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## THE CONSTITUTION

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## CONSTITUTION AND BY-LAWS OF THE ZION EVANGELICAL LUTHERAN CHURCH CONGREGATION (MISSOURI SYNOD) HIAWATHA, LINN COUNTY, IOWA

### THE CONSTITUTION

#### PREAMBLE

Our Lord Jesus Christ commanded: “Go therefore and make disciples of all nations, baptizing them in the name of the Father and of the Son and of the Holy Spirit, teaching them to observe all that I have commanded you; and lo, I am with you always, to the close of the age.” (Matthew 28:18-20) “But you shall receive power when the Holy Spirit has come upon you; and you shall be my witnesses in Jerusalem and in all Judea and Samaria and to the ends of the earth.” (Acts 1:8)

That Christ’s mission for his Church might be carried out according to his will, he has commanded that Christians unite in worship (Hebrews 10:24-25), practice fellowship with one another, and serve the needs of all men in Christian love (Ephesians 4:7-16; Mark 10:42-44; John 13:35; Galatians 6:10). Since Christians are also to administer the Office of the Keys and his church (John 20:21-23; Matthew 18:15-20), and to maintain decency and order (I Corinthians 14:40) in the church:

Therefore, we, Lutheran Christians living in and near Hiawatha, Iowa, accept and subscribe to the following Constitution and By-Laws, in accordance with which all affairs of our Congregation, both spiritual and material, shall be governed.

#### ARTICLE I - NAME

The name of this congregation and corporation shall be Zion Evangelical Lutheran Church located in Hiawatha, Linn County, Iowa.

#### ARTICLE II - PURPOSE (MISSION)

We at Zion Lutheran Church are believers in Christ, using his gifts to nurture and show God’s love for all people by reaching out with faith in Christ, teaching and sharing all that Christ commands.

## APPROACH TO ACHIEVING THIS PURPOSE

Our approach to achieving this purpose shall be

- A. To conduct worship services in which God's Word and the Gospel are proclaimed and the Sacraments of Holy Baptism and Holy Communion are rightly administered as set forth in the Holy Scriptures.
- B. To pray, preach, teach, counsel, witness, and fellowship in the power of the Holy Spirit, in order to bring all those within the membership, and all those desiring membership, to a total commitment to Jesus Christ as Savior and Lord, and to living a Christian lifestyle following his example.
- C. To provide a Christian education program that meets the needs and abilities of all age groups to the end that
  1. the Gospel is proclaimed to all children, youth, and adults;
  2. all members know the basic doctrines of the Christian faith and daily strive to live them;
  3. all members have the correct understanding of the Sacraments, the efficacy of same in their lives, the importance of frequent participation in Holy Communion;
  4. all members learn to pray, establish a prayer relationship with God, and become intercessors for their fellow men;
  5. all members are continually growing spiritually through Bible study and prayer and are involved in applying what they know in their daily living;
  6. the spiritual gifts of all members are discovered, developed, and used to the glory of God.
- D. Through its membership and outreach ministries to take the Gospel beyond the congregation into the community and throughout the world, in order that all people may come to Christ as the Holy Spirit creates true faith through the sharing of God's word.
- E. To minister to the spiritual, physical, social, and emotional needs of men and women as they are related to the primary purpose of showing forth Christ's love, His compassion for all people, and His desire that all people be saved. (I John 4:21; Galatians 6:10; I Timothy 2:4; II Peter 3:9; Matthew 25:31-40).
- F. To foster Christian fellowship (Galatians 6:10) through those social actions, ministries, and events that are in keeping with God's word.

## ARTICLE III - DOCTRINAL CONFESSION

This Congregation accepts and acknowledges all the canonical books of the Old Testament and New Testament as the inspired and revealed Word of God, and all the Symbolical Books of the Evangelical Lutheran Church contained in the Book of Concord of the year 1580 as a true and correct exposition of Christian Doctrine taken from and in full agreement with the Holy Scriptures via:

The Three Ecumenical Creeds, namely: The Apostolic, the Nicene, and the Athanasian

The Unaltered Augsburg Confession

The Apology of the Augsburg Confession

The Smalcald Articles

Luther's Large Catechism

Luther's Small Catechism

The Formula of Concord

All doctrinal controversies which may arise in Zion Congregation shall be decided and adjudicated according to the doctrines set forth in the documents listed.

No doctrine or practice in conflict, or inconsistent, with the above norms of our faith and practice (or life) shall be taught or tolerated in this Congregation.

## ARTICLE IV - SYNODICAL AFFILIATION

This congregation shall be affiliated with the Lutheran Church-Missouri Synod as long as the confessions and constitution of said Synod are in accord with confessions and constitution of this Congregation as written in ARTICLE III.

This Congregation shall, to the best of its ability, collaborate with said Synod and assist in effecting all sound measures intended for the building up of the Church and extending the Kingdom of God. It shall send its Pastor(s) and Lay Delegate to the District Convention of the Synod.

## ARTICLE V - MEMBERSHIP

The membership of this Congregation shall include the following:

### A. Baptized Membership

Baptized members are all persons on the membership rolls who have been baptized in the name of the Triune God, including children who have not yet received the rite of public confirmation.

### B. Communicant Membership

Communicant members are those who

1. are baptized in the name of the Triune God;
2. have declared their acceptance of the confessions and this Congregation as contained in ARTICLE III of this Constitution;
3. have been accepted into communicant membership in accordance with the By-Laws of the Congregation and remain faithful to the responsibilities of membership as contained in these By-Laws;
4. do not live in manifest works of the flesh (Galatians 5:19-21), but lead a Christian life;
5. are not members, affiliated or supporters of anti-Christian societies (lodges), or organizations conflicting with the Word of God and the conduct of a Christian (II Corinthians 6:14-18).

## **ARTICLE VI - OFFICES OF PASTOR AND CALLED WORKERS**

The pastoral office of the Congregation as well as that of a called worker shall be conferred upon such pastor(s) and called workers who profess acceptance of and pledge faithful adherence to the confessions of this Congregation as set forth in ARTICLE III of this Constitution.

## **ARTICLE VII - POWERS OF THE CONGREGATION**

### **A. General**

The Congregation, subject to the constraints and regulations of this Constitution and its By-Laws, shall have supreme power in the administration of its affairs. The Congregation, however, shall not be empowered to decide anything contrary to the Word of God and confessions of the Lutheran Church (ARTICLE III), and any such decision shall be null and void.

### **B. Right of Calling**

The right of calling pastors or workers shall be vested in the Congregation and shall never be delegated to a smaller body or to an individual.

### **C. Decisions**

Matters of doctrine and conscience shall be decided by the Word of God; according to the confessional standard of Article III; other matters shall be decided by the Voters' Assembly by a majority vote unless otherwise specified by the Constitution or By-Laws.

### **D. Powers of Officers, Boards and Committees**

Congregational officers, boards, or committees, whether elected or appointed by the voters, shall have no authority beyond that which has been conferred

upon by the By-Laws, and whatever power may have been delegated to them may at any time be altered or revoked by the voters.

### **E. Removal From Office**

Any pastor, called worker, or officer may be removed from office by a 66% majority ballot taken at a Voters' Assembly, for one of the following causes: persistent adherence to false doctrines, scandalous life, or incapacity to perform their official duties, or willful neglect of them.

### **F. Termination of Communicant Membership**

The Congregation shall have the right to excommunicate members for sufficient Scriptural cause and to terminate membership for other reasons as described in the By-Laws.

### **G. Organizations**

Organizations may be formed within the Congregation only with the expressed approval of the Council, and all such organizations shall be under the supervision of the appropriate Administrative Board under whose jurisdiction they function, as designated by the Council. Only communicant members of the Congregation shall be officers of such organizations or groups. The Pastor(s) by virtue of his office may be the advisor for such organizations or groups within the Congregation.

## **ARTICLE VIII - PROPERTY RIGHTS**

The Congregation may acquire, hold title to, sell, transfer, convey, and otherwise dispose of property, real, personal, and mixed.

If, at any time, a separation should take place within this Congregation, the property of the Congregation and all benefits connected therewith shall remain with those members who continue to adhere in confession and practice to ARTICLE III of this Constitution. In the event the Congregation should totally disband, the property and all rights connected therewith shall be transferred to the Iowa District East of the Lutheran Church-Missouri Synod.

## **ARTICLE IX - MANAGEMENT**

### **A. Voting Membership**

This Congregation shall be represented by and administer all its affairs through its Voting Membership.

Only communicant members, who have qualified according to the membership provisions of the By-Laws, shall be received as Voting Members of this Congregation.

B. Officers

The corporate officers of this Congregation shall be Chairman, Secretary, Treasurer, and Chairman of the Board of Trustees. The remaining officers of this Congregation shall be such officers, boards, or committees as the By-Laws of this Constitution may provide.

C. Council

The Council, elected by the Voters' Assembly, shall be structured as specified in the By-Laws of this Constitution. It is empowered to carry out the normal and necessary functions of the Congregation delegated to it by the Voters' Assembly.

3. that an affirmative vote of two-thirds majority of the voting membership present at the Voters' Assembly is attained for the adoption of an amendment.

## ARTICLE X - DOCTRINAL LITERATURE

Only such hymns, prayers, and liturgies shall be used in the public services of the Congregation and in all ministerial acts as conform to the confessional standard of ARTICLE III. Likewise, in all classes for instruction in Christian doctrine, only such books shall be used as conform to this standard.

## ARTICLE XI - BY-LAWS

The Congregation may adopt such By-Laws as may be required for the accomplishment of its purpose provided they are in accord with the Constitution.

## ARTICLE XII - AMENDMENTS

A. Unalterable Articles

ARTICLE III and ARTICLE XII, Paragraph A, of this Constitution or sections thereof shall be unaltered and irrevocable unless approved by a 75% majority vote at two consecutive Voters' Assemblies.

B. Amendments

Amendments to this Constitution and the By-Laws may be adopted at a Voters' Assembly, provided

1. that they do not conflict with the provisions laid down in ARTICLE III and V, or with any section of any other article that pertains to Scriptural doctrine and practice; and
2. that the proposed amendment has been submitted in writing to the congregation at least three weeks prior to the Voters' Meeting. The intent to change the constitution and/or by-laws to be announced on two different Sundays prior to the date upon which the amendment is presented for action; and

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### SECTION I.....BAPTIZED MEMBERSHIP

#### A. Admission into Baptized Membership

1. By Baptism: Baptism, as revealed in Holy Scriptures, and set forth in the Lutheran Confessions, unites us with Christ and therefore unites us with His body, which is the Church (Rom. 6:3-5, Rom. 12:5).
2. By Transfer: Baptized children under age 16, or individuals unable to be confirmed due to special educational needs, will be received by our congregation as baptized members by a letter of transfer when their communicant parents or guardians are transferred to our congregation.
3. By Profession of Faith: Other baptized applicants under age 16, or individuals unable to be confirmed due to special educational needs, shall submit their application to the Board of Elders who shall determine whether such applicants are eligible for baptized membership.

#### B. Privileges and Duties of Baptized Members

The days of our youth should be a special time of learning about our Lord. Scripture states (Eph. 6:1-4), "Fathers, do not exasperate your children; instead, bring them up in the training and instruction of the Lord," and (Eccl. 12:1), "Remember your Creator in the days of your youth." Those who are able to receive Christian instruction should do so, especially so that they might be able to receive the blessings of the Lord's Supper.

#### C. Termination of Baptized Membership

##### 1. By Neglect of Christian Instruction

- a. Baptized members of our congregation who have reached the age of three and whose parents or guardians are not members nor have they brought these children to worship or enrolled them in Sunday School shall be released from membership.
- b. Baptized members who have reached the age of 16, who are capable of receiving Christian instruction, who have been repeatedly encouraged to do so, and refuse to receive such instruction, shall be released from membership.

#### D. By Transfer

When the parents or guardians of baptized members have been transferred to another congregation, their baptized children shall be transferred along with them.

#### E. By Joining Other Congregations

When the parents or guardians of baptized members have affiliated themselves with a congregation not in fellowship with the Lutheran Church-Missouri

Synod, and their baptized children are not attending worship or regular Christian instruction at Zion Lutheran, their baptized children shall be released from membership.

F. Moved Away

1. Address Known: Baptized members who move away from our area of ministry with their parents or guardians shall be released from membership after one year from the date they moved away and repeated attempts to integrate them into a congregation in their new community reap no results.
2. Address Unknown: When the address of a baptized member is unknown and after reasonable efforts to locate him/her have failed, such baptized member shall be released from membership.

## SECTION II..... COMMUNICANT MEMBERSHIP

A. Admission into Communicant Membership

The Pastor, working with the Board of Elders, is empowered to act on behalf of the congregation in granting the rights and privileges of membership with the exception of voting in the Voters' Assembly or holding an elected office. All such actions are subject to the oversight of the church and will be presented to the voters at their regular meeting for approval. Following such approval, those individuals who are eligible to vote in the Voters' Assembly or hold elected office in accordance with Section III of these By-laws shall have the privilege of voting and holding elected office.

1. By Confirmation

Confirmation is the public rite by which a baptized person who has been instructed in the Christian faith, as revealed in the Holy Scriptures and set forth in the Lutheran Confessions, confesses his/her faith and is received into communicant membership by the congregation.

2. By Transfer

Applicants transferring from another Lutheran church with which we are in church fellowship, provided they conform in all respects to the requirements of membership of this Congregation, shall submit a letter of transfer from their former congregation to the Board of Elders to establish their eligibility for membership.

3. By Profession of Faith

Other applicants shall submit their applications to the Board of Elders, who shall determine whether such applicants are eligible for membership in accordance with ARTICLE V of the Constitution. Applicants not familiar with the doctrines and confessions of the Lutheran Church shall be required to attend a course of instruction and to make profession of their faith either before the Congregation or, at the Pastor's discretion, before

witnesses who are members of the Board of Elders, before being received as members.

4. By Baptism Following Instruction

An applicant who has not previously received a Christian baptism, who has been instructed in the Christian faith in this Congregation or a congregation in church fellowship with us, and who meets other requirements under ARTICLE V.B. of the Constitution shall be admitted to communicant membership by baptism.

B. Privileges and Duties of Communicant Members

It shall be the privilege and duty of all members of this Congregation to

1. read the Constitution and By-Laws of the Congregation;
2. grow in Christian faith and life through faithful use of the means of grace, by regularly attending worship services, partaking of the Lord's Supper frequently unless physically unable to do so, and searching and studying the Scriptures at home and in fellowship with other members of the Congregation;
3. live a morally decent life before God and man, abstaining from works of the flesh (Galatians 5:19-21);
4. present their children to God through Holy Baptism and provide for proper Christian training of their children by instruction at home and through the agencies of the church (e.g. regular attendance at Sunday School, Vacation Bible School, and confirmation instruction);
5. contribute toward the maintenance of the Congregation and the extension of the Kingdom of God at home and abroad according to their financial ability;
6. place their God-given talents and abilities at the disposal of the Congregation, so that the purpose and functions of the Congregation as set forth in its Constitution and By-Laws may be effectively implemented.

C. Termination of Communicant Membership

The Pastor, working with the Board of Elders, is empowered to act on behalf of the Congregation in granting transfers and in releasing from membership those who have joined other churches or those who have moved away, in accordance with the guidelines listed below. In addition, the Elders, working in accordance with the guidelines listed below, may remove from membership those who have excluded themselves from the congregation by refusing to worship, receive the Lord's Supper, or receive Christian counseling from the Pastor, Elders, or their designees, when their life and conduct is in clear conflict with the Word of God. All such actions are subject to the oversight of the Church and will be presented to the voters at their regular meeting for approval. Excommunication, which is applied to those who will hear the Church but will

not conform their life to God's Word, is the sole province of the Church gathered in its Voters' Assembly and shall be carried out according to the provisions outlined below.

1. By Transfer

Communicant members desiring to join another congregation with whom Zion is in church fellowship shall present their request for transfer to the Elders.

2. Joining Other Churches

Communicant members who have joined or intend to join another congregation with whom Zion is not in fellowship shall be considered as having terminated their membership.

3. Moved Away or Whereabouts Unknown

Communicant members of Zion who have moved out of our area of ministry and those members whose whereabouts are unknown shall be released from membership after one year from the date of our last contact with them or after repeated attempts to integrate them into a congregation in their new community reap no results. Should they desire to reunite with Zion, it shall be by Profession of Faith.

4. Self-Exclusion

a. The Constitution and By-Laws provide that members have the responsibility to attend worship services regularly, partake of the Lord's Supper frequently, actively support the ministry of the Gospel, and live a godly life in accordance with God's Word. Christian love and care for one another includes edification, instruction, encouragement, admonition, and correction. Such ministry as is appropriate shall be extended to those who become inactive in participation in worship services and the Lord's Supper or who have been persistent in conduct that contradicts God's clear Word. While active members should encourage inactive members, the responsibility for this ministry is the particular responsibility of the Board of Elders.

b. The following policy shall be applied to members who have become inactive by excluding themselves from worship services or who have refused to receive admonition and encouragement in the Word from the Pastor or Elders when their lives have manifestly strayed from that Word.

c. Definitions

i. Inactive Status - any communicant member who does not participate in the public worship of the congregation including the Sacrament of the Lord's Supper at least once every quarter of the calendar year.

ii. Nonparticipation - will be interpreted as despising the Word and Sacraments of the Lord by which His forgiveness is offered and received, despising the fellowship of Christians and the mission of the Gospel of Christ conducted through the Congregation.

iii. Christian Counseling - any or all of the following: edification, instruction, encouragement, admonition, and correction.

d. If any member becomes inactive, or through his/her course of life demonstrates that he/she is unwilling to conform his/her life to God's Word, the following course of action shall be followed:

i. Visitation/contact by the Pastor or Elders to perform counseling.

ii. If nonparticipation continues or the individual continues in conduct contrary to God's Word, a second visitation/contact by the Pastor/Elders will take place to continue or initiate Christian counseling.

iii. If nonparticipation continues or the individual persists in a life contrary to God's Word, such member shall be counseled more firmly and informed that his/her conduct will be interpreted as indifference to Christ and to church membership. Those members who are willing to receive Christian counseling or who continue to worship, but are unwilling to conform their lives to God's Word, will be candidates for excommunication (see Section II.C5 Excommunication).

iv. If, after repeated attempts as outlined above, individuals do not respond to Christian counseling for nonparticipation and have been absent from worship for at least one year, or if they refuse to receive any Christian counseling for their nonparticipation or for living in a way contrary to God's clear Word, they will be sent a letter at least six weeks prior to any action by the Voters' Assembly or the Board of Elders offering a final opportunity for reconciliation with the Church. In the case of those who have refused Christian counseling for living in conflict with God's Word, the letter will include the offer of a reconciliation conference as outlined in Section II.C.5 Excommunication.

Upon failure to respond positively to this invitation within six weeks, the Elders may remove the person from the membership roster subject to the approval of the voters, since the individual has already excluded him/herself from the ministry of the Church.



- v. Members who are removed from membership via this process shall at all times be cordially welcomed to attend worship services. They will also be encouraged to worship at other Christian churches if deemed appropriate.
- vi. Should member(s), at any time refuse counseling, the one-year period may be waived and Paragraphs iii. and iv. will be followed.
- vii. Should member(s), after receiving counseling, continue non-participation, then Paragraphs iii. and iv. will be followed.
- viii. All membership list removals shall be reported to the Congregation.

## 5. Excommunication

### a. Prior to the Voters' Meeting

Any member who conducts him/herself in a manifestly un-Christian manner and is impenitent (e.g., one who openly adheres to false doctrine), gives evidence of immoral and offensive life, or willfully despises the Word and Sacraments, shall be admonished according to Matthew 18. The Pastor, working with the Board of Elders, shall administer church discipline on behalf of the Congregation. If, after loving and repeated admonition from the Pastor and representatives from the Board of Elders, the person remains unrepentant, the individual will be informed via letter and, if possible, via personal contact, that he/she risks facing excommunication. The date at which the Voters' Assembly will address this issue will be included in the letter. Such a letter must be sent at least six weeks prior to the Voters' Meeting at which excommunication will be considered.

In the letter and personal contact, this individual will be invited to attend a reconciliation conference. This conference must be scheduled prior to the Voters' Meeting at which the vote of excommunication will be considered.

The following individuals shall be invited to this conference:

- i. The Pastor and one Elder selected by the Board of Elders.
- ii. Any injured party and an Elder of his/her choice. If no injured party will be present, the Board of Elders shall appoint one additional Elder to sit in the conference.
- iii. The individual considered for excommunication, an elected congregational officer of his/her choice, and one other active member of his/her choice.

- iv. Other individuals who have pertinent information regarding the matters being discussed. Such individuals will not sit in the conference, but will be invited into the conference to share their information and will be asked to leave once their information has been presented and they have answered any questions relevant to the issues at hand.

Other formats for this conference may be used upon the mutual consent of the Pastor, the Board of Elders, and the individual being considered for excommunication.

If, in the judgment of this conference, progress is being made toward reconciliation, a timely schedule of subsequent meetings of the conference (or a subgroup the conference shall designate), shall be devised and agreed upon by the conference. As long as the individual considered for excommunication continues to participate in such meetings and gives evidence, as judged by the conference, of working toward repentance and reconciliation with any injured parties, the vote of excommunication shall be delayed.

If a member refuses the opportunity for this conference along with all other opportunities for reconciliation, or if they attend the conference and in mutual judgment of the conference give no evidence of repentance or a desire to be reconciled, nor wish to meet again to work toward that goal, then they will be informed at least one week prior to the next scheduled Voters' Meeting that they will be recommended for excommunication. The individual will be invited to the Voters' Meeting and will be allowed to speak in their defense.

### b. At the Voters' Meeting

When a member refuses to avail him/herself of Christian discipline and does not appear to speak on his/her own behalf at the Voters' Meeting, that individual will be considered as having excluded him/herself from the Christian fellowship and will be removed from membership under the guidelines for self-exclusion.

When a member wishes to challenge his/her removal from membership, he/she must be present at the Voters' Meeting where this issue is discussed. At any time prior to or during the Voters' Meeting he/she may request that a new or additional reconciliation conference be scheduled. If such request is made and a tentative date is agreed upon, the vote of excommunication will be tabled until the next regular Voters' Meeting with no further discussion. Failure to attend this conference except by the mutual agreement of the Pastor and Board of Elders will result in the immediate termination of membership under the guidelines for self-exclusion.

If no request for reconciliation is made and the individual presents him/herself at the Voter's Meeting, the matter of excommunication will be brought before the Church assembled in the Voters' Meeting in the following manner:

- i. The Pastor or an Elder he shall designate shall present the following:
  - (a) A Scriptural explanation of the power of the Office of the Keys and the reasons for which God gave this power to the Church.
  - (b) A general description of the person's offense.
  - (c) The Scripture which condemns this offense.
  - (d) The attempts that have been made to bring about repentance and reconciliation.
  - (e) The basis for concluding that there is no repentance or reconciliation.
- ii. A member of the Board of Elders will move that the individual be excommunicated.
- iii. The individual being accused shall be allowed to make a defense.
- iv. The congregation will be allowed the opportunity to question the Pastor, Elders, or other members of the reconciliation conference, along with the person being considered for excommunication.
- v. Ample time for discussion will be allowed. In the event of extended discussion, someone may move to close discussion in accordance with Robert's Rules of Order by calling the question on the motion to excommunicate.
- vi. The Pastor will review for the congregation the points in Section II.C.5.b.(i.) of the By-Laws listed above, together with the reasons for which a person may vote against excommunication. The scriptural reasons for voting against excommunication are
  - (a) evidence that God's Word has not been violated;
  - (b) evidence that repeated efforts were not made to bring about repentance;
  - (c) evidence that the individual is repentant.
- vii. The vote on excommunication shall proceed by a show of hands with the individual being considered excluded from the vote. The vote for excommunication must be unanimous.

viii. Upon a unanimous vote, the individual will be considered excommunicated and will lose all rights and privileges of membership, including the right to attend Holy Communion. The Congregation will continue to keep this person in their prayers and work toward his/her repentance, as Scripture admonishes us to seek the lost.

ix. If the vote is not unanimous, the individual(s) voting against excommunication will be asked to state his/her reasons for doing so. If the issues can be resolved quickly, another vote may be taken. However, if in the judgment of the Pastor, Chairman, or the Voters' Assembly, the issues involved cannot be resolved quickly, the motion to excommunicate will be tabled until the next regular Voters' Meeting. The Pastor and Elders will work with the individual to resolve any matters of doctrine or conscience that prevent him/her voting in the affirmative.

Any person who has been removed shall be eligible for membership reinstatement when evidence of repentance has been demonstrated, forgiveness is asked, and such desire is made known to the Pastor, Elders and Voters' Assembly.

### SECTION III ..... VOTING MEMBERSHIP

#### A. Eligibility

Those communicant members who are 18 years of age and over and have read the Constitution and By-Laws of the Congregation shall be entitled to vote in a properly convened Voters' Assembly.

#### B. Privileges and Duties of Voting Members

It shall be the privilege and duty of a voting member to

Conscientiously and prayerfully exercise his right of suffrage in all measures that will advance the work of Christ's Kingdom both locally and in the Church at large;

Willingly serve in any office or capacity for which his talents and abilities equip him and the By-Laws of this Constitution permit;

Faithfully attend all meetings of the Voters' Assembly. By failing to attend such a meeting, a communicant member waives the right to cast his vote during that meeting.

## **SECTION IV..... MEETINGS OF THE CONGREGATION (VOTERS' ASSEMBLY)**

### **A. Regular Meetings**

1. Regular meetings of the Voters' Assembly shall be held during the months of February, June and October.
2. A meeting of the Voters' Assembly shall be held in the month of June to give consideration and approval of the church budget for the next fiscal year as well as provide for the election of officers for the next fiscal year. The Chairman shall set the agenda for this meeting with special emphasis on elections and budget approval.
3. Dates and times of Regular Voters' Meetings shall be set by the Council, subject to subsequent approval or change by the Voters' Assembly. Regular meetings of the Voters' Assembly shall be announced by word or in the bulletin at worship services on two consecutive weeks preceding the meeting.
4. A written agenda shall be available one week preceding the regular meeting.

### **B. Special Meetings**

Special meetings of the Voters' Assembly may be called by the Chairman, the Pastor, the Board of Elders, or at the request of ten voting members of the congregation. The members of the Council and all affected parties are to be notified of the calling of a special meeting prior to issuing notice to the voters. Notice of date, time of such meeting, and nature of the business to be transacted shall be announced by word or in the bulletin at worship services on two consecutive weeks preceding the meeting.

### **C. Purposes of Meetings of the Voters' Assembly**

1. To hear reports from the Church Council, Officers, Boards, Committees and Pastor.
2. To act on recommendations of the Church Council.
3. To make major decisions and establish general policy for the ongoing ministry of the Congregation.
4. To provide a forum for members to express ideas and concerns about the goals, objectives, performance, purposes, and plans of the Congregation.
5. To provide a forum to motivate individual members and the Congregation to a greater commitment to Christ and the Kingdom work.
6. To act under its constitutional empowerment as the final authority in the administration of the affairs of the Congregation.

### **D. Quorum and Restrictions**

1. Voting members in attendance shall constitute a quorum to transact business.
2. There shall be no voting by proxy.
3. Two-thirds majority vote of the Voting members present shall be required for the adoption of resolutions pertaining to
  - a. amending Articles of Incorporation, the Constitution or By-Laws;
  - b. construction of buildings or major alteration thereto;
  - c. purchase or sale of property;
  - d. calling of Pastor or called worker, and removal of a Pastor, called worker, or a member from office.
4. Unless otherwise indicated, meetings shall be conducted following Robert's Rules of Order.

### **E. Order of Business at Regular Meetings**

1. Devotions.
2. Introduction of new communicant (voting) members.
3. Review of minutes (including special Voters' Assemblies).
4. Treasurer's report.
5. Reports from committees or organizations of the voting membership.
6. Reports of administrative boards and working committees.
7. State of the Parish report by Pastor(s).
8. Unfinished business.
9. New business.
10. Adjournment.
11. Prayer.

## **SECTION V .....CALLING OF PASTORS, CALLED WORKERS AND HIRING OF CONTRACT TEACHERS**

### **A. Candidate List**

The Church Council shall serve as the calling control committee. Members of the Congregation shall be given the opportunity to submit the names of candidates to the Council, being notified of this privilege through announcements at worship service(s). In addition, the Board of Elders, the

Board of Education, or the Board responsible for the worker to be called, when calling a pastor or a called worker, shall consult with the District President in preparing a list of candidates. All possible available information concerning the candidates shall be obtained through the District President and other acceptable Synodical channels. At the subsequent Voters' Assembly, the Voters may defer voting on the call and request additional information or that additional candidates' names be obtained.

#### B. Voting

The voting for the calling of a Pastor or a called worker shall be by ballot. The candidate receiving two-thirds majority of all votes cast shall be the candidate to whom the call shall be sent. The voting may take place at any regular or special meeting of the Congregation, provided the nature of the business to be transacted is announced in the meeting called.

#### C. Appointment

If a candidate shall be called directly from one of our seminaries or teacher colleges, or training institutions, the faculty of such institution, together with the committee of Synod for the distribution of calls, may be requested to appoint the person to whom the call shall be extended. The request for such appointment shall be approved by a two-thirds majority of the Voters' Assembly.

#### D. Hiring of Contract Teachers

Negotiating for contract teachers (non-synodically trained) shall be delegated to the Board of Education and such negotiations shall be approved by two-thirds majority of the Voters' Assembly. The contracts shall include in "Provisions for Termination" the basis for removal set forth in Section VII.B of the By-Laws.

## SECTION VI..... CONGREGATIONAL MANAGEMENT

#### A. Eligibility for Elected Offices

1. Candidates for elected offices must be communicant members 18 years of age or over.
2. Male candidates shall be eligible for all elected offices. Women may serve as members of boards and committees as long as these positions are not directly involved in the specific functions of the pastoral office (preaching, the public administration of the sacraments, church discipline). Only male candidates shall be eligible for the elected offices of Chairman of the Congregation, Chairman-Elect and the Board of Elders.
3. Husband and wife may not be candidates or hold elective offices on the same board at the same time.

#### B. Elected Offices

1. The elected offices of this Congregation, the term of office, and the number of members on the Boards shall be as follows:

<u>Office</u>	<u>Term of Office</u>	<u>Number of Members</u>
Chairman	1 year	1
Chairman-Elect	1 year	1
Secretary	2 years	1
Treasurer	1 year	1
Board of Finance	3 years	3
Board of Elders	2 years	8 or more
Board of Trustees	2 years	4 or more
Board of Evangelism & Christian Fellowship	2 years	4 or more
Board of Stewardship	2 years	4 or more
Board of Education	2 years	4 or more
Board of Youth	2 years	5 or more

2. The office of Chairman shall be filled by the Chairman-Elect of the preceding term. If possible, one member shall be elected to the Board of Finance each year, and the senior member shall be the Financial Secretary. Approximately one-half of the members of the Board of Elders, Trustees, Evangelism & Christian Fellowship, Stewardship, Education, and Youth shall be elected each year.
3. Each Board will organize and elect a Chairman annually.

#### C. Nomination and Election

A nominating committee appointed by the Church Council shall present a slate of candidates, drawn from the eligible communicant members of the Congregation, at the June meeting of the Voters' Assembly. The restrictions specified in Section VI A and B must be followed in the nominating and election procedure. It is desirable to have two or more candidates nominated for each office. Additional nominations may be made from the floor. In all instances, advance consent of the nominees must be obtained. The voting shall be by ballot except when only one candidate is listed for each open position. When only one candidate is listed for each position, the slate of candidates shall be, after approval of the slate of candidates, approved by acclamation.

The officers elected shall assume their respective duties on the first Sunday of the following fiscal year. Officers shall be elected for terms specified in these By-Laws and shall hold office until successors have been elected and installed.

The Chairman and Chairman-Elect shall hold office for only one term. Members of the Board of Elders shall be permitted to hold office for up to four consecutive terms. The Secretary, Treasurer, and all other board members shall hold office for up to two consecutive terms. If a qualified replacement cannot be found for a position, the person who has served the maximum number of terms, excluding members of the Board of Elders, shall be allowed to serve one additional term.

In the event of a vacancy in any office other than the Chairman (assuming there is a Chairman-Elect), the Church Council shall appoint a successor to serve the remainder of the term of office vacated. Such appointments shall be ratified by the Voters' Assembly at the next regular meeting.

The term of office filled by the appointments shall be considered a full term if the time served is one-half or more of the term in office. Once an officer has served the maximum number of terms (as defined above in Section VI (C), whether elected or appointed, the officer may not be elected or appointed to the same office for one full year.

**D. Organization of the Church Council**

The Church Council shall consist of the Chairman and Chairman-Elect of the Congregation, the Secretary, the Treasurer, and the Chairman of the following Boards: Elders, Trustees, Evangelism & Christian Fellowship, Stewardship, Education, Youth and Finance (Financial Secretary). The Pastor shall be an ex-officio member of the Church Council.

**E. Congregational Representation at Circuit and District Meetings**

When it is necessary for the congregation to be represented at circuit or district meetings, the customary representative will be selected in the following order:

1. Chairman of the Congregation
2. Chairman-Elect
3. Officer from the Board of Elders

In the event that none of the above is able to attend the meeting, the representative may be selected by the Church Council who will appoint a representative from the communicant members 18 years of age or over. The selection will be published in the council minutes.

A group of ten or more communicant members may petition the council to hold a special election to elect a representative.

## **SECTION VII..... REMOVAL FROM OFFICE**

**A. Provisions Pertaining to Officers**

Any officer of the Congregation who willfully neglects the duties of his office, or in the event of protracted incapacity to perform such duties, may be removed from office by a two-thirds majority vote, by ballot, of the voting members present in a meeting of the Voters' Assembly.

**B. Provisions Pertaining to Pastors, Called Workers and Contract Teachers**

The basis for removal of a Pastor, Called Worker, or Contract Teacher from office shall be persistent adherence to false doctrine, scandalous life, evident and protracted incapacity to perform his official duties or willful neglect of them. Charges on any of these counts shall be carefully investigated by the Board of Elders. After a preliminary investigation, the Board shall consult with the appropriate officers of the Iowa District East. Should such charges be substantiated by clear evidence, the individual involved shall first be given the opportunity to resign his position. If such opportunity is declined, the Board of Elders shall call a special Voters' Assembly for submission of the matter of action. The purpose of the meeting shall be announced at regular worship service(s) on two consecutive weeks preceding the special meeting called for that purpose. A two-thirds majority vote, by ballot, of the voting members present shall be required for removal from office.

## **SECTION VIII ..... CONGREGATIONAL WORKING COMMITTEES**

All boards, elected by the Voters' Assembly, are encouraged to recruit communicant members from the Congregation to serve on Working Committees to assist them in fulfilling their Congregational duties and responsibilities. It is desirable that no person serve on more than one committee at one time.

Each Working Committee shall function under the jurisdiction of the respective elected Board, which shall represent the interests of the committee's assignments at all meetings of the Church Council and the Voters' Assembly.

## **SECTION IX..... PLANNING AND COORDINATING COUNCIL**

The Planning and Coordinating Council shall consist of the Chairman, Chairman-Elect, Secretary, Treasurer, and Chairmen of all elected Boards. The Chairman-Elect shall serve as Chairman of the Planning and Coordinating Council and call for its organizational meeting after election and before the end of the first (1st) month of the Fiscal Year to plan and coordinate the church programs annually. All Council members and board members shall be invited to participate in this annual planning meeting. Representatives of auxiliary organizations or Working Committees may be invited as necessary.

## **SECTION X..... DUTIES AND RESPONSIBILITIES OF CHURCH COUNCIL, PLANNING AND COORDINATING COUNCIL, OFFICERS AND ADMINISTRATIVE BOARDS**

It is the responsibility of all boards to be concerned about and help in the reception, orientation, and integration of new members into the Congregation.

### **A. CHURCH COUNCIL - The Church Council shall**

1. under the authority delegated to it, carry out the normal routine and necessary functions of the Congregation except those matters which are restricted to the Voters' Assembly;
2. meet monthly to act on all matters relating to the operation and general welfare of the Congregation;
3. serve as a liaison between the Pastor, the Officers, the Congregation, and the Administrative Boards in carrying out the programs of the Congregation;
4. serve as mediator on questions of responsibility between Administrative Boards and Officers;
5. assist the Chairman in preparing the agenda for the Voters' Assembly;
6. present progress reports at the Voters' Assembly;
7. make recommendations to the Voters' Assembly on appropriate matters;
8. appoint a nominating committee eight months prior to the Voters' Assembly to elect officers;
9. make appointments to fill unexpired terms of vacancies in offices;
10. publish schedule of Voters' Meetings for the coming year;
11. establish the appropriate approval authority for submitting Congregational bills to the Treasurer for payment.

### **B. PLANNING AND COORDINATING COUNCIL - This Council shall**

1. call for its organization meeting after election and before the end of the first (1st) month of the Fiscal Year to plan and coordinate the Church programs annually;
2. plan the annual church calendar and coordinate through the Office Administrative Assistant;
3. be responsible for the involvement of members of the Congregation in the Church program. In connection therewith, make use of the talent availability roster to be maintained by the Membership Talent Coordinator appointed by the Chairman of this Council;

4. make long-range projections identifying programs, equipment, staff, finances, and personnel needs of the Congregation.

### **C. CHAIRMAN - The Chairman shall**

1. enforce the Constitution, By-Laws, and Resolutions of the Voters' Assembly;
2. preside at all meetings of the Council and Voters' Assembly;
3. exercise executive oversight to the best of his ability to assure that all elected or appointed Officers, Boards, and Committees are functioning and carrying out their individual responsibilities;
4. prepare the agenda for Council Meetings and with the assistance of the Council prepare agenda for the Voters' Assembly;
5. delegate specific responsibilities to the Chairman-Elect as may be advisable;
6. also be an ex-officio member of all boards and committees.

### **D. CHAIRMAN-ELECT - The Chairman-Elect shall**

1. preside at meetings of Council and Voters' Assembly in the absence of or when requested by the Chairman;
2. act as Chairman of the Planning and Coordinating Council;
3. appoint a Membership Talent Coordinator who shall be responsible for maintaining a roster of involvement and talent availability;
4. assume the specific responsibilities delegated to him by the Chairman;
5. in the event of a vacancy in the office of Chairman, assume such office for the remainder of the year;
6. assume the office of Chairman in the succeeding year;
7. also be an ex-officio member of the Nominating Committee and Board of Stewardship.

### **E. SECRETARY - The Secretary shall**

1. record all the minutes of the Council and Voters' Assembly meetings in a permanent record over the secretary's signature;
2. file a duplicate copy of all minutes in the Church Office;
3. maintain an accurate record of communicant members present at Council and Voters' Assembly meetings;
4. conduct all official correspondence for the Congregation under the supervision of the Chairman;

5. maintain a copy of this Constitution and By-Laws and provide for its update through amendments adopted by the Voters' Assembly;
  6. be responsible for distribution of the Constitution and By-Laws to all communicant members.
- F. TREASURER - The Treasurer shall
1. be responsible for the accurate recording of Congregational receipts and disbursements in accordance with proper accounting procedures, and as deemed advisable, shall suggest improved methods;
  2. receive from the Board of Finance a report of all monies received and deposits made (duplicate deposit slips) and reconcile them;
  3. be responsible for monthly remission of offerings for missions and church agencies and for prompt payment of salaries and bills authorized by the Congregation, Council, or the Administrative Boards;
  4. use checks or ACH for the payment of bills, salaries, or other financial commitments of the Congregation;
  5. present copies of financial reports, budgeted and actual, at Council and Voters' Assembly meetings;
  6. in cooperating with the various Boards, coordinate the flow of monies from the treasury in such a way that an adequate balance is retained for the payment of salaries and other recurring expenses;
  7. submit the financial records for an annual audit;
  8. be an ex-officio member of the Board of Stewardship.
- G. BOARD OF FINANCE - The Board of Finance shall
1. receive and count all offerings and other receipts;
  2. record offerings and receipts in records designed for such purpose;
  3. be responsible for and expeditiously deposit all monies in designated depositories;
  4. appoint a working committee to aid in counting all monies received;
  5. establish procedures requiring monies to be counted and recorded in the presence of two people;
  6. submit the financial records for annual audit;
  7. maintain contribution envelopes as follows before being destroyed: Current year and one prior year. Maintain records of contribution for seven years.

- H. FINANCIAL SECRETARY - The Financial Secretary shall
1. maintain a week-by-week record of the offerings of members;
  2. issue three statements per year to members showing their gifts and offerings to date;
  3. be an ex-officio member of the Board of Stewardship.
- I. BOARD OF ELDERS - The Pastor(s) is an ex-officio, non-voting member of the Board of Elders. The Board of Elders shall
1. pray for the Pastor and other spiritual leaders;
  2. encourage the Pastor in his work by word and action;
  3. be concerned about the spiritual, emotional, and physical health and welfare of the Pastor and his family (adequate compensation, housing, free time, vacation, continuing his education, and assistance in time of illness);
  4. be responsible for the supervision of the Pastor(s);
  5. help the Pastor in difficult problems of the ministry;
  6. together with the Pastor be concerned with all matters pertaining to the spiritual welfare of the Congregation;
  7. review church attendance and communion participation and establish a program for calling on delinquents;
  8. take spiritual charge and oversight of designated geographical or familiar groupings in liaison with the Pastor and other concerned Boards of the Congregation;
  9. give special consideration to the sick, hospitalized, aged, and shut-ins including visitations. Evaluate and identify cases of financial needs within the Congregation. When justified, develop course of action which will carry out the major responsibilities of ministering to the social, physical, and spiritual needs of these members;
  10. process letters of application for membership in the Congregation and request for transfers out in accordance with provisions of the Constitution and By-Laws;
  11. be responsible for a friendly, personal welcome of visitors at worship services and for orientation and integration of new members in cooperation with the Boards of Evangelism and Stewardship;
  12. maintain discipline within the Congregation according to Scripture, the Lutheran Confessions, and the Constitution and By-Laws of this Congregation, and exercise discipline when required. Consider complaints and grievances pursuant to Section II.C.5;

13. endeavor to see that all services are conducted in such a manner as to avoid needless disturbance and to foster an attitude conducive to worship among those in attendance;
  14. participate in discipleship training of members in conjunction with the Board of Evangelism and Christian Fellowship and the Board of Stewardship;
  15. be concerned about the Christian instruction of youth and adults for confirmation and church membership in accordance with the program and aims of the Board of Education;
  16. exercise its delegated responsibility in the calling of a pastor or called worker;
  17. assist Pastor in arranging for pulpit assistance, special services, and guest speakers;
  18. assist Pastor with Services of Worship;
  19. make annual schedule of Communion and other services in conjunction with the Pastor;
  20. plan and publicize the services, and approve new forms of worship and liturgies for use in the public worship;
  21. appoint Working Committees or work under existing organizations to accomplish the responsibilities under the jurisdiction of the Board of Elders. This will include instruction, supervision, and/or coordination with Ushers, Acolytes, Altar Guild, Choir, Music Committee, and other areas as deemed appropriate;
  22. be responsible for the supervision and welfare of the Office Administrative Assistant and other professional help not coming under the responsibility of other Boards;
  23. submit an annual budget in the form and at the time requested by the Board of Stewardship.
- J. BOARD OF TRUSTEES - The Board of Trustees shall
1. be responsible for the proper maintenance and repair of church property;
  2. periodically (at least annually) inspect church property and equipment, including checking for fire hazards, and recommend to the Voters' Assembly needed major repairs, improvements or replacements;
  3. maintain a current inventory list and valuation of all church property and equipment;
  4. carry out resolutions of the Voters' Assembly on property matters;

5. the Chairman of the Board of Trustees shall have the authority to sign official documents and contracts pertaining to Church property that have been negotiated and approved by the Congregation;
  6. annually check on and provide for adequacy of insurance coverage;
  7. determine, employ, and supervise adequate custodial help;
  8. prepare for the custodial help a detailed list of the required daily, weekly, monthly, or annual maintenance;
  9. establish with the approval of the Voters' Assembly regulations governing the use of Church property, including fees to be charged;
  10. control the issuance of keys;
  11. enlist Working Committees for repair, improvement, cleaning, painting, decorating, landscaping, and other projects;
  12. be responsible for maintaining a list and arrange for the safekeeping of valuable papers;
  13. accept and receive grants and bequests of property;
  14. represent the Congregation in legal matters pertaining to property;
  15. submit an annual budget in the form and at the time requested by the Board of Stewardship.
- K. BOARD OF EVANGELISM & CHRISTIAN FELLOWSHIP - The Board of Evangelism & Christian Fellowship shall
1. study the Biblical directives pertaining to evangelism, witnessing, and building supportive Christian relationships through God's Word and Christ centered activities;
  2. promote evangelism in the Congregation and the community that encourages Christ based witnessing;
  3. foster Christian membership by implementing a visitor/guest contact program and integration of new members and their families into the congregation through periodic fellowship events;
  4. encourage an atmosphere of friendliness in the Congregation toward members and visitors and suggest ways and means of improvement;
  5. be responsible for activities and public relations that identify the Congregation with the Gospel of Christ;
  6. review the social needs of the community and consider how the Congregation can help to meet these needs;
  7. will advise or help create new fellowship groups when requested, however, the board is not responsible for the regular duties or functions of these groups.



8. serve as liaison for fellowship groups in the Congregation to the Church Council and Voters when not already affiliated with another board (such as singles group, couples club, etc.);
  9. shall gather, on at least an annual basis, representatives from all the organizations to plan their work, coordinate their efforts, discuss financial support and develop a calendar of events and meetings that is coordinated with other church functions;
  10. submit an annual budget as requested by the Board of Stewardship;
  11. shall strive to have at least 6 members on the Board of EVANGELISM & CHRISTIAN FELLOWSHIP.
- L. BOARD OF STEWARDSHIP - The Board of Stewardship shall
1. study the Scriptural principles regarding the total stewardship calling of the Christian and share these insights with the Congregation;
  2. encourage the Gospel-motivated practice of joyous, worshipful, proportionate, first fruits giving in response to received blessings and recognize needs;
  3. conduct an intensive program annually to approach every member with basic Bible stewardship principles and practices, giving every member an opportunity to make a commitment of his treasure for Kingdom work;
  4. endeavor to discover talents, encourage members to use their talents and spiritual gifts for service to the Congregation, and provide opportunities for development of talents (training courses, workshops, seminars, and the like);
  5. foster support for missions and charities through speakers, filmstrips, committees, organizations and the like;
  6. cooperate with Circuit and District stewardship committees;
  7. endeavor to develop a "fervent mission spirit" in the individual and Congregation, and inform them of their opportunities for outreach into all the world through District and Synod;
  8. encourage and enlist young people of the Congregation for full-time service in the church as pastors, teachers, etc.;
  9. evaluate the offerings of the Congregation regularly, and share these evaluations with members of the Congregation;
  10. give special attention to the enlistment of time and talent of young and new members;
  11. approve and regulate the raising of all funds within the Congregation;

12. assume the responsibility for assuring that annual audits of the financial records of the Treasurer, Board of Finance, and all auxiliary organizations are conducted;
  13. prepare an annual budget for the Board of Stewardship, project upcoming fiscal year receipts and request budgets from other Boards, and assume responsibility for compiling the church budget for Voters' approval;
  14. the Board of Stewardship will be responsible for coordinating gifts and memorials to the church. Anyone wishing to give a gift or memorial to the church should contact a member of the Board of Stewardship. Stewardship will assemble and maintain a list of items that the church needs to be made available to those giving gifts and memorials;
  15. order and distribute the congregational offering envelopes.
- M. BOARD OF EDUCATION - The Pastor is an advisory member of the Board of Education. The Board of Education shall
1. foster spiritual growth in the life of the individual Christian;
  2. undertake to strengthen the Christian home as a basic Christian education unit to help equip parents, children, and young people for Christian living;
  3. be responsible for the Christian nurture of children, youth, and adults in the Congregation;
  4. establish objectives, set policies for, and supervise the total education program for each education agency in the Congregation, i.e., Sunday School, weekday school, preschool, Vacation Bible School, confirmation classes, youth, Bible classes, and other educational groups;
  5. review existing agencies to determine whether all groups are being served and recommend revisions and additions as deemed advisable;
  6. encourage participation of every member in the educational classes and programs of the Congregation and also in individual Bible study, prayer, and witnessing;
  7. select and approve curriculum and evaluate the performance of each education agency and seek constant improvement;
  8. provide appropriate education resources (e.g., curriculum, leader guides, workshops, conferences, conventions, etc.) to facilitate teacher training and leadership growth to meet the needs of the Congregation;
  9. maintain adequate teaching and administrative personnel for all groups and agencies. Have the authority to suspend teachers from their teaching duties with the teacher's right to appeal to the Church Council if not covered under Section VII.B of the By-Laws;
  10. annually examine the education facilities and equipment and bring the needs to the attention of the Board of Trustees and Church Council;

11. maintain, improve, and cultivate the use of the church library, and provide for and promote the use of audiovisual aids;
  12. study and adopt or adapt, as considered desirable, educational aids suggested by the Synod, District and Circuit;
  13. submit an annual budget in the form and at the time requested by the Board of Stewardship;
  14. delegate and distribute responsibilities according to the needs of various groups (children, youth, adults) or functions (Sunday School, committees, family life education, leadership training, etc.). Assign the execution and management of these functions to competent individuals (such as superintendents, youth and adult leaders) and Working Committees, as deemed appropriate, to effectively fulfill the responsibilities entrusted by the Board;
  15. responsible for determining distribution of Educational Scholarship Funds for the Zion members who send their child(ren) to Trinity Lutheran School, grades K-8 or other LCMS accredited schools to help offset educational expenses. Will work with the Board of Stewardship to oversee Educational Scholarship Funds.
- N. BOARD OF YOUTH - The Board of Youth shall
1. build supportive Christian relationships through God's Word and Christ-centered activities;
  2. solicit feedback from youth and parents at meetings and activities when appropriate;
  3. encourage youth to witness to others by leading a Christian life;
  4. provide for Spiritual growth of the youth through Bible study, prayer, and Christian fellowship;
  5. encourage youth participation in all areas of worship (such as music, fellowship hour, ushers, greeters, etc.);
  6. seek and provide opportunities for the youth of the congregation to participate in at least three events per year that emphasize any one of the following areas: service, worship, and outreach;
  7. assist the Board of Education and the called ministry staff in selecting appropriate Bible Study material for the youth;
  8. identify adult role-model leadership to interact with the youth;
  9. work with the Board of Stewardship, plan and receive approval for specific youth fund-raiser events;
  10. create an annual plan for youth goals and activities;

11. ensure that at least monthly written communication regarding youth events is provided to the parents of all youth;
12. conduct at least an annual meeting for youth and parents. One such meeting shall be held between the months of May and September;
13. work with the Church Council to interview, approve, and appoint (a) Youth Director(s);
14. submit an annual budget in the form and at the time requested by the Board of Stewardship.

## SECTION XI..... ADDENDUMS

### A. Appendix A, Endowment Fund

#### 1. Name

The congregation shall have a fund called the Zion Evangelical Lutheran Church Endowment Fund (hereinafter called the 'Fund').

#### 2. Purpose and Management

The purpose of the Fund is to encourage, receive, manage, and distribute gifts and bequests to the Fund from individuals who desire to build a future source of support for the congregation to reach out to the lost and strengthen the saved, so that members and the brothers and sisters in Christ throughout the world who receive support from the Fund may live bold and courageous lives of Christian Witness before an unbelieving world.

The Endowment Fund Committee, a subcommittee of the Board of Stewardship, shall manage the Fund. The Committee shall consist of a minimum of three members appointed by the Board of Stewardship and approved by the Church Council. The members shall be appointed to three year terms, with one member appointed each year.

The Endowment Fund Committee shall be responsible for the day-to-day operation of the Fund, which shall be segregated from other funds of the congregation.

#### 3. Offering of Gifts

Individuals who desire to support the Fund should designate that their gift is to Zion Evangelical Lutheran Church for the Zion Evangelical Lutheran Church Endowment Fund.

These designations will ensure that gifts will be administered according to the terms of the Fund, whether they are made during an individual's life, or made following death through a bequest or gift in a will or trust, or through a beneficiary designation of some or all of the proceeds of a life insurance policy, annuity, retirement plan, or other asset.

A designated endowment gift may be an

unrestricted Gift, meaning that the gift is free of donor imposed restrictions of any kind, or

restricted Gift, meaning that the donor has placed constraints on the gift.

Once accepted, unrestricted gifts become part of the unrestricted sub-fund and subsequent earnings remain part of the unrestricted sub-fund.

Once accepted, restricted gifts become part of a restricted sub-fund and subsequent earnings remain part of that sub-fund.

The Board of Stewardship shall present at each Council Meeting a report of gifts and requests, summarizing:

- a. all gifts offered since the last preceding Council Meeting, and
- b. any gifts that were previously offered but haven't yet been accepted.

#### 4. Acceptance of Gifts

The Endowment Fund Committee shall develop procedures for review and acceptance of offered gifts. Gifts of liquid assets such as cash or publicly traded securities will almost always be acceptable. However, other gifts, such as operating businesses, partial interests in property, gifts encumbered by debt, property which may have title or environmental problems, or property which may not be marketable within a reasonable period of time considering the expense of owning the property, and property which may cause adverse tax problems for the congregation, may not be acceptable.

If the Endowment Fund Committee determines that a gift offered to the Fund is not acceptable, it will promptly communicate to the donor the reasons for rejection and suggestions or alternatives for making the gift acceptable. If the donor requests, the Endowment Fund Committee shall forward a summary of the gift, and the Committee's concerns, to the Church Council for review. For gifts with an appraised value, net of liabilities, of less than \$50,000, the Church Council may, after seeking appropriate legal advice to understand the risks involved, either formally reject or disclaim the gift, or accept it. For larger gifts, or gifts of uncertain value because of the issues involved, the Church Council shall provide its recommendation for action at a Congregational Meeting.

Offers of gifts including any assets not readily convertible to cash shall not be accepted without formal approval of the Church Council or the Congregation itself.

Some property may cause unexpected tax or other consequences to the donor. The congregation is not responsible for advising donors of tax or

other consequences of any gift. Donors are advised to consult with their own attorney, tax advisor, and other professional advisors about the consequences of a gift in their circumstances.

## 5. Acceptance of Restricted Gifts

Offers of Restricted Gifts, meaning gifts encumbered by donor-imposed restrictions, shall not be accepted without formal approval of the Church Council or the Congregation itself.

It shall be the responsibility of the Endowment Fund Committee to review all restrictions and to develop a procedure, working with the Senior Pastor and the Church Council, for analyzing the acceptability of restrictions. For example, gifts that would cause the congregation to violate its constitution, or which are inconsistent with the mission of the congregation, shall not be accepted. Similarly, gifts with one or more restrictions that would individually or collectively encumber rather than further the mission of the congregation, will not be accepted.

Members are encouraged to trust the body of Christ with the responsibility of spending their gift in a God-pleasing manner. Gifts should build the body, not divide it. As Paul says,

"There should be no division in the body, but that its parts should have equal concern for each other. If one part suffers, every part suffers with it; if one part is honored, every part rejoices with it."  
1 Cor. 12: 25-26.

If a potential donor's restriction(s) is initially found to be not acceptable, the Endowment Fund Committee shall approach the donor, where possible, with the reasons for which the offered gift may be declined. The donor will always be encouraged to offer an acceptable gift and be given a clear explanation of some alternatives which would make the gift acceptable. Gifts of \$50,000 or less may be declined by the Church Council. Larger gifts may be declined only by the congregation after review of the recommendations of the Church Council.

The Endowment Fund Committee may, as the need arises and upon receiving authorization from the Church Council, establish Restricted Sub-Funds to facilitate acceptance of Restricted Gifts. Restricted Sub-Funds shall be individually authorized, and each such fund shall have associated with it distinctive restriction(s) that are in accord with those of the gift(s) being accommodated. A Restricted Sub-Fund may receive multiple gifts if the relevant restrictions are concordant.

If a gift of substantial monetary value is offered to the Fund with the stipulation that the sole beneficiary of the gift be an organization external to the Congregation, such as a Lutheran elementary or high school or an LCMS college, university or seminary, the Endowment Fund Committee may suggest to the donor that the gift instead be offered directly to that external organization, or accept the gift and transfer it to the external organization.

The Endowment Fund Committee shall maintain a document that summarizes all of the Restricted Sub-Funds and provides complete and precise descriptions of the restrictions associated with each fund. To assure that Restricted Sub-Funds continue to be used as intended, each Committee member shall retain a copy of the document, and the Committee shall at least annually review the document and during the first half of each calendar year present a copy of the document to the Church Council.

If changes in laws or other circumstances make it impossible to comply with a restriction, the church council will prepare a recommendation to the congregation regarding a change of the fund restriction. The congregation shall approve any such change by a two-thirds majority of the voting members present at a duly called Congregational Meeting.

## 6. Acknowledgment of Gifts

The Endowment Fund Committee shall provide acknowledgment of receipt of gifts in a manner to permit the donor to claim charitable contribution deductions under current tax codes. Any restriction attached to the gift shall be acknowledged in writing.

## 7. Distributions

It is the intent of the congregation that the Fund shall continue to support the Mission of the church until the Lord returns. It is also the intent of the congregation that the Fund be and remain a vital part of the active ministry of the congregation and not merely a passive investment. The congregation recognizes that the Fund must continue to seek the support of every member to remain vital.

Distributions from Restricted Sub-Fund(s) shall be disbursed in accordance with the restrictions attached to each such fund. To the extent that those restrictions would not be infringed, restricted sub-funds shall be distributed in accord with the procedures applicable to unrestricted funds.

Distributions from the Unrestricted Sub-Fund shall be disbursed so as to fulfill priorities established by the Congregation as described in following paragraphs of this By-Law. All distributions shall be approved by the Congregation, and distribution amounts shall be limited as necessary to achieve and, to the greatest extent possible, maintain a minimum balance, or 'Floor' level, of \$50,000. Additionally, distributions shall be further limited such that the total amount of distributions from the Unrestricted Sub-Fund in any particular calendar year does not exceed 10% of the Fund's final balance of the previous year.

The Available Funds of any year is the maximum amount that satisfies both the Floor level requirement and the 10% limitation.

In each calendar year the Board of Stewardship shall report to the Church Council the Endowment Fund Committee's recommendation as to the total

amount of that year's distribution from the Unrestricted Sub-Fund. The Board's report shall include recommendations regarding the allocation of the distribution amongst the chosen recipients. The recommendations shall be based upon consideration of factors including, but not limited to: the Fund's Floor level; the previous calendar year's final fund balance; priorities established by the Congregation; requests for distributions received from the Church Council or any Congregational Board or Committee; and expectations regarding the effects of existing or anticipated financial market trends upon the values of the fund's investments.

Upon receiving the Board of Stewardship's report, the Church Council shall approve, with or without revision, the recommended distribution. The Council-approved distribution plan, including both the total amount of the distribution and the allocation thereof, shall then be proposed to the Congregation at a meeting convened during the first half of the calendar year. The Congregation may choose to distribute a smaller amount or reallocate the distribution, but it may not choose to distribute an amount greater than the amount of Available Funds.

The Endowment Fund Committee shall disburse the unrestricted funds as soon as is reasonably possible following the Congregation's adoption of the distribution plan.

#### 8. Priorities and Distribution Requests

With the guidance and support of the Board of Stewardship, the Congregation shall during the final quarter of each calendar year adopt a tentative list of priorities for distribution of the Available Funds in the following year. Because the amount of Available Funds will often be a limiting factor, the number of chosen ministries or projects shall be low so that each ministry or project can receive significant support.

The Congregation's tentative priorities list shall include one or more ministries or projects that are external to the Congregation, and the aggregate support thereof shall be at least 10%, but not more than 50%, of the Available Funds.

The Church Council or any Congregational Board or Committee desiring funding for a ministry or project may submit to the Board of Stewardship a request to receive a portion of the Available Funds. Each request should set forth the amount being requested, the purposes for which the funding would be used, and a brief explanation of how the ministry or project would help the Congregation accomplish its Mission.

#### 9. Loans

Restricted sub-funds shall not be loaned to the other funds unless specifically permitted by the terms of the fund.

Unrestricted funds may be loaned to the congregation in an emergency to meet a temporary need.

Loans shall not be made unless approved by a three-fourths majority of the voting members present at a duly called Congregational Meeting. The motion for loan request shall describe the circumstances of the emergency and specify the plan for repayment of the loan.

The loan terms shall be included in a Note which shall require the payment of interest at the rate of 1% over the 'Prime' rate offered by Zion's primary depository bank to its best business customers. The interest rate shall be adjusted annually.

At no time shall the Fund be used as collateral.

#### 10. Investments

It is the intent of the congregation that the Endowment Fund Committee be given as much flexibility as possible in investing and managing the assets of the Fund. Members are encouraged to entrust the congregation with this responsibility through its officers and committees. Members may make their gift with an investment restriction. However, gifts may be declined if the gift is so restricted as to its investment that the congregation will be prevented from exercising sound principles of stewardship.

Some or all of the assets of the Fund may be invested with the LCMS Foundation, the Lutheran Church Extension Fund, or other investments that the Endowment Fund Committee deems appropriate.

Endowment funds may be maintained in a single account, or placed in separate accounts to facilitate management and verification that funds are used for designated purposes.

#### 11. Reports

Each calendar year the Endowment Fund Committee shall prepare a report to the Board of Stewardship which will report to the congregation the financial status of the Fund. The report shall (1) summarize by general category of restriction the gifts that were received during the year providing as much detail as is practical and possible while respecting donor requested anonymity; and (2) list the distributions which were made during the year. An annual financial review of the Fund shall be conducted.

#### 12. Duration

The Fund shall continue in existence so long as Zion Evangelical Lutheran Church shall continue to exist. If Zion Evangelical Lutheran Church should cease to exist, then the assets of the Fund shall be distributed in accordance with the provisions defined in the Constitution subject to the Terms and Conditions of the Fund and any additional restrictions accepted by the Fund. In all events, the successor must qualify as an exempt

organization under the Internal Revenue Code. The Fund may be terminated and its assets distributed to the congregation in the event the value of the assets of the Fund falls below \$5,000.

13. Expenses

The Endowment Fund Committee may use funds for expenses, such as publicity and counseling on investments, accounting and legal matters as it deems to be in the best interest of the Fund.

14. Calendar Year

The Fund shall employ the calendar year.

15. Conflicts

No member of the congregation or employee of the congregation shall engage in any self-dealing or transactions with the Fund in which the member or employee has a direct or indirect financial interest.

16. Subcommittees

The Endowment Fund Committee may seek the assistance of volunteers with special skills or establish subcommittees to assist with its responsibilities.