

Immanuel Evangelical Lutheran Church

104 Galvin Road North
Bellevue, Nebraska 68005

Constitution Bylaws Continuing Resolutions

Adopted: January 22, 1995
Effective: February 1, 1995

Amended: February 1, 1997; January 18, 1998; January 28, 2001;
January 25, 2004; November 9, 2005; January 22, 2006;
February 14, 2006; January 28, 2007; January 27, 2008;
May 31, 2009; January 23, 2011; January 29, 2012
January 26, 2014, and September 18, 2016

TABLE OF CONTENTS

<u>Chapter</u>	<u>Title</u>	<u>Page</u>
	Paragraph Codification (Numbering) Explanation	ii
	*Preamble	3
1	Name and Incorporation	3
2	Confession of Faith	3
3	Nature of the Church	4
4	Statement of Purpose	5
5	Powers of this Congregation.....	7
6	Church Affiliation.....	8
7	Property Ownership	11
8	Membership	12
	Transfers.....	12
	Inactive Members	13
9	The Pastor	15
	The Pastoral Call	15
10	Congregation Meeting	20
	Business Meetings	20
11	Officers.....	21
	Resignations from the Congregation Council.....	22
	Duties of Officers	22
12	Congregation Council	23
	Advisory Members	23
	Duties.....	26
13	Congregational Boards and Committees.....	27
	Nominating Committee	27
	Audit Committee	28
	Executive Committee.	28
	Columbarium Committee.....	29
	Board Standards.....	32
	Fellowship Board	32
	Properties Board.....	33
	Outreach Board	34
	Faith Formation Board.....	35
	Stewardship Board	37
	Worship Board	38
	Finance Board	38
	Mutual Ministry Committee	40
	Evangelism Board	40
	Endowment and Memorial Committee	41
14	Organizations within this Congregation	44
15	Discipline of Members	44

<u>Chapter</u>	<u>Title</u>	<u>Page</u>
16	Bylaws	46
	Fiscal Year	46
17	Amendments	47
18	Continuing Resolutions	48
	Conflicting Loyalties	48
19	Indemnification	49
20	Parish Authorization	49
Appendix		
	Organization Chart	50



Paragraph Codification (Numbering) Explanation

Constitutional provisions are codified with two sets of numbers; the constitutional chapter number beginning with a "C" and ending with a period (i.e. C13.) and a two-digit provision number also ending with a period (i.e. 01.). Thus the constitutional provision relating to *Congregational Boards and Committees* is numbered C13.01. while the constitutional provision relating to *Confession of Faith* is *C2.01. An asterisk (*) preceding a constitution paragraph indicates a required provision of the *ELCA Model Constitution for Congregations*.

Bylaw provisions are codified with three sets of numbers; the first 2 sets of numbers are the related constitutional chapter and provision number (as above) and are followed by a two-digit bylaw provision number. Thus one bylaw related to *Congregational Boards and Committees* is numbered C13.01.01.

Continuing resolutions are also codified with three sets of numbers except that the third set is preceded by a capital letter. The first 2 sets of numbers are the related constitutional chapter and provision number (as above). The third set begins with a capital letter indicating its sequence order under that constitutional provision followed by two digits representing the year the continuing resolution was adopted. Thus the first continuing resolution related to *Congregational Boards and Committees* is numbered C13.06.A13., indicating by the "A" that it is the first continuing resolution regarding this subject and by the "13" that it was adopted in 2013. The second continuing resolution regarding this subject is numbered C13.06.B13. as it was also adopted in 2013.

***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 Immanuel Evangelical Lutheran Church of Bellevue, Nebraska.
- C1.02. For the purpose of this constitution and the accompanying bylaws, the Immanuel Evangelical Lutheran Church congregation is hereinafter designated as "this congregation."
- C1.03. This congregation shall be incorporated under the laws of the State of Nebraska.
- C1.04. This constitution shall be effective on February 1, 1995.

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 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, 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.
- *C3.03. The name Evangelical Lutheran Church in America (ELCA or "this church") as used herein refers in general

references to this whole church, including its three expressions—congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.

Chapter 4. STATEMENT OF PURPOSE

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

- a. Provide services of worship at which the Word of God is preached and the sacraments are administered.
 - b. Provide pastoral care and assist all members to participate in this ministry.
 - c. Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregation.
 - d. Teach the Word of God.
 - e. Witness to the reconciling Word of God in Christ, reaching out to all people.
 - f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
 - g. Motivate its members to provide financial support for this 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 groups and shall review their actions. (Such descriptions shall be contained in continuing resolutions in the section on the Congregation Committees.)
- *C4.05. This congregation shall, from time to time, adopt a mission statement which will provide specific direction for its programs.
- *C4.06. References herein to the nature of the relationship between the three expressions of this church—congregations, synods, and the churchwide organization—as being interdependent or as being in a partnership relationship describe the mutual responsibility of these expressions in God's mission and the fulfillment of the purposes of this church as described in this chapter, and do not imply or describe the creation of

partnerships, co-ventures, agencies, or other legal relationships recognized in civil law.

Chapter 5. **POWERS OF THIS 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. This congregation is authorized to:
 - a. call a pastor as provided in Chapter 9;
 - b. terminate the call of a pastor as provided in Chapter 9;
 - c. call 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, and continuing resolutions, as provided in Chapter 18;
 - 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, Congregation Council, boards, and committees, and require them (the members of the council) to carry out their duties in accordance with the constitution, and bylaws, and continuing resolutions; and
 - 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 Nebraska Synod of the Evangelical Lutheran Church in America.

- C5.05. This congregation shall have a mission endowment fund that will operate as specified in this congregation's bylaws. The purpose of the mission endowment fund is to provide for mission work beyond the operational budget of this congregation.

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 Nebraska 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. These special circumstances are limited either to calling a candidate approved for the roster of ordained ministers of the Evangelical Lutheran Church in America or to contracting for pastoral services with an ordained minister of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.
 - d. This congregation agrees to consider 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. A congregation may terminate its relationship with this church by the following procedure:

- a. A resolution indicating the intent to terminate its relationship must be adopted at a legally called and conducted special meeting of the congregation by a two-thirds vote of the voting members present. Such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time the congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the congregation council. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.
- b. The secretary of the congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall mail a copy of the resolution to voting members of the congregation. This notice shall be submitted within 10 days after the resolution has been adopted.

- c. The bishop of the synod and the congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the synod of the notice as specified in paragraph b. above.
- d. If the congregation, after such consultation, still seeks to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of the meeting shall be mailed to all voting members and to the bishop at least 10 days in advance of the meeting. Unless he or she is voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.
- e. A copy of the resolution, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, shall be sent to the bishop within 10 days after the resolution has been adopted, at which time the relationship between the congregation and this church shall be terminated subject to paragraphs g., h., and i. below. Unless this notification to the bishop also certifies that the congregation has voted by a two-thirds vote to affiliate with another Lutheran denomination, the congregation will be conclusively presumed to be an independent or non-Lutheran church.
- f. Notice of termination shall be forwarded by the bishop to the secretary of this church, who shall report the termination to the Churchwide Assembly.
- g. Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in *C6.05., shall be required to receive Synod Council approval before terminating their membership in this church.
- h. Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to receive synodical approval before terminating their membership in this church.
- i. Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05, to satisfy all financial obligations to this church

and receive Synod Council approval before terminating their membership in this church.

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

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

*C6.07. If this congregation considers developing an additional site to be used regularly for worship, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action.

Chapter 7. **PROPERTY OWNERSHIP**

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

*C7.02. If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline, title to property shall continue to reside in this congregation.

*C7.03. If 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, provided the process for termination of relationship in *C6.05. has been followed. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Nebraska 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 and have followed the process for termination of relationship in *C6.05., title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the established synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America.
- C7.05. Notwithstanding the provisions of *C7.02. and *C7.03. above, where this congregation has received property from the synod pursuant to a deed or other instrument containing restrictions under provision 9.71.a. of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, this congregation accepts such restrictions and:
- a. Shall not transfer, encumber, mortgage, or in any way burden or impair any right, title, or interest in the property without prior approval of the Synod Council.
 - b. Shall – upon written demand by the Synod Council, pursuant to †S13.23. of the constitution of the Nebraska Synod – reconvey and transfer all right, title, and interest in the property to the synod.

Chapter 8. MEMBERSHIP

- *C8.01. Members of this congregation shall be those baptized persons on the roll of this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.
- C8.01.01. Membership
- a. Transfers. Persons who wish to be received into this congregation by transfer of membership from another Lutheran congregation, or by renewal of membership, shall make their desires known to the pastor(s). The pastor(s) shall bring the matter to the attention of the

Congregation Council. The Congregation Council shall provide for the study of the matter and take action on the transfer or renewal. The names of the newly accepted members shall be announced to this congregation and they shall be welcomed into the membership of the church at a regular worship service.

- b. Status and Procedure regarding Inactive Members.
 - 1) The Congregation Council will annually review the membership roster of this congregation. Persons who have not communed or made a contribution of record in the last twelve months shall remain on the active list during the following year and be the object of spiritual concern. The names of such persons shall be referred to the Board or Committee responsible to take appropriate action to reactivate such persons into the life and ministry of this congregation.
 - 2) If, at the end of the second year, the member is still not participating, he/she shall be considered to be inactive and shall be put on such a list.
 - 3) At the end of three years as an inactive member, the Congregation Council shall, at their discretion, drop completely, or maintain members on the inactive list.

*C8.02. Members shall be classified as follows:

- a. **Baptized** members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
- b. **Confirmed** members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.
- c. **Voting** members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of

record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation.

- d. **Associate** members are persons holding membership in other Lutheran 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.

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

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

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

- a. death;
- b. resignation;
- c. transfer or release;
- d. disciplinary action in accordance with ELCA constitutional provision 20.40. and the accompanying bylaws; 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.

C9.01.01. The Pastoral Call

- a. When this congregation has voted to call a pastor, it shall issue a letter of call to the pastor-elect, in a form approved by the Evangelical Lutheran Church in America. It shall be signed by the chair and the secretary of the meeting at which the call was voted, and shall be attested by the signature of the bishop of the Nebraska Synod, or his/her designated representative. A call to a member of the clergy to be an additional pastor shall be issued only with the concurrence of the Senior Pastor of this congregation and in accordance with the provisions of this paragraph.
- b. The call shall normally be for an indefinite time. Calls issued to associate pastor(s) may be for a definite time.
- c. If a pastor of this congregation receives a call to another ministry, he/she shall consult the Congregation Council, or, if he/she desires, this congregation, before reaching a decision. He/she shall announce his/her decision to the Congregation Council as quickly as possible, normally within three weeks of receiving a call. He/she shall notify the synod bishop of his/her decision. When a call has been accepted, the pastor shall terminate his/her ministry as soon as feasible, normally within a month.

*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 Nebraska Synod of the ELCA.
- *C9.04. The specific duties of the pastor, compensation, and other matters pertaining to the services 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 shall be terminated only by death or, following consultation with the synodical bishop for the following reasons:

- 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the pastor, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the pastoral office effectively in the congregation in view of local conditions;
 - 4) physical disability, or mental incapacity of the pastor;
 - 5) suspension of the pastor through discipline for more than three months;
 - 6) resignation or removal of the pastor from the roster of ordained ministers of this church; or
 - 7) termination of the relationship between this church and the congregation;
 - 8) dissolution of the congregation or the termination of a parish arrangement; or
 - 9) suspension of the congregation through discipline for more than six months.
- b. When allegations of physical disability or mental incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of the synod,
- 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two ordained ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the congregation council or by a petition signed by at least one-third of the voting members of the congregation, the bishop personally shall investigate such conditions together with a committee of two ordained ministers and one layperson.
- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition.

When a disability or incapacity is evident to the committee, the bishop of the synod may declare the pastorate vacant and the pastor shall be listed on the clergy roster as disabled. Upon removal of the disability and restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.

- d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from , all concerned persons, after which the bishop together with the committee shall present their recommendations first to the pastor and then to the congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by the congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the 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 either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, the congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds 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.
- f. 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.

- *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. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.
- *C9.08. This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting related to the Evangelical Lutheran Church in America.
- *C9.09. When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- *C9.11. With the approval of the bishop of the synod, this congregation may depart from C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of this congregation for a review of the call. Such 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.

C9.20. Ecumenical pastoral ministry

C9.21. 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.

C10.01.01. Business Meetings

- a. The annual meeting of this congregation shall be held during the month of January, the exact date of the meeting to be determined by the Congregation Council.
- b. Matters relating to doctrine and faith shall be decided solely by the Word of God.

- c. If any member has a matter which he/she desires to be brought before this congregation between meetings, he/she must submit the matter to the Congregation Council. Between meetings of this congregation, the Congregation Council shall be the governing body.
- C10.02. A special Congregation Meeting may be called by the pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of the congregation at the written request of 10% of the voting members. The president of the Congregation Council shall call a special meeting upon request of the synodical bishop. The call for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted.
- C10.03. Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail or electronic means, as permitted by state law, to all voting members at least 10 days in advance of the date of the meeting.
- C10.04. Fifty 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 this congregation shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution or by state law.
- C10.07. *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all meetings of this congregation.

Chapter 11. OFFICERS

- C11.01. The officers of this congregation shall be a president, vice-president, secretary, and treasurer.
- 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 Congregation Council and shall be voting members of the Congregation Council.

- d. The Congregation Council elects its officers; the president, vice president, and secretary shall be selected from the elected membership of the Congregation Council.

C11.01.01. Resignations from the Congregation Council

- a. Any officer or member of the Congregation Council who feels it necessary to resign from his/her position shall make the same known to the President by a written statement. Appointment of officers and Congregation Council members to fill the unexpired term(s) of the resigned officer(s) or Congregation Council member(s) shall be made by the Congregation Council at its next regular meeting. Such appointment shall stand until the next annual meeting, at which time such appointment shall be ratified.

C11.01.02. Duties of Officers

- a. The President. The president shall preside at all meetings of this congregation and the Congregation Council. He/she shall work with the pastor(s) and other officers in setting the agenda for the upcoming Congregation Council and congregational meetings. He/she shall stand in the closest relationship to the pastor(s) in their duty to guide and direct this congregation in the Name and by the command of God.
- b. The Vice-President. The Vice-President shall preside at all meetings of this congregation and the Congregation Council in the absence of the President, and act for the President, or in his/her stead, when occasion demands.
- c. The Secretary. The Secretary shall keep the minutes of this congregation and the Congregation Council, and shall have responsibility for the archives of this congregation. He/she shall carry on all official correspondence.
- d. The Treasurer. The Treasurer shall oversee the financial transactions and status of this congregation and shall report the same to the Congregation Council at its regular meetings and to this congregation at its annual meeting.

C11.02. The Congregation Council shall elect its officers and they shall be the officers of the congregation. The officers shall

be elected by written ballot and shall serve for one year or until their successors are elected. Their terms shall begin at the close of the annual 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.

C11.04. The treasurer shall be appointed by the Congregation Council at the first meeting of the newly constituted Congregation Council. The treasurer shall not be a member of the Congregation Council, but shall serve in an advisory capacity. The treasurer shall serve a term of one year with the option of consecutive succession.

Chapter 12. **CONGREGATION COUNCIL**

C12.01. The voting membership of the Congregation Council shall consist of the full-time pastor(s), the officers of the congregation, and not fewer than 3 and not more than 6 members of the congregation, at least one of whom may be a youth and at least one of whom may be a young adult. 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 four successive 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.

C12.01.01. Advisory Members of the Congregation Council

- a. Advisory members of the Congregation Council are appointed for specific periods of time to advise the Congregation Council. They shall have voice but not vote.
- b. The Congregation Council shall annually appoint a financial secretary. The financial secretary shall not be a member of the Congregation Council, but shall serve as an advisory member. The financial secretary shall serve a term of one year with the option of consecutive succession. He/she shall oversee the proper accounting of all funds received by this congregation, record the pledges, gifts and offerings

from members of this congregation, and shall see to the proper preparation and distribution of various reports as may be required from time to time, while respecting the confidentiality and privacy of individual gifts and pledges.

- c. The Congregation Council may, from time to time, appoint such additional advisory members as deemed appropriate and necessary.

- C12.02. The members of the Congregation Council except the pastor(s) shall be elected by written ballot to serve for 3 years or until their successors are elected. Such members shall be eligible to serve no more than two full terms consecutively. Their terms shall begin at the close of the annual meeting at which they are elected.
- C12.03. Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor until the next annual meeting, at such time at which the appointment shall be ratified with the regular election process.
- C12.04. The Congregation Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:
 - a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
 - b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
 - c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
 - d. To maintain supportive relationships with the 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 units of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.
 - i. To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.
 - j. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.
- C12.05. The Congregation Council shall be responsible for the financial and property matters of this congregation.
- a. The Congregation Council shall be the Board of 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 Nebraska.
 - b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of this congregation.
 - c. The Congregation Council may enter into contracts of up to \$5,000 for items not included in the budget.
 - d. The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations more than 5% in excess of the anticipated receipts only after approval by 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 shall be responsible for this congregation's investments and its total insurance program.

C12.05.01. Duties of the Congregation Council

In addition to the general duties and responsibilities specified in the constitution the Congregation Council shall:

- a. Regularly receive and review reports from the Treasurer, Financial Secretary, boards and committees.
- b. Oversee the preparation of an annual budget to present to this congregation for approval at its annual meeting.
- c. At the first meeting of the newly constituted Congregation Council, annually appoint the Treasurer, Financial Secretary and Audit Committee.
- d. Establish and mobilize additional committees and task forces as special needs arise.

C12.06. The Congregation Council shall see that the provisions of this constitution, its bylaws and the continuing resolutions are carried out.

C12.07. The Congregation Council shall provide for an annual review of the membership roster.

C12.08. The Congregation Council shall be responsible for the employment and supervision of staff of this congregation. Nothing in this provision shall be deemed to affect the congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church.

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

C12.11. The Congregation Council shall normally meet once a month. Special meetings may be called by the senior pastor or the president, and shall be called 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.

C12.12. 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 such person requests or consents to be absent and has given prior approval to an agenda of routine matters which shall be the only business of the meeting.

C12.13. The Congregation Council and its committees may hold meetings by remote communication, including electronically and by telephone conference, and, to the extent permitted by state law, notice of all meetings may be provided electronically.

Chapter 13. **CONGREGATIONAL BOARDS AND COMMITTEES**

C13.01. A **Nominating Committee** of six voting members of this congregation shall be elected at the annual meeting for a term of one year.

C13.01.01. The Nominating Committee

- a. The Nominating Committee shall be elected by this congregation by written ballot at the annual meeting. Members shall be elected to the Nominating Committee for a term of one year with the option of consecutive succession. No more than two members of the Nominating Committee shall be Congregation Council members. When possible, those two shall be outgoing members of the Congregation Council. The Pastor shall serve in an advisory capacity.
- b. The Nominating Committee is charged with prayerfully selecting candidates to fill vacancies on the Congregation Council and other committees, teams or boards when required or when requested. They shall endeavor to secure candidates that evidence a strong commitment to the Christian faith, the church, and have been given the spiritual gifts that would benefit the position. The Nominating Committee shall secure the consent of each candidate.
- c. The Nominating Committee shall submit at least one name for each office.
- d. The Nominating Committee shall submit a complete slate of candidates to the church office for inclusion in the annual report of the congregation.

C13.02. An **Audit Committee** of at least three voting members shall be appointed by the Congregation Council at its first meeting. Audit Committee members should not be members of the Congregation Council or the Board of Stewardship or hold office of Treasurer or Financial Secretary, office secretary, or be related to those persons.

C13.02.01. The Audit Committee

- a. The Audit Committee shall annually review the financial records of the most recently concluded calendar year of this congregation and conduct audit procedures and tests to assure itself that all funds collected and expended are accounted for and correctly reported. They shall also analyze the monetary, investment, and other fiscal policies of this congregation and make recommendations for changes that, in its opinion, will benefit the congregation. The Audit Committee shall report its findings in writing to the annual meeting of this congregation.

C13.03. The officers of this congregation and the pastor shall constitute the **Executive Committee**. The Executive Committee shall also serve as the **Personnel Committee**.

C13.03.01. The Personnel Committee

- a. General and day-to-day oversight and supervision of the church staff may be delegated by the Personnel Committee to the senior pastor.
- b. This committee shall pray for the staff of this congregation and their families and encourage this congregation to do the same.
- c. This committee shall assist the staff in developing priorities of ministry based on the congregation's need.
- d. This committee shall assist the senior pastor and staff in preparing and updating job descriptions for each paid position.
- e. This committee shall conduct an annual evaluation of the staff on the basis of responsibilities laid out in the Letters of Call and job descriptions.
- f. This committee shall annually review staff salaries and benefits and submit recommendations to the Congregation Council at the appropriate time.

- g. This committee shall assist in other personnel matters as need arises.
- C13.04. When a pastoral vacancy occurs, a **Call Committee** of at least six voting members shall be elected by this congregation. Term of office will terminate at installation of the newly called pastor.
- C13.05. Other congregational boards and committees may be formed as the need arises, by decision of the Congregation Council.
- C13.06. Membership and duties of congregational boards and committees shall be specified in the bylaws and continuing resolutions.
- C13.06.01. The **Columbarium Committee**
- a. The Columbarium Committee (hereinafter called the Committee) consisting of four voting members of this congregation shall be elected by the Congregation at the annual meeting for terms of two years with the option of consecutive succession. Terms shall be staggered so that two members are elected each year. The Committee shall consist of a Chairperson, Recording Secretary, Financial Secretary, and Caretaker. The Committee will select its own officers.
 - b. The Pastor and President/Vice President of the Congregation Council shall serve in an advisory capacity to the Committee.
 - c. In the event of a vacancy on the Committee, the Congregation Council shall appoint a member to fill the vacancy until the next annual meeting of the congregation when a replacement shall be elected to complete the vacant term.
 - d. The Committee shall:
 - 1) oversee the establishment and maintenance of the Immanuel Evangelical Lutheran Church (hereinafter called Church) of Bellevue, Nebraska, Columbarium, adhering to all laws and local regulations that pertain to a Columbarium as well as Church customs and policies.
 - 2) get Congregation approval for all Columbarium facility locations and expansions.
 - 3) meet at least quarterly. A quorum shall consist of three members. When only three members are

present, a unanimous vote shall be required to carry any motion or resolution.

- 4) provide a sample of a Columbarium niche purchase agreement together with Committee operating rules and procedures to the Church Council for the Council's ratification. Subsequent changes to the purchase agreement or operating rules and procedures will also be ratified by the Church Council before implementation.
 - a) Columbarium operating rules and procedures will specify as a minimum the eligibility for interment, the cost of interment, and a statement limiting the liability to the Church for unforeseen circumstances.
 - b) Other requirements may be specified by the Congregation Council or deemed necessary by the Committee.
 - 5) report quarterly to the Congregation Council. An annual report of activities shall be provided to the congregation administrative staff no later than December 15th of each year. A complete audited financial account statement shall be made available by the annual congregation meeting.
- e. The Chairperson shall:
- 1) oversee all Columbarium activities, structure, finances, and future expansion.
 - 2) conduct meetings as necessary.
 - 3) assist the Pastor, when an interment service is conducted.
 - 4) place the ashes in the niche and ensure the niche is properly closed.
- One of the other Committee members may perform duties 2), 3), or 4) when the Chairperson is unavailable.
- f. The Recording Secretary shall:
- 1) maintain a record of all Columbarium niche sales including the purchaser and niche number. This information will be retained and accessible as with other enduring Church records.

- 2) ensure that urns are available for use in a timely manner.
 - 3) be the liaison with an appropriate engraving representative and ensure the proper lettering on a nameplate when necessary.
 - 4) provide a copy of all committee minutes to:
 - a) Each committee member, who will keep a complete set to be provided to his or her successor.
 - b) The Congregation Council.
 - c) The Church Archives.
- g. The Financial Secretary shall:
- 1) work with the congregation's treasurer in maintaining and coordinating complete and accurate accounts for Columbarium financial activities.
 - 2) sign all financial documents necessary for Columbarium operations and maintenance.
 - 3) coordinate Columbarium gifts, other than niche purchases, with the Endowment and Memorial Committee
 - 4) ensure that Columbarium financial records are audited in accordance with appropriate congregational audit policies and procedures.
- h. The Caretaker:
- 1) shall maintain the physical appearance of the Columbarium and adjoining Columbarium grounds and landscape.
 - 2) may request the advice and assistance of the Board of Properties or other members of the congregation as necessary.
- i. All Columbarium assets are to be held in the name of the Immanuel Evangelical Lutheran Church of Bellevue, Nebraska. Recommendations to relocate and/or disperse these assets shall be made by the Committee to the Congregation for approval.

C13.06.A13. **All Boards** defined by continuing resolutions under paragraph C13.06. of this constitution shall be organized and adhere to the following standards:

- a. A board shall consist of four to eight members.
- b. Board members shall serve for a two-year term, with not more than two full consecutive terms.
- c. Each board will be responsible for filling vacancies as terms and term-limits are reached, or in the event of other vacancies. Board members may resign at any time upon written notice to the chairperson of the board. Board chairpersons may request assistance from the Nominating Committee to fill vacancies.
- d. The Boards will be responsible for electing their Chairperson yearly.
- e. Board members may resign at any time upon written notice to the chairperson of the board.
- f. Each board shall submit its proposed budget for the next fiscal year to the board/committee designated to prepare the annual congregation budget no later than 75 days prior to the beginning of the new fiscal year.
- g. Review the board's spending at regular intervals to ensure the board is staying within its allotted budget.
- h. Each board shall prepare an annual report of the board's activities for the year and deliver it to the congregation administrative staff, no later than December 15th of each year.
- i. When planning activities, refer to the current time and talent file information for volunteers.

C13.06.B13. The **Fellowship Board**

- a. The basic objectives of this board are to provide fellowship opportunities to strengthen a sense of oneness between congregation members spiritually and socially, to integrate new members into the Immanuel family, and to build mutual cooperation, trust, and affection for each other in a Christian family.
- b. The Fellowship Board shall:
 - 1) Provide opportunities for fellowship by:
 - a) Planning, supervising, and implementing larger gatherings of this congregation from time to time

through the year which will further the mission of this congregation.

- b) Plan smaller group activities to facilitate an atmosphere where members can get to know each other better.
- 2) Provide opportunities to celebrate as a family of Christ by:
 - a) Enlisting other church family members to help plan church sponsored celebrations, i.e. Affirmation, high school and college graduation parties, etc.
 - b) Collaborating with other boards and receiving their input for ideas and assistance for activities.
 - 3) Ensure new members are welcomed into the church family by:
 - a) Overseeing the new member luncheons.
 - b) Encouraging sponsors to continue nurturing the family they sponsored.
 - c) Being concerned for the ongoing integration of new members into this congregation.

C13.06.C13. The **Properties Board**

- a. The basic objectives of this board are the proper maintenance and repair of church property.
- b. The Properties Board shall:
 - 1) Ensure facilities and property are well maintained by:
 - a) Preparing a detailed list of the required daily, weekly, monthly or annual maintenance of the facilities and equipment for the custodial staff.
 - b) Conducting an annual inventory of all church properties, equipment, and supplies, including the acquisition date, maintenance schedule, and approximate value of each item.
 - c) Arranging for immediate repairs of an urgent nature and all normal repairs and alterations for which budget funds have been allocated.

- d) Arranging for the maintenance and alteration of buildings and grounds as approved by the congregation and/or Congregation Council.
 - e) Enlisting volunteers to help with special repairs, improvements, cleaning, painting, decorating, landscaping and other projects.
- 2) Ensure equipment is in good repair and safe to use by:
 - a) Inspecting church properties and equipment and making recommendations to the Congregation Council regarding needed repairs, improvements, or replacements.
 - 3) Ensure the safety of anyone on church property by:
 - a) Evaluating the snow removal job for timeliness and completeness.
 - b) Ensuring adequate snow melting products are available and used as needed.
 - c) Ensuring external lighting is in working order.
 - 4) Ensure the security of the church building by overseeing the key management process including duplications, issuing, and record keeping.
 - 5) Establish and review policies and fees for the rental, use, and lending of church properties and equipment.

C13.06.D13. The **Outreach Board**

- a. The basic objective of this board is to lead this congregation... "To do justice, love kindness, and walk humbly with our God" (Micah 6:8). It is the goal of this board to call upon everyone in this congregation to use their gifts as they are moved by the Holy Spirit.
- b. Explanations: (Reference: Serving as Jesus Served, A Planning Guide for Social Ministry in Congregations, ELCA, 8765 West Higgins Road, Chicago, Illinois.)
 - 1) Do justice: Justice happens when all creation enjoys the benefits of God's bounty.
 - 2) Love kindness: Kindness has its roots in the very nature of God... it is the way of the servant, Jesus Christ. It is sensitive to the needs of others.

- 3) Walk humbly with our God: To know, trust, and do God's will, recognize his blessings, praise their source, and find ways to make those blessings real for others.
- c. The board shall:
- 1) Ensure Social Ministry takes place for our church family by:
 - a) Overseeing and supporting the provision of meals to members who are in need due to physical, emotional, or spiritual difficulties.
 - b) Recruiting help to meet members' needs.
 - 2) Ensure Social Ministry is supported within our local community by:
 - a) Identifying community needs and sponsoring activities to support them, i.e. food and clothing drives and taking special offerings.
 - b) Promoting the work of other Christian agencies or secular agencies which uphold our Christian values, i.e. Habitat for Humanity.
 - c) Collaborating with community agencies to meet this board's objectives.
 - d) Evaluating requests for help from the community and promoting them to the congregation as deemed appropriate.
 - 3) Ensure Social Ministry is supported globally by:
 - a) Promoting other Christian agencies' work, i.e. Global Health Ministries, Lutheran World Relief, World Hunger, Fair Trade Coffee Projects, etc.
 - b) Maintaining close ties with our sister congregations throughout the world and meeting their needs.
 - c) Evaluating requests for help from the global community and promoting them to the congregation as deemed appropriate.

C13.06.E13. The ***Faith Formation Board***

- a. The basic objectives of this board are to plan and administer the total educational program of the congregation, to determine policies, to select and/or oversee selection of personnel for the various

agencies, and to provide the necessary means and facilities for the agencies. This board will also strive to involve the young people of this congregation in the work of Christ, provide for their spiritual growth and nurture, and promote genuine Christian fellowship.

b. The Faith Formation Board shall:

- 1) Nurture spiritual growth by:
 - a) Establishing objectives, setting policies for, and overseeing the total educational program and staff in the congregation.
 - b) Planning and carrying out, together with other concerned boards, a year-round program for youth and adults of this congregation.
 - c) Selecting and training youth and adults for lay teacher and leadership positions in our ministry.
 - d) Providing and promoting classes, courses, conferences, small groups, Bible studies, and retreats.
 - e) Providing for the nurturing and spiritual growth of this congregation through Bible study, prayer, and Christian service.
- 2) Evaluate the spiritual growth opportunities by:
 - a) Evaluating the degree of participation of the total membership of this congregation in its education program.
 - b) Continually examining the education facilities and making recommendations to the Board of Properties as to upkeep, repairs, and renovations needed.
- 3) Support the youth in this congregation by:
 - a) Planning and coordinating activities for youth with other young people's groups outside this congregation.
 - b) Providing counseling for the spiritual, moral, social, and vocational development of young people.
 - c) Serving as an advisory and support committee to those who work directly with youth.

- d) Promoting the visibility and involvement of youth in assisting with worship.
- 4) Oversee the church library by:
 - a) Maintaining, improving, and cultivating the use of the church library, including films and videos.

C13.06.F13. The **Stewardship Board**

- a. The basic objectives of this board are to initiate programs for the development of good stewardship attitudes in the members of this congregation in regard to time, talents, and treasures providing for the work of Christ's Kingdom.
- b. That the basic objectives of this board may be carried out, the board, either corporately or through specifically designated individuals, shall:
 - 1) Study the Scriptural principles regarding the total stewardship calling of the Christian and share these insights with congregation members.
 - 2) Encourage all members of the congregation to give of their time and talents by:
 - a) Providing a means for individuals to indicate their time and talents to the congregation upon joining and at least once each year.
 - b) Maintaining a current time and talent file and making this information available to the other boards and committees as necessary.
 - c) Contacting new members about service opportunities.
 - 3) Annually conduct an intensive stewardship program to:
 - a) Challenge every member personally with basic biblical stewardship principles and practices.
 - b) Encourage the gospel-motivated practice of joyous, worshipful, generous, proportionate, first fruits giving.
 - c) Give every member an opportunity to make a commitment of his/her treasure for kingdom work through this congregation.
 - 4) Review and determine the action to be taken on all offers of unsolicited gifts.

C13.06.G13. The **Worship Board**

- a. The basic objectives of this board are to oversee the worship life of this congregation, to ensure meaningful worship.
- b. The Worship Board shall:
 - 1) Assist the Pastor with worship preparations by:
 - a) Arranging the sanctuary as required.
 - b) Suggesting special themes.
 - c) Determining the need for worship aids such as bulletins, hymnals, devotionals, etc. and providing for their maintenance and availability.
 - 2) Enrich worship experiences by:
 - a) Suggesting or acting on any change in the form of worship or liturgy.
 - b) Planning special services.
 - 3) Ensure worship service activities are well supported by church members by:
 - a) Overseeing the recruiting, scheduling, and proper training of lectors, assistant ministers, ushers, acolytes, greeters, and altar guild members.
 - b) Overseeing the music ministry, including the music library, copyright licenses usage and the budgeted allotment for the selection and procurement of music.
 - c) Overseeing the use and maintenance of the organ, pianos and other musical instruments.
 - d) Overseeing the purchase of flowers, candles, and other worship needs as required.
 - e) Ensuring nursery staffing for all services as deemed necessary.

C13.06.H13. The **Finance Board**

- a. The basic objectives of this board are to ensure the financial stability of this congregation and its work through a developed program of dedicated, proportionate, first fruits giving.

- b. That the basic objectives of this board may be carried out, the board, either corporately or through specifically designated individuals, shall:
 - 1) Annually prepare a financial operating budget for the congregation by:
 - a) Considering the churchwide ministries, the congregation's visions, moral and legal obligations, and other projected operating expenses together with anticipated receipts.
 - b) Requesting each board/committee to provide budget-planning proposals not later than 75 days prior to the beginning of the new fiscal year.
 - c) Reviewing the Budget proposals from each board/committee and negotiating any changes deemed necessary.
 - d) Presenting the budget in a timely manner to the Congregation Council for approval and then presenting it at the annual congregation meeting for congregation approval.
 - 2) Establish and maintain a sound fiscal management program for this congregation including but not limited to:
 - a) Overseeing the safe deposit and recording of all funds, monthly remissions of offerings for missions and church agencies, and prompt payment of salaries and bills as authorized by this congregation and the appropriate boards and committees.
 - b) Annually reviewing the budgeting process of this congregation in conjunction with the Treasurer and Financial Secretary and recommending any necessary improvements or revisions to the congregation.
 - c) Annually reviewing and supervising the work of the Financial Secretary and Treasurer and, as necessary, making recommendations for changes in accounting procedures that will insure proper accounting of all church monies.
 - d) Annually mobilizing and receiving the report of the Audit Committee and then implementing any

recommendations made to insure the responsible handling of all church monies.

- 3) Regularly evaluate the financial support provided within this congregation, and share these evaluations with the congregation members.
- 4) Enlist, train, and oversee the counters for the counting and depositing of funds received through offerings and fund raising projects.

C13.06.I05. The **Mutual Ministry Committee**

- a. A Mutual Ministry Committee comprised of six members shall be appointed jointly by the congregation president and the pastor(s). At least 3 (preferably all) committee members shall not be current members of the Congregation Council.
- b. The primary purpose of the Mutual Ministry Committee shall be to care for and promote the welfare and well being of the pastor(s) and congregation staff both personally and professionally and to nurture a positive and healthy relationship between the pastor(s) and congregation staff and the congregation/Congregation Council.
- c. Term of office shall be two years, with three members to be appointed each successive year.

C13.06.J13. The **Evangelism Board**

- a. The basic objectives of this board are to ensure that the inactive members are identified and are shown that they are missed and loved.
- b. The Evangelism Board shall:
 - 1) Promote a welcoming and caring atmosphere to all who enter Immanuel by:
 - a) Ensure first time visitors are contacted, invited back, and that a welcome gift is given to them from the Welcome Center.
 - b) Identify regular church attendees who stop attending services, then contact them to inquire about their well-being and spiritual needs.

C13.07. An **Endowment and Memorial Committee** of five voting members of this congregation shall be elected at the annual meeting for a term of two years.

C13.07.01. The Endowment and Memorial Committee

- a. The Endowment and Memorial Committee (hereafter called the committee) shall be elected by this congregation by written ballot at the annual meeting for a term of two years, except as herein limited, with the option of consecutive succession. Initially, three members shall be elected for a term of two years and two members for a term of one year. Thereafter at each annual meeting, the congregation shall elect the number necessary to maintain five committee members.
- b. The Pastor and President/Vice President of the Congregation Council shall serve in an advisory capacity to the committee.
- c. In the event of a vacancy on the committee, the Congregation Council shall appoint a member to fill the vacancy until the next annual meeting of the congregation when a replacement shall be elected.

C13.07.02. Duties of the Committee

- a. The committee shall function as custodian of the Immanuel Evangelical Lutheran Church of Bellevue, Nebraska, Mission Endowment Fund (hereinafter called the FUND), adhering to the purpose of the FUND which is to enhance the mission outreach of Immanuel Evangelical Lutheran Church.
- b. The committee shall elect from its membership a chairperson, recording secretary and financial secretary and shall meet at least quarterly. A quorum shall consist of three members. When only three members are present, unanimous vote shall be required to carry any motion or resolution.
- c. The recording secretary shall provide a copy of all committee minutes to:
 - 1) Each committee member, who will keep a complete set to be provided to his/her successor.
 - 2) The Congregation Council.
- d. The financial secretary shall work with the congregation's treasurer in maintaining and

coordinating complete and accurate accounts for the FUND and shall sign all necessary documents in furtherance of the purposes of the FUND. The books shall be audited in accordance with appropriate congregational audit policies and procedures.

- e. The committee shall report quarterly to the Congregation Council. At each annual congregational meeting a complete audited account shall be presented.
- f. The committee may request other members of the congregation to serve in an advisory capacity, and, at the expense of the FUND, professional investment and/or legal counseling as deemed necessary may be requested.
- g. Members of the committee shall not be liable for any losses which may be incurred by investments of the assets of the FUND unless such losses have been caused by bad faith or gross negligence. No member shall engage in any self dealing or transactions with the FUND in which the member has direct or indirect financial interest and shall at all times refrain from any conduct in which his/her personal interests would conflict with the interest of the FUND.
- h. All assets are to be held in the name of the FUND. Recommendations to manage and/or disperse the assets of the FUND shall be made by the committee to the Congregation Council for approval with subsequent execution by the financial secretary of the committee.

C13.07.03. Distribution of FUND Assets

- a. Upon receipt of a legacy falling under definition of the FUND, 20% of the principal may be initially allocated to and expended for benevolence causes beyond the congregation in one or more of the four Categories of Giving as described below.
- b. The remaining 80% of the principal may be placed in the FUND. All annual earnings and a total of 5-15% of the remaining principal may be distributed each successive calendar year in one or more of the Categories of Giving. These annual expenditures will continue until individual bequests are fully distributed.

C13.07.04. Categories of Giving

- a. New Ministry Opportunities within our Congregation. Between 0-50% of the annual allocation may be used for opportunities within the congregation which encourage Christian growth in faith, fellowship, service or outreach.
- b. Community Outreach. Between 10-30% of the annual allocation may be used for outreach into the community.
- c. Nebraska Synod, Agencies, and Institutions: Our Serving Arm. Between 20-60% of the annual allocation may be used for outreach into the communities of our state through the Serving Arms of the Church.
- d. ELCA Ministry Opportunities Nationally and Internationally. Between 20-60% of the annual allocation may be used for ELCA missions at home and overseas.

C13.07.05. Distribution Considerations

- a. Programs or causes for consideration may be made known by any individual or group within the congregation or from any ELCA related ministry by submitting a request for a grant in writing at least two months before the next scheduled meeting of the committee.
- b. When, in the opinion of the committee, circumstances are so dire and of such emergency nature that the future of the congregation is at stake, and that the only recourse seems to be the use of the FUND principal, the committee may, upon two-thirds majority vote, recommend such authorizing action to the Congregation.
- c. In the event that Immanuel Evangelical Lutheran Church of Bellevue, Nebraska, ceases to exist, disposition or transfer of the FUND shall be at the discretion of the Congregation Council conforming with the Constitution, in consultation with the Bishop of the Synod and the Evangelical Lutheran Church in America as appropriate.

C13.07.06. Memorial Funds

- a. As necessary, review and supervise the use of the Memorial Funds, insuring that receipts and

expenditures are in keeping with congregational policy and general accounting practice. Oversee the selection and procurement of memorials.

- 1) Committee will oversee management of designated and undesignated memorials.
- 2) The Congregation Treasurer will be an advisory committee member overseeing memorials.

Chapter 14. **ORGANIZATIONS WITHIN THIS CONGREGATION**

- C14.01. All organizations within this congregation shall exist to aid it in ministering to the members of this congregation and to all persons who can be reached with the Gospel of Christ. As outgrowths and expressions of this congregation's life, the organizations are subject to its oversight and direction. This congregation at its annual 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. Persistent and public denial of the Christian faith, willful or criminal conduct grossly unbecoming a member of the Church of Christ, continual and intentional interference with the ministry of the congregation, or willful and repeated harassment or defamation of member(s) of the congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will be attempted following Matthew 18:15-17, proceeding through these successive steps, as necessary: a) private counsel and admonition by the pastor, b) censure and admonition by the pastor in the presence of two or three witnesses, c) written referral of the matter by the Congregation Council to the vice president of the synod, who will refer it to a consultation panel drawn from the Consultation Committee of the synod, and d) written referral of the matter by the consultation panel to the Committee on Discipline of the synod. If, for any reason, the pastor is unable to administer the admonitions required by paragraphs a. and b. hereof, those steps may be performed by another

pastor chosen by the Executive Committee of the Congregation Council.

- *C15.02. The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America. If the counseling, censure, and admonitions pursuant to C15.01 do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three lay persons and two clergy). A copy of the written charges shall be provided to the consultation panel and the accused member(s). The consultation panel, after requesting a written reply to the charges from the accused member(s), shall consider the matter and seek a resolution by means of investigation, consultation, mediation, or whatever other means may seem appropriate. The panel's efforts to reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it.
- *C15.03. If the consultation panel fails to resolve the matter, that panel shall refer the case in writing, including the written charges and the accused member's reply, to the Committee on Discipline of the synod for a hearing. A copy of the panel's written referral shall be delivered to the vice president of the synod, the Congregation Council, and the accused member(s) at the same time it is sent to the Committee on Discipline of the synod. The Executive Committee of the Synod Council shall then select six members from the Committee on Discipline to decide the case, and shall appoint a member of the Synod Council to preside as nonvoting chair. Those six members plus the nonvoting chair comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the parties to the case.
- *C15.04. The discipline hearing panel shall commence and conduct the disciplinary hearing in accordance with the provisions governing discipline of congregation members prescribed in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.

- *C15.05. By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:
- a. suspension from the privileges of congregation membership for a designated period of time;
 - b. suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
 - c. termination of membership in the congregation; or
 - d. termination of membership in the congregation and exclusion from the church property and from all congregation activities.
- *C15.06. The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next council meeting.
- *C15.07. No member of the congregation shall be subject to discipline a second time for offenses that a discipline hearing panel has heard previously and decided pursuant to this chapter.
- *C15.10. 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.

C16.01.01. Fiscal Year

- a. The fiscal year of this congregation shall be the calendar year, January 1 through December 31.
- *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 that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting. Notification may take place by mail or electronic means, as permitted by state law.
- *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 fifty (50) voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members of the proposal together with the council's recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.
- *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 of those present and voting; and
 - c. have the effective date included in the resolution 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 synod shall notify the congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.
- *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. Such amendments may be approved 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 or electronic means, as permitted by state law, notice to the congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of 50 voting members of the congregation, the Congregation Council shall submit such notice and call such a meeting. 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.

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.
- C18.01.01. Conflicting Loyalties
- a. While the buildings of this congregation shall be open to all people to share in its worship, instruction, pastoral care, and fellowship, this congregation rejects all fellowship with organizations, secret or open, which

are avowedly religious or which practice forms of religion without confessing faith in the Triune God and in Jesus Christ as the eternal Son of God incarnate to be our only savior from sin, and which thus teach salvation by works.

- b. Ceremonies of lodges or other such organizations shall not be permitted in the buildings or premises of this congregation; nor shall its pastors take part in any such ceremonies wherever they are conducted.

*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.

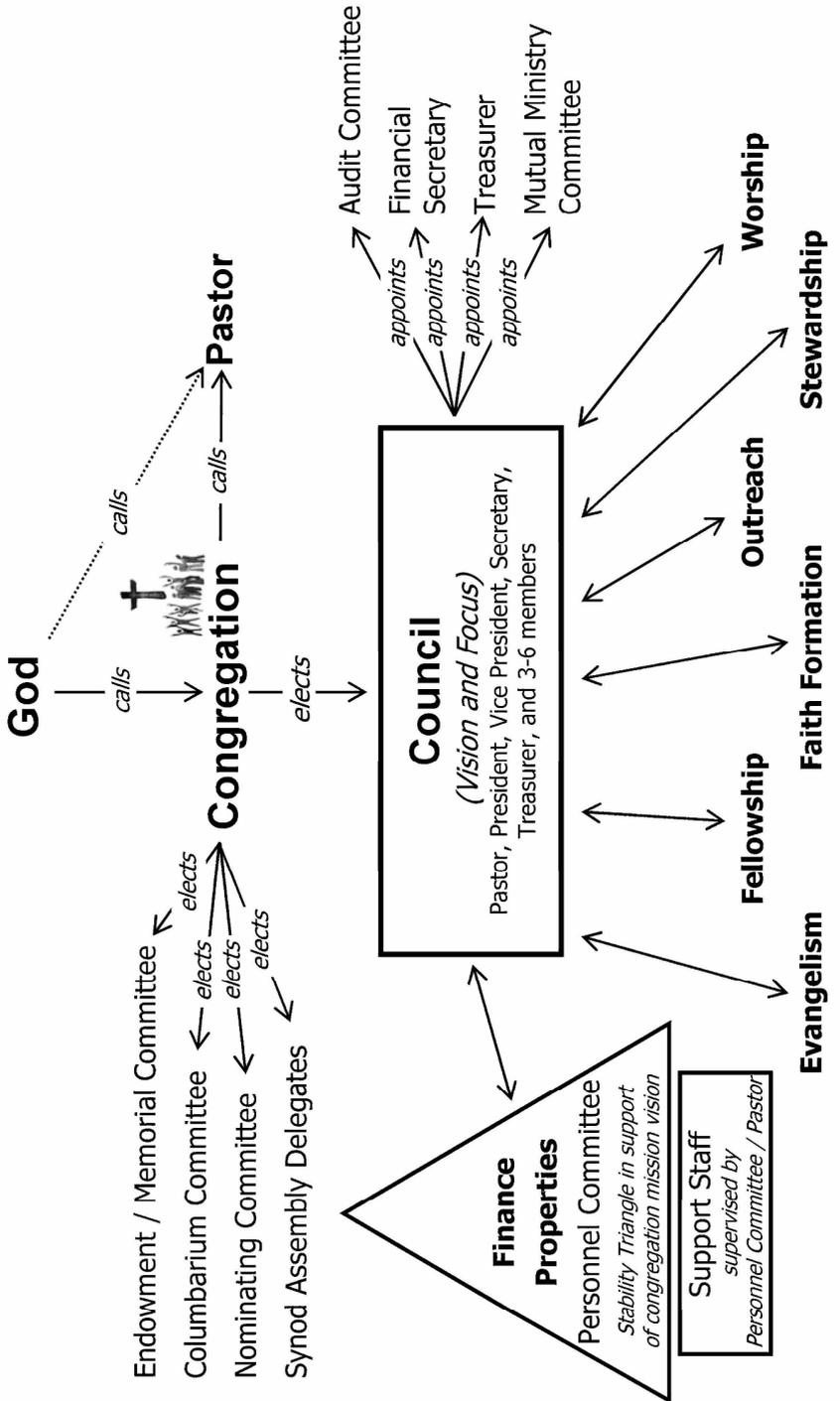
Chapter 20. PARISH AUTHORIZATION

*C20.01. This congregation may unite in partnership with one or more other congregations recognized by the synod named in *C6.01. to form a parish. Except as provided in paragraph *C20.02. and paragraph *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.



Notes

IMMANUEL LUTHERAN CHURCH

104 Galvin Road N.

Bellevue, NE 68005-4838