

C o n s t i t u t i o n

And

By-Laws

Of

Abiding Love Lutheran Church

Austin, Texas

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CONSTITUTION

Article. 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 by ministering with concern and Christian love to all people, uniting as a congregation to glorify God, sharing the Good News, growing in Christ, and by the power of the Holy Spirit responding to God's love through witness, worship, education, service, forgiveness and fellowship 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.

Article. NAME AND INCORPORATION

- C1.01. The name of this congregation shall be "Abiding Love Lutheran Church of Austin, Travis County, Texas."
- C1.02. For the purpose of this constitution and the accompanying by-laws, the Abiding Love Lutheran Church congregation is hereinafter designated as "this congregation".
- C1.03. This congregation shall be incorporated in its own name as a corporation not for profit under the laws of the State of Texas.

Chapter 2.

Article. 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 Work of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions as 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 Work of God. Inspired by God’s Spirit speaking through their authors, they record and announce God’s revelation centering in Jesus Christ.
 - d. Through them God’s spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.
- C2.03. This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.
- C2.04. This congregation accepts the Apostles’, Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.
- C2.05. This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.
- C2.06. This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the church.
- C2.07. This congregation confesses the Gospel, recorded in the Holy Scriptures and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God’s mission in the world.

Chapter 3.

Article. 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 this 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 the 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.

Article. 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 Work 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 a 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 Work 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 this constitution and by-laws. The Congregation Council shall prepare descriptions of the responsibilities of each board, committee, task force, or other organizational groups and shall review their actions. Such description shall be contained in continuing resolutions of the Congregational Council.
- C4.05. This congregation shall, from time to time, adopt a mission statement which will provide specific direction for its programs.

Chapter 5

Article. 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 by-laws.
- 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. appoint or terminate the appointment of associates in ministry in conformity with the applicable policy of the Evangelical Lutheran Church in America;
 - d. approve the annual budget;
 - e. enter into contract;
 - f. acquire real and personal property by gift, devise, bequest, purchase, or other lawful means;

- g. hold title to and use its property for any and all activities consistent with its purpose;
- h. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
- i. elect its Officers, Congregation Council, boards and committee, and require them to carry out their duties in accordance with the constitution and by-laws, {and continuing resolutions}; and
- j. terminate its relationship with the Evangelical Lutheran Church of America as provided in Chapter 6.

Chapter 6.

Article. CHURCH AFFILIATION

- C6.01. This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the Southwestern Texas 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, to the best of its ability, to support with prayer, personal service, and financial support, the common work in the life and mission of the Evangelical Lutheran Church of America.
 - c. This congregation agrees to call pastoral leadership from the clergy roster of the Evangelical Lutheran Church of 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 for appointment 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 by-laws 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 of 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 the 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 ten (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 ninety (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 (2/3) 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 ten (10) days in advance of the meeting.
 - e. A certified copy of the resolution to terminate its relationship shall be sent to synodical bishop, at which time the relationship between this congregation and ELCA shall be terminated.
 - f. Notice of termination shall be forwarded by the synodical bishop to the secretary of this church and published in the periodical of this church.
- C6.06. If this congregation is considering relocation, it shall confer with the bishop of the synod in which it is territorially located before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.

Chapter 7.

Article. PROPERTY OWNERSHIP

- C7.01. If this congregation ceases to exist, title to undisposed property shall pass to the Southwestern Texas 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 of property shall continue to reside in this congregation.
- C7.03. If a two-thirds (2/3) majority of the voting members of this congregation present at a regularly 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 Southwestern Texas Synod.
- C7.04. If a two-thirds (2/3) majority of the voting members of this congregation present at a regularly 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.

Article. 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 by-laws.
- C8.02. There shall be no membership restrictions with respect to race, color, national origin or gender.
- C8.03. 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 as provided in the by-laws.
- d. Associated 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. 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.

C8.04. All requests for confirmed membership shall be reported to the Congregation Council.

C8.05. It shall be the privilege and duty of members of this congregation to:

- a. join in worship of the Triune God;
- b. make diligent use of the means of grace, both Word and sacraments;
- c. live a Christian life in accordance with the Word of God and the teachings of the Lutheran Church;
- d. 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; and
- e. provide for the proper Christian training of themselves, and their children by instruction at home and through agencies of the church.

C8.06. 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 by-laws. Such persons who have been removed from the roll of members shall remain persons whom the church has a continuing pastoral concern.

Chapter 9.

Article. THE PASTOR

- C9.01. Authority to call a pastor shall be in this congregation by at least a two-thirds (2/3) majority ballot vote of members present and voting at a meeting regularly 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 clergy roster of the Evangelical Lutheran Church in America or who has been recommended for it by the synodical bishop may be called as a pastor of this congregation.
- C9.03. a. Consistent
- a) preach the word;
 - b) administer the sacraments;
 - c) conduct public worship
 - d) provide pastoral care; and
 - e) 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) oversee 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) seek out and encourage qualified persons to prepare for the ministry of the Gospel and strive to extend the Kingdom of god in the community, in the nation, and abroad;
 - 2) impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and
 - 3) endeavor to increase the support given by the congregation to work of the ELCA church wide organization and the southwestern Texas 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 signed by the chairperson and secretary of the meeting at which the call was voted and which shall be attested by the bishop of the synod.
- C9.05. a. The call of the 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;
- 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; or
- 6) the dissolution of the congregation.

b. In the case of alleged physical or mental incapacity of the pastor or ineffective conduct of the pastoral office, it shall be the responsibility of the bishop of the synod, when such difficulties are personally known or have been brought to the synod's attention by the official recital of allegations by the Congregation Council, or by a petition signed by at least one-third (1/3) of the voting members of the congregation, to investigate such conditions personally in company with a committee of two (2) ordained ministers and one (1) 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 which imperil the effective functioning of the congregation, all concerned persons shall be heard, after which the bishop of the synod together with the committee described in C9.05.b. shall decide on the course of action to be recommended to the pastor and the congregation. If they agree to carry out such recommendations, no further action shall be taken by the synod. If either party fails to assent, the congregation may dismiss the pastor by a two-thirds (2/3) majority vote of the voting members present at a regularly called meeting after consultation with the bishop.

e. The foregoing procedure shall never be invoked when questions of doctrine, morality, or continued neglect of duty are involved, all such cases being treated as disciplinary matters.

f. If in the course of the proceedings, it should become apparent that the pastoral office cannot be conducted effectively in the congregation being served by the ordained minister due to local conditions, the bishop of the synod may temporarily suspend the pastor from service in the congregation without prejudice and with pay provided through a joint church wide/synod fund and with housing provided by the congregation.

C9.06. At a time of pastoral vacancy, an interim pastor may be appointed by the bishop of the synod with the consent of this congregation to 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 the 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,
- C9.09. When a pastor is called to serve in company with another pastor or pastors, and 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.
- C9.10. With the approval of the bishop of the synod, the congregation may depart from C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representative of the congregation for a review of the call. Such call may also be terminated before its expiration in accordance with the provisions of C9.05.a.
- C9.11. The pastor shall keep accurate parochial records of baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation, and shall submit a summary of such statistics annually to the synod.
- The pastor shall be a member of the congregation that has extended the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- C9.12. The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least ninety (90) days prior to each regular meeting of the Synod Assembly.

Chapter 10.

Article. CONGREGATION MEETING

- C10.01. The annual meeting of this congregation shall be held at a time specified in the by-laws.
- C10.02. A special Congregation Meeting may be called by the pastor, the Congregation Council, or the president of this congregation. A special Congregation Meeting shall be called at the written request of the (10) voting members. 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 (2) consecutive Sundays and by mail to all members at least ten (10) days in advance of the date of the meeting. The posting of such notice in the regular mail, with regular postage affixed or paid, sent to the last known address of such members shall be sufficient.
- C10.04. A minimum of five percent (5%) of voting members shall constitute a quorum.
- C10.05. Voting by proxy or by absentee ballot shall not be permitted.
- C10.06. All actions by the congregation shall be by majority vote except as otherwise provided in this constitution.
- C10.07. Robert's Rules of Order, latest edition, shall govern parliamentary procedure of all meetings of this congregation.

Chapter 11.

Article. OFFICERS

- C11.01. The officers of this congregation shall be a president, vice-president, secretary, and treasurer. These four (4) officers shall serve as the Board of Trustees of this congregation. The Board of Trustees shall be responsible for all matters relating to all legal and corporate affairs. All documents shall be signed by the President and the Secretary.
 - a) Duties of the officers shall be specified in the by-laws.
 - 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 shall be elected by the congregation by written ballot and shall serve for two (2) years or until their successors are elected. Their terms shall begin on the first Sunday in January.
- C11.03. At its annual meeting, the congregation shall elect one half (1/2) of the officers for a two (2) year term, and no person shall succeed themselves in the same office.

Chapter 12.

ARTICLE. CONGREGATION COUNCIL

- C12.01. The voting membership of the Congregation Council shall consist of the pastor(s) and associate(s) in ministry serving as an advisory member(s) by virtue of the office but without vote, the officers of the congregation, and Directors of the Administrative Boards as designated in the By-laws of this Constitution. 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 members' place on the Congregation Council:
- a) shall be declared vacant if the member ceases to be a voting member of this congregation or
 - b) a member who is absent from two (2) successive regular meetings of the Congregational council without cause, shall be consulted by the President of the congregation; if the member is absent without cause from three (3) successive regular meetings, the Congregational Council may declare the office vacant.
- C12.02. The Directors of the Administrative Boards shall be elected by the congregation by written ballot to serve for two (2) years or until their successors are elected. At each annual meeting, the congregation shall elect one-half (1/2) of the directors. Such members shall be eligible to serve no more than one (1) full term consecutively. Newly elected Congregation Council members shall be installed at worship on the Sunday they assume office.
- C12.03. Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor until the next annual meeting. Should the unexpired term be less than one (1) year, it shall not be considered in determining eligibility for succession.
- C12.04. The Congregational Council shall have general oversight of the life and activities of this congregation, and in particular worship life, to the end that everything be done in accordance with the Work 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, appointment, or employment.
- e) To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
- f) To promote a congregational climate of peace and goodwill and, as differences and conflicts arise, to endeavor to foster mutual understanding.
- g) To arrange for pastoral service during the sickness or absence of the pastor.
- h) To emphasize partnership with the synod and church-wide units of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.
- i) Exercise discipline in accordance with the provisions of this Constitution the By-laws.
- j) Have authority between meetings of the congregation to choose delegates to any group or meeting in which the congregation is entitled to representation.
- k) Appoint additional committee or task forces as may be needed.
- l) To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.

C12.05

- a) The Congregational 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 powers and be subject to the obligations that pertain to such boards under the laws of the State of Texas, 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 shall prepare an annual budget for adoption by the congregation and shall supervise the expenditure of funds in accordance therewith following its adoption. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on the partnership with the synod and church wide organization. Any expenditure in excess of the total voted budget must be approved by the congregation, however, the Congregation Council may expend necessary funds available in an emergency.

- d) 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.
 - e) The Congregation Council shall be responsible for this congregation's investments, special funds and its total insurance program.
 - f) The Congregation Council shall assume that the Treasurer and others who have access to the funds of this congregation are adequately bonded.
- C12.06. The Congregation Council shall see that the provisions of this constitution, its by-laws and the continuing resolutions are carried out.
- C12.07. The Congregation Council shall be responsible for the appointment and supervision of the salaried lay workers of this congregation.
- C12.08. The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.
- C12.09. The Congregation Council shall normally meet once a month. The Congregation Council shall determine its regular meeting schedule. Special meetings may be called by the pastor or the president. Special meetings shall be called at the request of at least one-half (1/2) of the Congregation Council members. Notice of each special meeting shall be given to all who are entitled to be present.
- C12.10. A quorum for the transaction of business shall consist of a two-thirds (2/3) majority of the membership of the Congregation Council and shall include the Pastor (or interim Pastor), except when the Pastor (or interim Pastor) requests or consents to be absent and has given prior approval to an agenda of routine matters which shall be the only business of the meeting.

Chapter 13.

Article. CONGREGATION COMMITTEES

- C13.01. The officers of this congregation and the Pastor shall constitute the Executive Committee.
- C13.02. A Nominating Committee of five (5) voting members of this congregation shall be elected at the annual meeting for a term of one year. In the event of a vacancy on the committee, the Congregation Council shall elect a voting member of this congregation to fill such vacancy.
- C13.03. An audit Committee of at least two (2) voting members shall be elected annually by the Congregation Council. Audit Committee members shall not be members of the Congregation Council. Members shall be eligible for re-election.

- 13.04. A Staff Support Committee (in the absence of a staff support committee, their duties shall be fulfilled by the executive committee) shall be appointed jointly by the president and the Pastor. Term of office shall be two years, three members to be appointed each successive year. Committee members will hold no other office in the congregation during their term.
- 13.05. When a pastoral vacancy occurs, a Call Committee of at least six (6) voting members shall be elected by this congregation. Term of office will terminate at installation of the newly-called pastor.
- 13.06. Other congregation committees may be formed as the need arises, by decision of the Congregation Council.
- 13.07. Duties of congregation committees shall be specified in the by-laws (continuing resolutions).

Chapter 14.

Article. 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), All such organizations shall be under the supervision of the Pastor (s) and the appropriate Administrative Board under whose jurisdiction they function. Any decisions, enactment or performance of or by these organizations shall be invalid if they conflict with this Constitution and its associated By-laws.

Chapter 15.

Article. DISCIPLINE OF MEMBERS

- C15.01. All discipline within this congregation will be done with Christian sensitivity and love in an attempt to help the person(s) correct their ways.

- C15.02. Denial of the Christian faith as described in this constitution, conduct grossly unbecoming a member of this 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 (2) or three (3) witnesses, and
 - c) citation to appear before the Congregation Council.
- C15.03. A member charged with the offense shall appear before the Congregation Council having received a written notice, specifying the exact charges that have been made against the member, at least ten (10) days prior to the meeting.
- C15.04. Should the allegations be sustained by a two-thirds (2/3) majority vote of the members of the Congregation Council 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.
- C15.05. 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.
- C15.06. 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.

Chapter 16.

Article. **BY-LAWS**

- C16.01. This congregation may adopt by-laws. No by-law may conflict with this constitution.
- C16.02. By-laws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a two-thirds (2/3) majority vote of those voting members present and voting.

- C16.03. Changes to the by-laws may be proposed by any voting member provided, however, that such additions or amendments be submitted in writing to the Congregation Council at least sixty (60) days before a regular or special Congregation Meeting called for that purpose and that the Congregation Council notify the members of the proposal with its recommendations at least thirty (30) days in advance of the Congregation Meeting.
- C16.04. Approved changes to the by-laws shall be sent by the secretary of this congregation to the synod.

Chapter 17.

Article. AMENDMENTS

- C17.01. Amendments to this constitution may be proposed by at least ten (10) voting members or by the Congregation Council. Proposal must be filed in writing with the Congregation Council sixty (60) days before formal consideration by this congregation at its regular or special meeting called for that purpose. The Congregation Council shall notify the members of the proposal with their recommendations at least thirty (30) days in advance of the meeting.
- C17.02. A proposed amendment of this constitution shall:
- a) be approved at a properly called 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 three-fourths (3/4) majority vote of those present and voting; and
 - c) have the effective date included in the resolution and noted in the constitution.
- C17.03. Any amendments to this constitution shall be sent by the secretary of this congregation to the synod. The amendment shall become effective within one hundred twenty (120) days from the date of the receipt of the notice by the synod unless the synod informs this congregation that the amendment is in conflict with the constitution and by-laws of the Evangelical Lutheran Church in America, or the constitution of the Southwestern Texas Synod.

Chapter 18.

Article. CONTINUING RESOLUTIONS

- C18.01. The Congregation Council may enact continuing resolutions which describe the function of the various boards, committees or organizations of this congregation.
- C18.02. Continuing resolutions shall be enacted or amended by a two-thirds (2/3) majority of the voting membership of the Congregation Council.

BY – LAWS

Section 1

Section .01 THE HOLY SACRAMENT OF HOLY COMMUNION

(cf. Article C4.03 a. of Constitution)

- B1.01. This congregation believes that the sacrament of Holy Communion is a means of grace from God to His people, instituted by Christ, through which the crucified and risen Christ is present and active to forgive, to save, to unite, to give life, to comfort, and to strengthen for the work to which He calls His people in the world. The Lutheran Confessions uphold the reality of Christ's presence in the Sacrament, His body and blood being given "in, with and under" the bread and wine, in order to affirm by these means His saving work for us.
- B1.02. This congregation offers to its members, and all other Christian persons who accept the teachings of the Lutheran Church in regard to this sacrament, the opportunity to participate regularly in Holy Communion.
- B1.03. Preparation for Holy Communion will normally be provided for persons as young as ten (10) years of age. However, the responsibility for deciding when to admit a child is shared by the Pastor, the child, the family, or, in the absence of parental support, sponsoring persons.
- B1.04. Record of participation in Holy Communion shall be maintained.

Section 2

Section .02 CONFLICTING LOYALTIES

(cf. Article C4.03 h. of Constitution)

- B2.01. While the buildings of the congregation shall be open to all people to share in its worship, instruction, pastoral care and social fellowship, the congregation rejects all spiritual fellowship with organizations, secret or open, which are avowedly religious or which practice forms of religion without confessing faith in the Triune God and in Jesus Christ as the Eternal Son of God incarnate to be our only Savior from sin, and which thus teach salvation by works.
- B2.02. Ceremonies of lodges, or other such organizations, shall not be permitted in the buildings or on the premises of the congregation.

Section 3
Section .03 VOTING MEMBERS

(cf. Article C8.03.c. of Constitution)

- B3.01. The Congregation Council shall determine the roster of voting members of the congregation in accordance with the provisions of the constitution and by-laws. The roster of voting members shall be available at all regularly called meetings of the congregation.
- B3.02. The statutory age limitations of the State of Texas will prevail in all matters having to do with the acquisition, disposition or sale of real property.

Section 4
Section .04 MEMBERSHIP ROSTER

(cf. Article C8. Of Constitution)

- B4.01. The congregation may, in the event a member moves from the community it serves, encourage the member to request a transfer to a Lutheran congregation which can serve that member effectively. Should the member fail to request a transfer, a Lutheran congregation in the community of that member's residence may be notified.
- B4.02. A member in good standing desiring to change membership to another Lutheran or other Christian congregation shall, upon request, receive a letter of transfer.
- B4.03. A member who does not, for a period of six (6) months participate in the life and worship of the congregation should be contacted by one (1) or more lay ministers or the Pastor and encouraged to active membership. If after one (1) year the member does not actively participate, that member's name may be removed from the membership roster of the congregation but be retained on a Responsibility List as one who is in special need of the congregation's prayer and concern.

Section 5
Section .05 THE PASTOR

(cf. Article C9. Of Constitution)

- B5.01. The congregation is responsible for calling its Pastor(s). Before calling a Pastor, the congregation may consult with a representative of the Bishop of the southwestern Texas Synod for names of persons that might be available for call. At a properly called meeting of the congregation, such names as may be available, together with

names submitted by congregational members, may be voted upon by ballot. An interview procedure conducted by a specially appointed call committee may be conducted prior to this congregational meeting for a purpose of recommending a particular Pastoral candidate for call.

- B5.02. If a Pastor receives a call to another ministry, the Pastor shall consult the Congregation Council or, if desired, the congregation before reaching a decision. The Pastor shall announce a decision as quickly as possible, normally within three (3) weeks. The Pastor shall notify the Bishop. When a call has been accepted, the Pastor's ministry in this congregation shall be terminated as soon as feasible, normally within a month.
- B5.03. The call of the Pastor(s) shall be reviewed annually by the Congregation Council at the end of each one (1) year period. In the event any changes are deemed necessary, they may be presented at the annual or a special, called meeting of the congregation. Changes other than requesting dismissal or resignation may require the issuance of a new call to the Pastor.

Section 6

Section .06 MEETING OF THE CONGREGATION

(cf. Article C10. Of Constitution)

- B6.01. The annual meeting of the congregation shall be held each November at a date to be determined and announced by the Congregation Council.
- B6.02. The annual meeting shall receive reports from the Pastor, nominating committee, treasurer and auditor, as well as a report of the proposed next year's budget and any other reports deemed necessary by the Pastor or the Congregation Council. These reports shall be printed and made available to the membership at least one (1) week prior to the annual meeting. All other boards, organizations and committees shall submit an annual report in writing at least four (4) weeks prior to the annual meeting.
- B6.03. The annual meeting of the congregation shall elect its officers, directors of the administrative boards, the nominating committee, and delegates to the annual Southwestern Texas Synod convention. The Congregation Council shall set the date for the initial meeting of the nominating committee. The nominating committee shall nominate candidates for each office to be filled and shall secure the consent of each candidate. Additional nominations may be made from the floor with the consent of the nominee.

Section 7

Section.07 ELIGIBILITY AND DUTIES OF OFFICERS

(cf.Article C11. Of Constitution)

- B7.01. Only a voting member of “legal age” in the State of Texas shall be eligible to serve as an officer of the congregation.
- B7.02. The four (4) officers shall compromise a planning and coordinating unit for all boards and committees and shall determine which officer is responsible to which board(s) and committee(s) for involvement in the work of these groups. The officers and the Pastor(s) of the congregation may be ex officio and non-voting members of any and all Boards and their associated committees, and may attend any or all meetings related to congregational activities of any kind.
- B7.03. The President shall preside at the meetings of the Congregation and the Congregation Council.
- B7.04. The Vice President shall preside at the meetings of the congregation and the Congregation Council in the absence of the President.
- B7.05. The Secretary shall keep the minutes of the congregational and Congregation Council meetings, and have custody of the archives of the congregation. A recording Secretary may be appointed by the President to assist the Secretary as deemed necessary.
- B7.06. The Treasurer shall have custody of al funds of the congregation and shall receive and disperse such funds in accordance with the provisions of the constitution.

Section 8

Section.08 DUTIES OF THE CONGREGATION COUNCIL

(cf.Article C12. Of Constitution)

- B8.01. The Congregation Council shall annually review the salary of the Pastor(s) and make adjustments from time to time within the limits of the budget approved by the congregation.
- B8.02. The Congregation Council shall annually review the salaries and job descriptions of the other church staff.

Section 9

Section .09 ADMINISTRATIVE BOARDS OF THE CONGREGATION

(cf. Article C12. Of the Constitution)

- B9.01. Responsibility and authority for the daily administration of all congregational ministries between the congregational meeting(s) shall be delegated to Administrative Boards as specified in the by-laws, which will work together with the Pastor(s), Congregation Council and others staff members in implementing the program of the congregation.
- B9.02. The administrative boards of the congregation shall be as follows:
1. Board of Children's Outreach Ministries
 2. Board of Christian Education
 3. Board of Christian Service
 4. Board of Church Properties
 5. Board of Evangelism and Outreach
 6. Board of Membership Care
 7. Board of Parish Fellowship
 8. Board of Stewardship and Finance
 9. Board of Worship-Life and Related Ministries
 10. Board of Youth and Children's Ministries
- B9.03. Duties and responsibilities of each board shall be outlined in a "Manual of Operations, Policies and Procedures". This manual shall be approved by the Congregation Council. The Boards shall review the manual annually for revision as necessary. Any revisions shall require the approval of the Congregation Council.
- B9.04. Board Directors shall submit a list of names of those persons to be considered for board membership to the Congregation Council, for purposes of coordination, prior to their being contacted.

Section 10

Section.10 PARISH RECORDS

(cf.Article C9.11.of Constitution)

- B10.01. The records of the congregation shall be and remain the property of the congregation. The Pastor shall be responsible for overseeing the maintenance of the records, except as otherwise provided herein. Upon the termination of a Pastor's service to the congregation, the records shall be brought up to date prior to departure. The records shall consist of:
1. The roster of baptized, confirmed and voting members;
 2. The ministerial acts performed by the Pastor;
 3. The minutes and reports of the Southwestern Texas Synod and the handbook of the Evangelical Lutheran Church in America;
 4. The meeting minutes of this congregation and the Congregation Council, for which the Secretary of the congregation shall be responsible;
 5. The financial records of this congregation, for which the Treasurer of the congregation shall be responsible.
- B10.02. The Pastor shall report to the General Secretary of the Evangelical Lutheran Church in America such statistics as may be requested. Should the congregation be dissolved, the official records of the congregation shall be deposited in the Archives of the evangelical Lutheran Church in America or its successor.

Section 11

Section 1 COLLECTION AND EXPENDITURE OF FUNDS

(cf.Article C12.05.of Constitution)

- B11.01. Money for the needs and goals of the congregation shall be contributed and deposited under a "Unified Budget Plan". Expenditures from this one fund shall be made by the Treasurer according to the adopted budget of the congregation.
- B11.02. Special donations to approved causes shall be received by the Treasurer and expended in full as the donor may direct, with Congregation Council approval needed for non-approved causes.
- B11.03. All funds are to be included in the financial statement.

