

GRACE LUTHERAN CHURCH CONSTITUTION

***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 Grace English Evangelical Lutheran Church.
- C1.02.** For the purpose of this constitution and the accompanying bylaws, the congregation of Grace English Evangelical Lutheran Church is hereinafter designated as "this congregation."
- C1.03.** This congregation shall be incorporated under the laws of the State of Texas.

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.

STATEMENT OF PURPOSE

- *C3.01. The object and purpose of this congregation shall be to proclaim and propagate the Christian faith through the Means of Grace and to cooperate in the work and service of the Evangelical Lutheran Church of America (ELCA).

Chapter 4.

POWERS OF THE CONGREGATION

- *C4.01. All power in this congregation has its source in the Word of God, which is the norm for its faith and life. All individuals and groups within this congregation shall submit to the authority of the Word; and the life and activity of this congregation and its organizations shall conform to it.
- *C4.02. The powers of this congregation shall be those necessary to fulfill its purposes as set forth in this constitution.
- *C4.03. The powers of this congregation shall be vested in the congregational meeting, called and conducted in such a manner as is provided in this constitution and to the extent conveyed by this constitution or as assigned from time to time by the congregational meeting in the boards elected by this congregation.
- *C4.04. In the fulfillment of its purpose this congregation is empowered 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 in conformity with the applicable policy of the Evangelical Lutheran Church in America;
 - d. adopt amendments to the constitution, as provided in Chapter 13, amendments to the bylaws, as specified in Chapter 12, and continuing resolutions, as provided in Chapter 14..
 - 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, Church Council, Board Chairpersons and require them to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
 - j. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 5.
- *C4.05. Real property shall not be purchased, disposed of or encumbered in any manner except by resolutions adopted by not less than a two-thirds majority ballot vote of the members present and voting at a legally called meeting of this congregation.
- *C4.06. Should this congregation cease to do business and be dissolved, all property and the funds remaining after payment of the debts of this congregation shall be distributed to the Evangelical Lutheran Church in America (or its successor) or a corporation, trust foundation, or other charitable purposes which would then qualify under the provisions of section 501 (c) (3) of the Internal Revenue Code, as now enacted or as may hereafter be amended.
- *C4.07. 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 Southwestern Texas Synod of the Evangelical Lutheran Church in America.

Chapter 5.

CHURCH AFFILIATION

- *C5.01.** This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the Southwestern Texas Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.
- *C5.02.** 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.
- *C5.03.** This congregation covenants to support with prayer, personal service and offerings, the common work of the ELCA.
- *C5.04.** 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.
- *C5.05.** A congregation may terminate its relationship with this church by following the procedures outlined in the 2011 ELCA Model Constitution, Chapter 6, paragraph C6.05, found on the ELCA website.
- *C5.06.** If this congregation considers relocation, it shall confer with the bishop of the synod in which it is territorially located and the appropriate program 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 effected.
- *C5.07.** 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 program unit of the churchwide organization before any steps are taken leading to such action.

Chapter 6.

PROPERTY OWNERSHIP

- *C6.01.** If this congregation ceases to exist, title to undisposed property shall pass to the Southwestern Texas Synod of the Evangelical Lutheran Church in America.
- *C6.02.** 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.
- *C6.03.** 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 Southwestern Texas Synod.
- *C6.04.** 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 7.

MEMBERSHIP

***C7.01.** 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. There shall be no membership restrictions with respect to race, color, national origin, gender, or sexual orientation.

***C7.02.** 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 [Lutheran] [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 Church Council of this congregation.

***C7.03.** All applications for confirmed membership shall be submitted to and shall require the approval of the Church Council.

***C7.04.** 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.

***C7.05.** 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 Church 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 8.

DISCIPLINE OF MEMBERS AND ADJUDICATION

- *C8.01. A member who advocates doctrines which are contrary to Holy Scripture and the Confessions of the Church, or who is guilty of conduct that is grossly unbecoming a member of the Body of Christ, shall be subject to discipline.
- *C8.02. Discipline shall be administered by the Church Council in behalf of this congregation, with the right of appeal to the congregation.
- *C8.03. Discipline in this congregation shall be exercised in accordance with Matthew 18: 15-18.
- *C8.04. Provisions for the exercise of discipline shall be those provided in the bylaws.

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 elected by the Church 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. 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.
- *C9.04. 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 reasons listed in the 2011 ELCA Model Constitution, Chapter 9, paragraph C9.05.
- *C9.05. 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 Church Council.
- *C9.06. 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 Church 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.
- *C9.07. 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.
- *C9.08. The parochial records of this congregation shall be maintained by the pastor and shall remain the property of the congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in his or her hands in good order by a departing pastor before the installation of that pastor in another field of labor or the granting by the synod of retired status to the pastor.

Chapter 10.

CONGREGATION MEETING

- C10.01.** The semi-annual meeting of this congregation shall be held at a time specified in the bylaws.
- C10.02.** A special Congregation Meeting may be called by the pastor, the Church Council, or the president of this congregation, and shall be called by the president of the congregation upon the written request of 5% 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 electronic mail to all voting members at least 10 days in advance of the date of the meeting. For any member without access to electronic mail, a notice will be sent by regular mail.
- C10.04.** 5% of the voting members shall constitute a quorum.
- C10.05.** Voting by proxy or by absentee ballot shall not be permitted, except for shut-in members who wish to participate. Any shut-in (voting) member may designate another voting member to cast his/her vote using a signed proxy form that clearly specifies how that shut-in member wishes to vote on the issue(s) in question. The Church Council will ensure that all shut-in members are provided a proxy form at least 10 days in advance of the meeting.
- 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, BOARD CHAIRPERSONS, AND CHURCH COUNCIL

- C11.01.** At its May meeting, this congregation shall elect and install officers and board chairmen, each for a term of two (2) years. Election shall follow procedures outlined in the bylaws.
- C11.02.** No officer or board chairman shall be eligible for more than two (2) consecutive terms in the same position, or for more than two (2) consecutive terms on the Church Council without a minimum of one (1) year off the Church Council.
- C11.03.** The duties of the officers and board chairmen shall be those provided in the bylaws.
- C11.04.** The officers of this congregation and the board chairmen, together with the pastor(s) service as advisory member(s) by virtue of office but without vote, shall constitute the Church Council.
- C11.05.** The duties of the Church Council shall be to:
- (a) have general oversight of the life and work of this congregation and to coordinate the activities of the boards of this congregation.
 - (b) determine rosters of the baptized, the confirmed, and the voting members of this congregation,
 - (c) perform such other duties and responsibilities as are provided in this constitution and bylaws.

Chapter 12. BYLAWS

- *C12.01.** This congregation shall adopt such bylaws as may be from time to time be found necessary. No bylaw may conflict with this constitution.

- *C12.02.** Bylaws may be adopted or amended at any legally called meeting of this congregation by a two-thirds majority vote of those present and voting. The proposed bylaws or amendment must be made known publicly to this congregation at least fourteen (14) days prior to the meeting.

Chapter 13.

AMENDMENTS

- *C13.01.** The doctrinal basis and the confession subscription as contained in Chapter 2; the purpose as contained in Chapter 4; and this section of Chapter 14 shall be unalterable; and no amendments to this constitution shall conflict therewith.
- *C13.02.** Proposals must be filed in writing with the Church Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Church Council shall notify the congregation's members by mail of the proposal together with the council's recommendations at least 30 days in advance of the meeting.
- *C13.03.** An amendment to this constitution, proposed under *C14.01., 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.
- *C13.04.** If a proposed amendment fails adoption, it may be amended by a majority vote of those present and voting; and adopted with change by a two-thirds vote of those present and voting at the next meeting.

Chapter 14.

CONTINUING RESOLUTIONS

- *C14.01.** The congregation in a legally called meeting or the Church Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.
- *C14.02.** Continuing resolutions shall be enacted or amended by a majority vote of a meeting of the congregation or a two-thirds vote of all voting members of the Church Council.

Chapter 15.

INDEMNIFICATION

- *C15.01.** 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 Church 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.

Approved by Synod (TBD)

Changes approved by Congregation – March 2015