

Constitution, Bylaws, and Continuing Resolutions

**Our Saviour Lutheran Church
Warrenton, VA**



**ADOPTED VERSION
Adopted February 25, 2023**

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Constitution

Our Saviour Lutheran Church + Warrenton, Virginia

***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

- C1.01.** The name of this congregation shall be Our Saviour Lutheran Church of Warrenton, Virginia.
- C1.02.** For the purpose of this constitution and the accompanying bylaws and continuing resolutions, the congregation of Our Saviour Lutheran Church of Warrenton, Virginia is hereinafter designated as "this congregation."

Chapter 2. CONFESSION OF FAITH

- *C2.01.** This congregation confesses the Triune God, Father, Son, and Holy Spirit.
- *C2.02.** This congregation confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.
- a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.
 - b. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.
 - c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.

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

Chapter 3.

NATURE OF THE CHURCH

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

engaging in faithful witness to the gospel of Jesus Christ and in service for the sake of God's mission in the world.

- *C3.05. The name Evangelical Lutheran Church in America (ELCA or "this church") as used herein refers in general references to this whole church, including its three expressions: congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.

Chapter 4.

STATEMENT OF PURPOSE

- *C4.01. The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world.
- *C4.02. To participate in God's mission, this congregation as a part of the Church shall:
 - a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
 - b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
 - c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
 - d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, embracing and welcoming racially and ethnically diverse populations, and standing in solidarity with the poor and and oppressed and
 - e. committing itself to their needs.
 - f. 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.
 - g. 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 the congregation. This congregation is authorized to:
- a. call a Minister of Word and Sacrament as provided in Chapter 9;
 - b. terminate the call of a Minister of Word and Sacrament 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, and 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 Congregation Council, and require the members of the council to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
 - k. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.
- *C5.04.** This congregation shall choose from among its voting members laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected by this congregation and other qualifications shall be as prescribed in guidelines established by the Virginia Synod of the Evangelical Lutheran Church in America.

Chapter 6.
CHURCH AFFILIATION

- *C6.01.** This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the Virginia Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.
- *C6.02.** This congregation accepts the Confession of Faith and agrees to the Purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.
- *C6.03.** This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:

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

 - a. This congregation takes action to dissolve.

- b. This congregation ceases to exist.
- c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America or in accordance with provision 9.23 of the constitution and bylaws of the Evangelical Lutheran Church in America.
- d. The Virginia 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 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 meeting 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 the bishop and/or the bishop's designees are voting members of this congregation, they 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 the 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 the bishop and/or bishop's designees are members 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 synodical 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 *6.05., 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 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 Virginia 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 providing 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 Virginia 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 of 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 Virginia Synod—reconvey and transfer all right, title, and interest in the property to the synod.

Chapter 8.

MEMBERSHIP

- *C8.01.** Members of this congregation shall be those baptized persons on the roll of this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.
- *C8.02.** Members shall be classified as follows:
- a. ***Baptized*** members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
 - b. ***Confirmed*** members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.
 - c. ***Voting*** members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws. They shall not have voted as a seasonal member of another congregation of this church in the previous two calendar months.
 - d. ***Associate*** members are persons holding membership in other Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. These individuals have all the privileges and duties of membership except voting rights or other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.

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

- *C8.03.** All applications for confirmed membership shall be submitted to and shall require the approval of the Congregation Council.
- *C8.04.** It shall be the privilege and duty of members of this congregation to:
- a. make regular use of the means of grace, both Word and sacraments;
 - b. live a Christian life in accordance with the Word of God and the teachings of the Lutheran church; and
 - c. support the work of this congregation, the synod, and the churchwide organization of the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards.
- *C8.05.** Membership in this congregation shall be terminated by any of the following:
- a. death;
 - b. resignation;
 - c. transfer or release;

- d. disciplinary action in accordance with Chapter 20 of the constitution and bylaws of the Evangelical Lutheran Church in America.
 - e. removal from the roll due to inactivity in accordance with the provisions of this constitution and its bylaws.
- Such persons who have been removed from the roll of members shall remain persons for whom the Church has a continuing pastoral concern.

Chapter 9.

ROSTERED MINISTER

- *C9.01.** Authority to call a pastor shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by this congregation to recommend the call, shall seek the advice and help of the bishop of the synod.
- *C9.02.** Only a member of the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Sacrament who has been recommended for this congregation by the bishop maybe 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, advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations.
 - 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 Virginia Synod; and.
- 6) Encourage adherence to conventional relationship with this church as expressed in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.

***C9.04.** The specific duties of the pastor, compensation, and other matters pertaining to the service of the pastor shall be included in a letter of call, which shall be attested by the bishop of the synod.

***C9.05.** The provisions for termination of the mutual relationship between a Minister of Word and Sacrament and this congregation shall be as follows:

- a. The call of this congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which, shall be terminated only by death or following consultation with the bishop, for any of the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the pastor, which shall become effective, unless otherwise agreed, 30 days after the date on which it was submitted;
 - 3) inability to conduct the pastoral office effectively in this congregation in view of local conditions.
 - 4) Inability to conduct the pastoral office effectively in view of disability or 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 the 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 disability or 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 the synod,
 - 1) the bishop who has sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one lay person, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one lay person.
- c. In case of alleged disability or 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 resumption of the ability to conduct the office effectively 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 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 the congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The Committee may also propose other actions that should be undertaken by the congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, the congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members

present and voting where the bishop and the committee recommended termination of the call.

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

- *C9.06.** At a time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.
- *C9.07.** During the period of service, an interim pastor shall have the rights and duties in this congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any rostered minister providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.
- *C9.08.** This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting.
- *C9.09.** When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- *C9.11.** With the approval of the bishop of the synod, this congregation may depart from *C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.05.a.
- *C9.12.** The pastor of this congregation:

- a. shall keep accurate 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 ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.
- *C9.14.** The 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 the secretary's 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 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 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 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, advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations.
- 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 a congregation shall be as follows:

- a. The call of a congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the deacon's death or, following consultation with the bishop, for any of 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) inability to conduct the office effectively in view of disability or 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 disability or 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 who has 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 disability or 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 resumption of the of the ability to conduct the office effectively, 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 majority vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a simple

majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.

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

***C9.26.** 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 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. This congregation shall have at least one regular meeting per year. The regular meetings of the congregation shall be held at the time(s) specified in the bylaws. Consistent with the laws of the State of

Virginia, the bylaws shall designate one regular meeting per year as the annual meeting of this congregation.

- C10.02.** A special Congregation Meeting may be called by the pastor(s), this Congregation Council, or the president of this congregation, and shall be called by the president¹ of this congregation upon the written request of 10% of the voting members. The president of the Congregation Council shall call a special meeting upon request of the 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.
- C10.02.1** In the event of a force majeure situation where the Congregation Council must take quick action for the wellbeing of the church, but is bound by the rules for calling a special meeting of the congregation requiring two weeks' notice to the members, the Congregation Council may by unanimous consent suspend the constitutional time requirement and act as quickly as practicable to arrange a special congregational meeting to address a single topic. Such meeting(s) and associated interactions may be accomplished electronically if in the interest and safety of the membership. This action will be in force for a single event, following which the regular constitutional requirements will be reinstated.
- C10.03.** Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive weekends and by mail and/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 (10) percent of the voting members shall constitute a quorum.
- C10.05.** Voting by proxy or by absentee ballot shall not be permitted.
- C10.06.** All actions 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.
- 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 or its

¹ If the pastor is the president of the congregation, the congregation may consider giving the vice president the authority to call a special meeting.

equivalent. To the extent permitted by state law, notice of all meetings may be provided electronically.

C10.09 “Ex officio” as used herein means membership with full rights of voice and vote unless otherwise expressly limited.

Chapter 11. OFFICERS

C11.01. The officers of this congregation shall be a president, vice president, and secretary,

- 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 as defined in the bylaws.
- d. If the Congregation Council shall elect its officers, the president, vice president, and secretary shall be selected from the elected membership of the Congregation Council.

C11.02. The Congregation Council shall elect its officers at its first meeting of the year, and they shall be the officers of this congregation. The officers shall be elected by written ballot and shall serve for one year or until their successors are elected. Their terms shall begin at the close of the meeting at which they are elected

C11.03. No officer shall hold more than one office at a time. The president and vice president shall not serve more than three consecutive terms in the same office.

Chapter 12. CONGREGATION COUNCIL AND TRUSTEES

C12.01.

The voting membership of the Congregation Council shall consist of the pastor(s) and twelve (12) members elected by the congregation. These twelve members shall include the president, vice president, and secretary. Any voting member of this congregation may be elected to council, subject only to the limitation on the length of continuous service. 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 four successive regular meetings of the Congregation Council without cause, or c) resigns their position on council. Consistent with the laws of the Commonwealth of Virginia, the congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.

C12.02.

- a. The members of the Congregation Council except the pastor(s) shall be elected by written ballot to serve for a term of two (2) years or until their successors are elected. Six (6) members shall be elected in odd-numbered years, and six (6) members shall be elected in even-numbered years. Such members shall be eligible to serve no more than three full terms consecutively. Their terms shall begin at the beginning of the next programming year. All elections to the council shall be by a majority of the votes cast.
- b. In the event of amendments to the Constitution of this congregation which alter the length of the term of office and/or the sequence of election of members to the Congregation Council, the Council shall have the power to adjust specific future term(s) of office in order to align the election of members with the amendments.

C12.03

Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor until the next annual meeting.

C12.04.

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

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

Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.

- i. To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.
- j. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.

- C12.054.** The Congregation Council shall be responsible for the financial and property matters of this congregation.
- a. The Congregation Council shall be the administrative board of this congregation, and as such shall be responsible for maintaining and protecting its property and the management of its business and fiscal affairs.
 - b. The Congregation Council shall not have the authority to authorize the trustees to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of the congregation.
 - c. The Congregation Council may spend amounts of no more than 4% of the annual budget for items not included in the budget. Of this amount, no amount more than 2% of the annual budget amount may be spent at one meeting.
 - d. The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations of more than 4% of the annual budget amount per annum only after approval by a Congregation Meeting. The budget shall support the wider ministry being carried on in partnership with the synod and churchwide organization.
 - e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to the synod.
 - f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.

C12.06. The Congregation Council shall see that the provisions of this constitution, 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 salaried lay workers of this congregation.

- C12.09.** The Congregation Council shall submit an annual comprehensive report to this congregation.
- C12.11.** The Congregation Council shall normally meet once a month. Special meetings may be called by the pastor or the president, and shall be called by the president at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.²
- C12.12.** 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, except when the pastor(s) or interim pastor requests or consents to be absent and has given prior approval to the agenda for a particular regular or special meeting, which shall be the only business considered at that meeting. Chronic or repeated absence of the pastor(s) or interim pastor who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synodical bishop.
- C12.13.** The property of the congregation shall be held in trust by three trustees elected by the congregation and appointed by the courts according to the laws of the Commonwealth of Virginia. Any voting member of the congregation of legal age may be elected.
- C12.14.** The trustees shall serve for a term of five years, without limit as to the number of terms. However, the office shall be declared vacant upon the death, resignation, or failure to continue as a voting member of the congregation on the part of the person serving as trustee. Trustees shall act in accordance with the direction of the congregation, and if any trustee does not do so, that trustee's position shall be declared vacant. Trustees of Our Saviour Lutheran Church shall also be the legally-designated Trustees of Our Saviour Lutheran Church Memorial and Endowment Trust Fund.
- C12.15.** When there is a vacancy in the office of trustee, the appropriate court officer(s) shall be notified by the Congregation Council of said vacancy, in accordance with the laws of the Commonwealth of Virginia. At its next regular Congregation Meeting, or at a special Congregation Meeting called for the purpose, the congregation shall elect a voting, member, of legal age and the person so elected by the congregation shall be recommended to the appropriate court officer(s)

² If the pastor is the president of the congregation, the congregation may consider giving the vice president the authority to call a special meeting.

by the Congregation Council to be appointed by the court as a trustee of the congregation.

- C12.16 The Congregation Council and its committees may hold meetings by remote communications, including electronically and by telephone conference as long as there is an opportunity for simultaneous aural communication or its equivalent. To the extent permitted by state law, notice of all meetings may be provided electronically.

Chapter 13.

CONGREGATION COMMITTEES

- C13.01.** The officers of this congregation and the pastor(s) shall constitute the **Executive Committee**.
- C13.02.** A **Nominating Committee** of four voting members of this congregation, two of whom, if possible, shall be outgoing members of the Congregation Council, shall be elected at the annual Congregation Meeting, for a term of one year. Members of the Nominating Committee are not eligible for consecutive reelection.
- C13.03.** An **Audit Committee** of three voting members shall be elected by the Congregation Council. Audit Committee members shall not be members of the Congregation Council. Term of office shall be three years, with one member elected each year. Members shall be eligible for reelection.
- C13.04.** A **Mutual Ministry Committee** of four voting members shall be appointed jointly by the Congregation Council and the pastor(s). Term of office shall be two years, with two members to be appointed each successive year, one by the Pastor and one by the Congregation Council. Committee members shall not be officers of the congregation during their term. Members shall be eligible for reappointment.
- C13.05.** When a vacancy occurs in a position for which this congregation calls a rostered minister, a **Call Committee** of six voting members shall be chosen by this congregation in accordance with the provisions of Bylaws B13.05.01. Term of office will terminate upon installation of the newly called rostered minister.
- C13.06.** Other committees and task groups of this congregation may be formed, as the need arises, by decision of the Congregation Council or the Congregation at a Congregation Meeting.

- C13.07.** Duties of committees of this congregation shall be specified in the Congregation Bylaws or Continuing Resolutions.
- C13.08** The pastor(s) of this congregation shall be ex officio member(s) of all committees and boards of this congregation. [The president [vice president] of this congregation shall be ex officio members of all committees and boards of this congregation, except the Nominating Committee.]

Chapter 14.

ORGANIZATIONS WITHIN THIS CONGREGATION

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

Chapter 15.

DISCIPLINE OF MEMBERS AND ADJUDICATION

- *C15.01** Persistent and public denial of the Christian faith, willful or criminal conduct grossly unbecoming a member of the Church of Christ, continual and intentional interference with the ministry of this congregation, or willful and repeated harassment or defamation of member(s) of this congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will be attempted following Matthew 18:15-17, proceeding through these successive steps: a) private counsel and admonition by the pastor, b) censure and admonition by the pastor in the presence of two or three witnesses, and 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 lay persons and two rostered ministers). 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. Referral shall be delivered to the vice president of the synod, the Congregation Council, and the accused member(s) at the same time it is sent to the Committee on Discipline of the synod. The Executive Committee of the Synod Council shall then select six members from the Committee on Discipline to decide the case and shall appoint a member of the Synod Council to preside as nonvoting chair. Those six members plus the nonvoting chair comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the parties to the case.
- *C15.04** The discipline hearing panel shall commence and conduct the disciplinary hearing in accordance with the provisions governing discipline of congregation members prescribed in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- *C15.05.** By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:
- a. suspension from the privileges of congregation membership for a designated period of time;
 - b. suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
 - c. termination of membership in this congregation; or

d. termination of membership in this congregation and exclusion from the church property and from all congregation activities.

***C15.06** The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next council meeting.

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

***C15.10. Adjudication**

***C15.11.** When there is disagreement between or among factions within this congregation on a substantive issue which cannot be resolved by the parties, members of this congregation may petition the synod bishop for consultation after informing the president [vice 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 12 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;
 - b. be ratified without change at the regular meeting of this congregation by a two-thirds vote of those voting members present and voting.

- *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 the congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of 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 the congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following the congregation's 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 of the Commonwealth of Virginia, this congregation may adopt provisions providing indemnification for each person who, by reason of the fact that such person is or was a Congregation Council member, officer, employee, agent, or other member of any committee of this congregation, was or is threatened to be made a party to any threatened, pending, or completed civil, criminal, administrative, arbitration, or investigative proceeding.

Chapter 20.

PARISH AUTHORIZATION

[Required provisions when congregation is part of a parish]*

- 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 bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregation 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 bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregation 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 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 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.

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- B10.02.01 Budgetary Year
- B11.01.01 Leadership Roles of the President
- B11.01.02 Leadership Roles of the Vice President
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Bylaws

B4.04.01. The organizational structure of Our Saviour Lutheran Church shall be described herein:

- a. All authority within the congregation rests ultimately with the voting members, sitting in a congregation meeting.
- b. The Congregation Council governs the ongoing business of the congregation. It shall meet regularly and its members shall be elected in accordance with the constitution, bylaws, and continuing resolutions. Meetings of the Congregation Council are open to all members of the congregation, excepting portions thereof relating to discipline of members or employees, or those areas for which provision is made in the Code of Virginia for a closed meeting.
- c. The Congregation Council may form standing committees to aid it in its duties. These committees shall have their duties set forth in a continuing resolution, and their membership shall be open to all members of the congregation, unless otherwise specified in the continuing resolution.
- d. The Congregation Council or the Congregation, in Congregation Meeting, may also form, from time to time, ad-hoc or special committees to handle special tasks. These committees will have a defined purpose and will cease to exist upon completion of their assigned task. Membership on these committees shall be open to all members of the congregation, unless otherwise specified.
- e. Constitutionally-defined committees (as defined in Chapter 13 of the Church Constitution) shall meet as necessary, shall advise the Congregation Council, and shall have their duties defined in the continuing resolutions.

B8.05.e.01. Members may be classified as inactive by the Congregation Council by simple majority vote after review of activity by the Council or its designee. If there is any doubt as to the activity of a particular member or members, an attempt shall be made to contact the member(s) to ascertain their intentions. Inactive members may be returned to active status by Council action as appropriate.

B10.01.01. The congregation shall hold two congregation meetings per year, one in February and one in November, on dates to be set by the Congregation Council.

B10.01.02. The Congregation Meeting shall have the primary purpose of conducting the regular business of the congregation. At the February meeting, the members of the nominating committee and the representatives to the Synod Assembly for the current programming year shall be elected. In addition, the annual reports of all committees

and officers shall be presented at this meeting. At the November meeting, the elections for Congregation Council and Trustees (if necessary) shall be conducted. Finally, the proposed budget for the next fiscal year shall be presented and voted on at this meeting.

B10.01.03. Any other agenda items for a Congregation Meeting shall, if at all possible, be presented to the Congregation Council at least 30 days in advance of the meeting, so that they may be included in the constitutionally-required notice of meeting.

B10.02.01. The Congregation year, and budgetary year, shall be January 1 through December 31, inclusively.

B11.01.01. The president shall be the chairman of the congregation and the church council. In the event of the president's inability to perform the required duties, the vice-president shall serve.

B11.01.02. The vice president shall be the chairman of the executive committee and shall be an ex-officio member of all special committees. The vice president shall also fulfill the duties of the president in the president's absence or inability to serve.

B11.01.03. The secretary shall keep accurate minutes of all meetings of the congregation and of the council, which shall be preserved permanently in its archives.

B11.01.04. The financial secretary shall receive and keep record of all income from contributing members and other sources.

B11.01.05. The treasurer shall keep the account books of the congregation and shall receive from the financial secretary all funds and disburse them on proper orders, making monthly remittance of benevolence receipts to the treasurer of the synod.

B11.01.06. The treasurer and financial secretary shall make written report of all their transactions to the Congregation Council monthly and to the congregation, together with a satisfactory audit, at the first Congregation Meeting of the programming year. All financial officers shall have fidelity coverage provided by the church.

B11.01.07. The financial secretary and treasurer shall be elected by the Congregation Council from the voting membership of the congregation and need not be voting members of the Congregation Council.

B12.05.01. "The Congregation Council shall receive periodic recommendations on the structure and level of the financial accounts and obligations of the

congregation (e.g. deposit accounts, and mortgages) and shall have the power to act on such recommendations in a timely manner, directing the distribution of monies among the various financial accounts and obligations as necessary.”

B12.05.02. “The Congregation Council shall receive periodic recommendations on the structure and level of investments of the congregation (e.g. certificates of deposit) and shall have the power to act on such recommendations in a timely manner, directing the distribution of monies into and out of the various investments as necessary.”

B13.05.01 The call committee shall consist of six voting members of the Congregation and shall be elected at the next regular Congregation Meeting, or at a special Congregation Meeting called for the purpose. Term of office will terminate upon installation of the newly called pastor(s).

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Continuing Resolutions

CR8.02.A2015 For the purpose of Chapter 8, Membership, “other Lutheran congregations” shall indicate congregations of the Evangelical Lutheran Church in America or its partners in the Lutheran World Federation.

1. Members may be received from or removed to such congregations by letter of transfer, as well as by affirmation of faith.
2. Members shall be received from congregations of other church bodies by affirmation of baptism and removed to them by letter of release.
3. Letters of transfer may be requested by the pastor of a member’s new congregation
4. Letters of release shall be requested by the member directly.
5. Both transfers and releases shall be granted with love in a spirit of pastoral concern.

CR9.02.1.C2011 This congregation believes that marriage is a lifelong covenant of faithfulness between a man and a woman.

Ordained ministers, whether married or single, are expected to uphold an understanding of marriage in their public ministry, as well as in private life that is biblically informed and consistent with the beliefs of this congregation, and considers marriage to be a gift from God. The expectations of this congregation regarding the sexual conduct of its ordained ministers are that:(i) they are to live in such a way as to honor this gift; (ii) single ordained ministers are expected live a chaste life; (iii) married ordained ministers are expected to live in fidelity to their spouses.

CR12.01.A2014 A vacant council seat shall be filled as follows:

- a. The remaining council members shall elect, from the voting membership of the congregation, a person to fill the vacancy.
- b. A person elected to fill a vacancy shall serve the unexpired term and shall be eligible to serve additional consecutive terms to a maximum of two full terms in addition to the unexpired term.

CR13.01.A2001 There shall be an executive committee, as required by the constitution. This committee shall have a defined membership of the pastor(s) of the congregation and its officers. This committee shall meet as necessary to dispense with ordinary business, review the activity of members, or for any other purpose so assigned to it by the Congregation Council. The vice president of the congregation shall be the chair of this

committee, and all actions of this committee must be reported at the next regular council meeting. All actions of this committee must be approved by unanimous vote of members present.

CR13.02.A2001 The duties of the nominating committee shall include but not be limited to the selecting, interviewing, and presenting of a slate of members to fill expired and vacant terms on the Congregation Council and board of trustees. This slate shall be presented at a Congregation Council meeting prior to the second Congregation Meeting of the year, and prior to any special Congregation Meeting called for the purpose of electing persons to fill vacated terms. It shall be the goal of this committee to present slates consisting of equal representation of women and men for all elected positions within the congregation.

CR13.03.A2001 There shall be an audit committee, as required by the constitution. This committee shall have a voting membership as defined by the constitution, however, all members of the congregation are welcome to aid the committee and participate in its deliberations. This committee shall perform a yearly audit of the financial records of the congregation and its committees/activity groups. A complete report of each audit shall be made to the Congregation Council at its final meeting of the year, to the congregation, and to the Virginia Synod.

CR13.04.A2014 There shall be a mutual ministry committee, as required by the constitution. This committee shall meet on a regular basis and focus upon the shared ministry between pastor(s) and people, not to serve one or the other, but to serve the greater health of the church. Thus, its goal is to strengthen the ministry of the professional leadership and thereby strengthen the mission of the congregation

CR13.06.A2003 The committees and organizations (hereafter referred to as “task groups”) of Our Saviour Lutheran Church-Warrenton, Virginia, shall be organized into four Ministry Teams. These Ministry Teams shall be called “Faith”, “Worship”, “Caring”, and “Administration”. Each team will be responsible for identifying tasks and task groups that fall under its area of responsibility and recruiting leaders for these groups. The task groups will make reports of their activities to the team leader and will meet regularly as a team to discuss items of mutual importance. The general areas of responsibility and duties for each of the teams will be spelled out in these continuing resolutions.

CR13.06.B2003 The Congregation Council shall, at its first meeting of the year, appoint Team Leaders from its membership to coordinate team functions and act as liaisons between the team and the council. It will

be the duty of these leaders to bring the regular reports of the team activities to council for review.

CR13.07.A2003 The Faith Team shall have the primary responsibility of general oversight of all activities of the congregation that deal with the education and development of congregation members as Christians in the Lutheran tradition. Examples of tasks that will be the primary responsibility of this team include, but are not limited to, Sunday School, First Communion, Confirmation, Vacation Bible School, Youth, Young Adults, Small Groups, and Adult Education.

CR13.07.B2003 The Worship Team shall have the primary responsibility of general oversight of all activities of the congregation that deal directly with the worship services of Our Saviour. Examples of tasks which will be the primary responsibility of this team include, but are not limited to, worship planning, worship support, children's church, the music program, worship assistants, and planning for future growth of worship opportunities.

CR13.07.C2003 The Caring Team shall have the primary responsibility of coordinating Our Saviour's ministry to others both globally and locally and promoting the internal health and strength of the congregation. Examples of tasks that will be the primary responsibility of this team include, but are not limited to, outreach, in-reach, fellowship, stewardship, our companion congregation contacts, and our various social ministry activities and projects.

CR13.07.D2003 The Administration Team shall have the primary responsibility of administering the resources of Our Saviour in a manner that provides support to the pastoral staff and other Ministry Teams in fulfilling the congregation's mission statement. Examples of tasks which will be the primary responsibility of this team include, but are not limited to, long range planning, building use, nursery, property, finance, mutual ministry, unified calendar, administrative staff, volunteer coordination, compensation, and publicity.

CR13.07.E2003 Each of the four aforementioned teams has the primary responsibility for managing the funds budgeted to it and its respective task groups. Task-specific budgeted amounts may be adjusted or moved within the team, with the agreement of the task groups involved and in consultation with the team leader, as long as the total budgeted amount for the team is unchanged. If additional monies are needed on a team basis, teams are encouraged to either work with other teams for budget movements or approach the council for an increase. However, all adjustments to the approved total team budget amounts must be approved by the congregation council. All changes to the task budgets

will be reported to the council at its next regularly scheduled meeting. Any transfers in excess of \$500.00 shall not become effective until after reported to council.

CR13.07.F2003 Except as otherwise provided in the constitution or bylaws, all requests for council action by a task group or team shall be brought to the Congregation Council by the Team Leader. These requests for action are to be considered under the parliamentary rules as seconded motions and may be discussed, amended, tabled, referred back to the task group or team, and/or voted upon by the council in accordance with parliamentary procedure.

CR14.01.A2003 All organizations of this congregation shall have a task group leader who shall act as the contact person for that task group. Task groups shall make reports of their activities and plans for events, policies, finances, and membership to their respective Team Leader for discussion and/or action at the team level and for regular reporting to the Congregation Council.

CR16.01A2020 Any loans approved by the congregation that do not encumber the property or other assets of Our Saviour Lutheran Church, a Trustee, Treasurer, President, Vice President, or Council Secretary of the congregation has the authority to sign as an authorized representative of this congregation.

CR17.01_A2021 This congregation shall have a Child Protection Policy that is defined and will operate as specified in a separate document within the *Supplementary Policy Handbook*.

CR18.01_A2021 This congregation shall have a Facility Usage Policy that is defined and will operate as specified in a separate document within the *Supplementary Policy Handbook*.

CR19.01_A2021 This congregation shall have a Safety and Security Policy that is defined and will operate as specified in a separate document within the *Supplementary Policy Handbook*.

C20.01_A2021 This congregation shall have an Operational Ethics Policy as specified by the Virginia Synod of the ELCA and will be defined and operate as specified in a separate document within the *Supplementary Policy Handbook*

CR21.01_A2022 This congregation shall have a Memorial and Endowment Trust Fund that is defined and will operate as specified in a separate document within the *Supplementary Policy Handbook*. This Trust Fund is established as a “Revokable Trust” under the statutes of the

State of Virginia, shall be represented by the Trustees of Our Saviour Lutheran Church, shall be managed by the Finance Committee of said church with the ultimate responsibility regarding the life of the Trust itself resting with the Congregation Council and the Members of the Congregation. The official document establishing the Trust shall reside in the Supplemental Policy Manual. Finally, the role of the Memorial and Endowment Trust Fund Committee shall be limited to initiatives to raise funds for the Trust and decisions regarding the distribution of funds under the terms and conditions of the policy itself.