

Bethel Lutheran Church

Revisions to the Constitution

February 3, 2013

In keeping with the need to ensure Bethel's constitution is consistent with that of the ELCA constitution, the following changes are required (change is delineated in red text)

*C3.03 Nature of the Church [addition]

"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."

*C4.06 Statement of Purpose [addition]

"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."

*C5.03 Powers of the Congregation

The congregation is authorized to ... "adopt amendments to the constitution, as provided in Chapter 17, and amendments to the bylaws, as specified in Chapter 16, and continuing resolutions, as provided in Chapter 18."

*C6.03: Church Affiliation: 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. These special circumstances are limited either to calling a candidate approved for the roster of ordained ministers of the Evangelical Lutheran Church in America or to contracting for pastoral services with an ordained minister of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.

*C6.05 [Process for terminating affiliation with the ELCA]

~~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 must 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 shall be published in the periodical of this church.~~

A congregation may terminate its relationship with this church by the following procedure:

- a. A resolution indicating the intent to terminate its relationship must be adopted at a legally called and conducted special meeting of the congregation by a two-thirds vote of the voting members present. Such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time the congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the congregation council. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.
- b. The secretary of the congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall mail a copy of the resolution to voting members of the congregation. This notice shall be submitted within 10 days after the resolution has been adopted.

c. The bishop of the synod and the congregation shall continue in consultation, as specified in paragraph a, above, during a period of at least 90 days after receipt by the synod of the notice as specified in paragraph b, above.

d. If the congregation, after such consultation, still seeks to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of the meeting shall be mailed to all voting members and to the bishop at least 10 days in advance of the meeting. Unless he or she is voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.

e. A copy of the resolution, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, shall be sent to the bishop within 10 days after the resolution has been adopted, at which time the relationship between the congregation and this church shall be terminated subject to paragraphs g., h., and i. below. Unless this notification to the bishop also certifies that the congregation has voted by a two-thirds vote to affiliate with another Lutheran denomination, the congregation will be conclusively presumed to be an independent or non-Lutheran church.

f. Notice of termination shall be forwarded by the bishop to the secretary of this church, who shall report the termination to the Churchwide Assembly.

g. Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in *C6.05., shall be required to receive Synod Council approval before terminating their membership in this church.

h. Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to receive synodical approval before terminating their membership in this church.

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

j. If a congregation fails to achieve the required two-thirds vote of voting members present at the congregation's first meeting as specified in paragraph a. above, another special meeting to consider termination of relationship with this church may be called no sooner than six months after that first meeting. If a congregation fails to achieve the required two-thirds vote of voting members present at the congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this

church must follow all requirements of *C6.05. and may begin no sooner than six months after that second meeting.

*C7.03 Property Ownership

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

*C7.04 Property Ownership

If a two-thirds majority of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body **and have followed the process for termination of relationship in *C6.05.,** title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council.

*C9.07 Pastoral Office: During the period of service, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any ordained pastor 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.**

*C16.03 Bylaws

Changes to the bylaws may be proposed by any voting member provided, ~~however~~ 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. ~~and that the~~ **The** Congregation Council **shall** notify the congregation's members by mail of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting.

*C17.04 Amendments

This constitution may be amended to bring any section into conformity with a section or sections, either required or not required. Of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* – as most recently amended by the Churchwide Assembly. **Such amendments may be approved** by a simple majority vote of those voting members present and voting at any legally called meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail notice to the

congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting.

Bylaws Changes

C10.03 Congregation Meeting

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 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.~~

Electronic notice of meetings may be provided rather than notice by regular mail provided that all members are informed in a timely manner.

School Board By-Laws Changes

The Bethel School Board is a standing committee of Bethel Lutheran Church. The Bethel School Board shall oversee the management of the school to ensure its actions are ~~in congruence~~ consistent with the philosophy and mission of Bethel Lutheran Church.

School Board Membership [addition]

Appointed members may complete their term if there is a change of status during that term, in that they are no longer a member of Bethel Lutheran Church or not the parent of a student enrolled at Bethel Lutheran School.

Terms

The Chairperson elected at the annual meeting shall serve a term of ~~three~~ two years. The first set of regular board members appointed subsequent to the adoption of these bylaws shall serve for staggered terms of up to ~~three~~ two years. Subsequently, members as needed shall be appointed each year for terms of ~~three~~ two years.

Members shall not be eligible to serve more than ~~two~~ three successive full terms.

Responsibilities [addition]

Encourage school families to participate in a faith community.

Please direct any questions regarding these changes to Mary Thomas

