

**CONSTITUTION and BY-LAWS  
of  
TRINITY EVANGELICAL LUTHERAN CHURCH**  
Franklin Park Borough, Pennsylvania

Ratified: January 25, 2015

Effective: May 9, 2015

\* Indicates required provisions

Changes that conform to the ELCA model constitution become effective upon majority vote approval at a congregational meeting.

Blue underlined items are additions per 2016 amendments to ELCA model constitution.

~~Red crossed-out items are deletions per 2016 amendments to ELCA model constitution.~~

Blue underlined items with green highlighting are additions recommended by Council that also conform to language found in the current ELCA model constitution.

~~Red crossed-out items with green highlighting are deletions recommended by Council that also conform to language found in the current ELCA model constitution.~~

One typographical error (changing “years” to “terms” at the end of C13.02) is being corrected pursuant to C16.05.

Discretionary changes to the constitution become effective after: (a) majority vote approval at a congregational meeting, (b) two-thirds majority vote to ratify at the next Annual Meeting, and (c) further review and approval by the Synod.

Blue underlined items with yellow highlighting are discretionary additions recommended by Council.

~~Red crossed-out items with yellow highlighting are discretionary deletions recommended by Council.~~

Changes to bylaws become effective upon majority vote approval at a congregational meeting.

Council’s recommendations for additions to the bylaws are shown blue underlined font, while deletions are shown in red crossed-out font.

# Proposed Amendments to Constitution and By-laws of Trinity Evangelical Lutheran Church

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**\*PREAMBLE**

We, baptized members of the Church of Christ, responding in faith to the call of the Holy Spirit through the Gospel, desiring to unite together to preach the Word, administer the sacraments, and carry out God's mission, do hereby adopt this constitution and solemnly pledge ourselves to be governed by its provisions. In the name of the Father and of the Son and of the Holy Spirit.

**Chapter 1.**

**NAME AND INCORPORATION**

- C1.01 The name of this congregation shall be Trinity Evangelical Lutheran Church of Franklin Park Borough (such borough formerly being known as Franklin Township), and may be referred to from time to time herein as "TELC." The seal of this congregation presents "Ev. Luth. Trinitatis Gemeinde, Franklin Tp., Allegheny Co., Pa" with a cross in the center of the seal. This congregation was also known at various times as Ev. Lutheran Trinitat Gemeinde.
- C1.02 For the purpose of this constitution and the accompanying bylaws, the congregation of Trinity Evangelical Lutheran Church of Franklin Park Borough is hereinafter designated as "this congregation."
- C1.11 This congregation shall be incorporated under the laws of the Commonwealth of Pennsylvania.

**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.

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- \*C2.03 This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.
- \*C2.04 This congregation accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.
- \*C2.05 This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.
- \*C2.06 This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.
- \*C2.07 This congregation confesses the Gospel, recorded in the Holy Scripture and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

### Chapter 3.

#### NATURE OF THE CHURCH

- \*C3.01 All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority.
- \*C3.02. This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian Unity throughout the world.
- \*C3.03~~2~~ The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. The Evangelical Lutheran Church in America, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.
- \*C3.04. This church, inspired and led by the Holy Spirit, participates in The Lutheran World Federation as a global communion of churches, engaging in faithful witness to the gospel of Jesus Christ and in service for the sake of God's mission in the world.

- \*C3.053 The name Evangelical Lutheran Church in America (ELCA or “this church”) as used herein refers in general references to this whole church, including its three expressions: congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.

#### Chapter 4.

#### STATEMENT OF PURPOSE

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

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- \*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.
- \*C4.05 This congregation shall, from time to time, adopt a mission statement which will provide specific direction for its programs.
- \*C4.06 References herein to the nature of the relationship between the three expressions of this church—congregations, synods, and the churchwide organization—as being interdependent or as being in a partnership relationship describe the mutual responsibility of these expressions in God’s mission and the fulfillment of the purposes of this church as described in this chapter, and do not imply or describe the creation of partnerships, co-ventures, agencies, or other legal relationships recognized in civil law.

### Chapter 5.

#### POWERS OF 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 a minister of Word and Service;
  - ~~e)d~~ or terminate the call of a minister of Word and Service~~associates in ministry, deaconesses, and diaconal ministers~~ in conformity with the constitution~~applicable policy~~ of the Evangelical Lutheran Church in America;
  - ~~d)e~~ adopt amendments to the constitution, as provided in Chapter 16~~7~~, amendments to the bylaws, as specified in Chapter 17~~6~~, and continuing resolutions, as provided in Chapter 18;
  - ~~e)f~~ approve the annual budget;
  - ~~f)g~~ acquire real and personal property by gift, devise, purchase, or other lawful means;
  - ~~g)h~~ hold title to and use its property for any and all activities consistent with its purpose;
  - ~~h)i~~ sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
  - ~~i)j~~ elect its Congregation Council and require the members of the ~~council~~ Council to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
  - k) terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.

- \*C5.04 This congregation shall 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 Southwestern Pennsylvania Synod of the Evangelical Lutheran Church in America.

## 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 Southwestern Pennsylvania 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 Ministers of Word and Sacrament of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of ~~ordained ministers~~ Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services with ~~an ordained a~~ minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.
  - d) This congregation agrees to consider ~~associates in ministry, deaconesses, and diaconal~~ ministers of Word and Service 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.

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d. This congregation follows the procedures outlined in \*C6.05.

\*C6.05 ~~A~~This congregation may terminate its relationship with ~~this church~~ the Evangelical Lutheran Church in America by the following procedure:

- a. A resolution indicating the intent to terminate its relationship must be adopted at a legally called and conducted special meeting of the congregation by a two-thirds vote of the voting members present. Such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time the congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the Congregation Council. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.
- b. The secretary of the congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall mail a copy of the resolution to voting members of the congregation. This notice shall be submitted within 10 days after the resolution has been adopted.
- c. The bishop of the synod and the congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the synod of the notice as specified in paragraph b. above.
- d. If the congregation, after such consultation, still seeks to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of the meeting shall be mailed to all voting members and to the bishop at least 10 days in advance of the meeting. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.
- e. A copy of the resolution, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, shall be sent to the bishop within 10 days after the resolution has been adopted, at which time the relationship between the congregation and this church shall be terminated subject to paragraphs g., h., and i. below. Unless this notification to the bishop also certifies that the congregation has voted by a two-thirds vote to affiliate with another Lutheran denomination, the congregation will be conclusively presumed to be an independent or non-Lutheran church.
- f. Notice of termination shall be forwarded by the bishop to the secretary of ~~this church~~the ELCA, who shall report the termination to the Churchwide Assembly.
- g. This congregation shall abide by these covenants by and among the three expressions of this church:
  1. ~~g.~~ Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in \*C6.05. shall be required to receive Synod Council approval before terminating their membership in this church.
  2. ~~h.~~ Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in \*C6.05., to receive synodical approval before terminating their membership in this church.

~~2.3.i.~~ Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in \*C6.05., to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church.

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

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

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

## Chapter 7.

### PROPERTY OWNERSHIP

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

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

\*C7.03 If ~~a~~ two-thirds ~~majority~~ of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation, provided the process for termination of relationship in \*C6.05. has been followed. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Southwestern Pennsylvania Synod.

- \*C7.04 If ~~a~~ two-thirds ~~majority~~ of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body and have followed the process for termination of relationship in \*C6.05., title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the established synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America.

## 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 as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.
  - 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 se individuals 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~~ or other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.
  - e) **Seasonal** members are voting members of other ELCA congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, including exercising limited voting rights in this congregation. The Congregation Council may grant seasonal membership to such persons provided that this congregation

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is a member of a synod where the Synod Council has approved seasonal member voting on its territory. Such seasonal members shall have all the privileges and duties of voting members except that:

- 1) they shall not be eligible for elected office in, or for membership on the Congregation Council or on a call committee of, this congregation;
- 2) they shall not have the right to vote on any matter concerning or affecting the call or termination of call of any minister of this congregation;
- 3) they shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with the ELCA;
- 4) they shall not be eligible to serve as voting members from this congregation of the Synod Assembly or the Churchwide Assembly;
- 5) they shall not, even if otherwise permitted by this congregation, vote by proxy or by absentee ballot; and
- 6) they shall not, within any two calendar month period, exercise voting rights in this congregation and in the congregation where they remain voting members.

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

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

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

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

- a) death;
- b) resignation;
- c) transfer or release;
- d) disciplinary action in accordance with ELCA constitutional provision 20.41~~0~~ and the accompanying bylaws; or
- e) removal from the roll due to inactivity ~~as defined in the bylaws~~ in accordance with the provisions of this constitution and its bylaws.

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

## Chapter 9.

### ~~THE PASTOR~~ ROSTERED MINISTER

\*C9.01 Authority to call a pastor shall be in this congregation by at least a two-thirds ~~majority ballot~~ vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by this congregation to recommend the call, shall seek the advice and help of the bishop of the synod.

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- \*C9.02 Only a member of the ~~clergy~~ roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or a candidate for the roster of ~~ordained ministers~~ Ministers of Word and Sacrament 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 of Word and Sacrament shall:
    - 1) preach the Word;
    - 2) administer the sacraments;
    - 3) conduct public worship;
    - 4) provide pastoral care; ~~and~~
    - 5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
    - 6) impart knowledge of this church and its wider ministry through distribution of its communications and publications;
    - 7) witness to the Kingdom of God in the community, in the nation, and abroad; and
    - 8) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.
  - b) Each ~~ordained minister~~ pastor with a congregational call shall, within the congregation:
    - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
    - 2) ~~supervise~~ relate to all schools and organizations of this congregation; ;
    - 3) install regularly elected members of the Congregation Council; ~~and~~
    - 4) with the ~~council~~ Council, administer discipline; ~~and~~
  - e) ~~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 5) endeavor to increase the support given by the congregation to the work of the ELCA churchwide organization ~~of the Evangelical Lutheran Church in America (ELCA)~~ and of the Southwestern Pennsylvania 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 The provisions for termination of the mutual relationship between a minister of Word and Sacrament and this congregation shall be as follows:
- a) The call of at this congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death, or, following consultation with the synodical bishop, for the following reasons:
    - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
    - 2) resignation of the pastor, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
    - 3) inability to conduct the pastoral office effectively in the congregation in view of local conditions;
    - 4) physical disability or mental incapacity of the pastor;
    - 5) suspension of the pastor for more than three months;
    - 6) resignation or removal of the pastor from the roster of ~~ordained ministers~~ Ministers of

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Word and Sacrament of this church;

- 7) termination of the relationship between this church and the congregation;
  - 8) dissolution of the congregation or the termination of a parish arrangement; or
  - 9) suspension of the congregation through discipline for more than six months.
- b) When allegations of physical disability or mental incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,
- 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two ~~ordained~~rostered ministers and one lay person, or
  - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop shall personally investigate such conditions together with a committee of two ~~ordained~~rostered ministers and one layperson.
- c) In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant ~~and the pastor shall be listed on the clergy roster as disabled.~~ When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament as disabled. Upon removal of the disability and restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.
- d) In the case of alleged local difficulties that imperil the effective functioning of the congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the pastor and then to the congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by the congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- e) If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, the congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a1) 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 (b2) by a ~~simple~~ majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- f) If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning ~~disciplinary action~~discipline in accordance with the provisions of this church's constitution, bylaws and continuing resolutions.

\*C9.06 At a time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the

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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~~ rostered minister providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.
- \*C9.08 This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting 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.
- C9.10 (Reserved)
- \*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.

~~C9.15 to C9.19 (Reserved)~~

~~C9.20 — Ecumenical Pastoral Ministry~~

~~C9.15<sup>24</sup>~~ Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation (as indicated by a two-thirds majority ballot vote of the voting members present and voting at a meeting legally called for that purpose), ~~an ordained~~ minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between the congregation and the ~~ordained minister~~ pastor in a form proposed by the synodical bishop and approved by the Congregation Council.

C.16 to C.20 (Reserved)

\*C9.21. Authority to call a minister of Word and Service shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by this congregation to recommend the call, shall seek the advice and help of the bishop of the synod.

\*C9.22. Only a member of the roster of Ministers of Word and Service of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Service who has been recommended for this congregation by the synodical bishop may be called as a deacon of this congregation.

\*C9.23. Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:

- a. Be rooted in the Word of God, for proclamation and service;
- b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
- c. Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad;
- d. Equip the baptized for ministry in God's world that affirms the gifts of all people;
- e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
- f. Practice stewardship that respects God's gift of time, talents, and resources;
- g. Be grounded in a gathered community for ongoing diaconal formation;
- h. Share knowledge of the ELCA and its wider ministry of the gospel and advocate for the work of all expressions of this church; and
- i. Identify and encourage qualified persons to prepare for ministry of the gospel.

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

- \*C9.25. The provisions for termination of the mutual relationship between a minister of Word and Service and a congregation shall be as follows:
- a. The call of a congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or following consultation with the synodical bishop, for the following reasons:
    - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
    - 2) resignation of the deacon, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
    - 3) inability to conduct the ministry of Word and Service effectively in this congregation in view of local conditions;
    - 4) physical disability or mental incapacity of the deacon;
    - 5) suspension of the deacon through discipline for more than three months;
    - 6) resignation or removal of the deacon from the roster of Ministers of Word and Service of this church;
    - 7) termination of the relationship between this church and this congregation;
    - 8) dissolution of this congregation or the termination of a parish arrangement; or
    - 9) suspension of this congregation through discipline for more than six months.
  - b. When allegations of physical disability or mental incapacity of the deacon under paragraph a.4) above, or ineffective conduct of the office of minister of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,
    - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
    - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
  - c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service as disabled. Upon removal of the disability and the restoration of the deacon to health, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.
  - d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the deacon, if appropriate. If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.

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e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds majority vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a simple majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.

f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

\*C9.26. The deacon shall make satisfactory settlement of all financial obligations to a former congregation before:

- a. installation in another field of labor, or
- b. the issuance of a certificate of dismissal or transfer.

\*C9.27. When a deacon is called to serve in company with another rostered minister or other rostered ministers, the privileges and responsibilities of each rostered minister shall be specified in documents to accompany the call and to be drafted in consultation involving the rostered ministers, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.

\*C9.28. With the approval of the bishop of the synod, this congregation may depart from \*C9.25.a. and call a deacon for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the deacon and representatives of this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of \*C9.25.a.

\*C9.29. The deacon shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the deacon shall hold membership in one of the congregations.

C.30 (Reserved)

\*C9.31. The deacon(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

**Chapter 10.**

**CONGREGATION MEETING**

- C10.01 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 the pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of the congregation upon the written request of voting members representing at least 10% of the average weekly worship attendance as reported in the most recent annual parochial report filed with the synod. The president of the Congregation Council shall call a special meeting upon request of the synodical bishop. The call for each special meeting shall specify the purpose(s) for which it is to be held and no other business shall be transacted. The vote(s) for the main question(s) for which a special meeting is called shall be taken by written ballot at the request of any one voting member present.
- C10.03 Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail, or electronic means, as permitted by state law, to all voting members at least 10 calendar days in advance of the date of the meeting.
- C10.04 Voting members representing at least 20% of the average weekly worship attendance as reported in the most recent annual parochial report filed with the synod shall constitute a quorum.
- 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, the bylaws or by state law.
- C10.07 *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all meetings of this congregation.
- C10.08 All references in this constitution or in the bylaws to "year" or "years" as a measure of term length shall mean fiscal years of TELC. In the event of a change in fiscal year approved pursuant to an amendment to the constitution or bylaws, transitional adjustments may be made that result in temporary increases in the membership of Congregation Council (Chapter 12), or Congregation Committees (Chapter 13). Transitional adjustments may also be made that shorten (but not lengthen) the terms of any elected or appointed Officer (Chapter 11), member of Congregation Council or Congregation Committee in order to conform to the changed fiscal year. The manner and timing of implementing any such transitional adjustments shall be at the discretion of Congregation Council.

## Chapter 11.

### OFFICERS

- C11.01 The officers of this congregation shall be a president, vice president, secretary, and treasurer.
- Duties of the officers shall be specified in the bylaws.
  - The officers shall be voting members of the congregation.
  - The president, vice president, and secretary of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.
  - The president, vice president, and secretary shall be selected from the elected membership of the Congregation Council. If the treasurer is not selected from the elected membership of the Congregation Council, the treasurer shall have voice but not vote at the meetings of the Congregation Council.
- C11.02 The Congregation Council shall elect the president, vice president and secretary, and appoint a treasurer, and they shall be the officers of the congregation. The president, vice president and secretary shall be elected by “Roman ballot<sup>1</sup>,” and the treasurer appointed, at a special Congregation Council meeting (notice for which shall be waived) to be held **immediately no later than two weeks** following the annual Congregation meeting. Each officer’s term shall begin at the close of the special Congregation Council meeting at which they are elected or appointed and shall end at the close of the following year’s special Congregation Council meeting at which their successor is elected or appointed.
- C11.03 No officer shall hold more than one office at a time. No elected officer shall be eligible to serve more than two consecutive years in the same office, except the office of the treasurer, who shall serve at the discretion of Congregation Council.
- C11.04. Should an office be declared vacant, the Congregation Council shall appoint a successor to serve until the next **special Congregation Council meeting referred to in C11.02 annual Congregation meeting.** Such successor’s term of office shall begin at the close of the Congregation Council meeting at which he or she is elected or appointed.
- C11.05 In the event of a vacancy in the office of the president, and until such time as a new president has been duly elected; the order of succession to conduct the duties of the president shall be (a) the vice president, then (b) the secretary and then (c) the treasurer.
- C11.06. The Congregation Council may appoint a financial secretary, the duties of whom shall be specified in the bylaws. The financial secretary must be a voting member of the congregation. Term of office shall be one year or until a successor is appointed, with no limit on the number of consecutive terms.

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<sup>1</sup> In the Roman ballot, there are no nominations prior to voting. In the first round, each member of Council submits a written ballot for the position being elected. If there is a majority for one person, then that person is elected to the position. If there is no majority for one person, then the top two vote getters become the nominees for the position, and written balloting continues until one of those two persons is elected by a majority of the ballots cast.

## Chapter 12.

### CONGREGATION COUNCIL

- C12.01 The voting membership of the Congregation Council shall consist of the pastor(s) and ~~not more than 12 nor fewer than 8~~ members of the congregation, ~~such number to be determined by the Council in consultation with the pastor(s)~~. Any voting member of the congregation, except paid employees of the congregation (other than the pastor(s)), 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) becomes a paid employee of this congregation. A member's place on the Congregation Council *may* be declared vacant by a majority vote of those Congregation Council members present if the member is absent from four regular meetings of the Congregation Council during any one fiscal year. Consistent with the laws of the Commonwealth of Pennsylvania, 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 at the annual Congregation meeting by written ballot to serve for the shorter of (i) the remaining term of a vacancy that is being filled, (ii) 2 years or (iii) until ~~the beginning of their successors' term are elected~~. Their terms shall begin at the ~~close of the annual meeting at which they are elected~~ commencement of the special Congregation Council meeting referred to in C11.02. Such members shall be eligible to serve no more than two full terms consecutively, in which case at least one year off of Congregation Council shall be required before such member is eligible to serve again. Newly elected Congregation Council members may be installed at a Sunday worship service following their election.
- C12.03 Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall choose, by majority vote of those members present, a successor until the next annual meeting. Such successor's term of office shall begin at the close of the Congregation Council meeting at which he or she is elected.
- 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.
  - ~~e) To seek out and encourage qualified persons to prepare for the ministry of the Gospel.~~
  - ~~d) To oversee and provide for the administration of this congregation (which shall include maintaining proper and appropriate records) to enable it to fulfill its functions and perform its mission.~~
  - e)d) To maintain supportive relationships with the ~~pastor~~rostered minister(s) and staff and establish policies and procedures to annually evaluate the fulfillment of their calling or employment.

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- ~~f)e)~~ To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
- ~~g)f)~~ To promote a congregational climate of peace and goodwill, and, as differences and conflicts arise, to endeavor to foster mutual understanding.
- ~~h)g)~~ To arrange for pastoral service during a prolonged sickness or absence of the pastor.
- ~~i)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 Commonwealth of Pennsylvania, 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 have charge of the cemetery of the congregation. They shall adopt rules from time to time to properly administer it. Such rules shall be outlined in the continuing resolutions and shall be binding on all members and lot holders.
  - d) The Congregation Council may enter into contracts for operating expenditures not included in the operating budget which in the aggregate do not exceed 5% of the annual operating budget approved by the Congregation. The Congregation Council may also enter into contracts for non-operating expenditures (e.g., property improvements, Steeple renovation, stained glass windows, etc.) which in the aggregate are not more than 15% greater than the funds on hand or pledged for such purposes. The Congregation Council may enter into contracts in excess of these limits only after securing approval by a majority vote of voting members present at a Congregation meeting.
  - e) The Congregation Council shall oversee the preparation and presentation of an annual operating budget for adoption by this congregation and supervise the expenditure of funds in accordance therewith following its adoption. The operating budget shall include an allocation of funds in support of the wider ministry being carried on in partnership with the synod and churchwide organization.
  - f) 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 periodic forwarding of benevolence monies to the synodical treasurer.
  - g) The Congregation Council shall be responsible for this congregation's investments (which shall include, but not be limited to, overseeing the work of the Endowment Committee) and its total insurance program.

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- C12.06 The Congregation Council shall see that the provisions of this constitution, its bylaws, and the continuing resolutions are carried out.
- C12.07 The Congregation Council shall provide for an annual review of the membership roster.
- C12.08 The Congregation Council shall be responsible for the employment and supervision of the staff of this congregation. Council may appoint an individual to direct and supervise the functions and operations of the staff on a daily basis. Nothing in this provision shall be deemed to affect the congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church.
- C12.09 The Congregation Council shall oversee the preparation of a comprehensive report to be submitted to this congregation at the annual meeting.
- C12.10 (Reserved)
- C12.11 The Congregation Council shall normally meet ~~once a month~~ at least twice per calendar quarter. 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 may be delivered electronically and shall be given at least 5 calendar days in advance to all who are entitled to be present. Such notice may be waived by a majority vote of all Congregation Council members.
- 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 been given the agenda for a particular regular or special meeting, which shall be the only business acted upon at that meeting. Chronic or repeated absence of the pastor or interim pastor shall not preclude action by the Congregation Council, following notification to the synodical bishop.
- C12.13 Voting by proxy or by absentee ballot shall not be permitted.
- C12.14 All actions approved by the Congregation Council shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution, the bylaws or by Commonwealth of Pennsylvania law.
- C12.15 Robert's Rules of Order, latest edition, shall govern parliamentary procedure of all meetings of the Congregation Council.
- C12.16 The Congregation Council and its committees may hold meetings by remote communication, including electronically and by telephone conference, and, to the extent permitted by state law, notice of all meetings may be provided electronically.

## Chapter 13.

### CONGREGATION COMMITTEES

- C13.01 All Congregational Committee positions must be advertised in the Church Bulletin.
- C13.02 A *Mutual Ministry* of ~~5~~ six voting members of this congregation (of which each gender shall be represented by at least 2 members) shall be selected by the president and the ~~pastor~~ rostered minister, and ratified by the Congregation Council. Term of office shall be two years, with three members to be selected and ratified each year. Members shall not be eligible to serve more than two consecutive years/terms.
- C13.03 A *Nominating Committee* of ~~four to~~ six voting members of this congregation, such number to be determined by the Council in consultation with the pastor(s), two of whom, if possible, shall be outgoing members of the Congregation Council, shall be elected at the annual meeting for a term of one year. Members of the Nominating Committee are not eligible for consecutive reelection.
- C13.04 An *Audit Committee* of three voting members of this congregation shall be appointed by the Congregation Council. Audit Committee members shall not have been the treasurer or financial secretary, nor a pastor, ~~or~~ paid employee or officer of this congregation, ~~nor a member of the Endowment Committee or Congregation Council, nor an officer of the congregation,~~ at any time during the fiscal year(s) under audit. Term of office shall be three years, with one member appointed each year. Members shall be eligible for reelection, but shall not serve more than 2 consecutive terms.
- C13.05 A *Personnel Committee* of ~~six~~ four voting members shall be nominated by the Nominating Committee and appointed by the Congregation Council. The Congregation Council may consider nominations from any other source as well. ~~The Pastor(s), Officers and p~~aid employees of the congregation (except for the senior pastor) are not eligible to be members of the Personnel Committee. Term of office shall be two years, with three ~~two~~ members to be elected each successive year. Members shall not be eligible to serve more than 2 consecutive terms.
- C13.06 When a pastoral vacancy or other roster position occurs, a *Call Committee* of six voting members shall be nominated by the ~~Personnel Committee and the~~ Congregation Council and elected by the congregation. Term of office will terminate upon installation of the newly called pastor or rostered employee.
- C13.07 An *Endowment Fund Committee* of four voting members of this congregation shall be nominated by the Nominating Committee and elected by the congregation at the annual meeting. The term of office will be two years, with two members elected each year. Members shall not be eligible to serve more than two consecutive terms.
- C13.08 Other ministries and committees of this congregation may be formed, merged or discontinued, as the need arises, by decision of the Congregation Council.

- C13.09 Duties of ~~all Congregational Committees~~ ~~ministries outlined above and all standing committees~~ of this congregation shall be specified in the bylaws. Duties of standing committees of this congregation shall be specified in the continuing resolutions.
- C13.10 The senior pastor and the president of this congregation shall be ex officio members of all committees and ministries of the congregation, except the Audit Committee ~~and the Nominating Committee~~ ~~and the Personnel 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 Persistent and public denial of the Christian faith, willful or criminal conduct grossly unbecoming a member of the Church of Christ, continual and intentional interference with the ministry of the congregation, or willful and repeated harassment or defamation of member(s) of the congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will be attempted following Matthew 18:15-17, proceeding through these successive steps, as necessary: a) private counsel and admonition by the pastor, b) censure and admonition by the pastor in the presence of two or three witnesses, c) written referral of the matter by the Congregation Council to the vice president of the synod, who will refer it to a consultation panel drawn from the Consultation Committee of the synod, and d) written referral of the matter by the consultation panel to the Committee on Discipline of the synod. If, for any reason, the pastor is unable to administer the admonitions required by paragraphs a. and b. hereof, those steps may be performed by another pastor chosen by the Congregation Council.
- \*C15.02 The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America. If the counseling, censure, and admonitions pursuant to C15.01 do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The

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- vice president shall select from the synod's Consultation Committee a panel of five members (three lay persons and two ~~clergy~~ ministers of Word and Sacrament). A copy of the written charges shall be provided to the consultation panel and the accused member(s). The consultation panel, after requesting a written reply to the charges from the accused member(s), shall consider the matter and seek a resolution by means of investigation, consultation, mediation, or whatever other means may seem appropriate. The panel's efforts to reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it.
- \*C15.03 If the consultation panel fails to resolve the matter, that panel shall refer the case in writing, including the written charges and the accused member's reply, to the Committee on Discipline of the synod for a hearing. A copy of the panel's written referral shall be delivered to the vice president of the synod, the Congregation Council, and the accused member(s) at the same time it is sent to the Committee on Discipline of the synod. The Executive Committee of the Synod Council shall then select six members from the Committee on Discipline to decide the case, and shall appoint a member of the Synod Council to preside as nonvoting chair. Those six members plus the nonvoting chair comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the parties to the case.
- \*C15.04 The discipline hearing panel shall commence and conduct the disciplinary hearing in accordance with the provisions governing discipline of congregation members prescribed in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.
- \*C15.05 By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:
- suspension from the privileges of congregation membership for a designated period of time;
  - suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
  - termination of membership in the congregation; or
  - termination of membership in the congregation and exclusion from the church property and from all congregation activities.
- \*C15.06 The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next eCouncil meeting.
- \*C15.07 No member of the congregation shall be subject to discipline a second time for offenses that a discipline hearing panel has heard previously and decided pursuant to this chapter.

C15.08 & C15.09 (Reserved)

\*C15.10 **Adjudication**

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- \*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 president 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 that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting. Notification may take place by mail or electronic means, as permitted by state law.~~
- ~~\*C16.04—Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.~~

### **Chapter 167.**

#### **AMENDMENTS**

- \*C167.01 Unless provision \*C167.04 is applicable, those sections of this constitution that are not required, in accordance 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 voting members representing at least 10% of the average weekly worship attendance as reported in the most recent annual parochial report filed with the synod, 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 voting members of the proposal together with the Council's recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.

## Proposed Amendments to Constitution and By-laws of Trinity Evangelical Lutheran Church

- \*C167.02 An amendment to this constitution, proposed under \*C167.01., shall:
- be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those voting members present and voting;
  - be ratified without change at the next annual meeting by a two-thirds ~~majority~~ vote of those voting members present and voting; and
  - have the effective date included in the resolution<sup>2</sup> and noted in the constitution.
- \*C167.03 Any amendments to this constitution that result from the processes provided in \*C167.01 and \*C167.02 shall be sent by the secretary of this congregation to the synod. The synod shall notify the congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.
- \*C167.04 This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* as most recently amended by the Churchwide Assembly. Such amendments may be approved by a ~~simple~~ majority vote of those voting members present and voting at any legally called meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail, or electronic means, as permitted by state law, notice to the congregation of such an amendment or amendments, together with the ~~e~~Council's recommendations, at least 30 days prior to the meeting. Upon the request of at least two (2) voting members of the congregation ~~representing at least 10% of the average weekly worship attendance as reported in the most recent annual parochial report filed with the synod~~, 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.
- C167.05 This constitution, its bylaws and the continuing resolutions may be changed to correct typographical errors as long as such corrections do not alter the intent of these governing documents. Such changes may be approved by a simple majority vote of Congregation Council, subject to approval by a simple majority vote of those voting members of the congregation present and voting at any legally-called meeting of the congregation. Such changes shall not require prior notice nor be presented at a prior meeting of the congregation. Following the adoption of such a change, the secretary of the congregation shall submit a copy thereof to the synod. Such changes shall become effective immediately following a congregational vote of approval.

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<sup>2</sup> Such an effective date must be stated in relation to the requirements of \*C17.03 to allow time for synodical review of the amendment.

- C167.06 In conformance with the ELCA Constitution, any section, clause or portion of any amendment to this Constitution or the bylaws approved by the Congregation of TELC and subsequently determined by the Synod of Southwestern Pennsylvania to be contrary to requirements of the ELCA Constitution shall be null and void and of no effect. However, nullification of any section, clause or portion of any amendment or series of amendments by ruling of the Synod shall have no impact upon the remaining sections, clauses or portions of the amendments to the Constitution and/or bylaws previously approved by the Congregation, which shall remain in full force and effect.

## Chapter 17.

### BYLAWS

\*C17.01. This congregation may adopt bylaws. No bylaw may conflict with this constitution.

\*C17.02. Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a majority vote of those voting members present and voting.

\*C17.03. Changes to the bylaws may be proposed by any voting member, provided that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify this congregation's members of the proposal with the Council's recommendations at least 30 days in advance of the Congregation Meeting. Notification may take place by mail or electronic means, as permitted by state law.

\*C17.04. Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.

## **Chapter 18.**

### **CONTINUING RESOLUTIONS<sup>3</sup>**

- \*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.
- C18.03 Continuing resolutions shall be recorded in a central location, either physical or electronic, which is easily accessible.

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<sup>3</sup> A *Continuing Resolution* is a policy or procedure enacted by the congregation or Congregation Council that is subordinate to the constitution and bylaws.

- C18.04 Continuing resolutions shall be reviewed by the Congregation Council at least every ~~two~~three years during the constitution review period. The review will consist of determining whether or not a Continuing Resolution needs to be rescinded, modified, or left in place.
- C18.05 Amendment of the Constitution or bylaws shall have the effect of repealing any and all Continuing Resolutions previously enacted by the Congregation or the Council in so far as they are inconsistent with the Constitution and bylaws, as amended.

## **Chapter 19.**

### **INDEMNIFICATION**

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

## **Chapter 20 (Reserved for Parish Authorization)**

## **Chapter 21.**

### **ELECTRONIC DELIVERY OF NOTICES**

- C21.01 For purposes of subsections \*C6.05(b) and \*C6.05(d), electronic notice may be used in lieu of regular mail for those voting members (a) having a last known address outside of Allegheny County, Butler County or Beaver County, Pennsylvania or (b) who have indicated receipt of the electronic notice by means of a “delivery” or “read” receipt returned to the church office no later than the particular notice date specified in each of the aforementioned subsections.

## BYLAWS

### B1.01 USE OF CORPORATE SEAL

- B1.01.01 The corporate seal ~~can~~ **shall** be affixed by the Congregation secretary to baptismal, confirmation, marriage and other official certificates and documents of this congregation that have received appropriate action by the Pastor or the Congregation Council.

### B4.04 ORGANIZATIONAL STRUCTURE

- B4.04.01 Committees (which may also be referred to as “ministries”) shall be of three types: standing, congregation or ad hoc. Congregation Council is responsible for the oversight of all committees. Council, at its discretion, may assign one or more of its members to act as liaisons with any of the committees. Council liaisons may attend and participate in committee meetings but shall not vote on committee business unless they were already a member of that committee.

- B4.04.02 Standing ministries are ongoing committees that meet regularly to carry out the normal functions of the congregation. As stewards of Christ's work, each standing ministry shall proactively seek to include new participants in the working of the ministry and encourage the congregation's involvement in the projects and activities of the ministry. Council, at its discretion, may add, eliminate, merge or amend the function of any standing committee it deems necessary or desirable to carry out the mission of the church. The standing ministries may consist of the following committees, which may change from time to time:

- Christian Education
- Worship and Music
- Property
- Stewardship
- Community and Evangelism
- Finance
- Cemetery
- Youth
- Strategic Planning
- Discipleship

- B4.04.03 Congregational Committees and Ministries meet as needed and consist of:

- Mutual
- Personnel
- Audit
- Call
- Nominating
- Endowment Fund

- B4.04.04 Ad Hoc Committees are temporary committees formed to address specific needs, with members appointed by the Congregation Council.

## Proposed Amendments to Constitution and By-laws of Trinity Evangelical Lutheran Church

- B4.04.05 Except as specified in the constitution or bylaws, there shall be no limit to the size of any standing or ad hoc committee, no requirement for membership thereon other than being a voting member of the congregation, and no limit to the term thereon.
- B4.04.06 Each congregation committee and standing committee shall provide accurate minutes of all of their meetings to the Congregation Council on a timely basis.
- B4.04.07 Each congregation and standing committee shall also submit a report of their activities in such format and according to such timetable as may be reasonably requested by the Congregation Council. Each such committee shall also prepare a summary of their activities and future plans and objectives for Council's use in overseeing the preparation of a comprehensive annual report to the congregation as per C.12.09.

### B8.05 **REMOVAL FROM THE MEMBERSHIP ROLLS DUE TO INACTIVITY**

- B8.05.01 A member who ceases to meet the requirements to be a voting member of the congregation as set forth in \*C8.02.c. may be deemed to have resigned from membership due to inactivity, and shall be removed from the membership rolls upon vote of the Congregation Council. Prior to being removed from the membership rolls, the member shall be contacted and advised of such pending removal and be given opportunity to commune and make a contribution of record to the congregation. Removal from membership for inactivity shall not be disciplinary in nature, and shall not be governed by Chapter 15 of the Constitution.
- B8.05.02 To be re-instated as a member of the congregation after being removed from the rolls, the former member must meet with the Pastor, reaffirm his/her faith, and be approved by Congregation Council in accordance with section \*C8.03.

### B10.01 **CONGREGATION MEETINGS**

- B10.01.01 This congregation shall use the calendar year as its fiscal year.
- B10.01.02 The annual meeting of the congregation shall be held on the third, ~~or fourth~~ or fifth Sunday of January on a date and at a time determined by the Congregation Council.

### B10.04 **DETERMINATION OF A QUORUM**

- B10.04.01 The Council secretary shall bring a current listing of voting members to each congregation meeting and be responsible for determining whether a quorum exists for the purpose(s) for which such meeting was called.

**B11.01 DUTIES OF OFFICERS**

B11.01.01 The duties of the president shall be to:

- a. preside over Congregation Council and Congregation Meetings;
- b. inform this congregation of Congregation Council actions;
- c. receive and respond to congregational correspondence; and
- d. address members' concerns.

B11.01.02 The duties of the vice-president shall be to serve as the president of this congregation during the president's absence and to lead the Constitutional Review Committee as provided in [the continuing resolutions B13.08.13](#).

B11.01.03 The duties of the secretary shall be to:

- a. keep accurate minutes of all meetings of this congregation and of the Congregation Council in a manner prescribed by the Congregation Council, which shall be preserved permanently in its archives;
- b. be responsible for delivery of notice of congregation and Congregation Council meetings;
- c. hold in safekeeping all documents designated by the Congregation Council (including, but not limited to, the constitution, its bylaws and the continuing resolutions);
- d. bring a current listing of voting members to each congregation meeting to determine whether a quorum exists for the purpose(s) for which such meeting was called; and
- e. affix the corporate seal to appropriate documents in accordance with B1.01.01.

B11.01.04 The duties of the treasurer shall be as follows:

- a. to maintain proper books of account of this congregation and make such books available for inspection by any voting member of the congregation upon reasonable notice and at a reasonable time;
- b. receive from the financial secretary a record of all funds received by and belonging to the congregation;
- c. be responsible for receiving all bills and paying out all moneys upon proper authorization by the congregation or Congregation Council;
- d. file all appropriate payroll reports; and
- e. make a written report setting forth receipts, expenditures, fund balances and indebtedness in reasonable detail to the Congregation Council monthly and to this congregation at its annual meeting.

**B11.06 DUTIES OF THE FINANCIAL SECRETARY**

B11.06.01 The duties of the financial secretary shall be as follows:

- a. be responsible for receiving, recording and placing in safe-keeping all moneys received by and belonging to the congregation;
- b. furnish the treasurer with a record of such receipts (but not the detail of individual contributions);
- c. be in charge of the accounts of individual contributions;
- d. issue a statement of year-to-date contributions to each confirmed member at least ~~semi-~~[twice](#) annually;

## Proposed Amendments to Constitution and By-laws of Trinity Evangelical Lutheran Church

- e. annually furnish the Congregation Council with a list of members who did not make a contribution of record in the current or preceding calendar year so that Council may undertake the review of the membership rolls required by C12.07 and B8.05; and
- f. make a written report setting forth receipts in reasonable detail (but not the detail of individual contributions) to the Congregation Council monthly and to this congregation at its annual meeting.

### B12.01 **RECALL AND REMOVAL OF CONGREGATION COUNCIL MEMBERS**

B12.01.01 This congregation may recall a Congregation Council member for cause. Cause shall include among other things: conduct not in keeping with the tenets of the Evangelical Lutheran Church in America, failure to fulfill their duties as a member of eCouncil, behavior which may reflect negatively to this congregation's position within the community, criminal activity, or acts of hate that do not portray the love of Christ. A petition signed by voting members of this congregation representing at least 10% of the average weekly worship attendance as reported in the most recent annual parochial report filed with the synod may initiate such recall. In requiring cause to be shown, it shall be sufficient that:

- a) the petition states the reasoning for the recall being initiated, and
- b) the required signatures have been obtained.

Such petition shall be provided to the president who shall call a special Congregation Meeting for the sole purpose to consider such recall. The eCouncil member shall be recalled upon the majority vote of the voting members present and voting at such meeting.

B12.01.02 The Congregation Council on its own initiative may seek the removal of a eCouncil member. Such removal shall be for cause based upon one or more of the reasons set forth in section B12.01.01. In addition, eCouncil may for cause (as provided in C12.01.) remove a eCouncil member. Removal shall require that the member to be removed be informed in advance of the time and date of the meeting at which eCouncil will consider that eCouncil member's removal. Notice shall be deemed sufficient if given with the normal notice and material provided for any monthly eCouncil meeting. If a special meeting is to be called (that is a meeting which is not a normal monthly eCouncil meeting), written notice shall be given at least 2 weeks in advance of the time when the meeting is intended to be held. Upon ascertaining the necessary quorum, removal shall occur upon the agreement of two-thirds (2/3) of the eCouncil members present at such meeting.

B12.01.03 A member of Congregation Council may resign voluntarily, and such member's seat on Council shall be deemed vacant upon delivery of the resignation to the president or to the officer presiding at any regular meeting of the Congregation Council.

**B13.08 DUTIES OF MINISTRIES AND COMMITTEES**

**B13.08.01** Duties of Congregational Ministries and Committees are set forth below. Congregation Council may establish, review and change duties of standing and ad hoc ministries and committees as it deems necessary or desirable to carry out the mission of the church.

~~The Christian Education Ministry is responsible, with the Pastor, for:~~

~~planning, promoting and overseeing the Christian education programs of the congregation in accordance with ELCA doctrine and heritage;  
supervising the Sunday Church School and Vacation Bible School,;~~

~~recruiting, training and scheduling competent teachers for the Christian education programs;  
assisting the Pastor in the area of confirmation instruction;~~

~~encouraging the use of family devotions, and bringing the call to ministry of the Gospel and other church vocations to the attention of the members of the congregation;~~

~~managing the purchase and use of Christian Education curricula and supplies, including monitoring actual expenditures compared to budget; and~~

~~a. working closely with the Youth Ministry in order to ensure a complementary synthesis of materials and activities, and helping to manage and monitor the use of library materials.~~

~~B13.08.02 The Worship and Music Ministry, in partnership with the Pastor and the Minister of Music:~~

~~a. plans and implements the worship services of the congregation;~~

~~b. assists the Congregation Council in seeing that the services of God's house are conducted regularly and in accordance with the liturgy of the ELCA;~~

~~c. sees that competent altar guild members, lectors, ushers, acolytes, and communion assistants are recruited and trained;~~

~~d. supports the Minister of Music in striving to advance the welfare and effective service of the choirs of the congregation;~~

~~e. provides and cares for hymnals, vestments, musical instruments, musical supplies, chancel appointments such as paraments and communion vessels, and any other worship supplies; and~~

~~f. manages the purchase and use of Worship & Music and supplies, including monitoring actual expenditures compared to budget.~~

~~B13.08.03 The Property Ministry:~~

~~a. supervises the use of and maintains all properties owned by the congregation;~~

~~b. maintains a property inventory log, a property maintenance schedule and a list of reputable contractors for repair and maintenance services beyond the capabilities of congregational volunteers; and~~

~~c. manages the purchase and use of property repair, maintenance and operating supplies and equipment, including monitoring actual expenditures compared to budget.~~

~~B13.08.04 The Stewardship Ministry is responsible for congregational efforts that lead to informed and grateful giving and serves to:~~

~~a. evoke and promote the expression of Christian faith in daily living;~~

~~b. teach the Christian use of money;~~

~~c. diffuse knowledge of the congregation's local, national and world wide ministries;~~

~~d. lead all its members to higher levels of proportionate giving for the Lord's work; and~~

~~e. conduct the annual stewardship campaign.~~

## Proposed Amendments to Constitution and By-laws of Trinity Evangelical Lutheran Church

### ~~B13.08.05 The Community and Evangelism Ministry endeavors to:~~

- ~~a. make Christ known within our church family and the community at large;~~
- ~~b. inspire and lead all members and committees of the congregation to demonstrate that Christ is at the center of who we are and what we do;~~
- ~~c. further extend the Gospel to visitors, inactive members and the unchurched;~~
- ~~d. periodically study the surrounding community to ensure that the congregation provides a venue for meeting the community's spiritual needs;~~
- ~~e. help those in need (food, clothing, utility bills, medical expenses, etc.) within the congregation and the community at large. Persons in need are recommended by the Pastor or a member of the congregation and help is designated in a confidential manner; and~~
- ~~f. provide support and planning to use the congregation's resources in meeting the needs of social ministry institutions of the Synod and the community. The ministry seeks to be an example of discipleship by encouraging congregation members to realize their potential through personal service and not just by donating financial resources to meet such needs.~~

### ~~B13.08.06 The Finance Ministry:~~

- ~~a. assists the financial secretary by establishing policies and procedures for counting, recording, safe-keeping and depositing moneys received by and belonging to this congregation, including the supervision of offering counting teams;~~
- ~~b. assists the Congregation Council by analyzing giving and spending patterns, and drafting an operating budget for the succeeding year to be submitted to the Congregation Council for its review and consideration in advance of Council's recommendation of an operating budget to the congregation;~~
- ~~c. monitors actual spending compared to budget, projects cash flow and advises Congregation Council of material differences between actual and budgeted results;~~
- ~~d. recommends appropriate short and long term investments for funds in excess of current requirements;~~
- ~~e. assists the treasurer to ensure that all obligations are promptly paid; and~~
- ~~f. at least annually performs a review of the congregation's total insurance program and advises Congregational Council of changes that may be prudent.~~

### ~~B13.08.07 The Cemetery Ministry:~~

- ~~a. is responsible for the proper maintenance and supervision of the church cemetery;~~
- ~~b. shall maintain proper records in regards to cemetery plots and provide for the regular care of the cemetery; and~~
- ~~c. shall see that cemetery rules adopted by the Congregation Council are carried out.~~

### ~~B13.08.08 The Youth Ministry:~~

- ~~assists the Pastor, Youth Director or other person designated by Congregation Council to plan, promote and direct youth group retreats and activities;~~
- ~~provides training and support to ensure responsible adult leadership and supervision of youth group retreats and activities;~~
- ~~brings the call of ministry and other church vocations to the attention of the congregation's youth;~~
- ~~works in conjunction with other ministries of the congregation in the areas of service, fellowship, worship, education, and stewardship to encourage the youth to become involved in the life and mission of the congregation; and~~

## Proposed Amendments to Constitution and By-laws of Trinity Evangelical Lutheran Church

~~manages the purchase and use of operating supplies, equipment and event related expenditures needed to carry out the youth programs, including monitoring actual expenditures compared to budget.~~

### B13.08.02~~9~~

The Personnel Ministry assists Council to discharge the human resources management function for the congregation. It is responsible for:

- a. coordinating annual staff performance reviews;
- b. monitoring the performance of new staff members periodically until they are subject to the annual review process;
- c. making salary recommendations to Council based upon market studies and performance;
- d. developing plans for personnel matters, ongoing performance issues, and personnel development;
- e. addressing new staff requirements ~~and advising Call Committees~~; and
- f. reviewing job descriptions annually and recommending changes to Congregation Council.

### B13.08.03~~10~~

The Audit Committee:

- a. shall perform annual audits (following the ELCA Audit Guide to the extent applicable) of the accounts maintained by the financial secretary, treasurer, and the Endowment Fund Committee;
- b. shall recommend potential improvements in financial policies and procedures that come to its attention as a result of such audits; and
- c. reports directly to the Congregation Council and presents its most recently completed audit report to this congregation at the annual congregation meeting.

B13.08.04~~11~~ A Call Committee is formed when an ELCA rostered ~~or non-rostered~~ staff vacancy occurs. ~~In the case of a pastoral or other rostered vacancy, t~~The committee shall work with the Synod so that necessary guidelines are followed. ~~In the case of a non-rostered vacancy, the duties of the Call Committee for non-rostered persons shall include:~~

- a. ~~formulating and submitting to council for approval a job description, including necessary qualifications and characteristics of the candidate,~~
- b. ~~advertising the position,~~
- c. ~~screening resumes and scheduling interviews~~
- d. ~~forming an interview panel to include the Call Committee at a minimum and other members of the congregation as appropriate to ensure representation from all concerned segments of the congregation,~~
- e. ~~interviewing potential candidates, and~~
- f. ~~discussing candidates with the interview panel and voting on and making a recommendation to council.~~

~~The term of the Call Committee members ends at such time as a call/offer of employment has been accepted.~~

B13.08.05~~12~~ The Nominating Committee ~~advertises for and~~ recruits candidates for Congregation Council, the Endowment Fund Committee, Nominating Committee and Personnel Committee. The Nominating Committee should attempt to broaden the involvement of members of this congregation in the life of the Church.

~~B13.08.13~~

~~Congregation Council may from time to time (but no less than every other third year) form an ad hoc Constitutional Review Committee headed by the vice president to:~~

- ~~a. ensure that the congregation's constitution is updated to comply with the ELCA's most current model constitution, and that the bylaws and continuing resolutions are kept up to date and do not conflict with the constitution;~~
- ~~b. participate in the conduct of any Congregation Meeting to approve changes to the constitution or bylaws;~~
- ~~c. present educational sessions to the Congregation Council to insure that the Congregation Council is knowledgeable of the requirements of the constitution; and~~
- ~~d. encourage the Congregation Council standing committee liaisons to review the sections of the constitution that apply to that standing committee with that committee's members.~~

B13.08.06~~14~~ The Mutual Ministry Committee, together with the pastor, shall:

- a. be responsible for affirming and strengthening the mission of the congregation and the ministry of the staff, through listening and clarifying, sharing and communicating and reviewing and reflecting;
- b. develop open communications about expectations, attitudes and concerns with the pastor and the staff, within the congregation, and in the community;
- c. advise planned continuing education that benefits both the mission of the congregation and the ministry of the staff;
- d. act as a "sounding board" in time of personal or professional stress; and
- e. serve as a group where the pastor and staff can test new ideas.

B13.08.07~~15~~ The duties of the Endowment Fund Committee shall be to:

- a. encourage gifts to the Endowment Fund through education and promotion of the Fund. The committee may use the services of the ELCA Foundation Regional Gift Planner in assisting members with the best way to include the Endowment Fund in their current giving and estate plans;
- b. accept undesignated gifts received by the Congregation, such as, but not limited to, bequests, life insurance proceeds and remainders from life income agreements, that Congregation Council determines should be placed in the Endowment Fund;
- c. receive and celebrate gifts given for ministry through the Endowment Fund and maintain a permanent book of remembrance of donors to the Endowment Fund;
- d. use discretion to decline a gift if deemed to be in the best interest of the Endowment Fund;
- e. determine how the Fund assets will be invested, including the asset allocation. The investment objective will be to provide long-term growth so the annual distribution will keep pace with inflation, i.e. the annual distribution will maintain its purchasing power. In any event, all investments shall be invested with outside investment advisors. No committee member shall invest the assets in a way that would bring private remuneration to that individual;
- f. report at least quarterly to the Congregation Council on any and all activity within the Fund. Current balance, additions, distributions and any other activity shall be included with the report. Annual accounting and a report of ministries supported through the Fund shall be created at its November meeting and distributed to the Congregation at its annual meeting;

- g. make distributions on ~~the first day~~ January 31st of each fiscal year in which the Endowment Fund balance exceeds \$150,000 in an aggregate amount ~~equal to 5%~~ not less than 1% nor more than 6% of the average fair market value of the Endowment Fund balance for the previous eight quarters ~~as of the beginning of the prior fiscal year~~;
- h. fulfill the purpose of the Endowment Fund by allocating the annual distributions to the ministries stated below:
  - 1. ~~Minimum of 15~~ 30% for outreach (whether into or beyond the local community or Southwestern Pennsylvania Synod of the ELCA) as the Committee determines;
  - 2. ~~Minimum of 15~~ 70% to the particular missions, ministries, and accounts as determined by Congregation Council as part of the annual budgeting process; and ~~outreach beyond the local community or Southwestern Pennsylvania Synod of the ELCA as the Committee determines;~~
  - 3. ~~Minimum of 15% for extraordinary needs, capital improvements, or other ministry initiatives within this congregation;~~
  - 4. ~~Remaining 55% distributed through any of the above categories; and~~
- i. respond to Congregation Council request, ~~under an unforeseen emergency situation~~, to use ~~principal of money from~~ the Endowment Fund in excess of the annual distribution set forth above. ~~to help the Congregation rectify an economically devastating situation. This~~ Any amount of invasion such “excess distribution” must be approved by ~~a two-thirds majority~~ of the voting members of the Congregation present and voting at a special Congregation meeting called for this purpose or at the annual meeting of the Congregation (in which latter case notice of the proposed “excess distribution” shall be included with the notices for such annual meeting).

## B19.01 INDEMNIFICATION

- B19.01.01 In conformity with the laws of the Commonwealth of Pennsylvania found at 15PA.C.S.A., subchapters B and D, this congregation maintains that the members of Congregation Council, acting in their capacity as directors for this non-profit corporation, shall not be personally liable for any action taken in their capacity as members of Congregation Council, and the congregation shall, upon effectuation of the procedures set forth in the afore-mentioned statutes, defend and indemnify such eCouncil members from claims of liability to the congregation or to the third parties, unless: 1) the eCouncil members has breached or failed to perform the duties of the office as set forth in Subchapter B of Chapter 57 of Title 15 Pa. C.S.A., and 2) such breach or failure to perform constitutes an act of self-dealing, willful mis-conduct, or recklessness. The congregation hereby incorporates by reference the provisions and protections of subchapters B and D of 15 Pa. C.S.A. in order to protect all those who serve on eCouncil, and any and all other officers, agents and/or members of the congregation who are permitted to be indemnified by this non-profit corporation by said statute and for the purposes set forth therein.