telephone manner and enjoy being a team player. The secretary will work under the direct supervision of the pastor. Arrangements for special hours, changes in days off, and other such matters shall be a matter arrived at between these two. Also, the secretary shall exercise any and all powers delegated to him/her by the pastor. The Church Secretary shall have charge of the seal and the corporate books. Some specific duties and responsibilities of a Church Secretary
- Preparing Sunday bulletins, bulletin inserts and church newsletters and other brochures and flyers that are periodically requested by staff and committees.
 - Gather weekly announcements, layout early in week for printing in Bulletin.
 - Serving as receptionist, screening phone calls, take messages for Pastor and other staff.
 - Listen to messages and respond.
 - Writing visitor letters and sending cards
 - Taking prayer requests and initiating the Prayer Chain
 - Handling mail and church correspondence
 - Producing a church directory

- Producing monthly and annual reports regarding various ministries of the Church
- Assisting with special events (baptisms, Christmas and other holiday services)
- Maintain and update database of mailing lists, membership status, birthdays, and committees.
- Send out reminders for Board and Committee meetings (those Boards and Committees that request it).
- Maintain church website and multi-media preparations.
- Give clerical support to all program staff and church committees. Order curriculum material and other supplies needed by the church, as directed by staff.
- Maintain a master calendar of all church activities and of all events taking place in our facilities.
- Order and maintain an adequate inventory of office supplies. Arrange for delivery or pick up of supplies when necessary. Maintain office equipment and arrange for repairs when necessary.
- Check email and respond.
- Distribute mail among staff, boards and committees.
- Take wedding and baptismal information for Pastor.
- Prepare New Member packets for New Members.
- Keep Membership Book up-to-date. New members, baptisms, weddings, deaths, transfers in and out.
- Prepare Certificates of Transfer In/Out – notify churches, if requested by a new member.
- -Recording and maintaining membership details. Keep computer database up-to-date. Add new members, children, friends and those interested in being on the mailing list.
- Type and prepare bulk, all church mailings.
- Prepare and collect articles for the Newsletter.
- Be sure there is adequate supply of church stationary and stamped and bulk mailing envelopes, Newsletter shells and Welcome cards.
- Type and prepare Annual Reports.
- Keep office files current.
- Type and keep adequate supply in files of Baptismal booklets, Wedding booklets, and Marriage Counseling forms.
- Take baptismal information from parents, put on calendar, and prepare certificate.
- Order Holiday supplies – Palms, Christmas Candlelight candles.
- Keep accurate list of Christmas and Easter Memorial flowers.
- Prepare bulletin for Memorial services, if requested.
- Prepare quarterly mailing labels for Financial Secretary.
- Order Hymnals, if needed.
- Work with Boards/Committees on various projects.

5.8 Council Secretary:

The Secretary shall:

- Issue notices for all meetings of the congregation.
- Shall keep and maintain an accurate record of the proceedings at all regular and special-called meetings.

- Shall provide a copy of the minutes of the meeting to members of the council.
- Shall post the minutes of meetings not later than two weeks after the meetings are held.
- Shall have charge of the seal and the corporate books.
- Shall make such reports and perform other duties as are incident to the office, or are properly required by the Church Council.
- The secretary shall be authorized and empowered, in the name of the congregation, to attest to all instruments which require the same, and have been authorized by the Congregation Council or the congregation in official meeting
- See also Bylaws Section 2.3, Constitution Chapter 11.

Helpful Skills and Interests

- Ability to listen to and communicate with people of all ages.
- Ability to keep accurate notes and to write in clear, accurate language.
- Genuine interest in responding to the hopes and concerns of people in the community.

5.9 Financial Secretary: The financial secretary oversees guidelines for accounting of contributions and attests individual giving records of members.

5.10 Deacon: A deacon is a bridge connecting the Church with the needs of the world. Duties:

- Attend Sunday morning worship services and special services including, but not limited to, Thanksgiving, Advent, Christmas Eve, Lent, and Easter.
- Actively serve in ministry in the life of the church.
- Be supportive of the overall ministry of the church, and submit reports of completion.
- Assist in preparing and serving the Lord's Supper as scheduled.
- Practice personal evangelism of the lost as opportunities arise.
- Attend beneficial training sessions as available, unless providentially hindered.
- Pray for and be supportive of the Pastor, Pastoral Staff, and Congregation
- Have general supervision of the moral, spiritual, and temporal (everyday) welfare of the church.
- Visit the members of the church, particularly the sick and distressed.
- Distribute the Lord's Supper to our shut-in and hospitalized members
- Cooperate in every department of the church.
- Secure pulpit supply when office of pastor is vacant.

5.11 Organist: In conjunction with the Worship Committee develops and maintains a music program which is in keeping with the wishes, needs and resources of the congregation. Responsibilities include:

- Conduct and administer all choirs in the church.
- In addition to Sunday services, music will also be provided for numerous special services including, but not limited to Thanksgiving, Christmas eve, Lent, and Easter.
- Attendance and involvement in midweek programs is encouraged.
- Recruit members for all music program activities and encourage the participation of members who are qualified and interested in serving.
- Attend appropriate meetings. This includes, but is not limited to, staff meetings, worship committee, and other meetings pertaining to the total music program of the church.
- Arrange for substitute organist during any planned absence.

- Serve as primary accompanist for funerals, weddings and wedding rehearsals. This will be for additional compensation as arranged by family requesting services. If they are unavailable it shall be their responsibility to facilitate finding a substitute to play.
- Oversee the tuning and maintenance of all musical instruments of the church within the appropriate budget and provide regular reports, specifying maintenance needs to the worship committee and church council.
- The organist shall rehearse sufficiently to maintain a high quality of music at the organ.

Skills and qualifications:

- Sufficient keyboard ability to sight read hymns, liturgy and easy anthem accompaniments.
- Knowledge of Lutheran tradition and theological understanding of the church sufficient to appropriately select music and texts for traditional worship.
- Experience as a “team player” in a church setting working with staff, musicians, and volunteers.

5.12 Sexton: Takes care of church buildings and furnishings: Performs cleaning and routine maintenance duties in church and gives directions to other workers so engaged.

General responsibilities:

- Inspects and cleans all interior church spaces
- Vacuuming
- Cleaning bathrooms
- Cleaning kitchen
- Washing windows
- Empties trash containers and disposes of trash
- Keeps lighting operational
- Cares for exterior grounds as directed
- Removes snow and ice from stairs and walkways as needed
- Sets up and takes down needed chairs and tables for church functions as directed
- Carries out seasonal tasks such as carpet cleaning
- Performs minor repairs and maintains a written list of problems that may need the attention of others to repair
- Advises Church Council of potential buildings and grounds problems
- Maintains adequate supplies for performing work and orders supplies as directed
- Performs other tasks as directed and negotiated within the limits of the position

Skills and aptitudes:

- Ability to read, write, and speak English in an understandable manner
- Adequate knowledge of cleaning and caring for a building
- Ability to work independently without constant supervision
- Ability to manage time and juggle multiple tasks and projects
- Ability to communicate with church staff, volunteers, members, and guests
- Good general health that allows standing, bending, reaching, and lifting

5.13 Once a year, or whenever a new individual assumes responsibility for a position, all individuals receiving a stipend will be presented with an written agreement summarizing responsibilities, expectations and stipend amount to be signed by the individual and a

representative of the Church Council. The performance review and agreement should occur within a reasonable amount of time after the election of the new congregation council.

ARTICLE 6
Committee Responsibilities

6.1 Executive Committee: The Executive Committee is commissioned by and responsible to the Church Council to function on behalf of the Church Council in matters of emergency and in interim periods between regularly scheduled Council meetings. The Executive Committee shall have and exercise the authority of the Church Council provided that such authority shall not operate to circumvent the responsibility and authority vested in the Church Council by the By-laws, and any action taken is to be ratified by the Church Council at its first subsequent meeting.

Appointments and Composition

- The Executive Committee shall be composed of the President, Vice-President, Council Secretary, and Treasurer.
- The Chair of the Executive Committee shall be the President of the Church Council.
- The President, Vice-President, Council Secretary and shall be elected in accordance with procedures set forth in the By-laws of the organization.

Responsibilities

- Meet to draw up an agenda for meetings of the full Church Council.
- Make decisions on behalf of the full Church Council as needed which cannot wait for the full board or on matters delegated to the Executive Committee by the Church Council.
- Maintain effective communication with the committees of the organization.
- Coordinate the annual planning and budget process of the organization in conjunction with the Finance Committee.
- Respond to the call of the Church Council for emergency meetings to deal with special problems between regular Council meetings.
- Annually submit objectives as part of the planning and budgeting process.
- Annually evaluate its work as a committee and the objectives it has committed itself to and report on same to the Church Council.
- Report to the Church Council at regular meetings of the Council in a manner determined by the Council.

6.2 Nominating Committee: The Nominating committee has the responsibility for drawing up a list of people to fill open positions and submitting them to the membership for acceptance. They identify and recruit potential leaders who can knowledgeableably, faithfully, and effectively minister in the position.

They are responsible for seeking out people who will fill certain positions, approaching them and recruiting them for the positions. The committee presents a recommended list of nominees to the whole church and/or Church Council as appropriate for acceptance or rejection. The church nominating committee is one of the most important committees in the church. By means of deciding who is nominated the committee strongly affects the direction and energy of the church. The committee should be well balanced.

6.3 Worship Committee: work with the pastor to ensure that the congregation provides opportunities for worship that will help people develop and strengthen their relationship with God and will help them live more faithfully as Christian disciples

Responsibilities of the Worship Committee

- To learn both about worship and about the people in the congregation and community so that you can plan worship appropriate to their needs.
- To work with the pastor and leader(s) of music in planning worship.
- To develop and support effective musical leadership in the church.
- To promote and foster regular individual and family spiritual formation.

Other responsibilities may include:

- Planning for ministry of laypeople as worship leaders
- Caring for furnishings, paraments, and sacramental elements for congregational worship
- Enabling the congregation to experience the worship style and contributions of various cultural, racial and ethnic groups
- Recommending the placement and use of memorial gifts for worship
- Encouraging the wider use and understanding of visual arts, dramatic arts, and architectural design as expressions of faith and means of proclaiming the gospel.

Helpful Skills and Interests

- Skills for researching issues involved in worship.
- Sensitivity to what makes worship effective.
- Interest in music and other worship-related arts.
- Ability to work with other volunteers and committees.

6.4 Stewardship Committee: responsible for the education and encouragement of members in the biblical ideas of stewardship of time, abilities and money in support of the Church's mission and ministry. Its duties consist of setting annual goals for benevolences and leading members to higher levels of proportionate giving. It also assists in developing files of gifts of members which help them to find meaningful and fulfilling places in our ministry. It equips and supports volunteers in the ministries and provides information and support to the Nominating Committee as they perform their function.

Responsibilities

Stewardship Committee responsibilities will vary based on each parish's needs and situation, but should include some or all of the following:

- Assist the pastor and parish leadership in the overall design, implementation and evaluation of the Parish Stewardship process.
- Develop a comprehensive timetable and related procedures to facilitate the annual renewal process.
- Pursue available forms of communication to build awareness of Stewardship and parish activities, such as bulletins, parish web-site, newsletters, witnesses, ministry fair, town hall meetings, homilies, etc.
- Coordinate Stewardship efforts with the parish welcoming program.
- Maintain a catalogue of parish ministries and organizations.
- Review and revise, if necessary, the parish time, and talent commitment forms to be sure they appropriately represent the mission, ministries, activities, and structure of the parish.

- Consider format and use of youth time and talent commitment forms.
- Host periodic Stewardship presentations to parish leadership explaining Stewardship in general, the parish renewal process and the importance of Stewardship in the parish community.
- Assist in seeking and selecting speakers for personal Stewardship witness presentations.
- Recruit volunteers, if necessary, to assist the Stewardship Committee in the preparation, assembly, mailing, and/or other distribution of Stewardship materials and commitment forms.
- Design and implement a timely thank you process to all parishioners who complete and remit commitment forms.
- Promptly compile and distribute timely lists of volunteers to all parish ministry leaders.
- Work with the appropriate parish commissions and parish groups to ensure that those who volunteer are contacted and invited to become involved.
- Evaluate parish Stewardship and awareness efforts on an annual basis.

6.5 Finance Committee: The main responsibility of the finance committee is not only to keep the officers of the congregation and the members of the congregation abreast of the financial status of the church, but also to provide financial advice when necessary. The finance committee reports to the church council on the status of income and expenses versus budget targets. Annually the finance committee prepares a draft of the budget for the coming year for the congregational member's final approval. The finance committee adjusts as needed any guidelines to outside users of the facilities as to donations needed to cover our costs. The finance committee shall annually review our insurance coverage with our carrier. Additionally, the finance committee reviews the financial records prepared by the audit committee. The finance committee shall:

- The finance committee shall hold regular monthly meetings, or at the minimum quarterly meetings.
- Ensure an annual audit by the Audit Committee of all financial records of the congregation.
- Ensure that the Council has statements of contributions and expenses and a statement of account balances available no more than one month old to enable proper management of congregational affairs.
- Compile the Annual budget for submission to the council (The Council, upon approval, submits the Annual budget to the Congregational voters).
- Monitor the operating budget on a month by month basis and make recommendations to the council.
- Make recommendations to the council as to the treatment of benevolent accounts.
- Make recommendations to the council annually as to whether the Endowment income should be added to the principle, used for operations of the church or used for other purposes.
- Monitor all funds and investments, ensuring that funds and investments are prudently managed. Make recommendations to the council regarding investments and funds.
- Monitor summary donations from members and from building usage.
- Monitor all disbursements.

- Prepare or assemble reports providing a full financial accounting of contributions, disbursements, endowments, and investments on a quarterly basis to the council and if the financial situation warrants it, in writing.
- Provide a funding plan to the council for meeting the council's one, two and three year plans.
- Report at the annual congregational meeting.
- Work closely with the Goals Committee to prepare realistic goals based on proposed budgets.

6.6 Audit Committee: The audit committee is an operating committee charged with oversight of financial reporting and disclosure.

The Audit Committee represents the interests of the membership of the church, as well as those of the clergy and the church governing body.

The audit and the audit report must be produced by individuals who are not now, and have not been, involved in the accounting or record keeping for the church during the year under audit. The church and its leadership have a stewardship responsibility to see that the resources made available are used in the service of Christ and in the manner designated by the church leadership and the membership. This responsibility also extends to managing special gifts which may be restricted by the donor, and thus are available only for a specific purpose. A properly functioning Audit Committee will help the church to fulfill its stewardship responsibility by helping to assure that resources have been used in the proper fashion.

Since most churches find that the information they need most often revolves around cash receipts and cash payments, the reports they have developed focus on these aspects of the church's operations. Accordingly, the principal objectives of the church Audit Committee will also concentrate on these areas. In general terms, the Committee must be able to satisfy itself that all cash received by the church has been recorded properly and deposited into a bank account where access is limited. Similarly, it should be satisfied that all cash payments have been properly authorized by the appropriate body within the church, properly documented and recorded. Finally, the Committee must be satisfied that all of these receipts and payments are correctly summarized and reported in the annual financial reports of the church, and that the information contained therein agrees with the underlying records of the church.

The Audit Committee's responsibilities will extend to other areas as well. If the church has investments in securities such as stocks and bonds, the Committee will seek to assure itself that any purchase or sale transactions during the year have been properly authorized and recorded, and that the list of investments in the year-end financial reports is complete and accurate, properly representing what the church owns at year-end. On the other hand, if the church has any outstanding debts such as mortgages or loans, the Committee will want to assure itself that all required payments have been made during the year, and that the balances reported in the church's financial statements are accurate as of the date of the statements.

It is suggested that the Audit Committee use the ELCA audit guide as a general guideline for each audit. An audit of the financial records of the church should be conducted by the Audit Committee once each year approximately one month before the annual congregational meeting and when there has been a change in pastor or a change in treasurer, or by special request of the church council.

6.7 Youth/Christian Education: The Youth Committee has primary responsibility for creating, sustaining and overseeing the quality, scope and curriculum of the church's total youth program. It is the liaison between the youth group, other youth programs and the

congregation. It is both the adult advocate for the youth programming and the agent of the congregation, ensuring that the philosophies, policies and standards of the church are implemented in the youth program.

ARTICLE 7

Data Management/Records Retention

7.1 All official records of the congregation as defined in the Records Retention Schedule for the Congregations of the Evangelical Lutheran Church of America will be maintained as defined in the most current edition of the document.

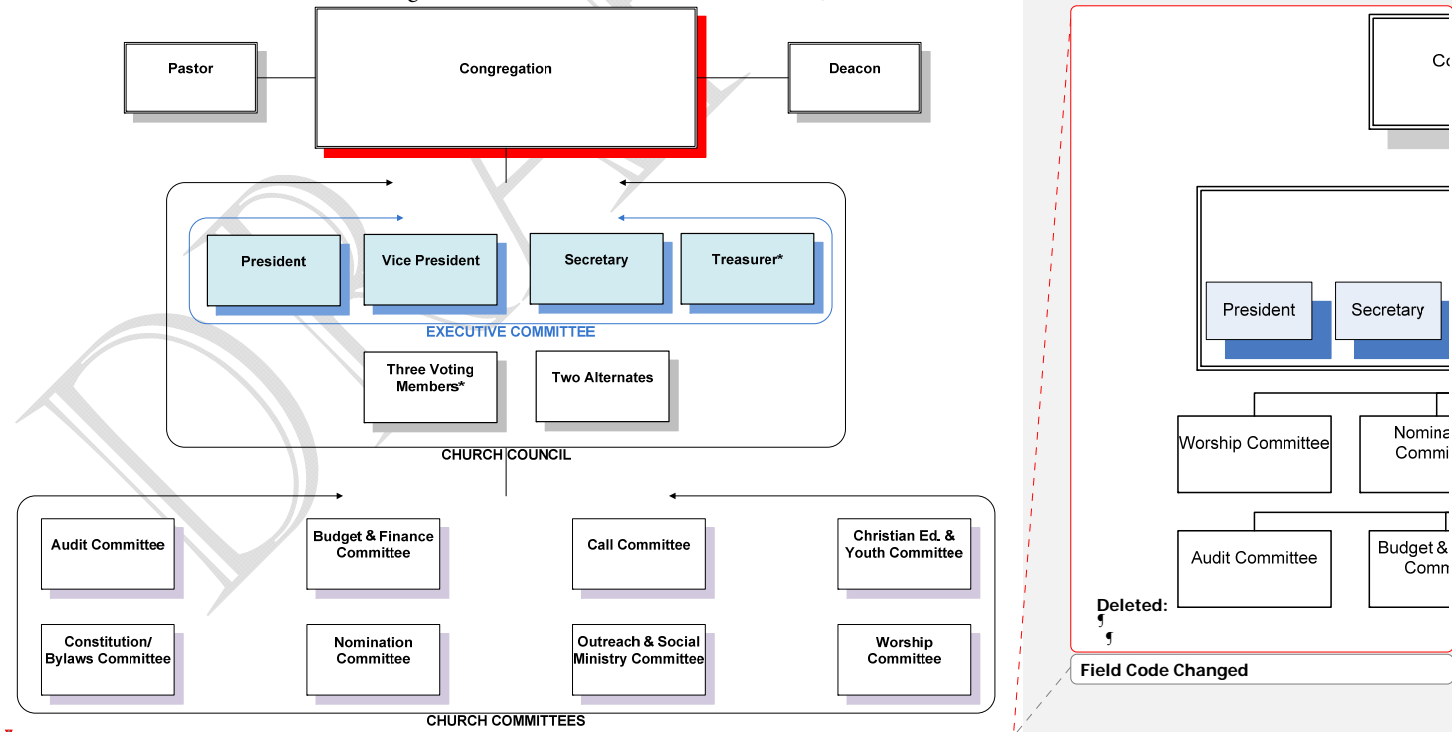
ARTICLE 8

Mission and Goals

8.1 To be created at a later date.

ARTICLE 9

Organizational Structure



*If treasurer is not elected, then four voting members of the congregation.

Deleted: five

Addendum

Responsibilities of a Vice Pastor: The Synod Constitution accords to the Vice Pastor the full rights of a regularly called pastor (see Chapter 14, Section S14,17). There are seven specific responsibilities indicated. They are:

1. To meet monthly with the Congregation Council and provide them with pastoral counsel and guidance. If there is a schedule conflict, the Congregation Council should accommodate itself to the Vice Pastor's schedule.
2. To preside, or arrange appropriate Lutheran presidency, at any extraordinary worship services such as weddings or funerals.
3. To supervise the educational program of the congregation, and, if possible to teach the catechetical program.
4. To call upon and provide pastoral care for those members of the congregation who are hospitalized or long-term home bound.
5. To make yourself available, including how to be reached, to those who need to see a pastor, e.g. crisis counseling.
6. To see that the administrative matters of the congregation are well attended to, and especially that the Parish register is correctly maintained during the interim.
7. To report on a monthly basis to the Assistant to the Bishop as to the status of the congregation's life in the interim.

The Congregation Council is responsible to assist and support you in every reasonable way so that the mission of the congregation continues to be well served.



Records Retention Schedule for the Congregations of the Evangelical Lutheran Church in America

Your records have a life cycle! You create and maintain the records of your congregation in order to have the information you need when you need it; in the format from which you can most easily retrieve it; and in such a way that partners working in your congregation, today and in the future, can readily find the information. As you set about preserving information for future reference, plan from the beginning for the entire life cycle of the records you are creating. If you do this, you should never need to spend time purging files going through old material to determine the potential administrative or historical value.

Your records are born digital! Today, the records of your life together as a congregation begin as digital files. Your financial records and parish register may be kept in a database. Minutes, reports, newsletters, and other documents are created using word processing software. Correspondence is usually by e-mail. Much of the information you use and distribute to parishioners is created in formats to be read by a Web browser. Even the photographs of your congregation's activities are now in digital formats. These guidelines address the ways in which you can efficiently maintain your active records for use today and assure future generations that records of historic value will still be available for their use long after hardware, software, and file formats have changed.

Consistency Consistency is important in the care of records. Any records retention policy has validity, once accepted by the congregation council as the policy of the organization, only as it is uniformly practiced. It should be neither selectively implemented nor disregarded at the whim of the custodians of the records. Never purge records in the face of potential litigation. Information that is retained in hard copy or in electronic files is the property of the congregation. Such information is not the property of the pastor or of officers of the congregation to be removed, retained personally, or destroyed at will. All staff members are custodians of the records they maintain.

Change in the congregation status

1. If the status of the congregation changes through merger or consolidation, records of archival value become part of the archives of the new congregation.
2. If the status of the status of the congregation changes through dissolution, records of archival value should be sent to the synod or regional archives.
3. If the status of the congregation changes through withdrawal, the records of archival value are retained by the congregation.

Most of the records retained by a congregation for its daily operation, legal protection, financial security, and responsibility to history fit into one of the following categories. For the well-being of the congregation, each type of record has a specific life cycle and needs appropriate care.



Records Retention Schedule for the Congregations of the Evangelical Lutheran Church in America

| Description of Records | Care of the Records | Final Disposition |
|--|--|---|
| Parish Register | | |
| <p>The Parish register includes:</p> <ul style="list-style-type: none"> ▪ Baptisms ▪ Confirmations ▪ Marriages ▪ Funerals ▪ Communion participation ▪ Pastors of the congregation ▪ ELCA-rostered lay workers ▪ Other professional lay workers of the congregation such as organists and choir directors ▪ Roster of officers of the congregation | <p>The parish register is a permanent record and requires the utmost care. The parish register is a hard-copy record and should be kept in a fire-proof safe. You may use a computer program for managing the parish register in the administration of your congregation. This database itself does not constitute a parish register.</p> <p>According to the Model Constitution for Congregations, the pastorⁱ is responsible for maintaining the parish register (*C9.12.a)ⁱⁱ For further instruction, please refer to the document, Maintaining the Parish Register.</p> | <p>Place old parish registers in a fire-proof safe in the congregation's archives, or in a bank safe-deposit box.</p> |



Records Retention Schedule for the Congregations of the Evangelical Lutheran Church in America

| Description of Records | Care of the Records | Final Disposition |
|---|---|--|
| Legal and Vital Records | | |
| <p>Vital legal and property related documents include:</p> <ul style="list-style-type: none"> ▪ Charter or articles of incorporation ▪ Constitution, bylaws, and continuing resolutions ▪ Deeds, titles, surveys, leases, mortgages, easements, and blueprints, construction drawings ▪ Insurance policies (current and retired) ▪ Copies of letters of call to the pastors and ELCA rostered church workers ▪ Documentation creating endowment funds and for bequests, gifts, and endowments | <p>Secure these documents by placing them in a fire-proof safe or maintaining copies in an off-site location.</p> <p>Keep the constitution current and send a copy to the synod for approval.</p> | <p>Place in the congregation's archives.</p> |



Records Retention Schedule for the Congregations of the Evangelical Lutheran Church in America

| Description of Records | Care of the Records | Final Disposition |
|---|----------------------------|--|
| <ul style="list-style-type: none">▪ Minutes of regular and special congregational meetings▪ Minutes of the congregation council and its executive committee | | Place in the congregation's archives |
| <ul style="list-style-type: none">▪ Tax-exempt status reports and documentation or the congregation's nine-digit federal employer identification number▪ Current service or construction contracts and warranties▪ Employment contracts▪ Policy documents (which may be in continuing resolutions)▪ Personnel handbooks and employee benefit programs | Maintain while current | Destroy as replaced or when no longer valid. |



Records Retention Schedule for the Congregations of the Evangelical Lutheran Church in America

| Description of Records | Care of the Records | Final Disposition |
|--|---|---|
| Financial Records | | |
| <p>You may have a financial management database that handles all of your accounting transactions. Retention of financial records refers to hard-copy documents. ⁱⁱⁱ</p> <ul style="list-style-type: none"> ▪ Annual audit reports ▪ Treasurer's annual report to the congregation ▪ Budget approved by the congregation ▪ Bequests & endowments | <p>Preserve permanent records in hard copy.</p> <p>The audit report, treasurer's annual report, and the annual budget approved by the congregation should be part of the minutes of the congregation's annual meeting.</p> | <p>Place in the congregation's archives.</p> |
| <ul style="list-style-type: none"> ▪ Investments in asset management ▪ Canceled checks or copies of canceled checks ▪ Bank reconciliations ▪ Payroll administration records such as W-2, W-4 forms and payroll registers ▪ Cash receipt journals ▪ Record of member giving | <p>The IRS mandates that you preserve these records for four years. For administrative purposes, you may wish to keep these records for seven years. <i>Tax Guide for Churches and Religious Organizations IRS p1821</i></p> <p>All records related to congregational spending are open. All records related to member giving are confidential and should be secured.</p> | <p>Whether maintained as paper or electronic files, destroy these records at the end of the retention period.</p> |



Records Retention Schedule for the Congregations of the Evangelical Lutheran Church in America

| Description of Records | Care of the Records | Final Disposition |
|--|--|--|
| <ul style="list-style-type: none"> ▪ General invoices | For insurance purposes, you may wish to retain receipts or cancelled checks for major purchases as evidence of ownership. | Shred after three years. |
| <ul style="list-style-type: none"> ▪ Offering envelopes | Do not retain | Destroy after counting and entering the data. |
| Detailed guidelines for the congregation's treasurer and financial secretary are found in Resources for Congregational Treasurers and Bookkeepers . | | |
| <h3>Information on Persons</h3> | | |
| Files containing some or all of these documents may exist for the pastor, other rostered persons, employees, registered seminary students, and volunteers: <ul style="list-style-type: none"> ▪ Letters of call ▪ Letters of employment ▪ Letters of application ▪ Job descriptions ▪ Resumes ▪ Correspondence ▪ Honors and clippings | Right to privacy laws dictate that these files must be held in strictest confidence, However, the file must be made available to the employee upon request. Keep this file locked at all times. | Place biographical information and career history for the congregation's staff in the congregation's archives. |
| <ul style="list-style-type: none"> ▪ Emergency notification forms ▪ Health-related documents, such as worker's compensation ▪ Letters of recommendation | <ol style="list-style-type: none"> 1. If the information, including background checks and letters or recommendation attests to the employee's or volunteer's fitness to fulfill a responsibility or perform a service, it should be retained for 50 years after completion of service. 2. If information relates to a worker's compensation or other claim by the employee, this should be retained | Shred either upon completion of service or after 50 years , as noted to left. |



Records Retention Schedule for the Congregations of the Evangelical Lutheran Church in America

| Description of Records | Care of the Records | Final Disposition |
|---|--|--|
| <ul style="list-style-type: none"> ▪ Background and reference checks ▪ Performance appraisals and letters of discipline ▪ Contracts ▪ Continuing education documentation ▪ Documents related to compensation and benefits | <p>until the matter is resolved.</p> <ol style="list-style-type: none"> 3. If the information relates to a possible claim or lawsuit by others involving the employee's conduct or duties, it should be retained in the synod office or under controlled access in the synod or regional archives for 50 years after completion of service. 4. As required, the file for a seminary student is sent to the seminary after he or she has signed for its release. It is not preserved in the congregation. | |
| <p>Pastoral Care Files</p> | | |
| <p>When the pastor, or other authorized staff member, provides pastoral care to parishioners, such as marriage counseling or personal spiritual direction, the pastor may create a file containing:</p> <ul style="list-style-type: none"> ▪ Date and time of consultation ▪ Persons present ▪ Observation notes ▪ Tests, such as personality inventories ▪ Correspondence | <p>The pastor, or other authorized staff member, must use good judgment in establishing the nature of each relationship and in creating documentation of it.</p> <p>The principle of confessional confidences, which applies to all ordained ministers of this church, is specified by ELCA churchwide constitutional provision (7.45.)^{iv}</p> <p>These files must be kept locked and in strictest confidence as they involve a relationship at the highest level of trust and are usually subject to the clergy and penitent privilege. The parishioner should sign a release if any information is to leave the file at any time.</p> <p><i>In all states, suspected cases of child abuse are required to be reported to the authorities. Whether such reporting requirements apply to pastors may vary. Consult an attorney in your state for guidance on such matters.</i></p> | <p>Destroy these records at the termination of the relationship.</p> |



Records Retention Schedule for the Congregations of the Evangelical Lutheran Church in America

| Description of Records | Care of the Records | Final Disposition |
|--|---|--|
| Correspondence | | |
| <p>The pastor and staff may have correspondence of various types:</p> <ul style="list-style-type: none"> ▪ Ex-officio as chief executive officer of the congregation ▪ Correspondence to and from officers of the congregation and the bishop of the synod ▪ Personal correspondence | <p>E-mail is especially vulnerable to loss. E-mail that represents the policies, program, and ongoing life of the congregation should be printed out.</p> | <p>Place only letters that describe the program and ongoing life of the congregation in the congregation's archives.</p> |
| Programmatic Material | | |
| <p>These materials produced by the congregation to assist its programs and promote its activity, document the life of the parish and tell the congregation's story:</p> <ul style="list-style-type: none"> ▪ Congregation histories ▪ Membership directories, including picture directories on computer disc ▪ Newsletters ▪ News releases | <p>Remember digital files never survive by accident! Today, all of these documents are created— and may be used— electronically but are preserved as paper documents. It is inevitable that hardware, software, and file formats will change.</p> <p>Use quality photographic paper to print out copies of pictures for the congregation's archives.</p> | <p>Place in the congregation's archives.</p> |



Records Retention Schedule for the Congregations of the Evangelical Lutheran Church in America

| Description of Records | Care of the Records | Final Disposition |
|--|---|---|
| <ul style="list-style-type: none"> ▪ Program and training material produced by the congregation ▪ Audio and visual materials such as photographs of the congregation's events | | |
| <p>The World Wide Web site may contain:</p> <ul style="list-style-type: none"> ▪ Promotional material ▪ Membership directory ▪ Sermons ▪ Podcasts ▪ Blogs ▪ Audio visual materials ▪ Programmatic material created by members | <p>The World Wide Web site is a constantly changing program delivery platform.</p> <p>Because the Web site may contain unique information about the life of congregation and its community, some effort should be made to preserve this record.</p> <p>The membership directory must be password protected.</p> | <p>You may wish to see if an archival site is collecting snapshots of your congregation Web site. http://www.archive.org</p> <p>If you find no archiving service, print out snapshots of unique Web delivered material to be preserved in the congregation's archives.</p> |
| Sermons | | |
| <ul style="list-style-type: none"> ▪ Sermons | <p>Sermons, in whatever format, are considered intellectual property and belong to the pastor.</p> | <p>The pastor may choose to place manuscripts of sermons commemorating special occasions in the archives of the congregation.</p> |



Records Retention Schedule for the Congregations of the Evangelical Lutheran Church in America

| Description of Records | Care of the Records | Final Disposition |
|--|---|---|
| Resource Materials | | |
| Resource material received from the synodical or the churchwide office for the support of the activity of the congregation: <ul style="list-style-type: none"> ▪ Hymnals ▪ Worship materials ▪ Curriculum ▪ Programmatic materials | For congregations, such materials seldom have permanent value, and the files should be culled annually. These materials are collected in the churchwide and synod or region archives. | Samples of hymnals and parish education materials may be important for recording the history of the congregation. Discard other resource materials when they have been superseded by newer materials. |
| <p><i>See also these additional guidelines. . .</i></p> | <p><u><i>Maintaining the Parish Register: Advice for Congregations of the Evangelical Lutheran Church in America</i></u> <u><i>Congregational Treasurers Financial & Accounting Guide</i></u> <u><i>Certification of Congregation Records at the Time of a Pastoral Transition (form)</i></u> <u><i>Disposition of Records for Disbanding Congregations</i></u> <u><i>A Brief Guide for Archives of Congregations of the Evangelical Lutheran Church in America</i></u> <u><i>The Work of a Congregational Archivist and/or Archives Committee.</i></u> <u><i>Comparison of Microfilming and Digital Preservation Technologies.</i></u></p> | |
| <p><i>For additional information contact. . .</i></p> | Director for Records Management and Library <i>Office of the Secretary</i> Evangelical Lutheran Church in America 8765 West Higgins Road Chicago, Illinois 60631 Telephone: 800/638-3522, ext. 2811 e-mail <u>claire.buettner@elca.org</u> | Archives of the ELCA <i>Office of the Secretary</i> Evangelical Lutheran Church in America 321 Bonnie Lane Elk Grove Village, IL 60007 Telephone: 800/638-3522, ext. 2818 e-mail: <u>archives@elca.org</u> |



Records Retention Schedule for the Congregations of the Evangelical Lutheran Church in America

| Description of Records | Care of the Records | Final Disposition |
|---|---------------------|-------------------|
| © Edition current as of June 5, 2012. Office of the Secretary, Evangelical Lutheran Church in America. These guidelines may be copied for use in the congregation provided copyright is acknowledged. | | |

Notes:

ⁱA representative of the synodical bishop is required to verify that these records exist and are in good order at the time of a pastoral transition. (S14.15) in the [Constitution for Synods](#)).

ⁱⁱ "The pastor shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation, and shall submit a summary of such statistics annually to the synod." (*C9.12.a.and b.) in the [Model Constitution for Congregations](#)).

ⁱⁱⁱ "The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to the synodical treasurer. The Congregation Council shall be responsible for this congregation's investments and its total insurance program." (C12.05.e. and f.) in the Model Constitution for Congregations).

^{iv} "In keeping with the historic discipline and practice of the Lutheran Church and to be true to a sacred trust inherent in the nature of the pastoral office, no ordained minister of this church shall divulge any confidential disclosure received in the course of the care of souls or otherwise in a professional capacity, nor testify concerning conduct observed by the ordained minister while working in a pastoral capacity, except with the express permission of the person who has given confidential information to the ordained minister or who was observed by the ordained minister, or if the person intends great harm to self or others" (churchwide constitutional provision 7.45. in the [Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America](#)).