

Notable Changes to the Edgebrook Lutheran Church Constitution

Below is a list of notable changes to the proposed Edgebrook Lutheran Church constitution. In general, when given a choice the work group philosophically chose the least restrictive option to create flexibility with hopes of increased potential for compliance. Changes can be broken down in two categories those required by the model constitution and optional elements:

- [Required Changes](#)
- [Optional Elements](#)

Required sections that cannot be changed or amended.

The model synod has required sections that must be included in congregational constitutions. Given that the ELCA constitution had not been revised since 2006, there were several required elements that needed to be included. There had been 4 sets of revisions from the synod since ELC last revised our constitution. Required elements are denoted with an Asterix*. A summary of these required sections can be found below:

C6.04 and Following

This is the updated version of how a congregation may disaffiliate with the ELCA

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 Metropolitan Chicago 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.

C8.02.e Seasonal Members

Because many people spend time during the winter in southern areas of the country, this section allows for seasonal membership status.

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.

C9 – This section had several revisions since 2006 and required multiple updates throughout Chapter 9 ROSTERED MINISTER. These are required and not optional. Updated information about the relationship between a pastor and a congregation and between a Deacon and a congregation.

C9.01 Call Committee elected by the Congregation

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.

C9.15 How a pastor from a denomination with which the ELCA has a full communion relationship may serve the congregation.

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 Same process for a call committee for a Deacon as for a pastor

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.

C15 Section Updated on **DISCIPLINE OF MEMBERS AND ADJUDICATION**

C16.01 Number of people needed to propose an amendment to the constitution (choice made)

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 5 percent of the voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify 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.

C16.03 & .04 Clarification around amendments

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.

C17 Section Updated on 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.

C18 Section Updated on 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.

C20 If ever choose to be 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 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.

Recommended Changes in Optional Areas of Constitution

The Model Constitution provides several suggested sections that are not required to be included in the congregational constitution. The sections below were identified as areas that had proposed changes in non-required areas. In general, the team attempted to take the least stringent option allowing for the greatest flexibility.

Organizational Structure Bylaw Required 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.

C5.04 Continuing Resolution about Council members serve as voting member

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 Metropolitan Chicago Synod of the Evangelical Lutheran Church in America.

C5.05.01 Endowment Fund Bylaw

This congregation shall have an endowment fund that will operate as specified in this congregation's bylaws. The purpose of the endowment fund is to provide for mission work and congregational sustainability. The endowment committee shall meet at least twice a year.

C11.01 Added Financial Officer

d. Congregation Council shall elect its officers, the president, vice president, secretary and financial officer from the elected membership of the Congregation Council.

C12.01 Strike Youth member of Council

Bylaw Added to address larger issue of representation

C13.02.01

When determining who to nominate for Congregation Council and a Call Committee, the Nominating Committee shall take into account the current make-up of the congregation and nominate members who will help reflect the demographics of the congregation, especially taking into account the diverse nature of the congregation.

C12.02.01 Bylaw requiring yearly Church Council Orientation

Each year, at the first Congregation Council meeting, in consultation with the outgoing Congregation Council leadership, the pastor(s) shall provide for a yearly orientation of the entire Congregation Council.

C12.03.01 Bylaw If serve less than half a term eligible for full term

When a person is elected to serve on the Congregation Council to fill an unexpired term, if the time of service is less than one half of a full term, that person shall be eligible for full term.

C12.05.02 Bylaw All contracts not in budget cannot exceed 5% of the total budget

All contracts in total that are not part of the regular congregational budgeted items cannot exceed 5% of the total budget.

C12.06.01D20

Congregational Policies should be reviewed at a minimum every three years and made readily accessible to the congregation.

C13.02 Nominating Committee members/Pastors Convene but non-voting

A **Nominating Committee** of four voting members of this congregation, one of whom, if possible, shall be an outgoing member of the Congregation Council, shall be elected at the annual meeting for a term of one year. Members of the Nominating Committee are not eligible for consecutive re-election. The pastor(s) are non-voting members who will convene the committee.

C13.03 Audit Committee Members

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 one additional election. After serving, their term(s) members must be off the committee for two years before they are again eligible to serve.

C13.04 Personnel Committee

Personnel Committee shall be appointed jointly by the president and the rostered minister(s) and approved by the Congregation Council. The committee shall have a minimum of three members. Term of office shall be for two years and members may be reappointed.

C13.05 Nominating Committee recommend Call Committee Members to Congregation

When a vacancy occurs in a position for which this congregation calls a rostered minister, the Nominating Committee shall nominate a **Call Committee** of six voting members and up to two alternates who shall be elected by this congregation. The Term of office will terminate upon installation of the newly called rostered minister.

C13.08 President given voice but no vote on all congregation committees

The pastor(s) of this congregation shall be an *ex officio* member(s) of all committees and boards of this congregation except the Audit Committee, the Personnel Committee and any Call Committee.