

CONSTITUTION



Bethel Evangelical Lutheran Church
8712 Plantation Lane
Manassas, Virginia
20110

Effective November 15, 2009

Constitution
Bethel Evangelical Lutheran Church
Manassas, Virginia

Table of Contents

*PREAMBLE.....	1
Chapter 1.....	1
Chapter 2.....	1
Chapter 3.....	1
Chapter 4.....	2
Chapter 5.....	2
Chapter 6.....	3
Chapter 7.....	4
Chapter 8.....	4
Chapter 9.....	5
Chapter 10.....	7
Chapter 11.....	8
Chapter 12.....	8
Chapter 13.....	9
Chapter 14.....	9
Chapter 15.....	9
Chapter 16.....	10
Chapter 17.....	10
Chapter 18.....	11
Chapter 19.....	11

Required provisions: Sections of this constitution marked by an asterisk [*] are required when a congregation amends its governing documents. These sections must be used without alteration or amendment of the text in any manner (neither additions nor deletions). This is in keeping with provision 9.52. in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. This provision stipulates that when a congregation of this church “wishes to amend any provision of its governing documents, the governing documents of that congregation shall be so amended to conform to 9.25.b.” in the churchwide constitution. The provisions herein marked by an asterisk are those that are indicated as required in ELCA constitutional provision 9.25.b.

**Constitution
Bethel Lutheran Church
Manassas, 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 AND INCORPORATION

- C1.01.** The name of this congregation shall be Bethel Evangelical Lutheran Church.
- C1.02.** For the purpose of this constitution and its bylaws the congregation of Bethel Evangelical Lutheran Church is hereinafter designated as "this congregation."
- C1.03.** This congregation shall be incorporated under the laws of the Commonwealth of Virginia.

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 Scriptures and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

Chapter 3.

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.** 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.

Chapter 4.

STATEMENT OF PURPOSE

- *C4.01. The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world.
- *C4.02. To participate in God's mission, this congregation as a part of the Church shall:
 - a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
 - b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
 - c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
 - d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, and standing with the poor and powerless, and committing itself to their needs.
 - e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
 - f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.
- *C4.03. To fulfill these purposes, this congregation shall:
 - a. Provide services of worship at which the Word of God is preached and the sacraments are administered.
 - b. Provide pastoral care and assist all members to participate in this ministry.
 - c. Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregation.
 - d. Teach the Word of God.
 - e. Witness to the reconciling Word of God in Christ, reaching out to all people.
 - f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
 - g. Motivate its members to provide financial support for the congregation's ministry and the ministry of other parts of the Evangelical Lutheran Church in America.
 - h. Foster and participate in interdependent relationships with other congregations, the synod, and the churchwide organization of the Evangelical Lutheran Church in America.
 - i. Foster and participate in ecumenical relationships consistent with churchwide policy.
- *C4.04. This congregation shall develop an organizational structure to be described in the bylaws. The Mission Council shall prepare descriptions of the responsibilities of each committee, task force, or other organizational group and shall review their actions
- *C4.05. This congregation shall, from time to time, adopt a mission statement which will provide specific direction for its programs.

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 Mission Council or other organizational units in this congregation's governing documents is recognized. All remaining authority is retained by the congregation. The congregation is authorized to:
 - a. Call a pastor as provided in Chapter 9;
 - b. Terminate the call of a pastor as provided in Chapter 9;
 - c. Call or terminate the call of associates in ministry, deaconesses, and diaconal ministers in conformity with the applicable policy of the Evangelical Lutheran Church in America;
 - d. Adopt amendments to the constitution, as provided in Chapter 17 and amendments to the bylaws specified in Chapter 16.
 - e. Approve the annual budget;
 - f. Acquire real and personal property by gift, devise, purchase, or other lawful means;
 - g. Hold title to and use its property for any and all activities consistent with its purpose;
 - h. Sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
 - i. Elect its officers, and Mission Council, and require them to carry out their duties in accordance with the constitution; and
 - j. Terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.
- *C5.04.** This congregation shall choose from among its voting members laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected by the congregation and other qualifications shall be as prescribed in guidelines established by the Metropolitan Washington, D.C. Synod of the Evangelical Lutheran Church in America.
- C5.05.** This congregation shall have a Mission Endowment Fund. The purpose of the Mission Endowment Fund is to provide for mission work beyond the operational budget of this congregation.

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 Metropolitan Washington, D.C. Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.
- *C6.02.** This congregation accepts the Confession of Faith and agrees to the Purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.
- *C6.03.** This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:
 - a. This congregation agrees to be responsible for its life as a Christian community.
 - b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
 - c. This congregation agrees to call pastoral leadership from the clergy roster of 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.
 - d. This congregation agrees to consider associates in ministry, deaconesses, and diaconal ministers for call to other staff positions in the congregation according to the procedures of the Evangelical Lutheran Church in America.
 - e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America and with the constitution of the synod.
- *C6.04.** Affiliation with the Evangelical Lutheran Church in America may be terminated as follows:
 - a. This congregation takes action to dissolve.
 - b. This congregation ceases to exist.
 - c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America.
 - d. This congregation follows the procedures outlined in *C6.05.
- *C6.05.** This congregation may terminate its relationship with the Evangelical Lutheran Church in America by the

following procedure:

- a. A resolution indicating the desire of this congregation to terminate its relationship must be adopted at a legally called and conducted special meeting of this congregation by a two-thirds majority of the voting members present.
- b. The secretary of this congregation shall submit a copy of the resolution to the synodical bishop and shall mail a copy of the resolution to voting members of this congregation. This notice shall be submitted within 10 days after the resolution has been adopted.
- c. The bishop of the synod shall consult with this congregation during a period of at least 90 days.
- d. If this congregation, after consultation, still desires to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds majority of the voting members present, at which meeting the bishop of the synod or an authorized representative shall be present. Notice of the meeting shall be mailed to all voting members at least 10 days in advance of the meeting.
- e. A certified copy of the resolution to terminate its relationship shall be sent to the synodical bishop, at which time the relationship between this congregation and the Evangelical Lutheran Church in America shall be terminated.
- f. Notice of termination shall be forwarded by the synodical bishop to the secretary of this church and published in the periodical of this church.
- g. Since this congregation was a member of the Lutheran Church in America, it shall be required, in addition to the foregoing provisions in *C6.05., to receive synodical approval before terminating its membership in the Evangelical Lutheran Church in America.

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

Chapter 7.

PROPERTY OWNERSHIP

- *C7.01. If this congregation ceases to exist, title to undisposed property shall pass to the Metropolitan Washington, D.C. Synod of the Evangelical Lutheran Church in America.
- *C7.02. If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline, title to property shall continue to reside in this congregation.
- *C7.03. If a two-thirds majority of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Metropolitan Washington, D.C. Synod.
- *C7.04. If a two-thirds majority of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body, title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the established synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America.

Chapter 8.

MEMBERSHIP

- *C8.01. Members of this congregation shall be those baptized persons on the roll of this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.
- *C8.02. Members shall be classified as follows:
- a. **Baptized** members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
 - b. **Confirmed** members are baptized persons who have been confirmed in this congregation, those who

have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.

- c. **Voting** members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation.
- d. **Associate** members are persons holding membership in other Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, or persons who wish to retain a relationship with this congregation while being members of other congregations. They have all the privileges and duties of membership except voting rights and eligibility for elected offices or membership on the Mission Council of this congregation.

*C8.03. All applications for confirmed membership shall be submitted to and shall require the approval of the Mission 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 by the Mission Council; or
- e. Removal from the roll due to inactivity as defined in the bylaws.

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

Chapter 9.

THE PASTOR

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

*C9.02. Only a member of the clergy roster of the Evangelical Lutheran Church in America or a candidate for the roster of ordained ministers who has been recommended for the congregation by the synodical bishop may be called as a pastor of this congregation.

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

- a. Every ordained minister shall:
 - 1) Preach the Word;
 - 2) Administer the sacraments;
 - 3) Conduct public worship;
 - 4) Provide pastoral care; and
 - 5) Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.
- b. Each ordained minister with a congregational call shall, within the congregation:
 - 1) Offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2) Supervise all schools and organizations of this congregation;
 - 3) Install regularly elected members of the Mission Council; and
 - 4) With the council, administer discipline.
- c. Every pastor shall:

- 1) Strive to extend the Kingdom of God in the community, in the nation, and abroad;
- 2) Seek out and encourage qualified persons to prepare for the ministry of the Gospel;
- 3) Impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and
- 4) Endeavor to increase the support given by the congregation to the work of the churchwide organization of the Evangelical Lutheran Church in America (ELCA) and of the Metropolitan Washington, D.C. Synod of the ELCA.

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

- *C9.05.** a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which, except in the case of the death of the pastor, shall be terminated only following consultation with the synodical bishop and for the following reasons:
- 1) Mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) Resignation of the pastor, 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 the congregation in view of local conditions, without reflection on the competence or the moral and spiritual character of the pastor;
 - 4) The physical or mental incapacity of the pastor;
 - 5) Disqualification of the pastor through discipline on grounds of doctrine, morality, or continued neglect of duty;
 - 6) The dissolution of the congregation; or
 - 7) Suspension of the congregation as a result of discipline proceedings.
- b. When allegations of physical or mental incapacity of the pastor or ineffective conduct of the pastoral office have come to the attention of the bishop of the synod, the bishop in his or her sole discretion may, or when such allegations have been brought to the synod's attention by an official recital of allegations by the Mission Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop shall, investigate such conditions personally in company with a committee of two ordained ministers and one layperson.
- c. In case of alleged physical or mental incapacity, competent medical testimony shall be obtained. When such disability is evident, the bishop of the synod with the advice of the committee shall declare the pastorate vacant. Upon the restoration of a disabled pastor to health, the bishop of the synod shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another field of labor.
- d. In the case of alleged local difficulties that imperil the effective functioning of the congregation, all concerned persons shall be heard, after which the bishop of the synod together with the committee described in *C9.05.b. shall decide on the course of action to be recommended to the pastor and the congregation. If they agree to carry out such recommendations, no further action shall be taken by the synod. If either party fails to assent, the congregation may dismiss the pastor 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.
- e. If, in the course of proceedings described in *C9.05.d., the committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action to the synodical bishop who may bring charges, in accordance with the provisions of the constitution and bylaws of the Evangelical Lutheran Church in America and the constitution of this synod.
- f. If, following the appointment of the committee described in *C9.05.b. or d., it should become apparent that the pastoral office cannot be conducted effectively in the congregation(s) being served by the ordained minister due to local conditions, the bishop of the synod may temporarily suspend the pastor from service in the congregation(s) without prejudice and with pay provided through a joint synodical and churchwide fund and with housing provided by the congregation(s).

***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 Mission Council.

***C9.07.** During the period of service, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod

and this congregation or Mission Council. The interim pastor and any ordained pastor providing assistance shall refrain from exerting influence in the selection of a pastor.

- *C9.08.** This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting related to the Evangelical Lutheran Church in America.
- *C9.09.** When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Mission Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- *C9.10.** With the approval of the bishop of the synod, the congregation may depart from *C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of the congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.05.a.
- *C9.11.** The pastor of this congregation:
 - a. Shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;
 - b. Shall submit a summary of such statistics annually to the synod; and
 - c. Shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- *C9.12.** The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.
- C9.13.** Ecumenical pastoral ministry
- C9.14.** Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, an ordained minister of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between the congregation and the ordained minister in a form proposed by the synodical bishop and approved by the congregation.

Chapter 10.

CONGREGATION ASSEMBLY

- C10.01.** The annual congregational assembly of this congregation shall be held during the month of November at a time and date selected by the Mission Council.
- C10.02.** A special Congregation Assembly may be called by the pastor, the Mission Council, or the president of this congregation, and shall be called by the president of the congregation upon the written request of ten percent of the voting members. The call for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted.
- C10.03.** Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail to all [voting] members at least 10 days in advance of the date of the meeting. The posting of such notice in the regular mail, with the regular postage affixed or paid, sent to the last known address of such members shall be sufficient.
- C10.04.** Ten percent of 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 the 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.

Chapter 11.

Officers

- C11.01.** The officers of this congregation shall be members of the congregation and shall be a president, vice president, secretary, and treasurer.
- a. President:
 1. Preside at all meetings of the Congregational Assembly and the Mission Council.
 2. Enforce the constitution.
 3. Perform the general duties as are common for the office, including such additional duties as may be directed by the Congregational Assembly from time to time.
 - b. Vice President:
 1. Perform all of the duties of the President in the latter's absence and such other additional duties which may be directed by the Congregational Assembly or by the President from time to time.
 2. Chair and appoint a Nominating Committee with the advice and consent of the Mission Council.
 - c. Secretary:
 1. The duties shall be those commonly required of that office, especially the keeping and preserving of accurate records of all Congregational Assembly meetings, and handling such correspondence as the congregation may require.
 2. Keep and make available minutes of all Mission Council meetings.
 - d. Treasurer:
 1. Keep and preserve the accurate records of all receipts and disbursements, and submit a written report of them at all regular meetings of the Mission Council and the Congregational Assembly.
 2. Assure accuracy and propriety of all financial transactions of the congregation.
- C11.02.** The Mission Council shall elect its officers and they shall be the President and Vice President of the congregation. The Congregational Assembly shall elect the Secretary and Treasurer.
- C11.03.** Each officer shall serve for a term of one year and shall serve no more than two full successive terms in that position without a break of at least one year. The term of office commences immediately following the election.
- C11.04.** No officer shall hold more than one office at a time and shall not receive any compensation from the congregation.
- C11.05.** Any elected official, who is unable or is willfully neglectful in the performance of his official duties, may be removed from office by two-thirds secret ballot vote of the Congregational Assembly. The Mission Council shall initiate such action.
- C11.06.** The Mission Council shall be authorized to appoint a person to fill an unexpired term of an officer or Mission Council member.

Chapter 12.

MISSION COUNCIL

- C12.01.** The Mission Council shall consist of nine (9) voting members elected at large by the Congregational Assembly. The Pastor(s), Treasurer and Secretary are members of the Mission Council with all the privileges of a full member except the right to vote.
- C12.02.** The term of office shall be three years. Mission Council members shall serve no more than one full term in that position without a break of at least one year. The term of office commences with the first Mission Council meeting following the Annual Congregational Assembly meeting. One-third of the Mission Council shall be elected at the Annual Congregational Assembly each year.
- C12.03.** The Mission Council shall meet every month and may be called more frequently at the request of the President or any three Mission Council members. An elected officer shall be present and preside with a simple majority of the current voting members of the Mission Council to constitute a quorum for any meeting. The minutes shall fully disclose all actions taken and be signed by the Secretary. Approved minutes of the meetings shall be available to voting members of the congregation upon request.
- C12.04.** The Mission Council shall have no authority beyond that which has been conferred upon it by the constitution, its bylaws or by the Congregational Assembly. The powers and duties of the Mission Council are:
- a. The Mission Council, as the chief governing Council of the congregation, shall act in all matters pertaining to the legal and general welfare of the congregation, except those reserved for the Congregation.

- b. The Mission Council shall see to it that all activities of the church reflect the purpose and faith of the congregation.
- c. The Mission Council shall concern itself with establishing policies as required to execute the goals approved by the Congregational Assembly governing the activities of the congregation and with the implementation of the mission, vision, budget, and plans adopted by the Congregational Assembly.
- d. The Mission Council may appoint any entity needed. It shall oversee and have authority over all other boards, committees, task forces, action teams, or other entities of the congregation.
- e. For any legal issues requiring such, the Mission Council is the Board of Directors of the congregation.
- f. The Mission Council shall cause the creation of the annual budget for approval at a Congregation meeting.
- g. The Mission Council shall have the authority to expend an amount up to 10 % of the budget approved by the Congregational Assembly for unanticipated needs of the congregation.

Chapter 13.

CONGREGATION COMMITTEES

C13.01. The officers of this congregation and the Senior Pastor shall constitute the *Executive Committee*.

C13.02. Except as provided within this constitution or by a Congregation Meeting, the Mission Council has the responsibility to create and change the boards, committees, teams, and any other organizational structure of the congregation or affiliated with the congregation.

a. Nominating Committee: The Vice President shall annually appoint a Nominating Committee whose responsibility will be to develop a slate of candidates for Mission Council members and for the positions of Secretary and Treasurer to be elected each year by the Congregational Assembly. The committee shall contain a majority who are not on the Mission Council. Members shall function for one year only and shall report their nominations to the election meeting of the Congregational Assembly. The Senior Pastor shall be a non-voting member of the Nominating Committee. All nominees shall be voting members of the congregation. Specific criteria for elected officials shall be outlined by the Nominating Committee and approved by the Mission Council prior to accepting any nominations. In addition to the Nominating Committee's slate of candidates, any voting member may nominate candidates. A call for nominations will be distributed to the congregation no less than two months prior to the election meeting. The list of nominations will be closed at the time that the meeting agenda and slate of candidates is distributed.

C13.03 There shall be three trustees elected by the congregation and appointed by the court to hold the property of the congregation in trust, according to the laws of the Commonwealth of Virginia.

Chapter 14.

ORGANIZATIONS WITHIN THE CONGREGATION

C14.01. All organizations within this congregation shall exist to aid it in ministering to the members of this congregation and to all persons who can be reached with the Gospel of Christ. As outgrowths and expressions of this congregation's life, the organizations are subject to its oversight and direction.

Chapter 15.

DISCIPLINE OF MEMBERS AND ADJUDICATION

***C15.01.** Denial of the Christian faith as described in this constitution, conduct grossly unbecoming a member of the Church of Christ, or persistent trouble-making in this congregation are sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation will be attempted following Matthew 18:15-17, proceeding through these successive steps: a) private admonition by the pastor, b) admonition by the pastor in the presence of two or three witnesses, and c) citation to appear before the Mission Council. If for any reason, the pastor is unable to administer the admonitions required by a. and b. hereof, the president (if not the pastor) or vice president shall administer such admonitions.

***C15.02.** The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If discipline against a member proceeds beyond counseling and admonition by the pastor, charges against the accused member(s) that are specific and in writing shall be prepared by members(s) of the congregation who shall sign the charges as the accuser(s). The written charges shall be filed with the pastor,

who shall advise the Mission Council of the need to issue a written citation to the accused and the accusers that specifies the time and place of the hearing before the Mission Council. The written charges shall accompany the written citation to the accused. A member charged with the offense shall appear before the Mission Council after having received a written citation, at least ten days prior to the meeting. If the member charged with the offense fails to appear at the scheduled hearing, the Mission Council may proceed with the hearing and may pass judgment in the member's absence.

- *C15.03. Members of the Mission Council who participate in the preparation of the written charges or who present evidence or testimony in the hearing before the Mission Council are disqualified from voting upon the question of the guilt of the accused member. Should the allegations be sustained by a two-thirds majority vote of the members of the Mission Council who are not disqualified but who are present and voting, and renewed admonition prove ineffectual, the council shall impose one of the following disciplinary actions:
 - a. Censure before the council or congregation;
 - b. Suspension from membership for a definite period of time; or
 - c. Exclusion from membership in this congregation.Disciplinary actions b. and c. shall be delivered to the member in writing.
- *C15.04. The member against whom disciplinary action has been taken by the Mission Council shall have the right to appeal the decision to the Synod Council. Such right may not be abridged and the decision of the Synod Council shall be final.
- *C15.05. Disciplinary actions may be reconsidered and revoked by the Mission Council upon receipt of a) evidence that injustice has been done or b) evidence of repentance and amendment.
- *C15.06. For disciplinary actions in this congregation, "due process" shall be observed as specified in 20.41.04. in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- *C15.07. No member of a congregation shall be subject to discipline for offenses that the Mission Council has previously heard and decided, unless so ordered by the Synod Council after an appeal.
- *C15.08. **Adjudication.** When there is disagreement among factions within this congregation on a substantive issue that cannot be resolved by the parties, members of this congregation shall have access to the synodical bishop for consultation after informing the chair of the Mission Council of their intent. If the consultation fails to resolve the issue(s), the Consultation Committee of the synod shall consider the matter. If the Consultation Committee of the synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final.

Chapter 16.

BYLAWS

- *C16.01. This congregation may adopt bylaws. No bylaw may conflict with this constitution.
- *C16.02. Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a majority vote of those voting members present and voting.
- *C16.03. Changes to the bylaws may be proposed by any voting member provided, however, that such additions or amendments be submitted in writing to the Mission Council at least 60 days before a regular or special Congregation Meeting called for that purpose and that the Mission Council notify the congregation members by mail of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting.
- *C16.04. Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.

Chapter 17.

AMENDMENTS

- *C17.01. 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 ten (10) voting members or by the Mission Council. Proposals must be filed in writing with the Mission Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Mission Council shall notify the congregation's members of the proposal together with the council's recommendations at least 30 days in advance of the meeting.
- *C17.02. An amendment to this constitution, proposed under *C17.01., shall:
 - a. Be approved at a legally called Congregation Meeting according to this constitution by a majority vote of

those present and voting;

- b. Be ratified without change at the next annual meeting by a two-thirds majority vote of those present and voting; and
- c. Have the effective date included in the resolution and noted in the constitution.

***C17.03.** Any amendments to this constitution that result from processes provided in *C17.01. and *C17.02. shall be sent by the secretary of this congregation to the synod. The amendment shall become effective within 120 days from the date of the receipt of the notice by the synod unless the synod informs this congregation that the amendment is in conflict with the constitution and bylaws of the Evangelical Lutheran Church in America or the constitution of the Metropolitan Washington, D.C. Synod of the ELCA.

***C17.04.** Whenever the *Model Constitution for Congregations* is amended by the Churchwide Assembly, this constitution may be amended to incorporate any such amendment by a simple majority vote of those voting members present and voting at any subsequent meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Mission Council has submitted by mail notice to the congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

Chapter 18.

CONTINUING RESOLUTIONS

- *C18.01.** The Mission 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 two-thirds vote of all voting members of the Mission Council.

Chapter 19.

INDEMNIFICATION

- *C19.01.** Consistent with the provisions of the laws under which this congregation is incorporated, this congregation may adopt provisions providing indemnification for each person who, by reason of the fact that such person is or was a Mission 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.