

**CONSTITUTION OF
SHALOM LUTHERAN CHURCH
HARRISBURG, SOUTH DAKOTA**

****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 the congregation shall be Shalom Lutheran Church.

C1.02. For the purpose of this constitution, the Shalom Lutheran congregation is hereinafter designated as "this congregation".

C1.03. For the purpose of this constitution, Congregational Council is hereinafter designated as "Council".

C1.11. This congregation is incorporated under the laws of the State of South Dakota under and virtue of the South Dakota Non-Profit Corporation Act, SDCL 1967 Chapters 47-22 through 47-28, both inclusive. The place of location of this Corporation shall be in Harrisburg, Lincoln County, South Dakota, the Registered Office of this Corporation shall be 1000 Maple Street, Harrisburg, South Dakota 57032; the Registered Agent shall at all times be the Pastor, whomsoever the same shall be at 1000 Maple Street, Harrisburg, SD 57032. The period of the existence or duration of this Corporation shall be perpetual.

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 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 Scriptures and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

CHAPTER 3.

NATURE OF THE CHURCH

*C3.01. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority.

*C3.02. 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 (ELCA), therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.

C3.02.01. This congregation rejects all fellowship of worship with organizations, open or secret, which are avowedly religious or practice forms of religion without confession of faith in the Triune God and in Jesus Christ as the eternal Son of God incarnate to be our only Savior from sin, and thus teach salvation by works.

C3.02.02. No lodge ceremonies are permitted in the church or on the church premises of this congregation. The pastor of this congregation shall take no part in any such services, even if conducted outside the church premises.

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 Evangelical Lutheran Church in America.

*C.4.04. This congregation shall develop an organizational structure to be described in the bylaws. The Council shall prepare descriptions of the responsibilities of each committee, task force, or other organizational groups and shall review their actions. Such description shall be contained in continuing resolutions of the Council.

*C.4.05. This congregation shall, from time to time, adopt a mission statement that will provide specific direction for its programs.

CHAPTER 5.

POWERS OF THE CONGREGATION

*C.5.01. The powers of this congregation are those necessary to fulfill its purpose.

*C.5.02. The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws.

*C.5.03. Only such authority as is delegated to the Council or other organizational units in the 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 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 officers, Council, boards, and committees, and require them to carry out their duties in accordance with the constitution, bylaws and continuing resolutions; and
- j. Terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.

*C5.04. This congregation annually 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 South Dakota 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 South Dakota Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America as long as it faithfully holds or pertains to the Holy Scripture and the Confession of this church.

*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 all of its provisions are in agreement with the constitution and by-laws of the Evangelical Lutheran Church in America or 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 the 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 ELCA 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.

*C6.06. If this congregation is considering relocation, it shall confer with the bishop of the synod in which it is territorially located before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.

CHAPTER 7.

PROPERTY OWNERSHIP

*C7.01. If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline, title to property shall continue to reside in this congregation.

*C7.02. 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 South Dakota Synod.

CHAPTER 8.

MEMBERSHIP

*C8.01. Members of this congregation shall be those baptized persons on the roll of the congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.

*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 and shall have attained the age of eighteen years
- 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 Council of this congregation.

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

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

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

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

- a. Death;
- b. Resignation;
- c. Transfer or release;
- d. Disciplinary action by the Council; or
- e. Removal from the roll due to inactivity as defined by 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.

C8.05.01. Maintaining membership: A member who does not, for a period of one year, support the church with his or her offerings, and does not appear to desire to participate in the life and worship of the congregation, shall be CONTACTED by the pastor and the proper congregational representatives and encourage them to active membership. If, after the second year, the member does not actively participate, the member's name shall be removed from the membership roster of the congregation.

CHAPTER 9.

THE PASTOR

*C9.01. Authority to call a pastor shall be in this congregation by at least 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 this congregation to recommend the call, may seek the advice and help of the bishop of the synod.

*C9.02. 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) Shall 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 the congregation
 - 3) Shall install regularly elected members of the Congregational 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 South Dakota 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. 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.

- a. The pastor's call 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
 - 7) Suspension of the congregation as a result of discipline proceedings.

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

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

- d. In the case of alleged local difficulties 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 by a two-thirds majority vote of the voting membership present at a regularly called meeting after consultation with the bishop.

- e. The forgoing procedures shall never be invoked when questions of doctrine, morality, or continued neglect of duty are involved, all such cases being treated as disciplinary matters
- f. In the course of the proceedings, it should become apparent that the pastoral office cannot be conducted effectively in the congregation being served by the ordained minister due to the local conditions, the bishop of the synod may temporarily suspend the pastor from service in the congregation without prejudice and with pay provided through a joint church wide/synod fund and housing provided by the congregation.

*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 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 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, within 30 days of termination.

*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 council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.

*C9.10. 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.

*C9.11. The pastor of this congregation and or the congregational staff/boards of Shalom Lutheran Church shall:

- a. Keep accurate parochial records of all baptisms, confirmations, marriages, burials, members received, members dismissed, or members excluded from the congregation;
- b. Submit a summary of such statistics annually to the synod; and
- c. Become a member of this congregation upon receipt and acceptance of the letter of call.
- d. Acknowledge gifts and memorials (in writing) given to the congregation in the amount of \$50 or more. Copies of such correspondence shall be kept on file for a period of 7 years.

*C9.12. The pastor shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

CHAPTER 10.

CONGREGATION MEETING

C10.01. The annual meeting of this congregation shall be held at a time specified in the bylaws.

C10.01.01. The Annual Meetings of the congregation shall open with the Word of God and prayer.

C10.01.02. The Annual Meeting of the voting members of this congregation shall be at such time and place as determined by the Council but such Annual Meeting shall be held within 60 days after the end of the calendar year.

C10.01.03. Recessing a congregation meeting requires a majority vote. The meeting must be reconvened within a reasonable time. The congregation may vote for the time and place to reconvene, or the President or Pastor may name the time and place. Time and place shall be announced at a public meeting of worship.

C10.01.04. The suggested order of business of the Annual Meeting suggested are:

- (a) Minutes of previous Annual Meeting, including special meetings and motion to approve
- (b) Treasurer's Report and motion to approve
- (c) Written reports of:
 - 1. Pastor
 - 2. President
 - 3. Administrative Boards
 - 4. Chairperson of Shalom Women of the ELCA
 - 5. Financial Secretary and Treasurer jointly
- (d) Election of Officers (paper ballot required for multiple candidates only)
- (e) Unfinished business
- (f) New business
- (g) Presentation of the budget
- (h) Adoption of budget
- (i) Closing prayer

C10.02. A special Congregation Meeting may be called by the pastor, the Council, or the President of this congregation, and upon the written request of 50 voting members, shall be called by the President of the congregation. 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.

C10.03.01. The Council shall be authorized to establish other forms of notice by proper Council resolution.

C10.03.02. The pastor shall always be notified of the time and place of any Special or Annual Meeting of the Corporation.

C10.04. Fifty voting members shall constitute a quorum. **(Amended 01/25/1998)**

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

C10.06. All actions by the congregation shall be by majority vote except as otherwise provided in this constitution.

C10.06.01. In the following cases voting shall be by written ballot:

- a. Elect Officers and members of all boards, paper ballot required for multiple candidates only
- b. Adopt or amend Articles of Incorporation, Constitution or By-Laws of the Constitution
- c. Call a Pastor or sever official connections with Pastor.
- d. Dismiss an officer of the congregation

C10.07. Robert's Rules of Order, latest edition, shall govern parliamentary procedure of all meetings of this congregation.

CHAPTER 11.

EXECUTIVE COMMITTEE

C11.01. The Executive Committee of this congregation shall be a **President, Vice-President, Secretary, Treasurer and Financial Secretary**

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

C11.02. The congregation shall elect its Executive Committee and they shall be officers of the congregation. The officers shall be elected by written or voice ballot and shall serve according to the rules of the by-laws of the constitution until their successor are elected. Their term shall begin at the close of the annual meeting at which they are elected.

C11.02.01. Duties and Terms of the Executive Committee:

- a. The President shall preside over meetings of the Council and of the Annual Congregation Meeting. The President shall be elected for a two (2) year term, elected on **even** numbered years.
- b. The Vice-President shall preside in absence of the President. The Vice-President shall be elected for a two (2) year term, elected on **even** numbered years.
- c. The Secretary shall keep the minutes of the Council and of the Congregation Meetings and preserve the same and shall perform other tasks or duties assigned to said Secretary. The Secretary shall be elected for a two (2) year term, elected on **odd** numbered years.
- d. The Treasurer shall be custodian of all the funds of the Congregation except those funds belonging to and controlled by special committees which committees are not members of the Council but such committees shall make an accounting annually to the Treasurer of their funds, the Treasurer shall disburse such funds in accordance with the decisions of the voting members, the Council, or the Board of Property. The Treasurer shall present an audited report at the Annual Meeting of the Congregation and such other reports to the Council as the Council may require. Regularly analyze and report to the Council trends in incomes and expenses, giving special attention to unanticipated fluctuations. The Treasurer shall be elected for a two (2) year term, on **odd** numbered years.
- e. The Financial Secretary keeps track of members individual giving and makes timely quarterly reports to the same. Regularly analyze and report to the Council trends in incomes, giving special attention to unanticipated fluctuations. The Financial Secretary shall be elected for two (2) year term, elected on **even** numbered years.
- f. The Financial Secretary and Treasurer shall work together as needed; they will supply to the Congregational Council budget preparation reports and numbers needed to compute the upcoming budget each year as directed by the Board of Stewardship of the Congregation of Shalom Lutheran Church. The budget development process should include opportunities for staff, committees, and other groups to request support for their programs.
- g. The Financial Secretary and Treasurer shall cooperate with the Audit Committee in providing for an annual review of all financial transactions of the congregation inclusive of all ancillary checking/savings accounts of the congregation and Boards. They shall also

work together on developing a long-range financial planning for the congregation and may work with the Board of Stewardship on this task.

C11.03. No officer shall hold more than one office at a time. The members of the Executive Committee shall be eligible to serve no more than two consecutive two year terms in the same office.

C11.04. Should the office of a congregational officer be declared vacant, the Council shall elect, by majority vote, a successor until the next annual meeting.

C11.04.01. If the office of President is declared vacant then the Vice - President shall automatically fill the vacancy.

CHAPTER 12.

COUNCIL

C12.01. The voting membership of the Congregation Council shall consist of the Pastor, the Congregation President, Vice-President, Secretary, Treasurer, Financial Secretary, Board of Deacons, Board of Property, Board of Christian Education, Board of Youth Ministry, Board of Parish Life and the President of the Evangelical Lutheran Church Women of Shalom Lutheran Church. A members place on the Congregation Council shall be declared vacant if the member...

- a) Ceases to be a voting member of the congregation or
- b) Is absent from four successive meetings of the Congregation Council without cause or notification
- c) Absences will be addressed by the Executive Committee and/or Pastor

C12.02. The members of the boards shall be elected by the congregation at the annual meeting by written ballot or voice vote if there is only one nominee per office, to serve for two years. Board members are permitted to serve two successive terms; an unexpired term of less than one year shall not be considered a full term of office. All board terms are staggered in such a manner that at least one new member is elected each year.

C12.02.01. The five distinct boards within the Council shall meet monthly.

C12.02.02. The Council shall have the power and authority to assign additional responsibilities and duties to any board or committee by resolution of the Council.

C12.02.03. Only those who are members shall be chosen for any office or board. Those shall be chosen who have the Christian convictions (1 Timothy 3) and reputation as members who show concern and zeal for God's word in the Christian Life, as well diligent hearing of the Word of God in Public preaching service, and use of sacraments.

C12.02.04. A maximum of two successive two year terms may be served.

C12.02.05. To supervise and operate the various programs in the church, with the Pastor as an advisory member of each Board, their shall be the five boards: Board of Christian Education, Board of Youth Ministry, Board of Parish Life, Board of Property, Board of Deacons and Board of Stewardship.

The terms and job descriptions are provided below.

- ↑ **Board of Christian Education:** This Board shall consist of a minimum of five (5) members, elected for a two (2) year term. Approximately one-third of the members shall be elected each year.

- ↑ **Board of Youth Ministry:** This Board shall consist of a minimum of three (3) members, elected for a two (2) year term. Approximately one-third of the members shall be elected each year.
- ↑ **Board of Parish Life:** This Board shall consist of a minimum of five (5) members, elected for a two (2) year term. Approximately one-third of the members shall be elected each year.
- ↑ **Board of Property:** This Board shall consist of a minimum of five (5) members, elected for a two (2) year term. Approximately one-third of the members shall be elected each year.
- ↑ **Board of Deacons:** This Board shall consist of a minimum of five (5) members, elected for a two (2) year term. Approximately one-third of the members shall be elected each year.
- ↑ **Board of Stewardship:** This Board shall consist of a minimum of three (3) members, elected for a two (2) year term. Approximately one-third of the members shall be elected each year.
- ↑ **Shalom Women of the Evangelical Lutheran Church:** One member from this group may vote at the council meetings.

(a) **Board of Christian Education:** To provide a lifelong program of Christian education that will enable members of all ages to learn the Scriptures and Lutheran teaching and apply them in their daily lives.

1. Establish objectives, set policies for, keep records of, supervise and be responsible for the Christian nurture of children, youth and adults, through the Sunday School, Vacation Bible School, Confirmation Classes and other educational groups, providing for active expression of Christian love and concern as a integral part of the total educational programs and processes. Plan ongoing, regular educational experiences and special events that will appeal to all segments of the congregation.
2. Coordinate recruitment of volunteer leaders and teachers for the congregation's education program. The duties are so listed as to "Enlist, train, place and continue to train lay teachers leaders as the congregation needs require, and establish a system of commendation for and recognition of faithful service by all persons involved in the educational task of the congregation.
3. Design, maintain and evaluate all available curricula and other educational materials and select those that will be used in the education program of the congregation.
4. Make provisions for the Christian education of special persons or groups, such as the blind, deaf, or have other special needs if at all possible.
5. Give special attention to the educational programs that support faith development and involvement in the life of the church, such as confirmation ministry, the incorporation of new members, early childhood, and family support programs.
6. Maintain, improve and cultivate the use of a church library which will include books, films, videos, tapes, records, etc., and provide and/or promote subscriptions to church periodicals.
7. Provide Bibles to Elementary Sunday School Students of Shalom Lutheran Church to be handed out by the Education Director during a Sunday Service.
8. Report regularly to the Congregation Council and attend all Congregational Council meetings.
9. Submit an annual budget request to the Congregation Council during the annual budget planning session inclusive of any outside checking/savings accounts and current balance and expenditures of same to be taken into consideration when requesting budget needs for upcoming year.

10. Submit a written report and expense summary for the annual meeting.

(b) **Board of Youth Ministry:** To provide ministry to and with young people, so that they may grow in faith and in their understanding of themselves as members of the congregation; to work for the involvement of young people in all aspects of congregational life.

1. Develop educational opportunities for adolescents and young adults in the congregation.
2. Develop service opportunities for adolescents and young adults in the congregation.
3. Develop social opportunities for adolescents and young adults in the congregation.
4. Develop ways for all young people of high school age to help others and reflect on experience in the light of the Gospel.
5. Develop ways for young people to meet young people from the larger church in a setting designed to be celebrative, educational, and spiritually nourishing.
6. Provide a system for congregation to maintain contact with young people after their graduation from high school, especially with those who are living apart from their parents or childhood home.
7. Provide programs that include the parents of young people and help build or renew supportive relationships among parents and between parents and their children.
8. Provide programs that address concerns of young people, including stressful life situations and behavior that puts them at risk.
9. Provide opportunities for the youth of this congregation to be exposed to the professional opportunities that exist within the Evangelical Lutheran Church of America.
10. Give special attention to the needs of youth by seeking to enlist adults to serve as advisors and counselors to the whole range of youth activities; by being alert to opportunities to serve and encourage youth in their ongoing relationship to the church.
11. Report regularly to the Congregational Council and attend all Congregational Council meetings.
12. Submit an annual budget request to the Congregation Council during the annual budget planning session inclusive of any outside checking/savings accounts and current balance and expenditures of same to be taken into consideration when requesting budget needs for upcoming year.
13. Submit a written report and expense summary for the annual meeting.

(c) **Board of Parish Life:** To lead this congregation in witnessing to the Gospel of Jesus Christ to people who are not active members of a Christian congregation and to those in need of spiritual and physical support. To support the faith development of members and increase the active membership of this congregation.

1. Review the congregation's climate, facilities, and procedures of the congregation to nurture and cultivate the spirit of hospitality toward guests.
2. Provide a system for identifying, welcoming, and obtaining the names and addresses of nonmembers who attend worship services of the congregation; provide for follow-up contacts to thank them for participation, obtain feedback on their experience at worship, and ascertain ways the congregation might serve them better.

3. Provide a system for identifying and making regular contact with nonmembers who regularly participate in the life of the congregation (such as parents who enroll children in Sunday School, or people who participate in support groups, youth groups and so forth).
4. Provide a system for making scheduled follow-up contacts with people who are identified as potential members of the congregation.
5. Regularly provide opportunities for guests and new members to be introduced to the Christian faith.
6. Enlist members of the congregation to serve as sponsors of new members.
7. Plan and conduct promotional campaigns for special events or programs designed for or open to nonmembers of the congregation.
8. Identify populations in the congregation's community (or service area) that should be targeted for outreach efforts, and develop specific strategies to communicate with and invite these people to participate in the congregation's ministry.
9. Develop ways for the work of the congregation to be regularly advertised and promoted in the community.
10. Educate, encourage, and provide tools to help members invite friends, relatives, and acquaintances to worship with them.
11. Responsible for developing procedures for members transferring out of the congregation or being placed on the inactive roll in conjunction with the pastor of the congregation and or other church boards.
12. Responsible for contacting and encouraging members whose activity in the congregation has decreased as well as those actively involved.
13. Plan opportunities for members to learn about the needs of people throughout the church and the world.
14. Study and make the congregation aware of material needs of people in the area it serves.
15. Conduct programs, either as a congregation or in cooperation with other congregations and institutions that provide material and spiritual assistance to people who are poor, hungry, or victimized.
16. Receive and study social statements of the ELCA, develop means by which they can be discussed in the congregation, and develop action plans based on such statements, as appropriate.
17. Ensure that the congregation has adequate representation at any committees or non-profit groups as directed by the Pastor and/or Congregational Council.
18. Plan, develop, coordinate and implement programs for groups such as youth, adults, couples, single parents, elderly, the handicapped, and family life activities; and be responsible for implementing and promoting fellowship activities of the church.
19. Plan, promote and foster fellowship within this congregation. Fellowship opportunities include, but are not limited to banquets, potluck dinners, picnics and coffee hours that may be regularly planned on special occasions.
20. Report regularly to the Congregation Council and attend all Congregational Council meetings.

21. Submit an annual budget request to the Congregation council during the annual budget planning session inclusive of any outside checking/savings accounts and current balance and expenditures of same to be taken into consideration when requesting budget needs for upcoming year.

22. Submit a written report and expense summary for the annual meeting.

(d) **Board of Property:** To provide for the maintenance and improvement of all the real and personal property of the congregation; to provide the equipment and materials necessary and helpful for the congregation to carry out its mission and ministry; to provide for the scheduled maintenance and replacement of property and equipment.

1. Provide the maintenance, repair and improvement of all real and personal property of the congregation.
2. Provide for regular cleaning and maintenance to ensure that the interior and exterior of the building is attractive, inviting, and suitable for use by the entire congregation in its programs.
3. Enter into contracts for repairs or other services on behalf of the Council, up to limits established by budget, congregational policy (for unbudgeted items), or council action.
4. Determine and engage adequate custodial help, paid or otherwise, provide them with details of required maintenance of facility and equipment. Meet with custodian(s) periodically to discuss care of the facility and needs regarding same. Annually review salaries for custodial help.
5. Make and issue keys of church property, and keep and review annually a list of keys issued. Change the keypad combination annually.
6. Negotiate service contracts for the organ, piano, office machines and the like.
7. Regularly review the need for equipment that will increase the efficiency and productivity of the congregation's office staff and program leaders; assess options and develop recommendations for purchases; monitor depreciation of equipment and make recommendations for replacement.
8. Review the congregation's accessibility by people with various disabilities, and provide remedies for deficiencies.
9. Review the congregation's environmental practices, including energy efficiency, and pursue more environmentally sound systems and procedures.
10. Review the safety of the building and property, giving attention both to the potential for damage and loss to the security of people who use the property.
11. Annually check the adequacy of all types of insurance for church property and equipment and negotiate insurance contracts.
12. Determine and establish, with approval from of the congregational council, regulations governing use of church and equipment. Coordinate the schedule of activities with the facility in conjunction with the Pastor and church staff.
13. Organize and supervise a volunteer congregational clean-up day annually.

14. Report regularly to the Congregation Council and attend all Congregational Council meetings.
15. Submit an annual budget request to the Congregation Council during the annual budget planning session inclusive of any outside checking/savings accounts and current balance and expenditures of same to be taken into consideration when requesting budget needs for upcoming year.
16. Submit a written report and expense summary for the annual meeting

(e) **Board of Deacons:** Persons noted for their Christian knowledge, zeal and experience in the spiritual work of the Kingdom shall be elected to membership. The basic objectives of this Board are the spiritual welfare of the Pastor(s) and congregation members, individual and corporately, and the supervision of all church staff.

1. Pray for and with the Pastor and other spiritual leaders.
2. Encourage the Pastor in his/her work by word and action.
3. Be concerned about the spiritual, emotional and physical health and welfare of the Pastor and his/her family (adequate compensation, free time, vacation, assistance in time of illness) and to that end specifically review these items once each year.
4. Assist the Pastor in counseling with difficult cases in finding peaceful and God pleasing solutions to personal problems within the congregation.
5. Exercise leadership in assisting the congregation in accordance with calling a Pastor with when a vacancy occurs. The Deacons will work closely with the Call Committee during this period of time.
6. Maintain discipline within the congregation according to Scripture, the Lutheran Confessions and Section C12.02.05.e.6.a of the by-laws of this congregation, and exercise discipline when required.
 - a) Application for Membership: A person may become a member of the congregation through baptism, public confession of faith, or by Letter of Transfer. Applicants shall present their applications to the Pastor, shall ascertain whether or not the applicant meets the requirements of the constitution. Insure that provision is made for overseeing the spiritual well-being of the congregation.
7. See to integrate new members into the congregation.
8. The Deacons shall be responsible for the employment and supervision of the salaried lay workers of this congregation. One Deacon shall serve as a chairperson on the Call Committee.
9. Open Congregational Council meetings with prayer and devotions.
10. Assist with worship services as needed and directed by the Pastor.
11. Review and administer salary compensation package for the Pastor annually following the Synod guidelines and formula worksheet.
12. Conduct annual performance evaluations for all church staff – Pastor and lay staff alike.

13. Report regularly to the Congregation Council and attend all Congregational Council meetings.
14. Submit an annual budget request to the Congregation Council during the annual budget planning session inclusive of any outside checking/savings accounts and current balance and expenditures of same to be taken into consideration when requesting budget needs for upcoming year.
15. Submit a written report and expense summary for the annual meeting

(f) **Board of Stewardship:** To provide an ongoing, year-round program of stewardship education; to invite all members to participate according to their means in the financial support of the congregation and of the Evangelical Lutheran Church in America; to encourage and facilitate planned giving; to challenge all members to offer their time and talents in support of the work of the church.

1. Annually provide a program through which people make a commitment to financially support the congregation.
2. Develop educational programs through which all members of the congregation can grow in their understanding of themselves as stewards of all God's gifts.
3. Work with the Financial Secretary and Treasurer to submit budget information to the Congregational Council. This will include developing income projections for use in the annual budget development process, taking into account past trends in member giving, as well as members' commitments and other factors.
4. Regularly provide an opportunity for members of the congregation to offer their time and abilities to participate in the work of the church.
5. Maintain records of the participation of members in the work of the church and of their current interests; assist other committees in using these gifts in appropriate ways; acknowledge and provide reinforcement for such participation.
6. Interpret to the congregation the mission and work of its synod and of the ELCA through prayer, financial support, and other ways.
7. As appropriate, plan and carry out programs that support giving to special needs of the congregation, the ELCA, or other causes that have been endorsed by the synod.
8. Report regularly to the Congregation Council and attend all Congregational Council meetings.
9. Submit an annual budget request to the Congregation Council during the annual budget planning session inclusive of any outside checking/savings accounts and current balance and expenditures of same to be taken into consideration when requesting budget needs for upcoming year.

10. Submit a written report and expense summary for the annual meeting

(g) **Shalom Women of the Evangelical Lutheran Church in America:** It shall be the purpose of the Shalom Lutheran Church Women to know and do the will of our Lord Jesus Christ in and through the Word of God as full participants in the life and mission of the Evangelical Church in America.

1. The aim of the Shalom Women (SWELCA) shall be to live out the gospel and to provide opportunities for spiritual growth through the study of the Scriptures, and through service and consecration of time, talents and treasures.

2. The program of Shalom WELCA is that of the Evangelical Lutheran Church in America, and shall be carried out through the program of Shalom Lutheran, working with the Boards of Property, Deacons, Shalom Life, Christian Education and Stewardship, Pastor and any other appropriate groups.
3. Design, maintain and evaluate all available curricula and other educational materials and select those that will be used in the education program of the congregation.
4. This auxiliary is in existence to further the program of the church, NOT to work independently of it.
5. The President (or her designated representative) of SWELCA shall attend all Congregation Council meetings and report accordingly.
6. Submit an annual budget request to the Congregation Council during the annual budget planning session inclusive of any outside checking/savings accounts and current balance and expenditures of same to be taken into consideration when requesting budget needs for upcoming year.
7. Submit a written report and expense summary for the annual meeting.

C12.03. The 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. The duties of the Council shall include the following:

- a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
- b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
- c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
- d. To maintain supportive relationships with the pastor(s) and staff and help them annually to evaluate the fulfillment of their calling, appointment, 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.

C12.04. The Council shall be responsible for the financial and property matters of this congregation.

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

b. The 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 Council may enter into contracts of up to \$5,000.00 for items not included in the budget; this restriction does not apply to designated funds of the congregation. **(AMENDED 01/25/98)**

d. The Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations more than \$5,000.00 in excess of the anticipated receipts only after approval by a Congregation Meeting. **(AMENDED 01/25/98)** 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 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 and/or other mission choices as approved in the annual budget at the Annual Meeting.

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

g. The Congregation Council shall be the authority to decide what Board issues are of significant impact and to have input into those issues. Such action to include approval or disapproval or bring the matter before the congregation for a majority vote of the Voting members. If a Board disagrees with the decision of the Congregation Council, the Board in question has the right to request a special meeting of the congregation. **(Adopted by the congregation. (07/24/1988)**

C12.04.01. The Fiscal Year of this Corporation shall be the calendar year and shall commence on the first day of January in each year and shall end on the last day of December in the same year.

C12.04.A97. Handling of Funds **(Adopted during the annual meeting 2006)**

The Executive Committee, with the Council approval, will name the financial institution(s) to be the depository for all church funds. No funds may be transferred or closed without authorization of the Governing Board and Treasurer. All official documents are to be kept in a safety deposit box at the First National Bank in Harrisburg, SD.

C12.05. The Congregational Council shall see that the provisions of this constitution, its bylaws and the continuing resolutions are carried out.

C12.06. The Congregational Council shall provide for an annual review of the membership roster.

C12.07. The Congregational Council shall submit a comprehensive report to this congregation at the annual meeting.

C12.08 The Congregational Council shall normally meet once a month. Special meetings may be called by the pastor or the President, and shall be called by the President at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.

C12.09. A quorum for the transaction of business shall consist of a majority of the members of the 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 Council, following consultation with the synodical bishop.

C12.09.01. All business transacted by the Council shall require a majority affirmative vote of the Council members voting.

C12.10. If a vacancy occurs on a board of in an office of the congregation, the Congregation Council shall fill the vacancy until the next meeting of the congregation. Should the unexpired term be one year or less, it shall not be considered in determining eligibility for succession.

CHAPTER 13.

CONGREGATIONAL COMMITTEES

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

C13.02. A **Nominating Committee** of six voting members of this congregation, two of whom may be outgoing members of the Congregational Council, shall be elected at the annual meeting for a term of one year. Members of the Nominating Committee are not eligible for consecutive reelection.

C13.03. An **Audit Committee** of three voting members shall be elected at the annual congregational meeting. Audit Committee members shall not be members of the Council. Term of office will be three years on a staggered basis. Members shall be eligible for a term of two years and shall be eligible for re-election one time.

C13.04. When a pastoral vacancy occurs; a **Call Committee** of seven voting members shall be elected by the Council and the chairperson shall be one Deacon. Term of office will terminate at installation of the newly-called pastor.

*C13.07. An **Altar Guild Committee** of three voting members shall be elected by the Council. Terms of office will be two years. Members shall be eligible for reelection. Duties include but are not limited to:*

- a) Take care of all banners, clean and repair.*
- b) Put up the different colors according to the Church Calendars.*
- c) To help with special services and decorate accordingly*
- d) Replace the candles on the altar and candelabra.*
- e) Order new candles when needed*
- f) Keep candle holders clean*
- g) There is a funeral, baptism, and communion banner to be put up on such occasions.*
- h) Order baptism towels as directed by the Pastor*
- i) Put up Advent wreath. Stand to be trimmed with rope, greens and the Advent Candles*
- j) Other duties as directed by the Council and Pastor of Shalom Lutheran Church*

C13.07. A **Mini-Parish Group Leader and Committee** of 12 voting member families – one for each month shall be secured by church staff or a designated Board appointed by the Council. Terms of office will be two years. Members shall be eligible for reelection. Duties include but are not limited to:

- a) Providing members to bring cookies and make the coffee and cleaning the area of the sacristy after serving.
- b) Securing ushers for all services and providing direction as needed for their duties – direct them to arrive 20 minutes prior to worship
- c) Securing Lectors for each service

- d) Acolytes are needed for each service to light the altar candles and candelabras inclusive of extinguishing the candles at the end of the service.
- e) Supplying Greeters for both services – direct them to arrive 20 minutes prior to worship
- f) The Mini-Parish group is responsible for providing cakes, workers and other things needed for a funeral falling in their month
- g) Full job descriptions are available from the Church Secretary and are provided to the Mini-Parish Group Leaders prior to their month

C13.08. Other congregational committees may be formed as the need arises, by the decision of the Congregational Council.

C13.08. Duties of congregational committees shall be specified in the by-laws and continuing resolutions

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 Council and specified in a continuing resolution.

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
- c) Citation to appear before the Council. If for any reason, the pastor is unable to administer the admonitions required by a. and b. hereof, the President or President-Elect 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 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 Council. The written charges shall accompany the written citation to the accused. A member charged with the offense shall appear before the Council after having received a written citation, at least ten days prior to the meeting. If the member charged with the offense fails to appear at the scheduled hearing, the Council may proceed with the hearing and may pass judgment in the member's absence.

*C15.03. Members of the Council who participate in the preparation of the written charges or who present evidence or testimony in the hearing before the 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 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
- 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 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 Council upon receipt of

- a) Evidence that injustice has been done
- 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 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 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 Council at least 60 days before a regular or special Congregation Meeting called for that purpose and that the Council notify the members of the proposal with its recommendations at least 30 days in advance of the Congregation Meeting.

CHAPTER 17.

AMENDMENTS

*C17.01. Amendments to this constitution may be proposed by any voting member or by the Congregation Council. Proposals must be filed in writing with the Congregational Council sixty (60) days before formal consideration by this congregation at its regular or special meeting called for that purpose. The Congregation Council shall notify the members of the proposal with their recommendations at least 30 days in advance of the meeting.

*C17.02. An amendment to this constitution, proposed under *C17.01, shall:

- a) Be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those present and voting
- b) Be ratified without change at the next annual meeting by a two-thirds majority vote of those present and voting; and
- c) Have the effective date included in the resolution and noted in the constitution.

*C17.03. Any amendment to this constitution shall be sent by the secretary of this congregation to the synod. The amendment shall become effective within one hundred twenty (120) days from the date of the receipt of the notice by the synod unless the synod informs this congregation that the amendment is in conflict with the constitution and by-laws of the Evangelical Lutheran Church in America.

CHAPTER 18.

CONTINUING RESOLUTIONS

*C18.01. The 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 two-thirds vote of all voting members of the 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 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.

Addendum

Constitution changes, By-Laws additions and Continuing Resolutions contained in this constitution:

- C10:04 Members constituting a quorum (Amended 01/25/98)
- C 12.04C Approval of Council to enter into contracts up to \$5,000 (Amended 01/25/98)
- C12.04G Approval to decide what Board issues are significant. (Amended 07/24/88)
- C12.04.A97 Handling of Funds (approved Annual Meeting 2006)

Adoption

This substitute constitution and bylaws was adopted in its entirety at the Shalom Lutheran Church Annual Congregational Meeting on January 29, 2006. (Annual Meeting 2006).

Notes

* Identifies required provisions of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*.

Text identified in the format of CX.XX. represents the constitution of this congregation.

Text identified in the format of CX.XX.XX. represents the bylaws of this congregation.