



**Evangelical Lutheran
Church in America**

God's work. Our hands.

CONSTITUTION

FOR

MOUNTAIN VIEW LUTHERAN CHURCH

OF THE

EVANGELICAL LUTHERAN

CHURCH IN AMERICA[®]

2021

INTRODUCTION to the *Model Constitution for Congregations*

The *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, like the other governing documents of this church, reflects the theology and polity of this church as it organizes itself to preach the gospel of Jesus Christ, share the sacraments, reach out to the neighbor with good news and share the love of God in the world. Each expression of this church — churchwide, synod, and congregation — is held together in a relationship of interdependence that encourages each to respond to its context. These documents also demonstrate our commitment to seeing ourselves with others as part of the one, holy, catholic, and apostolic Church. As such, the *Model Constitution for Congregations* is deeply rooted in Scripture, the Lutheran Confessions, and the history of this church and its predecessors.

The *Model Constitution for Congregations* was adopted by the Constituting Convention of the Evangelical Lutheran Church in America, as required by the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. This current edition of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* contains changes adopted by all churchwide assemblies, including the fifteenth Churchwide Assembly in 2019. It is consistent with the requirements of the governing documents of the ELCA's churchwide organization and synods, and it provides organizational flexibility to recognize the context of local congregations.

➤ **Required provisions.** Sections of this constitution marked by an asterisk [*] are required when a congregation amends its governing documents. These sections must be used without alteration or amendment of the text in any manner (*i.e.*, neither additions nor deletions are permissible). This requirement is based on provision 9.52. in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. This provision requires that when a congregation of this church “wishes to amend any provision of its governing documents, the governing documents of that congregation shall be so amended to conform to 9.25.b.” in the churchwide constitution. Provisions in the *Model Constitution for Congregations* identified by an asterisk [*] are those required under ELCA constitutional provision 9.25.b.

➤ **Review by synod.** Each congregation of this church is to provide a copy of its governing documents, and any amendments thereto, to its synod. In accordance with ELCA bylaw 9.53.03., amendments to a congregation constitution become effective *only* when approved by the synod. This bylaw provides:

All proposed changes in the constitution or incorporation documents of a congregation shall be referred to the synod with which the congregation is affiliated. 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. The synod shall recognize that congregations may organize themselves in a manner which they deem most appropriate.

No governing document amendment will be approved by a synod if it conflicts with the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. In order to meet constitutional requirements and to avoid potential problems, all proposed amendments to a congregation's constitutional provisions, bylaws, and continuing resolutions should be submitted to the synod for review.

➤ **Amendment consistent with the Model Constitution for Congregations:** A congregation that amends its constitution to be in conformity with the *Model Constitution for Congregations* will report these changes to its synod. The amendments become effective upon adoption by the congregation, *C16.04. While synod approval is not required, it is wise to work with the synod in preparing to present these amendments to the congregational meeting.

➤ **Codification explanation.** The *Model Constitution for Congregations* is organized into chapters by general subject matter and codified as (a) constitutional provisions, (b) bylaws, and (c) continuing resolutions. Each provision is preceded by a capital “C.” If a constitutional provision is mandatory, it will be preceded by an asterisk, “*C.”

- a. Constitutional provisions are codified with two sets of numbers, preceded by a “C”: the chapter number, followed by a period, and a two-digit number. A period follows the two-digit number. Thus, one required constitutional provision related to “Membership” in Chapter 8 is codified as “*C8.02.” A provision in Chapter 12 relating to a report by the Congregation Council to the congregation at an annual meeting is codified as “C12.09.” Constitutional provisions are adopted and amended in accordance with Chapter 16 titled “Amendments.”
- b. Bylaw provisions follow constitutional provisions to which they apply. They are not intended to be organized in a separate document at the end of the constitutional provisions. Bylaws are codified with three sets of numbers: the chapter number (preceded by a “C”), the related constitutional provision number, and a two-

digit number. There are periods after the chapter number, after the reference to the constitutional provision, and after the bylaw number. Thus, a bylaw provision related to “Membership” would be codified as “C8.02.01.” A bylaw relating to the contents of an annual report by the Congregation Council to the congregation at an annual meeting would be codified as “C12.09.01.” Because bylaws and continuing resolutions normally relate to specific practices and details of each congregation’s organization, operation, and life, there is not a model set of bylaws or continuing resolutions. Thus, each congregation has discretion and may develop its own bylaws and continuing resolutions, including bylaws and continuing resolutions under required constitutional provisions, but no such bylaw or continuing resolution may conflict with constitutional provisions in the *Model Constitution for Congregations*, the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, or the constitution of the synod, as indicated in *C6.03.e. Bylaws are adopted and amended in accordance with Chapters 16 and 17.

- c. Continuing resolutions are intended to provide descriptions of operational patterns and practices or of the ongoing responsibilities of committees or other units within the organizational structure of the congregation. They follow the relevant constitutional provision or bylaw to which they refer. Continuing resolutions also are codified with three sets of numbers, except that the third set is preceded by a capital letter. Thus, a continuing resolution describing congregational committees in Chapter 13 might be numbered “C13.07.A19.” The initial numbers “C13.07” indicate that the continuing resolution relates to the designated constitutional provision, which in this case provides that the duties of congregational committees may be specified in bylaws or continuing resolutions. The final letter and numbers “A19” designate that this is the first continuing resolution “A” and the year that it was adopted, in this example 2019. Continuing resolutions are adopted and amended in accordance with Chapter 18. Unlike constitutional provisions and bylaws which are adopted by the congregation at a legally called and conducted meeting, continuing resolutions may be adopted either by a congregational meeting or by the Congregation Council.

➤ **Missing numbers:** You will notice that certain numbers are missing from the numbering sequence in some chapters. These omissions are intentional. For example, in some chapters the number “.10.” and multiples thereof have been reserved for possible use as section headings in future editions.

➤ **Selection of options:** Alternatives are provided in some places within the *Model Constitution for Congregations*. Alternatives are noted by brackets or blank lines. For example, constitutional provision *C9.01. offers the alternative of election of a call committee by the congregation or by the Congregation Council. Only one alternative should be chosen in each instance where brackets appear in the text. In other provisions, alternative provisions are provided. Thus, in Chapters 11 and 12, regarding “Officers” and “Congregation Council,” options are provided separated by the word “or.” Each congregation should select one of those options, subject to approval through the synod’s constitutional review process. Where a blank line appears, such as in C1.01. or C10.02., the appropriate word, phrase, or number determined by the individual congregation should be inserted.

➤ **References to church:** In the governing documents, “Church” with a capital letter refers to the one, holy, catholic, and apostolic Church. The words “church” or “this church” in lowercase letters refer to the Evangelical Lutheran Church in America. The specific congregation may be identified, as provided in C1.02., as “this congregation.”

➤ **Guidelines:** A list of guidelines for a congregation engaging in review and amendment of its constitution is available through each synod office and at ELCA.org.

➤ **Consultation and concluding comments:** Each synod has a process to review proposed amendments to congregational constitutions. The work of both congregations in amending their governing documents and the synod in reviewing proposed amendments is facilitated by consultation and cooperation *before* proposed amendments are acted upon by the congregation. In addition, each congregation should establish a process for periodic review of its governing documents. You are encouraged to contact your synod office to assist your congregation in its periodic review of governing document provisions and to assess whether problems may exist with respect to proposed amendments.

The important task of amending a constitution is challenging. It is, however, an essential endeavor that merits thoughtful work. In addressing your constitutional responsibilities, may God grant you and your colleagues wisdom, discernment, and commitment to the unity of this church in faithful witness to our Lord and Savior, Jesus Christ.

Secretary Wm Chris Boerger
Evangelical Lutheran Church in America
August 10, 2019

CONSTITUTION
of
MOUNTAIN VIEW LUTHERAN CHURCH
of the
EVANGELICAL LUTHERAN
CHURCH IN AMERICA®

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

Chapter 2.

CONFESSION OF FAITH

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

* Required provision

Chapter 3.

NATURE OF THE CHURCH

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

Chapter 4.

STATEMENT OF PURPOSE

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

- h. Foster and participate in interdependent relationships with other congregations, the synod, and the churchwide organization of the Evangelical Lutheran Church in America.
- i. Foster and participate in ecumenical relationships consistent with churchwide policy.
- *C4.04. This congregation shall develop an organizational structure to be described in the bylaws. The Congregation Council shall prepare descriptions of the responsibilities of each committee, task force, or other organizational group and shall review their actions. Such descriptions shall be contained in continuing resolutions in the section on the Congregation Committees.
- *C4.05. This congregation shall adopt and periodically review a mission statement which will provide specific direction for its programs.
- *C4.06. References herein to the nature of the relationship between the three expressions of this church—congregations, synods, and the churchwide organization—as being interdependent or as being in a partnership relationship describe the mutual responsibility of these expressions in God’s mission and the fulfillment of the purposes of this church as described in this chapter, and do not imply or describe the creation of partnerships, co-ventures, agencies, or other legal relationships recognized in civil law.

Chapter 5.

POWERS OF THE CONGREGATION

- *C5.01. The powers of this congregation are those necessary to fulfill its purpose.
- *C5.02. The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws.
- *C5.03. Only such authority as is delegated to the Congregation Council or other organizational units in this congregation’s governing documents is recognized. All remaining authority is retained by this congregation. This congregation is authorized to:
 - a. call a pastor as provided in Chapter 9;
 - b. terminate the call of a pastor as provided in Chapter 9;
 - c. call a minister of Word and Service;
 - d. terminate the call of a minister of Word and Service in conformity with the constitution of the Evangelical Lutheran Church in America;
 - e. adopt amendments to the constitution, as provided in Chapter 16, amendments to the bylaws, as specified in Chapter 17, and continuing resolutions, as provided in Chapter 18;
 - f. approve the annual budget;
 - g. acquire real and personal property by gift, devise, purchase, or other lawful means;
 - h. hold title to and use its property for any and all activities consistent with its purpose;
 - i. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
 - j. elect its officers, Congregation Council, boards, and committees, and require them 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 elect from among its voting members laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected by this congregation and other qualifications shall be as prescribed in guidelines established by the Southwestern Washington Synod of the Evangelical Lutheran Church in America.
- C5.05. This congregation has a mission endowment fund. (see Chapter 20)

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 Washington Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.
- *C6.02. This congregation accepts the Confession of Faith and agrees to the purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.
- *C6.03. This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:
 - a. This congregation agrees to be responsible for its life as a Christian community.

- b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
 - c. This congregation agrees to call pastoral leadership from the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services with a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.
 - d. This congregation agrees to consider ministers of Word and Service for call to other staff positions in this congregation according to the procedures of the Evangelical Lutheran Church in America.
 - e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America and with the constitution of the synod.
- *C6.04.** Affiliation with the Evangelical Lutheran Church in America 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 or in accordance with provision 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America.
 - d. The Southwestern Washington Synod takes charge and control of the property of this congregation to hold, manage, and convey the same on behalf of the synod pursuant to †S13.24. of the synod constitution. This congregation shall have the right to appeal the decision to the next Synod Assembly.
 - e. This congregation follows the procedures outlined in *C6.05.
- *C6.05.** This congregation may terminate its relationship with the Evangelical Lutheran Church in America by the following procedure:
- a. A resolution indicating the intent to terminate its relationship must be adopted at two legally called and conducted special meetings of this congregation by a two-thirds vote of the voting members present at each meeting. The first such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time this congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the Congregation Council. Unless he or she is a voting member of this congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the first meeting.
 - b. Within 10 days after the resolution has been voted upon at the first meeting, the secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall send copies of the resolution and certification to voting members of this congregation.
 - c. If the resolution was adopted by a two-thirds vote of the voting members present at the first meeting, the bishop of the synod and this congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the bishop of the attestation and certification as specified in paragraph b. above.
 - d. If this congregation, after such consultation, is still considering termination of its relationship with this church, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of the second meeting shall be sent to all voting members and to the bishop at least 10 days in advance of the meeting. Unless he or she is a voting member of this congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the second meeting.
 - e. Within 10 days after the resolution has been voted upon, the secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the second special meeting was legally called and conducted and certifying the outcome of the vote, and shall send copies of the resolution and certification to the voting members of the congregation. If the resolution was adopted by a two-thirds vote of the voting members present at the second meeting, the relationship between the congregation

and this church shall be terminated subject to Synod Council approval as required by paragraphs f. and g. below.

- f. Unless this notification to the bishop also certifies that this congregation has voted to affiliate with another Lutheran denomination, this congregation shall be deemed an independent or non-Lutheran church, in which case *C7.04. shall apply.
 - g. This congregation shall abide by these covenants by and among the three expressions of this church:
 - 1) Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in *C6.05. shall be required to receive Synod Council approval before terminating their membership in this church.
 - 2) Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to receive synod approval before terminating their membership in this church.
 - 3) Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church.
 - h. If this congregation fails to achieve the required two-thirds vote of voting members present at this congregation's first meeting as specified in paragraph a. above or fails to achieve the required two-thirds vote of voting members present at this congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of *C6.05. and may begin no sooner than six months after the meeting at which the two-thirds vote was not achieved.
- *C6.06. If this congregation considers relocation, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is taken.
- *C6.07. If this congregation considers developing an additional site to be used regularly for worship, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action.

Chapter 7. PROPERTY OWNERSHIP

- *C7.01. If this congregation ceases to exist, title to undisposed property shall pass to the Southwestern Washington Synod of the Evangelical Lutheran Church in America.
- *C7.02. If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline or pursuant to 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America, title to property shall continue to reside in this congregation.
- *C7.03. If the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation, provided the process for termination of relationship in *C6.05. has been followed. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Southwestern Washington Synod.
- *C7.04. If the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body and have followed the process for termination of relationship in *C6.05., title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the process established by the synod, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America. In neither case does title to this congregation's property transfer to the synod.
- *C7.05. Notwithstanding the provisions of *C7.02. and *C7.03. above, where this congregation has received property from the synod pursuant to a deed or other instrument containing restrictions under provision 9.71.a. of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, this congregation accepts such restrictions and:

- a. Shall not transfer, encumber, mortgage, or in any way burden or impair any right, title, or interest in the property without prior approval of the Synod Council.
- b. Shall—upon written demand by the Synod Council, pursuant to †S13.23. of the constitution of the Southwestern Washington Synod—reconvey and transfer all right, title, and interest in the property to the synod.

Chapter 8. MEMBERSHIP

***C8.01.** Members of this congregation shall be those baptized persons on the roll of this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.

***C8.02.** Members shall be classified as follows:

- a. **Baptized** members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith, i.e. the Rite of Affirmation of Baptism.

B8.02.01 Admission to Baptized Membership

- a. **Children, one or both of whose parents or guardians are members of this congregation, shall, upon receiving Christian baptism, be thereby received as baptized members of this congregation.**
 - ~~b. Children, neither of whose parents or guardians is a member of this congregation, but whose membership is in another congregation, may, upon pastoral consultation with the pastor(s) of the other congregation, be baptized in this congregation, with the baptism duly recorded as a ministerial act under the auspices of this congregation, with the understanding that the children will be enrolled as baptized members of the other congregation, and with notice of the baptism sent to the other congregation in which the child is to be enrolled as a baptized member.~~
 - c. **Children baptized in other congregations shall be received as baptized members of this congregation upon admission of one or both parents or guardians, or by consent of one or both parents or guardians, or by action of the Congregation Council.**
 - d. **Unbaptized adults, upon giving evidence of adequate understanding and acceptance of the teachings of the Word of God as confessed by the Lutheran Church, shall be given Christian baptism and received as members of this congregation.**
- 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, i.e. the Rite of Affirmation of Baptism.

B8.02.02 Admission to Confirmed Membership

- a. **Baptized adults, not previously members of this congregation, who have been instructed and have given evidence of adequate understanding and acceptance of the teachings of the Word of God as confessed by the Lutheran Church, shall be admitted to confirmed membership through the Rite of Affirmation of Baptism.**
- b. **Adults baptized according to the provisions of B8.02.01d shall be recognized as confirmed members, whether or not, at the discretion of the Congregation Council, they participate in the Rite of Affirmation of Baptism.**
- c. **Children who are baptized members of this congregation shall be admitted to confirmed membership through instruction and the Rite of Affirmation of Baptism.**
- d. **Applicants for membership who are members in good standing in other Lutheran churches shall be received as confirmed members upon acceptance of their letters of transfer by the Congregation Council.**
- e. **Applicants for membership, previously confirmed in a Lutheran congregation, but who do not have letters of transfer, shall be required to review their understanding of the faith through pastoral instruction and when it has been determined that they meet**

standards of Christian faith and life as indicated in C8.04, they shall be received by Rite of Affirmation of Baptism.

- c. Voting members are confirmed members or members who have affirmed their baptism. Such confirmed or affirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of this congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws. They shall not have voted as a seasonal member of another congregation of this church in the previous two calendar months.

B8.02.03 Voting Membership

The Congregation Council shall be responsible for determining voting membership in accordance with the qualifications specified in the Constitution and Bylaws.

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

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

- *C8.04.** It shall be the privilege and duty of members of this congregation to:
- a. make regular use of the means of grace, both Word and sacraments;
 - b. live a Christian life in accordance with the Word of God and the teachings of the Lutheran church; and
 - c. support the work of this congregation, the synod, and the churchwide organization of the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards.

B8.04.01 Communion Participation

- a. **Participation in Holy Communion shall be open to all the baptized.**
- b. **Record of communion participation shall be entered in the record of this congregation.**

B8.04.02 Conflicting Loyalties

- a. **While this church shall be open to all people for worship, for instruction, for pastoral care, and for the Christian fellowship of the congregation and its members, this congregation discourages all fellowship with organizations, secret or open which are avowedly religious or practice forms of religion without confessing faith in the Triune**

God and Jesus Christ as the eternal Son of God incarnate to be our only Savior from sin, and thus teach salvation by works.

- b. Ceremonies of lodges or other such organizations shall not be permitted in the sanctuaries or buildings or on the premises of this congregation.**
- c. The pastors of this congregation and employed lay assistants to the pastoral office shall take no part in any such ceremonies even if conducted outside the church premises.**

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

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

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

B8.05.01 Maintenance of Membership

- a. Membership status is based on fulfilling the privileges and duties described in *C8.04.**
- b. Members not fulfilling the privileges described in *C8.04 for a period of one year shall be presumed no longer to desire membership. They shall lose the right to vote and shall not be counted in the membership statistics of this congregation. However, the members' names and records shall be kept in the files for a period of three years thereafter. Such persons shall be encouraged to resume participation in congregational life or to transfer to another congregation. If activity is resumed within the three-year period, the members shall be restored to the active membership list; if not, they shall be dismissed from this congregation and, if possible, shall be notified of this action.**
- c. Members who have been dismissed or who have resigned and members who have transferred to other Lutheran congregations or who are known to have become members of other congregations without transfer have thereby terminated their membership in this congregation and have surrendered all membership rights.**
- d. Members who move away shall be encouraged to transfer. Any member desiring to affiliate with another Lutheran church shall, upon request, be entitled to a letter of transfer.**

Chapter 9.

ROSTERED MINISTER

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

C9.01.01 This congregation, after it has voted to call a pastor by at least a two-thirds majority, shall issue a letter of call to the pastor-elect in a form approved by the Evangelical Lutheran Church in America. The call shall bear the signatures of the president and secretary of the congregation council and shall be attested by the synod bishop or his representative and certified by the signature of the synod bishop.

***C9.02.** Only a member of the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Sacrament who has been recommended for this congregation by the synod bishop may be called as a pastor of this congregation.

***C9.03.** Consistent with the faith and practice of the Evangelical Lutheran Church in America,

- a. Every minister of Word and Sacrament shall:
 - 1) preach the Word;

- 2) administer the sacraments;
 - 3) conduct public worship;
 - 4) provide pastoral care;
 - 5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
 - 6) impart knowledge of this church and its wider ministry through available channels of effective communication;
 - 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 pastor with a congregational call shall, within the congregation:
- 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2) relate to all schools and organizations of this congregation;
 - 3) install regularly elected members of the Congregation Council;
 - 4) with the council, administer discipline;
 - 5) endeavor to increase the support given by the congregation to the work of the churchwide organization and of the Southwestern Washington Synod; and
 - 6) encourage adherence to covenantal relationship with this church as expressed in the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.

B.03.91 Each pastor serving this congregation shall have an undivided loyalty to the faith and purpose of the ELCA, according to C2 through C4. Any question concerning such loyalty shall be adjudicated according to the recommended procedure 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 this congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the pastor's death or, following consultation with the synod bishop, for the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the pastor, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the pastoral office effectively in this congregation in view of local conditions;
 - 4) physical disability or mental incapacity of the pastor;
 - 5) suspension of the pastor through discipline for more than three months;
 - 6) resignation or removal of the pastor from the roster of Ministers of Word and Sacrament of this church;
 - 7) termination of the relationship between this church and this congregation;
 - 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 pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,
 - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament with disability status. Upon removal of the disability and

the restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.

- d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the pastor and then to this congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, this congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

B9.05.01 Calls to clergy to the position of pastor shall be issued, in consultation with the lead pastor, in accordance with the provisions of B9.01.01.

B9.05.02 Since both the pastor and the congregation are parties to the call, no pastor(s) shall announce a decision on any subsequent call without first having consulted with the Congregation Council. Should the pastor thereupon resign to accept another call, the resignation shall be presented to and acted upon by the Congregation Council on behalf of the congregation. Mutually satisfactory arrangements shall be made for terminating service, normally within thirty days.

B9.05.03 A desire for change in pastorate, either by the congregation or pastor(s), shall be brought to the attention of the synodical bishop, who shall advise in the matter, according to C9, and the established procedure of the ELCA.

- *C9.06.** At a time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.

B9.06.01 Clergy qualified according to C9.02 may occasionally perform pastoral functions in this congregation with the approval of the Congregation Council and its pastor(s), or in case of vacancy in the pastorate, with the approval of the congregation and the synodical bishop.

- *C9.07.** During the period of service, an interim pastor shall have the rights and duties in this congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any rostered minister providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.
- *C9.08.** This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting.
- *C9.09.** When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- *C9.11.** With the approval of the bishop of the synod, this congregation may depart from *C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions

involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.05.a.

- *C9.12.** The pastor of this congregation:
- a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from this congregation;
 - b. shall submit a summary of such statistics annually to the synod; and
 - c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- *C9.13.** The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.
- *C9.14.** The parochial records of this congregation shall be maintained by the pastor and shall remain the property of this congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in his or her hands in good order by a departing pastor before the installation of that pastor in another call or approval of a request for change in roster status.
- C9.15.** Under special circumstances, subject to the approval of the synod bishop and the concurrence of this congregation, a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between this congregation and the pastor in a form proposed by the synod bishop and approved by this congregation.
- *C9.21.** Authority to call a deacon shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by this congregation to recommend the call, shall seek the advice and help of the bishop of the synod.
- *C9.22.** Only a member of the roster of Ministers of Word and Service of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Service who has been recommended for this congregation by the synod bishop may be called as a deacon of this congregation.
- *C9.23.** Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:
- a. Be rooted in the Word of God, for proclamation and service;
 - b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
 - c. Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad;
 - d. Equip the baptized for ministry in God's world that affirms the gifts of all people;
 - e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
 - f. Practice stewardship that respects God's gift of time, talents, and resources;
 - g. Be grounded in a gathered community for ongoing diaconal formation;
 - h. Share knowledge of this church and its wider ministry of the gospel and advocate for the work of all expressions of this church; and
 - i. Identify and encourage qualified persons to prepare for ministry of the gospel.
- *C9.24.** The specific duties of the deacon, compensation, and other matters pertaining to the service of the deacon shall be included in a letter of call, which shall be attested by the bishop of the synod.
- *C9.25.** The provisions for termination of the mutual relationship between a minister of Word and Service and this congregation shall be as follows:
- a. The call of this congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the deacon's death or, following consultation with the synod bishop, for the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the deacon, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the ministry of Word and Service effectively in this congregation in view of local conditions;
 - 4) physical disability or mental incapacity of the deacon;

- 5) suspension of the deacon through discipline for more than three months;
 - 6) resignation or removal of the deacon from the roster of Ministers of Word and Service of this church;
 - 7) termination of the relationship between this church and this congregation;
 - 8) dissolution of this congregation or the termination of a parish arrangement; or
 - 9) suspension of this congregation through discipline for more than six months.
- b. When allegations of physical disability or mental incapacity of the deacon under paragraph a.4) above, or ineffective conduct of the office of minister of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,
 - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
 - c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service with disability status. Upon removal of the disability and the restoration of the deacon to health, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.
 - d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the deacon, if appropriate. If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.
 - e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
 - f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.
- *C9.26** This congregation shall make satisfactory settlement of all financial obligations to a former deacon before calling a successor. A deacon shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting.
- *C9.27.** When a deacon is called to serve in company with another rostered minister or other rostered ministers, the privileges and responsibilities of each rostered minister shall be specified in documents to accompany the call and to be drafted in consultation involving the rostered ministers, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- *C9.28.** With the approval of the bishop of the synod, this congregation may depart from *C9.25.a. and call a deacon for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the deacon and representatives of this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.25.a.
- *C9.29.** The deacon shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the deacon shall hold membership in one of the congregations.

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

Chapter 10.

CONGREGATION MEETING

- C10.01.** The annual and other meetings of this congregation shall be held at a time specified in the bylaws and consistent with the laws of the state.
- B10.01.01** **The annual meeting and elections shall be held in May. The congregation shall meet before the end of the calendar year to adopt the budget/spending guideline. It shall be the responsibility of the Congregation Council to establish the dates for all congregational meetings.**
- B10.01.02** **The order of business at the annual meeting shall be:**
- a. **Opening devotion**
 - b. **Approval of minutes**
 - c. **Reports of the rostered minister(s), the Congregation Council, the treasurer, congregational committees, ministry groups, and organizations.**
 - d. **Unfinished business**
 - e. **New business, including the election of the Congregation Council members and the Nominating Committee**
 - f. **Closing Prayer**
- C10.02.** A special congregational meeting may be called by the lead pastor, the Congregation Council, or the president of this congregation. A special congregational meeting shall be called by the president of this congregation upon the written request of 10 percent of the voting members. The president of the Congregation Council shall call a special meeting upon request of the synod bishop. The call for each special meeting shall specify the purpose for which it is to be held, and no other business shall be transacted.
- C10.03.** Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail or electronic means, as permitted by state law, to all voting members at least 10 days in advance of the date of the meeting.
- C10.04.** Ten percent (10%) of the voting members shall constitute a quorum.
- B10.04.01** **The current roster of voting, confirmed, and baptized members shall be determined prior to each annual congregational meeting**
- C10.05.** Voting by proxy or by absentee ballot shall not be permitted.
- C10.06.** All actions approved by this congregation shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution or by state law.
- B10.06.01** **In the following cases, voting shall be by ballot:**
- a. **To elect the Congregation Council**
 - b. **To adopt or amend the Articles of Incorporation**
 - c. **To call a pastor or to request pastoral resignation**
 - d. **To discipline a member of this congregation or to remove a member from office in this congregation**
 - e. **To sever membership in the ELCA**
 - f. **To dispose of, encumber, or purchase real property**
 - g. **When requested by ten or more voting members**
- C10.07.** *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all meetings of this congregation.
- C10.08.** This congregation may hold meetings by remote communication, including electronically and by telephone conference, as long as there is an opportunity for simultaneous aural communication. To the extent permitted by state law, notice of all meetings may be provided electronically.

Chapter 11. OFFICERS

- C11.01.** The officers of this congregation shall be a president, and a secretary and such vice presidents and treasurer as stated in the bylaws.
- a. Duties of the officers shall be specified in the bylaws.
 - b. The officers shall be voting members of this congregation.
 - c. Officers of this congregation shall serve similar offices of the Congregation Council and, with the exception of the treasurer, shall be voting members of the Congregation Council.

B11.01.01 The officers of this congregation, with the exception of the treasurer, shall be elected by and from the Congregation Council. The treasurer will be appointed by the Congregation Council. The treasurer will be a nonvoting member of the Congregation Council and shall not be required to attend each meeting.

B11.01.02 Duties of the officers shall be:

- a. **President:** preside over all meetings of the Congregation Council and congregation meetings. They shall also call special meetings of the congregation or the Congregation Council as required. They shall set the council agenda in consultation with the lead pastor.
- b. **Vice President:** preside in the absence of the president and be the congregation's representative to the Conference. Additionally, the vice president or vice presidents can be assigned specific roles of responsibility delegated by the Congregation Council.
- c. **Secretary:** keep the minutes of the Congregation Council and of this congregation and be responsible for their distribution to the congregation; submit official documentation to the synod as required.
- d. **Treasurer:** be responsible to oversee the recording and proper disbursement of congregational funds, in accordance with the approved budget and the direction of the Congregation Council. The Treasurer's presence at Council meetings is as directed by the council.

- C11.02.** The Congregation Council shall elect its officers in accordance with the Bylaws and shall serve until the expiration of their term or the later election of successor officers.

B11.02 At the next regularly scheduled meeting of the Congregation Council after members of the Congregation Council are elected at the annual meeting, the first order of business shall be the election of officers. In the event the office of president is vacant at the time of said meeting, the vice president, secretary, or lead pastor shall conduct the elections.

- 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 terms in the same office.

B11.03.01 **Term of Office:** the officers of the congregation shall serve a term of one year.

B11.03.02 **Consecutive Terms:** no elected officer shall be eligible to serve more than five consecutive terms in the same office.

Chapter 12. CONGREGATION COUNCIL

- C12.01.** The voting membership of the Congregation Council shall consist of the rostered ministers and not less than five (5) nor more than twelve (12) members of this congregation, which numbers include the president, vice president, and secretary of this congregation. Any voting member of this congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member:

- a. Ceases to be a voting member of this congregation; or
- b. Is absent from three (3) successive regular meetings of the Congregation Council without cause.

B12.01.01 Congregation Council members shall be elected for a term of one year.

B12.01.02 When a member of the Congregation Council is absent from three (3) consecutive regular meetings without cause, the member's place on the Congregation Council will be declared vacant. Any member with two (2) consecutive absences from regular meetings without cause shall be notified thereof by the secretary.

B12.01.03 Each January, the Congregation Council shall vote upon the number of members of the Congregation Council in addition to the rostered ministers. This vote shall be recorded in the minutes and communicated to the members of the Nominating Committee.

C12.02. The Congregation Council, other than the called rostered ministers of the congregation, shall be elected at a regularly called meeting of the congregation.

B12.02.01 Congregation Council members shall be elected for a term of one year. Members of the Congregation Council shall be nominated by the Nominating Committee with nominations published in the announcements section of the worship folder or bulletin not later than four Sundays prior to the Sunday of the election. Any member of the Congregation wishing to nominate another member for consideration in addition to those nominations presented by the Nominating Committee shall, not later than two Sundays before the election, file with the Congregation President or the Church Office a written nomination, together with the endorsement of no less than seven additional congregation members. The Nominating Committee's nominations shall be clearly designated on the written ballot.

B12.02.02 A member of the Congregation Council shall be eligible to succeed themselves in office for a period not to exceed a maximum term in office of five years.

B12.02.03 Congregation Council members shall be elected at the May meeting of the Congregation, known as the Annual Meeting.

B12.02.04 The term of office of a Congregation Council member shall be one year with the term of office beginning on June 1 and ending on May 31.

B12.02.05 Congregation Council members shall be installed during the worship service the Sunday prior to the date they assume office.

C12.03. Should a member's place on the Congregation Council be declared vacant, the Congregation Council may elect, by majority vote, a successor until the next congregation meeting at which council members are elected.

C12.04. The Congregation Council shall have general oversight of the life and activities of this congregation 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 and vision, to do long-range planning, and to evaluate existing activities consistent with the mission, vision and goals.
- b. To seek to involve all members of this congregation in worship, learning, witness, service, and support of the Great Commission and the Great Commandment.
- c. To oversee and provide for the administration of this congregation so as to enable it to fulfill its functions and perform its mission.
- d. To maintain supportive relationships with the rostered ministers and staff and help them annually to evaluate the fulfillment of their calling, appointment, or employment.
- e. To be examples, individually and corporately, of the style of life and ministry expected of all baptized persons.
- f. To promote a congregational climate of understanding and commitment to mission. As differences and conflicts arise, to foster the peace of Christ among the membership.
- g. To arrange for pastoral service during the sickness or absence of the rostered ministers.
- h. To emphasize partnerships with the synod and churchwide units of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.
- i. To encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.

- j. To 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 directors of this congregation and, as such, shall be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Washington except as otherwise provided herein.
 - b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of this congregation.
 - c. The Congregation Council shall prepare and adopt an annual budget for review by this congregation at a regularly called meeting of this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations in excess of reasonably anticipated receipts in an amount no greater than 10 percent of the total annual budget, except as approved by a congregation meeting. The budget shall include this congregation's indicated share in support of the wider ministry being carried on in partnership with the synod and churchwide organization.
 - d. The Congregation Council shall be responsible to see that the financial affairs of this congregation are being conducted efficiently, giving attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to the synod treasurer.
 - e. The Congregation Council shall be responsible for this congregation's investments and for adequate insurance concerning the assets and potential liabilities of this congregation
- 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. Nothing in this provision shall be deemed to affect this congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church.
- C12.09.** The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting. Minutes of monthly meetings shall be posted and published to inform the members of the congregation.
- C12.10.** The Congregation Council shall meet regularly, not less than ten times per year in regularly scheduled meetings and/or retreat settings to review and conduct the ministry and business of this congregation. Special meetings may be called by the pastor or the president, and shall be called at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.

B12.10.01 All Congregation Council meetings, with the exception of meetings conducted in executive session and meetings conducted in retreat format shall be open to members of this congregation. At least six of the meetings of the Council each year shall be conducted on premises and shall be open to congregation members. Voice to members of the congregation and guests at Congregation Council meetings is granted at the discretion of the President.

B12.10.02 No Congregation Council business shall be transacted unless a majority of the members are present.

- C12.11.** A Quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the pastor(s) or interim pastor(s).
- C12.12** The Congregation Council shall oversee all organizations within the congregation, review their decisions and recommendations, and guide their activities.

B12.12.01 Responsibilities of the Congregation Council

- a. **Secure such staff as is needed to carry on the work of this congregation.**
- b. **Make adjustments in the salary of the rostered ministers.**
- c. **Establish dates of congregational meetings.**
- d. **Approve and present the annual congregation budget.**
- e. **Oversee all congregation committees and ministry groups.**
- f. **Appoint financial secretaries and tellers whose duty shall be to count and record weekly offerings, under the supervision of the Congregation Council or Treasurer.**

- C12.13.** 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.** An **Executive Committee** of the Congregation Council shall be comprised of the officers of this congregation and the pastor(s). The Executive Committee may help set the agenda for meetings of the Congregation Council and discuss other important issues to bring to the Council and congregation.
- C13.02.** A **Nominating Committee** shall be composed of five (5) voting members of this congregation and serve a one-year term. Two (2) members shall be elected by the Congregation Council from its members, outgoing members if possible. Three (3) members shall be elected at the annual meeting during which Congregation Council members are elected. Members of the Nominating Committee may serve no more than two (2) consecutive terms. Nominating Committee vacancies shall be filled by Congregation Council appointment.
- B13.02.01** The Nominating Committee, in consultation with the lead pastor, is responsible for securing qualified nominees, having received their permission, for each vacant position on the Congregation Council to be elected by the congregation.
- B13.02.02** The Nominating Committee, in considering nominees for all positions, shall include all demographics of this congregation – male and female, from youth to elderly, long-term members to more recent members, etc.
- B13.02.03** The Nominating Committee, in consultation with the lead pastor, shall nominate the three (3) voting members of this congregation who will serve on the next Nominating Committee, which will be elected at the next annual meeting of the congregation.
- C13.03.** A **Staff Advocacy Committee** shall be appointed by the Congregation Council. The Committee shall consist of one Congregation Council member and no less than four congregation members. The term of office shall be two years, with two members to be appointed each successive year.
- C13.04.** A **Call Committee** of not less than six (6) nor more than ten (10) voting members shall be elected by this congregation when a rostered minister vacancy occurs. Its term of office will terminate at the installation of the newly-called rostered minister.
- C13.05.** The meetings of the foregoing committees are open by invitation only.
- C13.06.** Other congregational committees or ministry groups may be formed by the Congregation Council as the need arises.
- C13.07.** Duties of committees of this congregation shall be specified in the bylaws.
- C13.08.** A called rostered minister of this congregation shall be an *ex officio* member of all committees and boards of this congregation.
- C13.09.** Whenever a committee member has a financial, personal, or other interest in any matter coming before a committee, the affected person shall a) fully disclose the nature of the interest, and b) withdraw from discussion, opinionizing, and voting on the matter. The conflicted person shall not be counted for purpose of a voting quorum. Any transaction or vote involving a potential conflict of interest shall be approved only when a majority of disinterested committee members present at the meeting determine that it is in the best interest of the congregation and its members. The minutes of the committee meeting at which such votes are taken shall record disclosure, abstention, and rationale for approval.

Chapter 14.

ORGANIZATIONS WITHIN THIS CONGREGATION

- C14.01.** All organizations within this congregation shall exist to aid it in ministering to the members of this congregation and to all persons who can be reached with the Gospel of Christ. As outgrowths and expressions of this congregation's life, the organizations are subject to its oversight and direction.
- B14.01.01** All committees, ministry groups, and organizations chartered by this congregation or the Congregation Council shall submit monthly or special reports to the Congregation Council as required and shall annually submit a report for the congregation annual meeting

B14.01.02 All committees, ministry groups, and organizations handling funds shall submit accounts to the congregation treasurer upon request for inclusion in the treasurer's report to this congregation.

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

Chapter 15.

DISCIPLINE OF MEMBERS AND ADJUDICATION

- *C15.01.** Persistent and public denial of the Christian faith, willful or criminal conduct grossly unbecoming a member of the Church of Christ, continual and intentional interference with the ministry of this congregation, or willful and repeated harassment or defamation of member(s) of this congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will be attempted following Matthew 18:15–17, proceeding through these successive steps, as necessary: a) private counsel and admonition by the pastor, b) censure and admonition by the pastor in the presence of two or three witnesses, c) written referral of the matter by the Congregation Council to the vice president of the synod, who will refer it to a consultation panel drawn from the Consultation Committee of the synod, and d) written referral of the matter by the consultation panel to the Committee on Discipline of the synod. If, for any reason, the pastor is unable to administer the admonitions required by paragraphs a. and b. hereof, those steps may be performed by another pastor chosen by the Executive Committee of the Congregation Council.
- *C15.02.** The process for discipline of a member of this congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If the counseling, censure, and admonitions pursuant to *C15.01. do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three laypersons and two ministers of Word and Sacrament). A copy of the written charges shall be provided to the consultation panel and the accused member(s). The consultation panel, after requesting a written reply to the charges from the accused member(s), shall consider the matter and seek a resolution by means of investigation, consultation, mediation, or whatever other means may seem appropriate. The panel's efforts to reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it.
- *C15.03.** If the consultation panel fails to resolve the matter, that panel shall refer the case in writing, including the written charges and the accused member's reply, to the Committee on Discipline of the synod for a hearing. A copy of the panel's written referral shall be delivered to the vice president of the synod, the Congregation Council, and the accused member(s) at the same time it is sent to the Committee on Discipline of the synod. The Executive Committee of the Synod Council shall then select six members from the Committee on Discipline to decide the case and shall appoint a member of the Synod Council to preside as nonvoting chair. Those six members, plus the nonvoting chair, comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the parties to the case.
- *C15.04.** The discipline hearing panel shall commence and conduct the disciplinary hearing in accordance with the provisions governing discipline of congregation members prescribed in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- *C15.05.** By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:
- 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 this congregation; or
 - termination of membership in this congregation and exclusion from the church property and from all congregation activities.
- *C15.06.** The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the *Constitution, Bylaws, and*

Continuing Resolutions of the Evangelical Lutheran Church in America. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next council meeting.

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

*C15.10. **Adjudication**

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

Chapter 16.

AMENDMENTS

*C16.01. Unless provision C16.04. is applicable, those sections of this constitution that are not required, in accord with the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, may be amended in the following manner. Amendments may be proposed by at least 10 voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify this congregation's members of the proposal together with the council's recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.

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

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

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

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

Chapter 17.

BYLAWS

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

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

*C17.03. Changes to the bylaws may be proposed by any voting member, provided that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or

special Congregation Meeting called for that purpose. The Congregation Council shall notify this congregation's members of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting. Notification may take place by mail or electronic means, as permitted by state law.

*C17.04. Adopted or amended bylaws shall be sent by the secretary of this congregation to the synod.

Chapter 18.

CONTINUING RESOLUTIONS

*C18.01. This congregation in a legally called meeting or the Congregation Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.

*C18.02. Continuing resolutions shall be enacted or amended by a majority vote of a meeting of this congregation or a two-thirds vote of all voting members of the Congregation Council.

*C18.03. Adopted or amended continuing resolutions shall be sent by the secretary of this congregation to the synod.

Chapter 19.

INDEMNIFICATION

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

C19.02 Liability of Officers, Directors, and Members

- a. Lack of Personal Liability: No officer, director or member of the Corporation (Congregation) shall be personally liable to the Corporation for monetary damages for conduct as an officer, director, or member, when conduct takes place on or after the date this Article becomes effective, except for (i) acts or omissions that involve intentional misconduct or a knowing violation of law by the officer, director, or member; and (ii) any transaction from which the officer, director, or member will personally receive a benefit in money, property, or service to which the officer, director, or member is not legally entitled.
- b. Amendment of Act: If the Washington Nonprofit Corporation Act is amended or superseded to authorize corporate action further eliminating or limiting the personal liability of officers, directors, and/or members, then the liability of an officer, director, or member of the Corporation shall be eliminated or limited to the fullest extent permitted by the Washington Nonprofit Corporation Act, as so amended or superseded.
- c. Repeal of Article: Any repeal or modification of Article by the Corporation shall not adversely affect any right or protection of an officer, director or member existing at the time of such repeal or modification.
- d. Prior Acts: This provision shall not eliminate or limit the liability of a director for any act or omission occurring prior to the date this Article becomes effective.

C19.03 Indemnification of Officers, Directors, Members, Employees, and Agents

The Corporation shall indemnify to the fullest extent permitted by the Washington Nonprofit Corporation Act, as may be amended or superseded, any person who has been made, or is threatened to be made, a party to any action, suit, or proceeding, whether civil, criminal, administrative, investigative, or otherwise (including an action, suit or proceeding by or in the right of Corporation), by reason of the fact that he or she is or was an officer, director, or member of the Corporation or a fiduciary within the meaning of the Employee Retirement Income Security Act of 1974 as amended, with respect to an employee benefit plan of the Corporation, or serves or served at the request of the Corporation as a director, or as an officer, or as a fiduciary of an employee benefit plan or another corporation, partnership, joint venture, trust, or other enterprise. In addition, the Corporation shall pay for or reimburse any expenses incurred by such persons who are parties to such proceedings, in advance of the final disposition of such proceedings, to the full extent permitted by the Washington Nonprofit Corporation Act, as may be amended or superseded.

Chapter 20.

PARISH AUTHORIZATION

- *C20.01. This congregation may unite with one or more other congregations recognized by the synod named in *C6.01. to form a parish. Except as provided in *C20.02. and *C20.03., a written agreement, developed in consultation with the synod and approved by the voting members of each congregation participating in the parish, shall specify the powers and responsibilities that have been delegated to the Parish Council. The Parish Agreement shall identify which congregation of the parish issues calls on behalf of the member congregations or shall establish a process for identifying which congregation issues calls on behalf of the member congregations.
- *C20.02. One congregation of a parish shall issue a call on behalf of the member congregations to a minister of Word and Sacrament or a candidate for the roster of Ministers of Word and Sacrament who has been recommended by the synod bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.
- *C20.03. One congregation of a parish may issue a call on behalf of the member congregations to a minister of Word and Service or a candidate for the roster of Ministers of Word and Service who has been recommended by the synod bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.
- *C20.04. Any one of the congregations of the parish may terminate their relationship with the pastor as provided in S14.18.d. of the synod constitution of the synod named in *C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.
- *C20.05. Any one of the congregations of the parish may terminate their relationship with a minister of Word and Service as provided in S14.43.d. of the synod constitution of the synod named in *C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.
- *C20.06. Whenever a parish agreement is terminated, the call of any rostered minister serving that parish is terminated. Should any congregation that was formerly part of the parish agreement desire to issue a new call to that rostered minister, it may do so in accordance with the call process of this church.

Chapter 21

MISSION ENDOWMENT FUND

C21.01 Purpose of the Fund

This congregation shall maintain the Mountain View Lutheran Church Mission Endowment Fund (“Fund”). The purpose of the Fund shall be to provide, in our response to the Holy Spirit, permanent financial support of the mission and ministry of Mountain View Lutheran Church as we seek to pray, serve, love, learn, and invite all to experience God’s grace and celebrate the Good News of Jesus Christ. Its governance and operational procedure shall be defined as set forth below.

C21.02 Mission Endowment Committee

This congregation shall establish a Mission Endowment Committee (“Committee”), which shall consist of not less than seven (7) nor more than thirteen (13) voting members of Mountain View Lutheran Church. A called rostered minister shall be a voting member of the Committee. One member of the Committee shall be elected by the Congregation Council from its own membership and shall serve a one (1)-year term. The remaining members shall be elected from the congregation on a staggered basis for three (3)-year terms by the congregation at its annual meeting. No member shall serve more than three (3) consecutive terms. After a lapse of one (1) year, former Committee members may be reelected. The Congregation Council shall have the authority to appoint members to fill vacancies, the term of which appointment shall be until the next annual meeting.

C21.03 Duties of the Committee

- a. To create and provide for management of a general endowment fund for this congregation, together with such additional funds as may be needed to fulfill specific requirements of donors.
- b. To determine and fulfill policies and procedures for the soliciting, processing, and disposition of grant requests in accordance with the requirements and limitations of various funds.
- c. To educate the congregation about the Fund, promote the Fund, and solicit donation in an appropriate manner.

- d. To report at least annually to the congregation new gifts, investment returns earned by the Fund, the size of the Fund, details of specific grant given, a list of all grant requests, and disposition on requests.
- e. To assist donors in the process of making gifts to the Fund and establish policies and procedures for accepting or rejecting propose gifts by donors.

C21.04 Operation of Committee

- a. The Committee shall meet at least twice a year, or more frequently as deemed by it in the best interest of the Fund.
- b. A quorum shall consist of a majority of voting members. When a bare majority of members are present at a meeting, a unanimous vote shall be required to carry any motion or resolution.
- c. The Committee shall elect from its membership a chairperson, a recording secretary, and a financial secretary. The chairperson, or a member designated by the chairperson, shall preside at all Committee meetings.
- d. The recording secretary shall maintain complete and accurate minutes of all meetings and supply a copy thereof to each member of the Committee. Each member shall give a complete copy of minutes to be delivered to his or her successor. The recording secretary shall also supply a copy of the minutes to the Congregation Council.
- e. The financial secretary shall work with this congregation's treasurer in maintaining and coordinating complete and accurate accounts for the Fund.
- f. The chairperson, recording secretary, and financial secretary of this Committee and the officers of the Congregation Council shall have the authority to sign checks and other necessary documents on behalf of the congregation in furtherance of the purposes of the Fund. All Fund checks and documents to open investment accounts shall be signed by at least two individuals stated above.
- g. The Congregation Council shall determine whether and to what extent the financial records of the Fund shall be audited, which may include one or both of the following:
 - (a) Creation of an Audit Subcommittee with authority over the financial records of the Fund and the responsibility to report on a regular basis to the Congregation Council and to the congregation; and/or
 - (b) Periodic retention of a certified public accountant who is not a member of the Committee to audit, review, or compile the financial records of the Fund as determined by the Congregation Council and to report to the Congregation Council and the congregation.
- h. The Committee may, at its discretion, create such other subcommittees as it deems appropriate for management of the Fund. Additionally, the Committee may request other members of the congregation to serve as advisory members and, at the expense of Fund income, may provide for such professional counseling on investments or legal matters as it deems to be in the best interests of the Fund.
- i. Members of the Committee shall not be liable for any losses which may be incurred upon the investments of the assets of the Fund except to the extent such losses shall have been caused by bad faith or gross negligence. No member who acts in good faith and with ordinary prudence shall be personally liable. Each member shall be liable only for willful misconduct or omissions, and shall not be liable for the acts or omissions of any other member. No member shall engage in any "self-dealing" or transactions with the Fund in which the member has a direct or indirect financial interest and shall at all times refrain from any conduct in which such member's personal interest would conflict with the interest of the Fund.

C21.05 Management and Distribution of Fund Assets

- a. All assets are to be held in the name of the Mountain View Lutheran Church Mission Endowment Fund. The assets of the Fund shall be divided into two (2) general categories: (1) the General Endowment Fund consisting of undesignated and unrestricted gifts to the Fund; and (2) such specific funds as donors may create through designated and/or restricted gifts to the Fund.
- b. The Committee shall establish and recommend to the Congregation Council an investment policy for Fund assets. Pursuant to such policy, the Committee shall have the authority to make all decisions to hold, sell, exchange, rent, lease, transfer, convert, invest, reinvest, and in all other respects manage and control the assets of the Fund, including stocks, bonds, debentures, mortgages, notes, or other securities, as in the judgment and discretion the Committee deems wise and prudent and to execute such decisions. In the event that the Committee elects to use a Foundation to mangle the Fund and that Foundation's investment policy, procedures, or mission no longer aligns with the desires of the purposes of the Fund or the Committee, Congregation Council, or congregation, the Committee may,

upon a two-thirds (2/3) majority, withdraw all funds from the Foundation and reinvest those funds in accordance with the investment policy.

- c. The Committee shall determine what is principal and income according to accepted accounting procedures.
- d. Gifts and bequests to the General Endowment Fund and the income generated thereby shall accumulate until the principal amount of \$20,000. is achieved, after which up to 10% of the balance of the General Endowment Fund as of June 30th of the preceding year may be distributed in the following calendar year as approved by the Committee.
- e. The Committee shall distribute income and principal of assets given to specific funds within the Fund in accordance with the directions of the donor(s) thereof, or, absent such directions, in accordance with the provisions set forth herein. Income will not be allocated to specific funds with a principal balance under \$5,000. Such income shall be accumulated and transferred to the General Endowment Fund to simplify the accounting process.
- f. The Committee shall use the Fund to enhance the mission and ministry of Mountain View Lutheran Church apart from the general operation of the congregation and no portion of the Fund shall be used for the ordinary operating expenses of the congregation unless specifically designated for such purpose by the donor(s) or in accordance with paragraph **g.** below.
- g. When, in the opinion of the Committee, circumstances are such that the future of this congregation is at stake, and that the only reasonable recourse is deemed to be use of the Fund, the Committee may, upon a two-thirds (2/3) majority vote, recommend to the congregation that a portion of the income or principal of the Fund be used to pay ordinary operating expenses of the congregation. A distribution proposed under this paragraph may be of any amount and may be in addition to the annual distribution authorized under paragraph **d.** above.

C21.06 Distribution of General Endowment Fund Income

- a. Fifty percent (50%) of any amount distributed from the General Endowment Fund on an annual basis shall be distributed to support the mission and ministry of Mountain View Lutheran Church in the following five (5) areas:
 - (1) Missions – local, regional, and world projects;
 - (2) Education – college and seminary scholarships and special programs within Mountain View Lutheran Church;
 - (3) Youth – support for ministry and special programs directed to youth of all ages;
 - (4) Worship and Music – support for the worship and music life of Mountain View Lutheran Church; and
 - (5) Capital Projects – major renovations and building of new facilities.
- b. The remaining fifty percent (50%) of any amount distributed from the General Endowment Fund on an annual basis shall be distributed for any or all of the above designated areas in any proportion as determined by the Committee, or for causes and programs which at the discretion of the Committee are deemed consistent with the Fund purpose of permanent financial support of the mission and ministry of Mountain View Lutheran Church.
- c. The Committee shall recommend for approval by the Congregation Council programs for support and funding according to guidelines established by this congregation.
- d. The Committee need not disburse all income annually if the Congregation Council has not approved sufficient causes and programs to utilize such income or if the Committee determines that total annual disbursement is not recommended.

C21.07 Disposition or Transfer of Fund

In the event that Mountain View Lutheran Church ceases to exist either through merger or dissolution, disposition or transfer of the Fund shall be determined by the Congregation Council in conformity with Chapter 7, or any successor section of the approved Congregation Constitution that addresses ownership of assets of the congregation, and in consultation with the Southwestern Washington Synod of the Evangelical Lutheran Church in America or such other synod to which this congregation belongs at such time.