

CONSTITUTION AND *BYLAWS*
OF
ASCENSION EVANGELICAL LUTHERAN CHURCH
MEDFORD, OREGON
JANUARY, 2012

***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.

BYLAWS INTRODUCTION

The principle role of the Bylaws is to provide operating guidelines and procedures for the Congregation and its leaders to assist in meeting the mission and vision of Ascension Evangelical Lutheran Church. The Bylaws are an extension of the Church's Constitution, which establishes the organizational and operational framework of the Congregation.

The Bylaws are specific where necessary, but are composed to encourage all types of programs and activities desired to meet the mission and vision of Ascension Evangelical Lutheran Church. The Bylaws are revised in accordance with Chapter 16 of the Constitution.

Chapter 1.

NAME AND INCORPORATION

- C1.01.** The name of this congregation shall be Ascension Evangelical Lutheran Church.
- C1.02.** For the purpose of this constitution and the accompanying bylaws, the congregation of Ascension Evangelical Lutheran Church is hereinafter designated as "this congregation."
- C1.11.** This congregation shall be incorporated under the laws of the State of Oregon.

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.

* Required provision

- *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. The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. The Evangelical Lutheran Church in America, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.

Chapter 4.

STATEMENT OF PURPOSE

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

- *C4.03. To fulfill these purposes, this congregation shall:
 - a. Provide services of worship at which the Word of God is preached and the sacraments are administered.
 - b. Provide pastoral care and assist all members to participate in this ministry.
 - c. Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregation.
 - d. Teach the Word of God.
 - e. Witness to the reconciling Word of God in Christ, reaching out to all people.
 - f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
 - g. Motivate its members to provide financial support for the congregation's ministry and the ministry of other parts of the Evangelical Lutheran Church in America.
 - h. Foster and participate in interdependent relationships with other congregations, the synod, and the churchwide organization of the Evangelical Lutheran Church in America.
 - i. Foster and participate in ecumenical relationships consistent with churchwide policy.
- *C4.04. This congregation shall develop an organizational structure to be described in the bylaws. The Congregation Council shall prepare descriptions of the responsibilities of each committee, task force, or other organizational group and shall review their actions. Such descriptions shall be contained in continuing resolutions in the section on the Congregation Council.
- *C4.05. This congregation shall, from time to time, adopt a mission statement which will provide specific direction for its programs.

BL Section 4: STATEMENT OF PURPOSE. *Ascension Evangelical Lutheran Church operates under a constitution approved by the Evangelical Lutheran Church in America. As such, the Congregation and Congregation Council conduct the operation of Ascension Evangelical Lutheran Church through the Congregation Annual Meeting, Congregation Council, and Congregation Committee structure as required by the Constitution and specified through these Bylaws.*

**Chapter 5.
POWERS OF THE CONGREGATION**

- *C5.01. The powers of this congregation are those necessary to fulfill its purpose.
- *C5.02. The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws.
- *C5.03. Only such authority as is delegated to the Congregation Council or other organizational units in this congregation's governing documents is recognized. All remaining authority is retained by the congregation. The congregation is authorized to:
 - a. call a pastor as provided in Chapter 9;
 - b. terminate the call of a pastor as provided in Chapter 9;
 - c. call or terminate the call of associates in ministry, deaconesses, and diaconal ministers in conformity with the applicable policy of the Evangelical Lutheran Church in America;
 - d. adopt amendments to the constitution, as provided in Chapter 17, and amendments to the bylaws, as specified in Chapter 16.
 - e. approve the annual budget;
 - f. acquire real and personal property by gift, devise, purchase, or other lawful means;
 - g. hold title to and use its property for any and all activities consistent with its purpose;
 - h. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;

- i. elect its officers and Congregation Council, and require them to carry out their duties in accordance with the constitution and bylaws; and
 - j. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.
- *C5.04.** This congregation shall choose from among its voting members laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected by the congregation and other qualifications shall be as prescribed in guidelines established by the Oregon Synod of the Evangelical Lutheran Church in America.

BL Section 5: POWERS OF THE CONGREGATION.

BL 5.03:

Expenditure Approvals: When the Congregation approves the annual budget, it authorizes the Officers, Council Members and Committees to judiciously spend funds within the amounts specified on the budgeted items. In addition:

- (a) If an emergency develops that threatens the Congregation's physical assets or human safety, the President and Facility Committee Chairperson together may authorize expenditures for corrective measures.
- (b) Committees may move funds within their own budget allocation at the discretion of the Committee Chair.
- (c) One Committee cannot transfer approved funds to another Committee's budget without Congregation Council approval.
- (d) The Congregation Council may authorize additional expenditures of non-budgeted items up to three percent of the originally approved annual budget.
- (e) If it is expected that expenditures will exceed the annual budget by more than three percent of the originally approved budget, approval must be granted by the Congregation.
- (f) The Treasurer is authorized to pay all utilities, salaries and allowances, mortgage payments, various taxes, the Synodical and Cluster contributions and other bills as approved by the responsible Officers, Council Members and Committee Chairpersons.
- (g) The Treasurer, working with the Finance Committee, may establish additional payment and budget control measures and guidelines as necessary. All such procedures will be approved by the Congregation Council.

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 Oregon Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.
- *C6.02.** This congregation accepts the Confession of Faith and agrees to the Purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.
- *C6.03.** This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:
 - a. This congregation agrees to be responsible for its life as a Christian community.
 - b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
 - c. This congregation agrees to call pastoral leadership from the clergy roster of the Evangelical Lutheran Church in America in accordance with its call procedures

- except in special circumstances and with the approval of the bishop of the synod.
- d. This congregation agrees to consider associates in ministry, deaconesses, and diaconal ministers for call to other staff positions in the congregation according to the procedures of the Evangelical Lutheran Church in America.
 - e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America and with the constitution of the synod.
- *C6.04.** Affiliation with the Evangelical Lutheran Church in America may be terminated as follows:
- a. This congregation takes action to dissolve.
 - b. This congregation ceases to exist.
 - c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America.
 - d. This congregation follows the procedures outlined in *C6.05.
- *C6.05.** This congregation may terminate its relationship with the Evangelical Lutheran Church in America by the following procedure:
- a. A resolution indicating the desire of this congregation to terminate its relationship must be adopted at a legally called and conducted special meeting of this congregation by a two-thirds majority of the voting members present.
 - b. The secretary of this congregation shall submit a copy of the resolution to the synodical bishop and shall mail a copy of the resolution to voting members of this congregation. This notice shall be submitted within 10 days after the resolution has been adopted.
 - c. The bishop of the synod shall consult with this congregation during a period of at least 90 days.
 - d. If this congregation, after consultation, still desires to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds majority of the voting members present, at which meeting the bishop of the synod or an authorized representative shall be present. Notice of the meeting shall be mailed to all voting members at least 10 days in advance of the meeting.
 - e. A certified copy of the resolution to terminate its relationship shall be sent to the synodical bishop, at which time the relationship between this congregation and the Evangelical Lutheran Church in America shall be terminated.
 - f. Notice of termination shall be forwarded by the synodical bishop to the secretary of this church and published in the periodical of this church.
- *C6.06.** If this congregation considers relocation, it shall confer with the bishop of the synod in which it is territorially located before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.

Chapter 7.

PROPERTY OWNERSHIP

- *C7.01.** If this congregation ceases to exist, title to undisposed property shall pass to the Oregon Synod of the Evangelical Lutheran Church in America.
- *C7.02.** If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline, title to property shall continue to reside in this congregation.
- *C7.03.** If a two-thirds majority of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Oregon Synod.

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

Chapter 8.

MEMBERSHIP

- *C8.01. Members of this congregation shall be those baptized persons on the roll of this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.
- *C8.02. Members shall be classified as follows:
- a. **Baptized** members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
 - b. **Confirmed** members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.
 - c. **Voting** members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation.
 - d. **Associate** members are persons holding membership in other Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, or persons who wish to retain a relationship with this congregation while being members of other congregations. They have all the privileges and duties of membership except voting rights and eligibility for elected offices or membership on the Congregation Council of this congregation.
- *C8.03. All applications for confirmed membership shall be submitted to and shall require the approval of the Congregation Council.
- *C8.04. It shall be the privilege and duty of members of this congregation to:
- a. make regular use of the means of grace, both Word and sacraments;
 - b. live a Christian life in accordance with the Word of God and the teachings of the Lutheran church; and
 - c. support the work of this congregation, the synod, and the churchwide organization of the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards.
- *C8.05. Membership in this congregation shall be terminated by any of the following:
- a. death;
 - b. resignation;
 - c. transfer or release;
 - d. disciplinary action by the Congregation Council; or
 - e. removal from the roll due to inactivity as defined in the bylaws.
- Such persons who have been removed from the roll of members shall remain persons for whom the Church has a continuing pastoral concern.

BL Section 8: MEMBERSHIP.

BL 8.05.e: Removal from Roll *Members who have permanently moved away from Ascension Lutheran Church community, or who have joined another church – with or without transfer, or who have not attended worship, made a financial contribution nor received communion during the current or preceding calendar year, or who have failed to live a Christian life in accordance with the Word of God and the teachings of the Lutheran Church shall be removed from the roll of members. Removal from the congregational roll requires a majority vote of the Congregation Council.*

**Chapter 9.
THE PASTOR**

- *C9.01.** Authority to call a pastor shall be in this congregation by at least a two-thirds majority ballot vote of members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod.
- *C9.02.** Only a member of the clergy roster of the Evangelical Lutheran Church in America or a candidate for the roster of ordained ministers who has been recommended for the congregation by the synodical bishop may be called as a pastor of this congregation.
- *C9.03.** Consistent with the faith and practice of the Evangelical Lutheran Church in America,
- a. Every ordained minister shall:
 - 1) preach the Word;
 - 2) administer the sacraments;
 - 3) conduct public worship;
 - 4) provide pastoral care; and
 - 5) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.
 - b. Each ordained minister with a congregational call shall, within the congregation:
 - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2) supervise all schools and organizations of this congregation;
 - 3) install regularly elected members of the Congregation Council; and
 - 4) with the council, administer discipline.
 - c. Every pastor shall:
 - 1) strive to extend the Kingdom of God in the community, in the nation, and abroad;
 - 2) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
 - 3) impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and
 - 4) endeavor to increase the support given by the congregation to the work of the churchwide organization of the Evangelical Lutheran Church in America (ELCA) and of the Oregon Synod of the ELCA.
- *C9.04.** The specific duties of the pastor, compensation, and other matters pertaining to the service of the pastor shall be included in a letter of call, which shall be attested by the bishop of the synod.
- *C9.05.** a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which, except in the case of the death of the pastor, shall be terminated only following consultation with the synodical bishop and for the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific

term;

- 2) resignation of the pastor, which shall become effective, unless otherwise agreed, 30 days after the date on which it was submitted;
 - 3) inability to conduct the pastoral office effectively in the congregation in view of local conditions, without reflection on the competence or the moral and spiritual character of the pastor;
 - 4) the physical or mental incapacity of the pastor;
 - 5) disqualification of the pastor through discipline on grounds of doctrine, morality, or continued neglect of duty;
 - 6) the dissolution of the congregation; or
 - 7) suspension of the congregation as a result of discipline proceedings.
- b. When allegations of physical or mental incapacity of the pastor or ineffective conduct of the pastoral office have come to the attention of the bishop of the synod, the bishop in his or her sole discretion may, or when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop shall, investigate such conditions personally in company with a committee of two ordained ministers and one layperson.
 - c. In case of alleged physical or mental incapacity, competent medical testimony shall be obtained. When such disability is evident, the bishop of the synod with the advice of the committee shall declare the pastorate vacant. Upon the restoration of a disabled pastor to health, the bishop of the synod shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another field of labor.
 - d. In the case of alleged local difficulties that imperil the effective functioning of the congregation, all concerned persons shall be heard, after which the bishop of the synod together with the committee described in *C9.05.b. shall decide on the course of action to be recommended to the pastor and the congregation. If they agree to carry out such recommendations, no further action shall be taken by the synod. If either party fails to assent, the congregation may dismiss the pastor at a legally called meeting after consultation with the bishop, either (a) by a two-thirds majority vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a simple majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
 - e. If, in the course of proceedings described in *C9.05.d., the committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action to the synodical bishop, who may bring charges in accordance with the provisions of the constitution and bylaws of the Evangelical Lutheran Church in America and the constitution of this synod.
 - f. If, following the appointment of the committee described in *C9.05.b. or d., it should become apparent that the pastoral office cannot be conducted effectively in the congregation being served by the ordained minister due to local conditions, the bishop of the synod may temporarily suspend the pastor from service in the congregation without prejudice and with pay provided through a joint synodical and churchwide fund and with housing provided by the congregation(s).
- *C9.06.** At a time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.
- *C9.07.** During the period of service, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any ordained pastor providing assistance shall refrain from exerting influence in the selection of a pastor.
- *C9.08.** This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of

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

- *C9.09. When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- *C9.11. With the approval of the bishop of the synod, the congregation may depart from *C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of the congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.05.a.
- *C9.12. The pastor of this congregation:
 - a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;
 - b. shall submit a summary of such statistics annually to the synod; and
 - c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- *C9.13. The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.
- *C9.14. The parochial records of this congregation shall be maintained by the pastor and shall remain the property of the congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in his or her hands in good order by a departing pastor before the installation of that pastor in another field of labor or the granting by the synod of retired status to the pastor.

BL Section 9: The Call Committee

BL 9.01.01: The President of the Congregation, working through the Administration Committee of the Congregation Council, will appoint a Call Committee in order to call a pastor. The Committee will be approved by the Council. The Call Committee will be composed of no more than seven voting members of the congregation, two of whom are members of the Congregation Council. The Chairperson of the Call Committee shall not be a council member.

BL 9.01.02: The Call Committee will interview at least two candidates for call, advise the Congregation Council as to whom they have selected for presentation to the congregation, and ask the Congregation Council to schedule a Congregation Meeting for the election.

BL 9.01.03: The name of the Call nominee will be presented to the Congregation at least four weeks in advance of the Congregation Meeting at which the election will occur.

BL 9.01.04: The Congregation President will conduct the election process at the Congregation Meeting. The Chair of the Call Committee moves the election of the new pastor and is available for any procedural questions.

BL9.01.05: The Congregation will vote by written ballot. A two-thirds majority of the quorum of voting members is required for election.

Chapter 10.

CONGREGATION MEETING

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

- C10.02.** A special Congregation Meeting may be called by a pastor, the Congregation Council, or the president of this congregation. The call for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted.
- C10.03.** Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail to all [voting] members at least 10 days in advance of the date of the meeting. The posting of such notice in the regular mail, with the regular postage affixed or paid, sent to the last known address of such members shall be sufficient.
- C10.04.** The quorum of voting members is established in the bylaws.
- C10.05.** Voting by proxy or by absentee ballot shall not be permitted.
- C10.06.** All actions approved by the congregation shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution or by state law.
- C10.07.** *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all meetings of this congregation.

BL Section 10: CONGREGATION MEETING. *The principal role of Congregation meeting is to: (1) Enable a regular opportunity for the Council and Congregation to engage in mission-driven planning for the Congregation, (2) provide a forum for Church leaders to report on the activities of the Church, and (3) to make decisions on issues requiring Congregation approval.*

The Annual Meeting

BL 10.01.01: *The Congregation shall meet at least once per year for reports, elections and approval of the budget.*

BL 10.01.02: *The Annual Meeting will be held during the first 45 days of the Calendar Year; the exact date will be established by the Council President.*

BL 10.01.03: *Special Congregation Meetings may be called by the Church Council, the President, a Pastor, or by written request of 20% of the voting members.*

BL 10.01.04: *An advanced notice of at least two weeks must be given for the Annual Meeting and all Special Meetings.*

BL 10.01.05: *Congregation meetings shall be conducted by the "Roberts Rules of Order".*

BL 10.01.06: *When an item requires a vote, it is considered approved by a simple majority. The Council may require two thirds approval for special issues.*

BL 10.01.07: *Voting may be by "hand count" unless a written ballot is requested by a voting member in attendance, or if an election with more than one nominee. Neither Proxy nor Absentee ballots will be allowed.*

BL 10.01.08: *The President shall vote only to break a tie vote of the Congregation Members.*

BL 10.01.09: *The Congregation shall vote on the following:*

- (a) Offering of initial employment for Rostered Staff.**
- (b) The annual operating budget.**
- (c) Special projects not in the approved annual operating budget.**
- (d) Purchase or sale of real estate, and unbudgeted leases.**
- (e) Construction of new facilities.**
- (f) Election of Officers and Council Members.**
- (g) Revision of Constitution or By-laws.**
- (h) Non-budgeted expenditures exceeding Constitutional guidelines (C12.05.c).**

BL 10.04: Quorum of Voting Members

BL 10.04.01: For a meeting to be official, at least ten percent of the voting members must be present. The number of voting members is determined by the latest membership roster submitted to the Oregon Synod of the ELCA. If the minimum number is not present, the President will reschedule another meeting.

Chapter 11. OFFICERS

- C11.01.** The officers of this congregation shall be a president, vice president, secretary, and treasurer.
- a. Duties of the officers shall be specified in the bylaws.
 - b. The officers shall be voting members of the congregation.
 - c. Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.
- C11.02.** The officers will be elected by the congregation by processes established in the bylaws. Officers will serve for a two-year term, with the possibility of a second two-year term. No elected officer shall be eligible to serve more than two consecutive terms in the same office, excluding the Congregation Treasurer . Officers shall begin their service in office as defined in the bylaws.
- C11.03.** No officer shall hold more than one office at a time.

BL 11.01: Duties of Officers

BL 11.01.01: The Officers will serve on the Church Council.

BL 11.01.02: Each Officer will be a voting Congregation Member.

BL 11.01.03: The term of office is two years with no more than two consecutive terms. The term of the Treasurer may be adjusted by the Council and approved by the congregation through election at the annual meeting in accordance with Constitution Chapter 12, C12.02.

BL 11.01.04: If the Vice-president, Treasurer, or the Secretary cannot fulfill a term, an alternate will be appointed by the President to serve until the end of the respective term.

BL 11.01.05: When the President is not available, the Vice-president will temporarily assume the office. If the Vice-president is not available to temporarily serve in the office of President, the succession of officers for temporary assumption of the office of President shall be as follows: Treasurer, Secretary.

BL 11.01.06: If the President cannot fulfill a term, the Vice-president will automatically become President until the next congregation election. The new President will appoint a Council Member who will act as the Vice-president in addition to his/her regular Council Member responsibilities.

BL 11.01.07: When the elected Vice-president has become the President because of BL 11.01.06 (above) and cannot complete the term of office, he/she will act as the President until the next congregation election. The new President will appoint a Council Member who will act as the Vice-President in addition to his/her regular Council Member activities.

11.01.08: **Office of the President:** The principal role of the President is to provide leadership for the Church Council, Staff, Rostered Staff, Committees and the Congregation. The President can be a member of any Committee on a non-voting basis. The President's responsibilities are:

(a) Preside over all Council and Congregation meetings. The president shall vote only to break a tie.

(b) Appoint Committees for special events, occasions or congregational issues.

(c) Appoint a Committee to find a replacement for a Called Staff Member. The Task Committee will involve at least six congregational members including a representative from the Worship Committee.

(d) Consult with the ELCA Synod before employing or dismissing a Rostered Staff Member as required by the Constitution.

11.01.09: **Office of the Vice President:** The principal role of the Vice-President is to insure that the approved Constitution and By-laws are properly utilized to achieve the mission and vision of Ascension Evangelical Lutheran Church:

(a) The Vice-president is ex officio non-voting member of the Finance Committee..

(b) The Vice-president can be a member of any Committee on an ex-officio basis.

(c) The responsibilities of the Vice-president are:

(1) Assume the position of the President during his/her absence.

(2) Fulfill the position of the President until the next congregational election if the President is unable to complete a term of office.

(3) Insure that the Constitution and By-laws are followed.

(4) Insure that copies of the Constitution and By-laws are distributed to new Council and new Congregation members.

(5) Act as parliamentarian to-insure that the Roberts Rules of Order are followed in all Council and Congregation meetings.

(6) Assist the President when asked for help on regular or special projects.

(7) Provide, implement and maintain a crisis management system in the event of an unforeseen disaster.

11.01.10: **Office of the Secretary:** The principal role of the Secretary is to record transactions of the Congregation Council and the Congregation; distribute the results in an effective manner, and maintain records. The Secretary responsibilities are to:

(a) Take minutes of all Council and Congregation meetings.

(b) Distribute copies of the minutes as directed by the President.

(c) Insure that each Officer, Council Members and Committee Chairperson has a file in the Church containing hard copies that can be accessed by Congregation Members.

(d) Input all information on the congregation website that is requested by Council Officers, Council Members and Committee Chairpersons.

(e) Assist the President when requested to participate in congregational communication efforts.

(f) Maintain all Treasurer financial records on site for a minimum of seven years.

(g) Maintain Congregation Members contribution records for a minimum of one year after the last entry. These will be treated as confidential files.

11.01.11: **Office of the Treasurer:** The principal role of the Treasurer is to maintain a record of all receipts and disbursements; provide monthly financial reports, and to approve all legitimate payments of expenses incurred by the Congregation. The Treasurer responsibilities are to:

(a) Pay all bills from available funds in accordance with the Expenditure Approvals (BL 5.03).

(b) Monitor expenditures and advise the Congregation Council and Finance Committee when any budget line item is close to or has exceeded the approved amount.

(c) Stop expenditures on an exceeded budget line item until additional funds are approved by the Council.

(d) Record and report monthly on all of the Congregation's receipts and disbursements, all of which remain the property of the Church.

(e) Prepare and present financial reports to all Council, Congregation, or special meetings when requested.

(f) Assist an auditor in locating the pertinent documentation necessary for performing a financial review.

(g) Prepare all necessary tax returns.

(h) Be a member of the Finance Committee and assume leadership when the Finance Committee Chairperson is not available.

BL 11.02: (1) Officer Election process(es), (2) Definition of Term(s) of Service

BL 11.02.01: The President of the Congregation, working with the Administration Committee of the Congregation Council, will appoint a Nominating Committee to elect Officers and Council Members. The Committee will be approved by the Council. The Nominating Committee will be composed of no more than five members . No member of the Nominating committee may stand for election to the Congregation Council while serving on the committee; one member of the Nominating Committee may be a council member not standing for election. The Chairperson of the Nominating Committee shall not be a council member.

BL 11.02.02: The Nominating Committee will solicit sufficient potential nominees to stand for election for the open officer and council member positions. The nominating committee also has the responsibility to present lay voting members, split as evenly as possible between males and females, in the number authorized by the Oregon Synod annually to attend the Assembly as voting members.

BL 11.02.03: The names of the nominees will be presented to the Congregation at least four weeks in advance of the Congregation Meeting which will be held during the first 45 days of the Calendar Year. When the names are released, an invitation for additional nominees from the Congregation will be solicited. The additional names will be added to the ballot in time for the meeting.

BL 11.02.04: The President of the Congregation will conduct the election process at the Congregation Meeting. The Chair of the Nominating Committee moves the election of new council officers and members, and is available for any procedural questions.

BL 11.02.05: Floor nominations can be made at the meeting and the names placed on the ballot manually by the attendees as long as the nominee has accepted nomination.

BL 11.02.06: Unless uncontested, elections shall be by written ballot. If only one candidate is available for the position, the election may be by voice vote.

BL 11.02.07: A simple majority vote is required for each position. In the event of a tie, the President shall cast a ballot.

BL 11.02.08: The Officers and Council members shall be installed on the first Sunday following their election and begin their terms on the first Council meeting after the election.

BL 11.02.09: Other than the Youth member (C12.01- C12.02), starting terms for Officers and members will be staggered over two years . An exception may be made for the Treasurer in accordance with C.12.02.

Chapter 12.

CONGREGATION COUNCIL

C12.01. The voting membership of the Congregation Council shall consist of the officers of the congregation, the pastor(s), and not more than ten or fewer than six members of the congregation. One of the members shall occupy the Youth member position. The Youth member shall be a confirmed member of the congregation attending the 9-12th

grades during their term of service. Other than the Youth member, any voting member of the congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from three successive or four *per annum* regular meetings of the Congregation Council without cause. Consistent with the laws of the state in which this congregation is incorporated, the congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.

- C12.02.** The members of the Congregation Council except the pastor(s) shall be elected by processes established in the bylaws. . Other than the Youth member, members shall be elected to two-year terms and eligible to serve no more than two terms consecutively. The Youth member shall be elected annually, and shall have the opportunity to serve two consecutive terms subject to the definitions present in C12.01. Members shall begin their service in office as defined in the bylaws.
- C12.03.** Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor to fill the remainder of the term. Individuals appointed to fill the remainder of a regular term shall be eligible for nomination and possible election to only one subsequent two-year term.
- C12.04.** The Congregation Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:
- a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
 - b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
 - c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
 - d. To maintain supportive relationships with the pastor(s) and staff and help them annually to evaluate the fulfillment of their calling or employment.
 - e. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
 - f. To promote a congregational climate of peace and goodwill, and, as differences and conflicts arise, to endeavor to foster mutual understanding.
 - g. To arrange for pastoral service during the sickness or absence of the pastor.
 - h. To emphasize partnership with the synod and churchwide 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.
- C12.05.** The Congregation Council shall be responsible for the financial and property matters of this congregation.
- a. The Congregation Council shall be the board of trustees of this congregation, and as such shall be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Oregon, except as otherwise provided herein.
 - b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of the congregation.
 - c. The Congregation Council may enter into contracts of up to 3% of the annual budget for items not included in the budget.

- d. The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations of more than 3% in excess of the anticipated receipts only after approval by a Congregation Meeting. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in partnership with the synod and churchwide organization.
 - e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to the synodical treasurer.
 - f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.
- C12.06.** The Congregation Council shall see that the provisions of this constitution and its bylaws and continuing resolutions are carried out.
- C12.07.** The Congregation Council shall provide for an annual review of the membership roster.
- C12.08.** The Congregation Council shall be responsible for the employment and supervision of the salaried lay workers of this congregation.
- C12.09.** The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.
- C12.11.** The Congregation Council shall normally meet once a month. Special meetings may be called by the 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 pastor or interim pastor, except when the pastor or interim pastor requests or consents to be absent and has given prior approval to the agenda for a particular regular or special meeting, which shall be the only business considered at that meeting. Chronic or repeated absence of the pastor or interim pastor who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synodical bishop.

BL Section 12: CONGREGATION COUNCIL MEMBERS. *The principal role of the Council is to manage the activities of the congregation.*

BL 12.01.01 Council responsibilities:

(a) Approve all appointments made by the President.

(b) Review and approve the annual operating budget.

(c) Resolve all issues presented to the Council by Officers, Council Members, staff and Congregation Members.

(d) Insure that each Officer and Council Member perform his/her duties in accordance with these By-laws.

BL 12.01.02: The Council includes elected officers, pastor(s), and elected council members

BL 12.01.03: Unless an executive session is called by the President, Council meetings are open to all Congregation members.

BL 12.01.04: The Council shall meet at least once a month.

BL 12.01.05: The Council must have more than 50 % of voting members present to have an official meeting. If not, the meeting will be rescheduled by the President within 15 days.

BL 12.01.06: Over 50 % of the voting members' approval is required for issues brought to a vote.

BL 12.01.07: Council meetings shall be conducted by the Roberts Rules of Order.

BL 12.01.08: Special Council meetings may be called by the President, a Pastor, or a total of

three Officers and/or Council Members.

BL 12.01.9: Except for the Pastors, anyone receiving income from the Congregation shall not serve on the Council.

BL12.02: (1) Council Member Election process(es), (2) Definition of Term(s) of Service: The process for election of Council Members, and their assumption and terms of office are as those defined for the Congregation/Council Officers. Other than the Youth member, starting terms for Council Members will be staggered over two years, normally half the council members each year (Refer to BL 11.02, C12.02).

Chapter 13.

CONGREGATION COMMITTEES

C13.01. The officers of this congregation and the pastor(s) shall constitute the *Executive Committee*. The duties of the Executive Committee shall be specified in the bylaws.

C13.02. Other committees of this congregation may be formed, as the need arises, by decision of the Congregation Council.

C13.03. Duties of committees of this congregation shall be specified in the bylaws.

C13.04. The pastor(s) of this congregation shall be *ex officio* a member of all committees and boards of the congregation.

BL Section 13: CONGREGATION COMMITTEES. Committees identified herein are central to congregational service. The Congregation Council may call other committees as needed; the Congregation Council may also establish subcommittees under the congregation committees structure.

BL 13.01: Duties of Executive Committee

BL 13.01.01: To work with the Congregation Council President in the preparation of Congregation Council agendas.

BL 13.01.02: To act, as needed, on behalf of the Congregation Council, on an emergency basis between regular meetings of the Congregation Council.

BL 13.03: Duties of Committees of the Congregation

BL 13.03.01: Administration Committee: The principal role of the Administration Committee is to call into existence as-needed subcommittees of the congregation in order to perform important, but not continuously-operating functions. As-needed subcommittees include, but are not restricted to: (1) Personnel, (2), Nominating, (3) Call, and (4) Mutual Ministry. The Administration Committee is obligated to manage all Rostered Staff and paid Lay Staff personnel issues such as employment, compensation, performance evaluations, benefits and related expenditures. The Administration Committee is also obligated to provide oversight to the administrative functions of the church and to manage all Rostered Staff and paid Lay Staff personnel.

BL 13.03.02: Congregation Life Committee: The principal role of the Congregation Life committee is to foster and promote spiritual unity for existing, new and prospective

Congregation members.

BL 13.03.03: Faith Formation and Education Committee: The principal role of the Faith Formation and Education Committee is to plan, implement, provide and evaluate life-long Christian educational programs for the Congregation and the community.

BL 13.03.04: Community Life Committee: The principal role of the Community Life Committee is to seek, cultivate, and facilitate opportunities to share the Gospel of Jesus Christ through service and outreach, by helping others and inviting into fellowship those in our neighborhood and community.

BL 13.03.05: Facilities Committee: The principal role of the Facilities Committee is to protect the physical assets of the Congregation and to maintain the buildings and grounds in proper appearance and safe operating condition.

BL 13.03.06: Finance Committee: The principal role of the Finance Committee is to manage all financial matters of the Congregation.

BL 13.03.07: Stewardship Committee: The principal role of the Stewardship Committee is to encourage members to contribute their resources, time and talents necessary to fulfill the visions of the Congregation.

BL 13.03.08: Worship and Music Committee: The Worship and Music Committee shall work with pastor(s) to ensure that the Gospel is proclaimed in its purity and the Sacraments are rightly administered. Further, the committee works collaboratively with the Roistered Staff, and assumes responsibility for other Worship and Music Staff.

BL 13.03.09: Committee Budgets: Each committee called by the Congregation Council shall submit annual budgets to the Finance Committee per requirements specified by the Finance Committee.

Chapter 14.

ORGANIZATIONS WITHIN THE CONGREGATION

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

Chapter 15.

DISCIPLINE OF MEMBERS AND ADJUDICATION

- ***C15.01.** Denial of the Christian faith as described in this constitution, conduct grossly unbecoming a member of the Church of Christ, or persistent trouble-making in this congregation are sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation will be attempted following Matthew 18:15-17, proceeding through these successive steps: a) private admonition by the pastor, b) admonition by the pastor in the presence of two or three witnesses, and c) citation to appear before the Congregation Council. If, for any reason, the pastor is unable to administer the admonitions required by a. and b. hereof, the president (if not the pastor) or vice president shall administer such admonitions.
- ***C15.02.** The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If discipline against a member proceeds beyond counseling and admonition by the pastor, charges against the accused member(s) that are specific and in writing shall be prepared by member(s) of the congregation who shall sign the charges as the accuser(s). The written charges shall be filed with the pastor, who shall advise the Congregation Council of the need to issue a written citation to the accused and the accusers that specifies the time and place of the hearing before the Congregation Council. The written charges shall accompany the written citation to the accused. A member charged with the offense shall appear before the Congregation Council after having received a written citation, at least ten days prior to the meeting. If the member charged with the offense fails to appear at the scheduled hearing, the Congregation Council may proceed with the hearing and may pass judgment in the member's absence.
- ***C15.03.** Members of the Congregation Council who participate in the preparation of the written charges or who present evidence or testimony in the hearing before the Congregation Council are disqualified from voting upon the question of the guilt of the accused member. Should the allegations be sustained by a two-thirds majority vote of the members of the Congregation Council who are not disqualified but who are present and voting, and renewed admonition prove ineffectual, the council shall impose one of the following disciplinary actions:
 - a. censure before the council or congregation;
 - b. suspension from membership for a definite period of time; or
 - c. exclusion from membership in this congregation.
 Disciplinary actions b. and c. shall be delivered to the member in writing.
- ***C15.04.** The member against whom disciplinary action has been taken by the Congregation Council shall have the right to appeal the decision to the Synod Council. Such right may not be abridged and the decision of the Synod Council shall be final.
- ***C15.05.** Disciplinary actions may be reconsidered and revoked by the Congregation Council upon receipt of a) evidence that injustice has been done or b) evidence of repentance and amendment.
- ***C15.06.** For disciplinary actions in this congregation, "due process" shall be observed as specified in 20.41.04. in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- ***C15.07.** No member of a congregation shall be subject to discipline for offenses that the Congregation Council has previously heard and decided, unless so ordered by the Synod Council after an appeal.
- ***C15.10. Adjudication**
- ***C15.11.** When there is disagreement among factions within this congregation on a substantive issue that cannot be resolved by the parties, members of this congregation shall have access to the synodical bishop for consultation after informing the chair of the Congregation Council of their intent. If the consultation fails to resolve the issue(s), the Consultation Committee of the synod shall consider the matter. If the Consultation Committee of the synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final.

Chapter 16.

BYLAWS

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

BL Section 16: BYLAWS. The purpose of amendments is to provide a method for revising the Bylaws.

BL 16.03.01: The decision to revise the Bylaws shall be approved by the Congregation Council.

BL 16.03.02: If it is decided to revise the Bylaws, the President will appoint a Committee of at least two council members plus the Vice-President, who will act as the Chairperson.

BL 16.03.03: Copies of the proposed Bylaws amendment must be distributed to the Congregation Council members for review at least one week prior to a regular or special Council meeting during with the recommendation(s) will be presented.

BL 16.03.04: After the approval by the Congregation Council, copies of the revised Bylaws will be distributed to the congregation members at least two weeks prior to the Congregation Meeting in which the revised Bylaws are presented for approval.

BL16.03.05: Approval of the revised Bylaws requires a simple majority vote in the Congregation Meeting.

Chapter 17. AMENDMENTS

- *C17.01. Unless provision *C17.04. is applicable, those sections of this constitution that are not required, in accord with the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, may be amended in the following manner. Amendments may be proposed by at least 10% of the voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members by mail of the proposal together with the council's recommendations at least 30 days in advance of the meeting.
- *C17.02. An amendment to this constitution, proposed under *C17.01., shall:
 - a. be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those present and voting;
 - b. be ratified without change at the next annual meeting by a two-thirds majority vote of those present and voting; and
 - c. have the effective date included in the resolution¹ and noted in the constitution.
- *C17.03. Any amendments to this constitution that result from the processes provided in *C17.01. and *C17.02. shall be sent by the secretary of this congregation to the synod. The amendment shall become effective within 120 days from the date of the receipt of the notice by the synod unless the synod informs this congregation that the amendment is in conflict with the constitution and bylaws of the Evangelical Lutheran Church in

¹ *Such an effective date must be stated in relation to the requirements of *C17.03. to allow time for synodical review of the amendment.*

America or the constitution of the Oregon Synod of the ELCA.

- ***C17.04.** This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*—as most recently amended by the Churchwide Assembly—by a simple majority vote of those voting members present and voting at any legally called meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail notice to the congregation of such an amendment or amendments, together with the council’s recommendations, at least 30 days prior to the meeting. Upon the request of 10% of the voting members of the congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

Chapter 18.

CONTINUING RESOLUTIONS

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

Chapter 19.

INDEMNIFICATION

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

January, 2012