

Constitution Bylaws & Continuing Resolutions

**Peace Lutheran Church
Knoxville, Tennessee**

Updated August 2021

**Constitution, Bylaws & Continuing Resolutions
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Knoxville, Tennessee**

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Black - Constitution

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

Chapter 2.

CONFESSION OF FAITH

- *C2.01.** This congregation confesses the Triune God, Father, Son, and Holy Spirit.
- *C2.02.** This congregation confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.
 - a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.
 - b. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.
 - c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.
- *C2.03.** This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.
- *C2.04.** This congregation accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.
- *C2.05.** This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.
- *C2.06.** This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.
- *C2.07.** This congregation confesses the Gospel, recorded in the Holy Scripture and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

Chapter 3.

NATURE OF THE CHURCH

- *C3.01.** All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority.
- *C3.02.** This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian unity throughout the world.
- *C3.03.** The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. The Evangelical Lutheran Church in America, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.
- *C3.04.** This church, inspired and led by the Holy Spirit, participates in The Lutheran World Federation as a global communion of churches, engaging in faithful witness to the gospel of Jesus Christ and in service for the sake of God's mission in the world.
- *C3.05.** The name Evangelical Lutheran Church in America (ELCA or "this church") as used herein refers in general references to this whole church, including its three expressions: congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.

Chapter 4.

STATEMENT OF PURPOSE

- *C4.01.** The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world.
- *C4.02.** To participate in God's mission, this congregation as a part of the Church shall:
 - a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
 - b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
 - c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
 - d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace

and reconciliation among the nations, 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 the other expressions of the Evangelical Lutheran Church in America.
- h. Foster and participate in interdependent relationships with other congregations, the synod, and the churchwide organization of the Evangelical Lutheran Church in America.
- i. Foster and participate in ecumenical relationships consistent with churchwide policy.

***C4.04.** This congregation shall develop an organizational structure to be described in the bylaws. The Congregation Council shall prepare descriptions of the responsibilities of each committee, task force, or other organizational group and shall review their actions. Such descriptions shall be contained in continuing resolutions in the section on the Congregation Committees.

***C4.05.** This congregation shall adopt and periodically review a mission statement which will provide specific direction for its programs.

***C4.06.** References herein to the nature of the relationship between the three expressions of this church—congregations, synods, and the churchwide organization—as being interdependent or as being in a partnership relationship describe the mutual responsibility of these expressions in God's mission and the fulfillment of the purposes of this church as described in this chapter, and do not imply or describe the creation of partnerships, co-ventures, agencies, or other legal relationships recognized in civil law.

Chapter 5.

POWERS OF THE CONGREGATION

- *C5.01.** The powers of this congregation are those necessary to fulfill its purpose.
- *C5.02.** The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws.
- *C5.03.** Only such authority as is delegated to the Congregation Council or other organizational units in this congregation's governing documents is recognized. All remaining authority is retained by this congregation. This congregation is authorized to:
 - a. call a pastor as provided in Chapter 9;
 - b. terminate the call of a pastor as provided in Chapter 9;
 - c. call a minister of Word and Service;
 - d. terminate the call of a minister of Word and Service in conformity with the constitution of the Evangelical Lutheran Church in America;
 - e. adopt amendments to the constitution, as provided in Chapter 16, amendments to the bylaws, as specified in Chapter 17, and continuing resolutions, as provided in Chapter 18;
 - f. approve the annual budget;
 - g. acquire real and personal property by gift, devise, purchase, or other lawful means;
 - h. hold title to and use its property for any and all activities consistent with its purpose;
 - i. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
 - j. elect its officers and Congregation Council, and require them to carry out their duties in accord with the constitution, bylaws, and continuing resolutions; and
 - k. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.
- *C5.04.** This congregation shall elect 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 this congregation and other qualifications shall be as prescribed in guidelines established by the Southeastern Synod of the Evangelical Lutheran Church in America.
- C5.05.** This congregation may have a mission endowment fund that will operate as specified in this congregation's continuing resolutions (C13.06.C13) 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 Southeastern Synod of the

Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.

- *C6.02.** This congregation accepts the Confession of Faith and agrees to the purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.
- *C6.03.** This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:

 - a. This congregation agrees to be responsible for its life as a Christian community.
 - b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
 - c. This congregation agrees to call pastoral leadership from the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services with a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.
 - d. This congregation agrees to consider ministers of Word and Service for call to other staff positions in this congregation according to the procedures of the Evangelical Lutheran Church in America.
 - e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America and with the constitution of the synod.
- *C6.04.** Affiliation with the Evangelical Lutheran Church in America is terminated as follows:

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

 - a. A resolution indicating the intent to terminate its relationship must be adopted at two legally called and conducted special meetings of this congregation by a two-thirds vote of the voting members present at each meeting. The first such meeting may be held no sooner than 30 days after

- written notice of the meeting is received by the bishop of the synod, during which time this congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the Congregation Council. Unless he or she is a voting member of this congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the first meeting.
- b. Within 10 days after the resolution has been voted upon at the first meeting, the secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall send copies of the resolution and certification to voting members of this congregation.
 - c. If the resolution was adopted by a two-thirds vote of the voting members present at the first meeting, the bishop of the synod and this congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the bishop of the attestation and certification as specified in paragraph b. above.
 - d. If this congregation, after such consultation, is still considering termination of its relationship with this church, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of the second meeting shall be sent to all voting members and to the bishop at least 10 days in advance of the meeting. Unless he or she is a voting member of this congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the second meeting.
 - e. Within 10 days after the resolution has been voted upon, the secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the second special meeting was legally called and conducted and certifying the outcome of the vote, and shall send copies of the resolution and certification to the voting members of the congregation. If the resolution was adopted by a two-thirds vote of the voting members present at the second meeting, the relationship between the congregation and this church shall be terminated subject to Synod Council approval as required by paragraphs f. and g. below.
 - f. Unless this notification to the bishop also certifies that this congregation has voted to affiliate with another Lutheran denomination, this congregation shall be deemed an independent or non-Lutheran church, in which case *C7.04. shall apply.
 - g. This congregation shall abide by these covenants by and among the three expressions of this church:
 - 1) Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in *C6.05. shall be required to receive Synod Council approval before terminating their membership in this church.
 - 2) Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing

provisions in *C6.05., to receive synod approval before terminating their membership in this church.

3) Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church.

h. If this congregation fails to achieve the required two-thirds vote of voting members present at this congregation's first meeting as specified in paragraph a. above or fails to achieve the required two-thirds vote of voting members present at this congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of *C6.05. and may begin no sooner than six months after the meeting at which the two-thirds vote was not achieved.

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

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

Chapter 7.

PROPERTY OWNERSHIP

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

***C7.02.** If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline or pursuant to 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America, title to property shall continue to reside in this congregation.

***C7.03.** If the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to 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 Southeastern Synod.

***C7.04.** If the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body and have followed the process for termination of relationship in *C6.05., title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the process established by the synod, may give approval to the request to become independent or to relate to a

non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America. In neither case does title to this congregation's property transfer to the synod.

- *C7.05.** Notwithstanding the provisions of *C7.02. and *C7.03. above, where this congregation has received property from the synod pursuant to a deed or other instrument containing restrictions under provision 9.71.a. of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, this congregation accepts such restrictions and:
- 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 Southeastern Synod—reconvey and transfer all right, title, and interest in the property to the synod.

Chapter 8.

MEMBERSHIP

- *C8.01.** Members of this congregation shall be those baptized persons on the roll of this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.
- *C8.02.** Members shall be classified as follows:
- 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 this congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws. They shall not have voted as a seasonal member of another congregation of this church in the previous two calendar months.
 - d. **Associate** members are persons holding membership in other Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. These individuals have all the privileges and duties of membership except voting rights or other rights and

privileges ascribed to voting members by the provisions of this constitution and its bylaws.

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

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

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

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

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

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

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

Chapter 9.

ROSTERED MINISTER

- *C9.01.** Authority to call a pastor shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by this congregation to recommend the call, shall seek the advice and help of the bishop of the synod.
- *C9.02.** Only a member of the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Sacrament who has been recommended for this congregation by the synod 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 minister of Word and Sacrament shall:
 - 1) preach the Word;
 - 2) administer the sacraments;
 - 3) conduct public worship;
 - 4) provide pastoral care;
 - 5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
 - 7) impart knowledge of this church and its wider ministry through available channels of effective communication;
 - 8) witness to the Kingdom of God in the community, in the nation, and abroad; and
 - 8) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.
 - b. Each pastor with a congregational call shall, within the congregation:
 - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2) relate to all schools and organizations of this congregation;
 - 3) install regularly elected members of the Congregation Council;
 - 4) with the council, administer discipline;
 - 5) endeavor to increase the support given by the congregation to the work of the churchwide organization and of the Southeastern Synod; and
 - 6) encourage adherence to covenantal relationship with this church as expressed in the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- *C9.04.** The specific duties of the pastor, compensation, and other matters pertaining to the service of the pastor shall be included in a letter of call, which shall be attested by the bishop of the synod.
- *C9.05.** The provisions for termination of the mutual relationship between a minister of Word and Sacrament and this congregation shall be as follows:
- a. The call of this congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the pastor's death or, following consultation with the

synod bishop, for the following reasons:

- 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the pastor, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the pastoral office effectively in this congregation in view of local conditions;
 - 4) 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 Ministers of Word and Sacrament of this church;
 - 7) termination of the relationship between this church and this congregation;
 - 9) dissolution of this congregation or the termination of a parish arrangement; or
 - 10) suspension of this 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 this synod,
- 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
- c. In case of alleged 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 this synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament with disability status. Upon removal of the disability and the 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 this congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the synod.

- e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, this congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

***C9.06.** At a time of pastoral vacancy, an interim pastor 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 this congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any rostered minister providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.

***C9.08.** This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting.

***C9.09.** When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.

***C9.11.** With the approval of the bishop of the synod, this congregation may depart from *C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of this congregation for a review of the call. Such a call

may also be terminated before its expiration in accordance with the provisions of *C9.05.a.

- *C9.12.** The pastor of this congregation:
- a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from this congregation;
 - b. shall submit a summary of such statistics annually to the synod; and
 - c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- *C9.13.** The pastor(s) shall submit a report of 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 this 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 call or approval of a request for change in roster status.
- C9.15.** Under special circumstances, subject to the approval of the synod bishop and the concurrence of this congregation, a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between this congregation and the pastor in a form proposed by the synod bishop and approved by this congregation.
- *C9.21.** Authority to call a deacon shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by this congregation to recommend the call, shall seek the advice and help of the bishop of the synod.
- *C9.22.** Only a member of the roster of Ministers of Word and Service of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Service who has been recommended for this congregation by the synod bishop may be called as a deacon of this congregation.
- *C9.23.** Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:
- a. Be rooted in the Word of God, for proclamation and service;
 - b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
 - c. Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad;
 - d. Equip the baptized for ministry in God's world that affirms the gifts of all people;
 - e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;

- f. Practice stewardship that respects God's gift of time, talents, and resources;
- g. Be grounded in a gathered community for ongoing diaconal formation;
- h. Share knowledge of this church and its wider ministry of the gospel and advocate for the work of all expressions of this church; and
- i. Identify and encourage qualified persons to prepare for ministry of the gospel.

***C9.24.** The specific duties of the deacon, compensation, and other matters pertaining to the service of the deacon shall be included in a letter of call, which shall be attested by the bishop of the synod.

***C9.25.** The provisions for termination of the mutual relationship between a minister of Word and Service and this congregation shall be as follows:

- a. The call of this congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the deacon's death or, following consultation with the synod bishop, for the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the deacon, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the ministry of Word and Service effectively in this congregation in view of local conditions;
 - 4) physical disability or mental incapacity of the deacon;
 - 5) suspension of the deacon through discipline for more than three months;
 - 6) resignation or removal of the deacon from the roster of Ministers of Word and Service of this church;
 - 7) termination of the relationship between this church and this congregation;
 - 8) dissolution of this congregation or the termination of a parish arrangement; or
 - 9) suspension of this congregation through discipline for more than six months.
- b. When allegations of physical disability or mental incapacity of the deacon under paragraph a.4) above, or ineffective conduct of the office of minister of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,
 - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions

together with a committee of two rostered ministers and one layperson.

- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service with disability status. Upon removal of the disability and the restoration of the deacon to health, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.
- d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the deacon, if appropriate. If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

***C9.26.** This congregation shall make satisfactory settlement of all financial obligations to a former deacon before calling a successor. A deacon shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting.

***C9.27.** When a deacon is called to serve in company with another rostered minister or other rostered ministers, the privileges and responsibilities of each rostered minister shall be specified in documents to accompany the call and to be drafted in consultation involving the rostered ministers, the Congregation Council, and the

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

- *C9.28.** With the approval of the bishop of the synod, this congregation may depart from *C9.25.a. and call a deacon for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the deacon and representatives of this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.25.a.
- *C9.29.** The deacon shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the deacon shall hold membership in one of the congregations.
- *C9.31.** The deacon(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.

Chapter 10

CONGREGATION MEETING

- C10.01.**
 - a. There shall be an Annual Meeting of this congregation. It shall be held at the time specified in the Bylaws.
 - b. Additional Congregation Meetings may be called by the pastor, the Congregation Council, or the president of this congregation.
 - C10.01.01.** The Annual Meeting shall be held in May. The regular election of members to the Council shall be held at the Annual Meeting, according to Provision C11.02. In addition, election of delegates to the ELCA Southeastern Synod Assembly shall be held, in accordance with Provision C5.04.
 - C10.01.02.** The Budget Meeting shall be held in November. Copies of the proposed budget shall be made available to this congregation no later than one (1) week prior to the date of this meeting.
 - C10.01.03.** If extenuating circumstances require, the Annual and Budget Meetings may be postponed. However, the Annual Meeting should be held by June 30, and the Budget Meeting by December 31.
- C10.02.** A special Congregation Meeting may be called by the senior pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of this congregation upon the written request of ten (10) of the voting members. The president of the Congregation Council shall call a special meeting upon request of the synod bishop. The call for each special meeting shall specify the purpose for which it is to be held, and no other business shall be transacted.
- C10.03.** Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail or electronic means, as permitted by state law, to all voting members at least 30 days in advance of the date of the meeting.
 - C10.03.01** The date, time, and place for the Budget and Annual Meetings shall be set by the Congregation Council no less than ninety (90) days in advance.
- C10.04.** Ten (10) percent of the voting members shall constitute a quorum.
- C10.05.** Voting by proxy or by absentee ballot shall not be permitted.

- C10.06.** All actions by this congregation shall be by majority vote of votes cast, except as otherwise provided in this constitution.
- C10.07.** Robert's Rules of Order, latest edition, shall govern parliamentary procedure of all meetings of this congregation. Further, all meetings will be conducted with respect for the opinions and concerns of all members.

Chapter 11

OFFICERS

- C11.01.** The officers of this congregation shall be a president, vice-president, secretary, and treasurer. Duties of the officers shall be specified in the Bylaws.
- a. The officers shall be voting members of this congregation.
 - b. Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.

C11.01.01 President

- a. Duties
 - 1) Presides over all meetings of this congregation and the Congregation Council.
 - 2) Assures that the will of this congregation is implemented and serves as the contact for this congregation and the Congregation Council.
 - 3) Serves as chief legal officer of this congregation; signs all legal documents and contractual agreements on behalf of this congregation.
 - 4) Releases public information about this congregation and its organizations.
 - 5) Serves on and presides at meetings of the Executive Committee.
 - 6) Serves as a member of the Nominating Committee.
 - 7) Acts as a secondary signer to Peace's checking accounts, as detailed in the Policies and Procedures Notebook.
- b. Term of Office/Vacancy
 - 1) The term of office is one (1) year. The president may not be nominated for the office of vice-president.
 - 2) Should the president be unable to complete the prescribed term of office, the vice-president shall become president and will complete the original term. There is no limit on the total number of terms that may be served, except as limited by C11.01.01.b.1.

C11.01.02 Vice-President

- a. Duties
 - 1) Performs the duties of the president when the president is absent.
 - 2) Assumes the duties and responsibilities of the president in the event the aforementioned position is vacated.
 - 3) Performs those duties required by the Constitution or these Bylaws, as well as any functions assigned by the president.
 - 4) Serves as a member of the Executive Committee.
 - 5) Serves as Chair of the Nominating Committee.
 - 6) Serves as Chair of the Finance Committee.

- 7) Acts as a secondary signer to Peace's checking accounts, as detailed in the Policies and Procedures Notebook.
- b. Term of Office/Vacancy
 - 1) The term of office as vice-president is one (1) year. After serving the term listed in C11.01.02.b.1, the vice-president will become president at the close of the next Annual Meeting, in accordance with Provision C11.02.
 - 2) Should the office of vice-president become vacant in mid-term, a special Congregation Meeting shall be called to elect a voting member to the vice-president position in accordance with the nomination and election procedures of Provision C11.02 to complete the term.

C11.01.03 Secretary

- a. Duties
 - 1) Records, maintains and posts in a public area, the minutes of Congregation Meetings, Council Meetings; denotes attendance information in the minutes for all Council Meetings; Distributes the minutes in advance of the next meeting.
 - 2) Maintains the minutes from each committee.
 - 3) Maintains copies of the constitution, bylaws, and continuing resolutions of this congregation.
 - 4) Provides access of authorized persons to documents specified in a1, a2, a3, above.
 - 5) Performs such duties as they normally pertain to the office of secretary or as specifically assigned by the president or Congregation Council.
 - 6) Serves on the Executive Committee.
- b. Term of Office/Vacancy
 - 1) The term of office is two (2) years. May serve a maximum of two (2) consecutive terms, but there is no limit on the total number of terms that may be served.
 - 2) Should the office of secretary become vacant, a new secretary shall be appointed by the Congregation Council to serve until the next Annual Meeting. This secretary will be invited to be nominated to be a candidate for a two (2)-year term at the Annual Meeting. Should the secretary decline, a new candidate shall be nominated.

C11.01.04 Treasurer

- a. Duties
 - 1) Manages the banking, investment, and other distribution of funds belonging to this congregation.
 - 2) Maintains a permanent record of all income and disbursements from the funds of this congregation in conformance with accepted accounting principles.
 - 3) Prepares and presents reports required by the president or Congregation Council.
 - 4) Participates in reconciliation of giving records with the financial secretary on a regular basis.

- 5) Reconciles giving summary from financial secretary with tellers' report and deposit record from the bank on a regular basis.
 - 6) Participates in audits and financial reviews.
 - 7) Performs other duties required by the constitution, bylaws, and continuing resolutions, and/or requested by the Congregation Council.
 - 8) Maintains the account of the Mission Investment Fund, as necessary.
 - 9) Serves on the Executive Committee.
- b. Term of Office/Vacancy
- 1) The term of office is two (2) years. May serve a maximum of two (2) consecutive terms, but there is no limit on the total number of terms that may be served.
 - 2) Should the office of treasurer become vacant, a new treasurer shall be appointed by the Congregation Council to serve until the next Annual Meeting. This treasurer will be invited to be nominated to be a candidate for a two (2)-year term at the Annual Meeting. Should the treasurer decline, a new candidate shall be nominated.

C11.01.05 Financial Secretary

- a. Duties
- 1) Accurately records each member's contributions and purpose of said contribution.
 - 2) Regularly provides summary copy of weekly giving for treasurer to compare with the tellers' report and deposit record from the bank.
 - 3) Provides each contributor, for which there is an available address, an itemized statement of their contributions. These reports will be distributed within one month of the end of each calendar quarter for members and regular contributors, and annually for those who are not members with a limited number of contributions. The annual statement for the preceding year shall be provided no later than January 31 of the current year.
 - 4) Participates in audits and financial reviews.
 - 5) While maintaining confidential records, furnishes reports to pastor and the Congregation Council as requested. Performs other duties pertaining to member contributions as needed.
- b. Term of Office/Vacancy
- 1) The term of office is three (3) years. May serve a maximum of two (2) consecutive terms. There is no limit on the total number of terms that may be served. The term of office shall begin at the conclusion of the Annual Meeting in the year appointed. Shall be appointed by Congregation Council at the regular January Council meeting.
 - 2) Should the office of financial secretary become vacant in mid-term, a new financial secretary will be recommended by the Finance Committee as soon as possible and appointed by the Congregation Council at a regular, or called meeting, if necessary. The term of office for the incoming financial secretary shall begin upon

appointment, and when trained by the outgoing financial secretary, if that person is available. As stated above, the term of office is three (3) years, beginning at the conclusion of the Annual Meeting. However, in this special circumstance, the Congregation Council and the new financial secretary will agree when this first three (3)-year term shall end.

C11.02. This congregation shall elect its officers by written ballot and they shall serve as specified in the Bylaws. Their terms shall begin at the close of the annual meeting at which they are elected.

C11.02.01 Nominations

- a. The Nominating Committee shall nominate at least one candidate for all positions on the Congregation Council.
- b. Additional nominations may be submitted from the floor for all positions, provided the consent of the nominee to serve has been secured prior to nomination.

C11.02.02 Elections

- a. The election of a vice-president will occur every year.
- b. The elections of the secretary and treasurer will occur at the end of their terms. The election of one (1) or two (2) at-large members shall take place every year.
- c. Candidates must receive a majority of the votes cast in order to be elected to a position.

C11.02.03 The installation of elected members to the Congregation Council shall take place no later than June 30.

Chapter 12

CONGREGATION COUNCIL

C12.01. The voting membership of the Congregation Council shall consist of the pastor, the officers of this congregation, and the member(s) elected at-large, as specified in the Bylaws. Any voting member of this 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 three successive regular meetings of the Congregation Council without cause. Consistent with the laws of the state in which this congregation is incorporated, this congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.

C12.01.01 The Congregation Council shall consist of at least six (6) elected members: the president, vice-president, secretary and treasurer, plus at least two (2) at-large members.

C12.02. The at-large members of the Congregation Council shall be elected by written ballot to serve for two (2) years or until their successor(s) are elected. Such members shall be eligible to serve no more than two (2) full terms consecutively. Their terms shall begin at the close of the Annual Meeting at which they are elected. The terms of office for the officers are defined in Chapter 11.

C12.03. Should an at-large member's place on the Congregation Council be declared vacant, the Congregation Council may elect, by majority vote, a successor until the next Annual Meeting.

C12.04. The Congregation Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:

- a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
- b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
- c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
- d. To maintain supportive relationships with the rostered minister(s) and staff and help them annually to evaluate the fulfillment of their calling or employment.
- e. To be examples, individually and corporately, of the style of life and ministry expected of all baptized persons.
- f. To promote a congregational climate of peace and goodwill, and, as differences and conflicts arise, to endeavor to foster mutual understanding.
- g. To arrange for pastoral service during a sickness or absence of the pastor.
- h. To emphasize partnership with the synod and church-wide organization of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.
- i. To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.
- j. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.

C12.04.01 Duties of the Congregation Council include:

- a. Leads this congregation in assessing and revising the mission and vision statements; Establishes strategies for executing these statements; annually reviews these statements as well as their execution strategies.
- b. Creates and/or dissolves committees, and/or task forces according to the constitution, bylaws, and continuing resolutions; task forces should be reviewed by each incoming Congregation Council to determine whether they will continue.
- c. Determines the willingness of current committee members to continue their service and invite additional members of this congregation to serve on committees in accordance with the Continuing Resolutions for each committee.
- d. Requests the Ministry Committees to provide the names of their members, including chair and recorder, to the Congregation Council no

later than the third (3rd) meeting of Congregation Council following the Annual Meeting.

- e. Appoints a financial secretary.
- f. Appoints members of this congregation to represent Peace Lutheran Church at area church meetings when the delegates elected to represent this congregation at the ELCA Southeastern Synod Assembly are unable to attend.

C12.04.02 The at-large members of the Congregation Council shall serve as liaisons to the Finance, Personnel, Property and Stewardship Committees. Each at-large member may choose their committee(s) and should ask another at-large member to attend if they cannot be present. This shall be done no later than the second (2nd) Congregation Council meeting following the Annual Meeting.

- C12.05.** The Congregation Council shall be responsible for the financial and property matter 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 Tennessee, except as otherwise provided herein.
 - b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of this congregation.
 - c. The Congregation Council shall direct the Finance Committee to 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 in excess of the anticipated receipts only after approval by this congregation. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in support of the synod and church wide organization.
 - d. The Congregation Council shall oversee the financial affairs, including investments, of this congregation; making sure the affairs are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of mission support monies to the synod treasurer.
 - e. The Congregation Council shall oversee this congregation's total insurance program.
- C12.06.** The Congregation Council shall see that the provisions of this constitution, its bylaws, and the continuing resolutions are carried out.
- C12.07.** The Congregation Council shall prepare and review in September a list of voting members of this congregation and removes those persons who are not considered to be in the voting membership based upon the criteria set forth in Provision C8.02.c of the Constitution; An attempt shall be made to notify any person before he or she is to be removed from voting membership.

- C12.08.** The Congregation Council shall be responsible for the employment and supervision of the staff of this congregation. Nothing in this provision shall be deemed to affect this congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church.
- C12.09.** The Congregation Council shall submit a comprehensive report to this congregation at the Annual Meeting.
- C.12.11.** The Congregation Council shall meet once a month unless it is deemed by the whole of the Congregation Council that there are no matters requiring Congregation Council action. The Congregation Council shall not fail to meet during two consecutive months. Special meetings may be called by the pastor or the president, and shall be called by the president at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.
- C12.12.** A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the senior pastor or interim pastor, except when the senior pastor or interim pastor requests or consents to be absent and has given prior approval to the agenda for a particular regular or special meeting, which shall be the only business considered at that meeting. Chronic or repeated absence of the senior pastor or interim pastor who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synod bishop.

Chapter 13

CONGREGATION COMMITTEES

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

C13.01.A21 Executive Committee

- a. Shall review all task forces following the Annual Meeting to determine the need for their continuation.
- b. Shall complete a review of the Policies and Procedures of Peace Lutheran Church no later than the September Congregation Council meeting.
- c. May recommend changes to existing Policies and Procedures to the Congregation Council, or appoint a task force to revise specific Policies and Procedures.

- C13.02.** A Nominating Committee will consist of at least four (4) members and shall be formed as specified in the continuing resolutions.

C13.02.A18 Nominating Committee

- a. Shall be formed before February 1 of each calendar year.
- b. Shall consist of at least four (4) members, including president, vice-president as chair, and two other members of this congregation, who are not on the Congregation Council.
- c. Shall select, with their consent, at least one (1) member of this congregation for each open position to be filled on the Congregation Council. The Nominating Committee shall present the

slate of candidates to the Congregation Council no later than the April Congregation Council meeting each year.

- d. Shall select, with their consent, members of this congregation to represent Peace Lutheran Church at the ELCA Southeastern Synod Assembly. Nominees will be chosen in accordance with Provision C5.04. The Nominating Committee shall present the slate of candidates to the Congregation Council no later than the April Congregation Council meeting each year.
- e. Causes the names of each nominee to be mailed to the voting members of this congregation at least fifteen (15) days prior to the Annual Meeting.
- f. Any vacancy occurring in the committee shall be filled by vote of the Congregation Council by no later than the second regular Congregation Council meeting following such vacancy.
- g. Shall consider its function fulfilled at the end of the Annual Meeting.

C13.03. An Audit Committee shall consist of three (3) voting members and shall be formed as specified by the Continuing Resolutions. Audit Committee members shall not be members of the Congregation Council. Term of office shall be three years, with one member elected each year. Members shall be eligible for reelection.

C13.03.A16. Audit Committee

- a. Shall be formed before the end of February of each calendar year.
- b. Shall consist of at least three (3) members selected by the Finance Committee with approval of the Congregation Council.
- c. Shall perform an annual audit of the receipts, expenditures, and financial records of this congregation and submit a report of its findings to the Congregation Council and this congregation. This work shall be completed no later than July 31. The report shall be distributed by email and/or in written form.
- d. Shall formulate and annually review procedures, in consultation with the Finance Committee, the treasurer, and the head teller, for authorizing, documenting, and recording disbursements, and for recording, banking, and investing receipts of this congregation, subject to Congregation Council approval.
- e. Any vacancy occurring on the committee shall be filled by election of the Finance Committee with approval of the Congregation Council by no later than the second regular Congregation Council meeting following such vacancy.
- f. Shall consider its function fulfilled when the report is submitted to the Congregation Council and congregation.

C13.04. Mutual Ministry Committee shall consist of four (4) members and shall be formed as specified by the Continuing Resolutions. Term of office shall be two (2) years, with two (2) members to be appointed each successive year.

C13.04.A21 Mutual Ministry Committee

- a. Shall be formed no later than the first anniversary of the call of a pastor.
- b. Shall consist of no fewer than four (4) members, with two (2) chosen by the pastor and two (2) chosen by the Congregation Council president and affirmed by the Congregation Council. No member of the Mutual Ministry Committee may be a member of the Personnel Committee.
- c. Shall support the pastor or other rostered persons and review the ministry of this congregation, incorporating guidelines and materials available from the Evangelical Lutheran Church in America.
- d. Shall develop the instrument and establish a program for regular evaluation of the pastoral ministry, his/her relationship with the Congregation Council, and his/her support of this congregation.
- e. Shall work with the pastor to provide a more effective ministry to this congregation and the community; assist the pastor in establishing priorities; assist the pastor in professional growth and strengthening interpersonal relationships.
- f. Shall provide support for the continuing education of the pastor.
- g. Shall work with the other employed personnel of this congregation to strengthen the ministry of this congregation.
- h. Shall meet at least quarterly with the pastor to review, as partners in the ministry, pastoral services as they relate to this congregation's personal goals and needs. Each quarterly meeting should be an in-depth interview to discuss the pastoral, Congregation Council, and congregational performance and accomplishments.
- i. Should a mid-term vacancy occur on this committee, the pastor or Congregation Council president, depending on who nominated the person, shall submit a new candidate for Congregation Council's approval no later than the second Congregation Council meeting following such vacancy.

C13.05. When a vacancy occurs in a position for which this congregation calls a rostered minister, a Call Committee of at least six (6) voting members shall be elected by this congregation. Term of office will terminate upon installation of the newly called pastor.

C13.05.01 Call Committee

- a. Shall consist of at least six (6) members including one youth member, elected by this congregation.
- b. Shall be elected at a regular or called Congregation Meeting following meetings with synod representatives and in accord with synod guidelines. Election shall be by written ballot, with each nominee being voted for individually. Those nominees receiving a majority of the votes cast will be elected.

- c. Shall select a chairperson and a secretary of the committee from among its membership.
- d. Shall be under the authority of the Congregation Council and shall report to it monthly.
- e. Shall work closely with the synod bishop and staff, the conference dean, and this congregation to complete the process quickly and efficiently.
- f. Shall follow the Southeastern Synod guidelines for calling a new pastor.
- g. Any vacancy occurring within the committee shall be filled by vote of the Congregation Council by no later than the second regular Congregation Council Meeting following such vacancy.

C13.06. Other Committees and Task Forces

C13.06.01 All committees and task forces shall follow the standards and practices as outlined.

- a. Constitution-defined committees (C13.02-C13.05) cannot be dissolved, except by majority vote of this congregation at two Congregation Meetings.
- b. The Congregation Council may form Ministry and Administrative Committees and task forces as needed to fulfill its mission.
- c. Unless specifically written in the Bylaws, the duties, formation and membership of each committee shall be defined by Continuing Resolution.
- d. Task forces will be formed by the Congregation Council with membership and responsibilities defined in either Congregation Council minutes or Policies and Procedures Notebook. The Executive Committee shall review all task forces following the Annual Meeting to determine the need for their continuation.
- e. Each committee and task force serves under the guidance of the Congregation Council.
- f. The Congregation Council shall appropriate funds to committees and task forces to accomplish their goals. Any committee or task force needing additional funds shall submit a written request to the Congregation Council.
- g. Committees and task forces will, when appropriate, provide the Congregation Council with the names of the chairs, recorders and members no later than the regular August Congregation Council meeting.
- h. Each committee or task force will record and submit minutes of their meetings to the Congregation Council following each meeting.
- i. Approved copies of the minutes shall be submitted to the congregation secretary and the church office for the archival records. As a courtesy, draft minutes shall be provided to members of the Congregation Council in time for the next regular meeting.

C13.06.02 Ministry Committees

- a. The Ministry Committees are Education, Nurture, Outreach, Publicity, and Worship.

- b. Ministry Committees shall create and implement ministry opportunities, as directed by the Congregation Council, as specific means to execute the mission of this congregation.
- c. The Ministry Committees will select their own chairs and recorders. The chair of each Ministry Committee shall be a voting member of this congregation.
- d. Ministry Committees will meet on a regular basis in order to accomplish their ministry as defined in their respective Continuing Resolutions.
- e. Ministry Committee chairs will be asked to attend regular meetings of the Congregation Council or provide a report in advance of the meeting.
- f. A Ministry Committee shall be formed, upon recommendation by the Congregation Council, by a majority vote of this congregation, at either a regular or called meeting. A Ministry Committee can only be dissolved by like means.
- g. A Ministry Committee may recommend to the Congregation Council amendments to the provisions of the Continuing Resolutions under which it operates. The Ministry Committee must make a specific, written recommendation to the Congregation Council.

C13.06.A21. Education Committee

The goal of the Education Committee is to provide educational, spiritual and service opportunities for all ages of this congregation, including but not limited to, Sunday School classes, Bible classes, and devotions.

- a. Shall consist of no fewer than three (3) members. The committee shall elect its own chairperson.
- b. Provide education opportunities for children, youth and adults, and recruit teachers to lead classes.
- c. Encourage children, youth and adults to participate in the full life of the church.
- d. Identify and encourage participation in growth activities outside the church for children, youth and adults.

C13.06.B21 Nurture Committee

The goal of the Nurture Committee is to serve as a coordinating body for nurturing Peace congregation through fellowship events, welcoming new members, shut-in ministry, and special event recognitions.

- a. Shall consist of no fewer than three (3) members. The committee shall elect its own chairperson.
- b. Coordinate fellowship events.
- c. Organize and maintain connections with various fellowship groups at Peace.
- d. Coordinate special recognition events.
- e. Organize some benevolent/fund raising activities.
- f. Develop and implement ways to welcome and assimilate new members.

C13.06.C21 Outreach Committee

The goal of the Outreach Committee is to act as the social conscience of this congregation and provide ways for this congregation, in response to God's love, to meet the human needs of our community.

- a. Shall consist of at least three (3) members. The committee shall elect its own chairperson.
- b. Act as the social conscience of Peace.
- c. Encourage and provide ways for congregants to become involved in our community and the world.

C13.06.D21 Publicity Committee

The goal of the Publicity Committee is to facilitate the distribution of information about Peace Lutheran Church, its mission, resources and events to the outside community that would promote further engagement with us.

- a. Shall consist of no less than three (3) members. The committee will elect its own chairperson.
- b. Shall provide and maintain a website that provides information to viewers interested in learning about Peace Lutheran Church, including things such as location, worship times, mission, beliefs, programs, ministries and connections to the larger church. May also provide information of specific interest to members through secure access.
- c. Shall maintain and update our Facebook page and any other social media outlets deemed appropriate.
- d. Shall keep the signboard updated with current information about worship and other events of public interest.
- e. Shall maintain a picture directory, either in print or on the bulletin board.
- f. Shall provide information to print media when appropriate.

C13.06.E21 Worship Committee

The goal of the Worship Committee is to provide worship experiences that proclaim God's saving gospel, administer the sacraments, and facilitate growth experiences of God through prayer, praise, thanksgiving, witness, and service.

- a. Shall consist of at least three (3) members, in addition to the Director of Music and chairperson of the Altar Guild. The committee shall elect its own chairperson.
- b. Shall plan all elements of worship services, including distribution via electronic media.
- c. Shall plan and implement practices for weddings and funerals.

C13.06.03 Administrative Committees

- a. All Administrative Committees are formed by majority vote of the Congregation Council as Continuing Resolutions and may also be dissolved by majority vote.
- b. The responsibilities and membership of Administrative Committees are defined in their respective Continuing Resolutions.

- c. Except for the Finance Committee, the Congregation Council shall ensure that each Administrative Committee has the proper membership no later than the August Council meeting.
- d. Council will have the option to decide when to fill a vacancy on an Administrative Committee when it occurs during the year.
- e. The Administrative Committees will select their own chairs and recorders. The chair of each Administrative Committee shall be a voting member of this congregation.
- f. Except for the at-large Congregation Council member on designated committees, the term of office shall be two (2) years, with no limit on the number of consecutive terms. The terms of office for members of the Mission Endowment Committee are specified in their Continuing Resolution (C13.06.K21).
- g. Unless specifically defined in their respective Continuing Resolutions, Administrative Committees shall meet as needed to fulfill their responsibilities.
- h. An Administrative Committee may recommend to the Congregation Council amendments to the provisions of the Continuing Resolutions under which it operates. The Administrative Committee must make a specific, written recommendation to the Congregation Council.

C13.06.F21 Finance Committee

The purpose of the Finance Committee is to oversee the financial matters of this congregation.

- a. Shall consist of the vice-president, as chairperson, an at-large Congregation Council member, and no fewer than two (2) other members. The treasurer shall serve as an *ex-officio* member of the committee with no vote.
- b. Shall identify a candidate (new or continuing) for financial secretary no later than the January Congregation Council meeting of the year the term begins.
- c. Shall prepare a draft budget, in consultation with the treasurer, for the succeeding year, including this congregation's full share of the synod budget, and submit this draft budget to the Congregation Council for its action and later presentation at the Budget Meeting of this congregation.
- d. Shall, in consultation with the pastor and treasurer, make recommendations for pastoral benefit plans, such as sabbatical leaves, personal time off, health and hospitalization insurance, and retirement programs.
- e. Shall arrange for weekly tellers of the offerings.
- f. Shall form the audit committee and arrange for the annual audit of the financial records.

C13.06.G21. Stewardship Committee

The purpose of the Stewardship Committee is to develop and encourage a culture of generosity in daily Christian living by providing education and opportunity for sharing of one's time, talents and financial resources in the ministries of Peace.

- a. Shall consist of an at-large Congregation Council member, serving as liaison, and at least three (3) members; in addition, the treasurer and financial secretary shall be members *ex-officio*.
- b. Shall include the areas of time, talents and financial resources when encouraging generosity in Christian living.
- c. Shall publicize, in coordination with the Outreach Committee, information about this congregation's local, national, and world-wide ministries and lead all members to higher levels of giving for the Lord's work.
- d. Shall be responsible for the annual Statement of Intent (pledge card) program and other congregational efforts leading to informed and grateful giving.

C13.06.H21 Personnel Committee

The purpose of the Personnel Committee is to ensure this congregation has the necessary staff to carry out the various ministries of this congregation.

- a. Shall consist of an at-large member, as liaison, and at least two (2) additional members. The committee will work with appropriate members of this congregation when staff are to be hired. No member of the Personnel Committee may be a member of the Mutual Ministry Committee.
- b. Shall be responsible for all staffing (except the pastor) and shall make salary recommendations for all staff.
- c. Shall maintain current job descriptions for staff, and review and update job descriptions when needed for the hiring of new staff.
- d. Shall, in coordination with the pastor and the Congregation Council, develop goals and criteria for the annual pastoral evaluation, including consideration of the quality of the working relationship with the Congregation Council, and the level of mutual support demonstrated between the pastor and this congregation. This shall be completed in time for budget preparation.
- e. Shall be responsible for developing and implementing performance review procedures, conducting annual personnel reviews, and ensuring their completion in time for budget preparation. It is recommended that reviews be conducted as follows: Pastor: Administrative Assistant, Music Director, Nursery Attendant. Music Director: Worship and Choir Accompanist.
- f. Shall make recommendations to the Congregation Council regarding hiring and termination of staff.

C13.06.I21 Property Committee

The purpose of the Property Committee is to provide maintenance and repair of all properties that are used in the ministries of Peace.

- a. Shall consist of an at-large Congregation Council member, as liaison, and no fewer than three (3) persons.
- b. Shall oversee the maintenance, care and repair of all buildings, parking lots, landscaping, furnishings, lots, landscaping, furnishings, equipment, and supplies whether owned or leased by this congregation.
- c. Shall establish policies with respect to the use and disposition of all property.
- d. Shall make recommendations to the Congregation Council with regard to the use, safety, and security of the church property of any kind, except office supplies.
- e. Shall make replacements in an emergency and make recommendations to the Congregation Council for the replacement of obsolete, or worn-out equipment or repair of existing equipment.
- f. Shall review for approval applications for Use of Facilities using the guidelines that are in the Policies and Procedures Notebook.
- g. Shall be responsible for this congregation's total insurance program, presenting annual renewal information to the council.
- h. Shall secure and supervise regular contracted work such as cleaning and lawn service.

C13.06.J21 Memorial Gifts Committee

The purpose of the Memorial Gifts Committee is to help determine the best use of memorial gifts, and to acknowledge such gifts in a timely manner to the donors and families being honored.

- a. Shall consist of at least three (3) members.
- b. The duties of the Memorial Gifts Committee shall consist of receiving notifications of memorial and honorarium gifts from the tellers, acknowledging gifts to donors and communicating information about such gifts to the family of the deceased or honored.

C13.06.K21 Mission Endowment Committee

The purpose of the Mission Endowment Committee shall be to oversee the receipt and disbursement of funds placed in the endowment in accordance with C5.05 of this Constitution.

- a. Shall be formed when the need arises.
- b. Shall consist of no fewer than three (3) members who shall be elected at the Annual Meeting and shall serve a term of three (3) years. Initially, one (1) member shall be designated for a three-year term, one (1) for a two-year term, and one (1) for a one-year term.
- c. Shall develop and implement the guidelines of the Mission Endowment Fund after consultation with the appropriate sources of the Evangelical Lutheran Church in America.

- d. Any vacancy occurring on the committee shall be filled by vote of the Congregation Council by no later than the second regular Congregation Council meeting following such vacancy. The term shall last until the next Annual Meeting where a permanent replacement will be elected to complete the term.

C13.07. Duties of committees of this congregation shall be specified in the Bylaws and Continuing Resolutions.

C13.08. The senior pastor of this congregation shall be ex officio member of all committees of this congregation. The president of this congregation shall be ex officio member of all committees of this congregation, and shall serve as a member of the Nominating Committee.

Chapter 14.

ORGANIZATIONS WITHIN THIS CONGREGATION

C14.01. All organizations within this congregation shall exist to aid it in ministering to the members of this congregation and to all persons who can be reached with the Gospel of Christ. As outgrowths and expressions of this congregation's life, the organizations are subject to its oversight and direction. This congregation at its meeting shall determine their policies, guide their activities, and receive reports concerning their membership, work, and finances.

C14.02. Special interest groups, other than those of the official organizations of the Evangelical Lutheran Church in America, may be organized only after authorization has been given by the Congregation Council and specified in a continuing resolution.

Chapter 15.

DISCIPLINE OF MEMBERS AND ADJUDICATION

***C15.01.** Persistent and public denial of the Christian faith, willful or criminal conduct grossly unbecoming a member of the Church of Christ, continual and intentional interference with the ministry of this congregation, or willful and repeated harassment or defamation of member(s) of this congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will be attempted following Matthew 18:15–17, proceeding through these successive steps, as necessary: a) private counsel and admonition by the pastor, b) censure and admonition by the pastor in the presence of two or three witnesses, c) written referral of the matter by the Congregation Council to the vice president of the synod, who will refer it to a consultation panel drawn from the Consultation Committee of the synod, and d) written referral of the matter by the consultation panel to the Committee on Discipline of the synod. If, for any reason, the pastor is unable to administer the admonitions required by 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 this congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If the counseling, censure, and admonitions pursuant to *C15.01. do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three laypersons and two ministers of Word and Sacrament). A copy of the written charges shall be provided to the consultation panel and the accused member(s). The consultation panel, after requesting a written reply to the charges from the accused member(s), shall consider the matter and seek a resolution by means of investigation, consultation, mediation, or whatever other means may seem appropriate. The panel's efforts to reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it.
- *C15.03.** If the consultation panel fails to resolve the matter, that panel shall refer the case in writing, including the written charges and the accused member's reply, to the Committee on Discipline of the synod for a hearing. A copy of the panel's written referral shall be delivered to the vice president of the synod, the Congregation Council, and the accused member(s) at the same time it is sent to the Committee on Discipline of the synod. The Executive Committee of the Synod Council shall then select six members from the Committee on Discipline to decide the case and shall appoint a member of the Synod Council to preside as nonvoting chair. Those six members, plus the nonvoting chair, comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the parties to the case.
- *C15.04.** The discipline hearing panel shall commence and conduct the disciplinary hearing in accordance with the provisions governing discipline of congregation members prescribed in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- *C15.05.** By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:
- a. suspension from the privileges of congregation membership for a designated period of time;
 - b. suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
 - c. termination of membership in this congregation; or
 - d. termination of membership in this congregation and exclusion from the church property and from all congregation activities.
- *C15.06.** The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. The decision of the discipline hearing panel shall be

implemented by the Congregation Council and recorded in the minutes of the next council meeting.

***C15.07.** No member of this congregation shall be subject to discipline a second time for offenses that a discipline hearing panel has heard previously and decided pursuant to this chapter.

***C15.10. Adjudication**

***C15.11.** When there is disagreement between or among factions within this congregation on a substantive issue which cannot be resolved by the parties, members of this congregation may petition the synod bishop for consultation after informing the president of this congregation of their intent to do so. The synod bishop shall seek a timely resolution of the dispute. If the issue relates directly to the pastor, the bishop may begin the process in †S14.18.d. In all other matters, if the bishop's consultation fails to resolve the issue, the bishop shall refer the matter to the Consultation Committee of the synod, which shall undertake efforts to find an appropriate solution. If the Consultation Committee's efforts fail to resolve the dispute, the entire matter shall be referred to the Synod Council for adjudication by whatever process the Council deems necessary. The Synod Council's decision shall be final.

Chapter 16.

AMENDMENTS

***C16.01.** Unless provision *C16.04. is applicable, those sections of this constitution that are not required, in accord with the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, may be amended in the following manner. Amendments may be proposed by at least five (5) voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify this congregation's members of the proposal together with the council's recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.

***C16.02.** An amendment to this constitution, proposed under *C16.01., shall:

- a. be approved at any legally called meeting of this congregation by a majority vote of those voting members present and voting;
- b. be ratified without change at the next regular meeting of this congregation held pursuant to C10.01 by a two-thirds vote of those voting members present and voting; and
- c. have the effective date included in the resolution² and noted in the constitution.

***C16.03.** Any amendments to this constitution that result from the processes provided in *C16.01. and *C16.02. shall be sent by the secretary of this congregation to the synod. The synod shall notify this congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.

- *C16.04.** This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* as most recently amended by the Churchwide Assembly. Such amendments may be approved by a majority vote of those voting members present and voting at any legally called meeting of this congregation without presentation at a prior meeting of this congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to this congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of at least two (2) voting members of this congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of this congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

Chapter 17.

BYLAWS

- *C17.01.** This congregation may adopt bylaws. No bylaw may conflict with this constitution.
- *C17.02.** Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a two-thirds vote of those voting members present and voting.
- *C17.03.** Changes to the bylaws may be proposed by any voting member, provided that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify this congregation's members of the proposal with the council's recommendations at least 30 days in advance of this Congregation Meeting. Notification may take place by mail or electronic means, as permitted by state law.
- *C17.04.** Adopted or amended bylaws shall be sent by the secretary of this congregation to the synod.

Chapter 18.

CONTINUING RESOLUTIONS

- *C18.01.** This congregation in a legally called meeting or the Congregation Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.
- *C18.02.** Continuing resolutions shall be enacted or amended by a majority vote of a meeting of this congregation or a two-thirds vote of all voting members of the Congregation Council.
- *C18.03.** Adopted or amended continuing resolutions shall be sent by the secretary of this congregation to the synod.

Chapter 19.

INDEMNIFICATION

- *C19.01.** Consistent with the provisions of the laws under which this congregation is incorporated, this congregation may adopt provisions providing indemnification for each person who, by reason of the fact that such person is or was a Congregation Council member, officer, employee, agent, or other member of any committee of this congregation, was or is threatened to be made a party to any threatened, pending, or completed civil, criminal, administrative, arbitration, or investigative proceeding.