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|  | Canadian Association of CALCLutheran Congregations  |
| Model Congregational Constitution & Bylaws  |
| CALC is a Community of Independent congregations living together.The Word of God has created us, The Word of God sustains us, The Word of God redeems us.As believers we are servants of one another.As believers we share the burdens of one another, as Jesus did on the cross.With one voice we proclaim Jesus to the world |

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CONSTITUTION

In the Name of the Father, and of the Son, and of the Holy Spirit. Amen.

Preamble

Recognizing our unity in Christ and our common practice in the Christian faith, desiring to express our fellowship in worship and work, knowing our spiritual needs, being mindful of our Christian privileges and duties, desiring to unite as a congregation in our common Confession of Faith, and wishing to observe orderly cooperation, we adopt this constitution and pledge ourselves to be governed by its provisions.

Article I. Name

1.1 The name of this congregation, residing in \_\_\_city\_\_\_\_\_\_\_, \_\_\_\_province\_\_\_\_\_\_\_\_, shall be \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Lutheran Church (hereinafter the “Congregation”). This congregation is incorporated under the laws of the Province of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and is a member of the Canadian Association of Lutheran Congregations, hereafter referred to as CALC.

Article 2. Purpose

2.1 Purpose: The purpose of the Congregation is to advance religion and promote the spiritual, religious, ecclesiastical, charitable, social and educational interests of its members and to do all such things as are necessary, incidental, and ancillary to the attainment of the charitable purposes of the Society.

Article 3. Confession of Faith

3.1 **The Bible**.

This Congregation accepts all the canonical books of the Old and New Testaments as a whole and in all their parts as the divinely inspired, revealed, and inerrant Word of God, and joyfully submits to this as the only infallible authority in all matters of life and faith.

3.2. **Faith in the Triune God**.

This Congregation is built upon faith in the ever-living Triune God − Father, Son, and Holy Spirit − as revealed in the Holy Scriptures; to Whom be the glory for ever and ever (see the three Ecumenical Creeds).

3.3 **God the Father**.

a. Almighty God, Creator of the universe, Who formed man in His own image, Who from the beginning loved goodness and hated evil, desires that the children of His creation live in eternal fellowship with Him. We hold to the creation of the universe as described in the first chapters of Genesis, not as myth, but as historic facts.

b. Therefore, the Creator gave His only begotten Son (John 3:16) to be the Savior of the world, that people might be set free from the bondage of sin, and become joint heirs with Christ of eternal life.

3.4 **Jesus Christ, God’s Son and Our Savior**.

a. At the heart and center of this faith is confidence in Jesus Christ and love for Him, true God and true man, the eternal Word of God, the only Son of God, and the only Savior of the world.

b. To proclaim salvation by grace through faith in Jesus Christ is our reason for being as a congregation.

3.5 **Dependence upon the Holy Spirit**.

We also acknowledge dependence upon the Holy Spirit working solely through the Means of Grace (Word and Sacraments) to call unbelievers into saving faith in Jesus Christ; to empower believers to grow in faith, to bestow His gifts for the ministry of the Church locally and universally, to inspire love for one another, and to bring glory to God the Father through the Lord Jesus Christ, the only Head of the Church.

3.6 **Symbols (Creeds): Basic and Required.**

As brief and true statements of the doctrines of the Word of God, this Congregation accepts and confesses the following Symbols, subscription to which shall be required of all its members.

a. The ancient ecumenical Creeds: The Apostolic, The Nicene, and the Athanasian;

b. The Unaltered Augsburg Confession and Luther’s Small Catechism.

3.7 **Book of Concord: Normative.**

As further elaboration of and in accordance with these Lutheran Symbols, this Congregation also receives the other documents in the Book of Concord of 1580: the Apology, Luther’s Large Catechism, the Smalcald Articles, and the Formula of Concord; and recognizes them as normative for its theology.

3.8 **Pure Doctrine.**

This Congregation accepts without reservation the symbolic books of the Lutheran Church, not insofar as but because they are the presentation and explanation of the pure doctrine of the Word of God and a summary of the faith of the evangelical Lutheran Church.

Article 4: Dissolution

4.1 **Upon Dissolution**.

In the event that membership in this Congregation so diminishes as to render it impossible or impractical for us to function according to our constitution and bylaws, the remaining members shall call a Special Meeting to vote to dissolve this Congregation. Upon dissolution of this Congregation and after payment of all debts and liabilities, the remaining property of this Congregation, including any accumulated money, shall be distributed or disposed of to such other charitable organization in Canada, the objects of which exist for religious or charitable purposes, and in the opinion of the remaining members most closely resembles those of this Congregation.

BYLAWS

Bylaw 1- Statement of Mission.

1.1 **Statement of Mission**.

This Congregation is a worshipping, learning, witnessing and serving community of baptized persons among whom the Word is proclaimed and the Sacraments are administered according to the Gospel and whose corporate existence is recognized by the Canadian Association of Lutheran Congregations (CALC). This Congregation shall provide support to enable the fulfillment of its mission and ministry.

1.2 **Worshiping Community**.

This congregation, remembering God’s mighty acts in the past, celebrating His abiding presence, and moving toward His promised fulfillment, will listen to the Word of God in Scripture and preaching, receive the Sacraments, and respond with confession, prayer, praise, thanksgiving and with tithes and offerings. In order to assist members to acknowledge God’s rule over their lives, their own unity with Christ’s Body on earth, and to express their relationship with God in public and in private, this Congregation shall gather for worship regularly and, in accordance with the traditions of the Lutheran Church, recruit, equip and support members for leadership in worship, use appropriate worship materials and make certain that worship has a place in other functions of this Congregation.

1.3 **Learning Community**.

This Congregation shall develop an educational program designed to assist persons to grow in grace and faith and in the knowledge of the Scriptures and the Lutheran Confessions for service and witness in the world. To this end, it shall provide learning opportunities with appropriate curriculum, shall recruit, equip, approve and support teachers, and shall ensure that adequate study undergirds all functions of this Congregation.

1.4 **Witnessing Community**.

This Congregation, relying on the Holy Spirit, shall proclaim the Gospel by word and deed and thereby invite all people to repent and believe. This Congregation shall recruit, motivate, equip and support its members to witness to their faith at every opportunity in daily life so that the Lord is glorified, the fellowship is strengthened, the lapsed are restored, and new members are added to our Congregation. It shall provide for the communication of the Gospel through fellowship in the wider Christian community. It shall assure that all congregational functions witness to the faith of the Church.

1.5 **Serving Community**.

This Congregation shall live by faith active in love. It shall motivate, equip and support its members to minister in daily life; to participate as members of the caring community; to serve as Christians in all the institutions and structures of the society of which they are a part; and individually and corporately to promote justice and reconciliation, meet human needs and alleviate suffering. In these efforts, this Congregation shall co-operate with CALC and other Christian churches and other groups in society. It shall make certain that all its functions strengthen the motivation and ability for service.

1.6 **Support**.

This Congregation in faithfulness to God shall provide leadership, organizational structures, facilities and funds to enable fulfillment of its functions. This Congregation shall strive to maintain effective stewardship practices, evaluate regularly our congregational life and ministry, and recruit, equip and support members of our Congregation to provide for these activities.

1.7 **Not for Profit Society**.

The ministry of this Congregation shall be carried on without the purpose of gain for its members, and any profits or other accretions to the congregation shall be used in furtherance of its purposes.

Bylaw 2 - Membership

2.1 **Member Defined**.

The membership of this Congregation consists of those baptized persons who:

1. Have been baptized in this congregation, or
2. Have been previously baptized in the name of the Triune God, have been received either by:
	1. Transfer from another Lutheran congregation,
	2. Confirmation, or
	3. Affirmation of faith.

2.2 **Confirmed/Voting** **Members**.

Members of this Congregation may also be classified as confirmed and voting.

1. Confirmed members are baptized members who have been:
	1. Confirmed in this congregation,
	2. Received by adult baptism,
	3. Received by transfer as confirmed members from another Lutheran congregation,
	4. Received by affirmation of faith as baptized adults.
2. Voting members are those confirmed or otherwise designated members who are members in good standing and have attained the age of 18 years.

2.3 **Faith and Life of a Member**.

United in one Lord, one faith and one Baptism, the members of this Congregation are to be constant in worship and in the study of the Holy Scriptures, regularly nourishing their life in Christ in the Sacrament of the Altar, presenting their children for Holy Baptism and providing for their Christian instruction.

Our members are called by the Holy Spirit to lead godly lives, to promote the unity and welfare of this Congregation in the bond of peace, to proclaim the Gospel and to renounce the evil one. The commitment of each baptized member to this call is to be expressed through a life of repentance, faith, prayer and the sharing of resources.

2.4 **Termination of Membership**.

Membership in this Congregation shall be terminated by any of the following:

1. Death;
2. Resignation (in writing or orally communicated to a pastor, Congregational Council member or church employee);
3. Transfer or release;
4. Inactivity; or
5. Discipline.

2.5 **Inactivity Defined**.

A confirmed member who does not, for a period of one year, partake of Holy Communion, support this Congregation with offerings and participate in the life and worship of this Congregation will be visited (or an attempt to visit will be made) by our pastor(s) or our Congregation’s officers and be encouraged by them to return to active membership. If, during a second year of inactivity, the confirmed member does not actively participate in congregational life, the member’s name may be removed from the membership roster of this Congregation. However, the name of the member shall be retained on a responsibility list as one who is in special need of our prayer and concern.

2.6 **Grounds for Discipline**.

A member may be subject to discipline if it is determined that, following a hearing held in accordance with the procedures found in paragraphs 2.7 and 2.8 below, he/she: (a) advocated doctrines which are contrary to the Holy Scriptures and this Congregation’s Confession of Faith (Article 3); and/or (b) who is guilty of conduct that is grossly unbecoming a member of the body of Christ.

2.7 **Foundation for** **Discipline**.

Discipline in this Congregation will be exercised in accordance with Matthew 18:15-18.

2.8 **Administration of Discipline**.

Discipline is administered by our Congregational Council. The following procedure shall be followed:

1. This procedure begins when our Congregational Council receives a written statement (“Complaint”) which alleges that a member of our Congregation has either: (1) advocated doctrines which are contrary to the Holy Scriptures and our Congregation’s Confessions of Faith (Bylaw 1); or (2) has engaged in conduct that is grossly unbecoming a member of the Body of Christ. The member who is submitting the written statement shall be referred to as the “Complainant.” The one who is the subject of the written statement shall be referred to as the “Respondent.”
2. The Complaint shall specify the exact reason for the hearing, specifically, shall contain written statements that allege the Respondent has advocated doctrines which are contrary to the Holy Scriptures and the Congregation’s Confessions of Faith (Bylaw 1) or engaged in conduct that is grossly unbecoming a member of the Body of Christ.
3. A hearing on the Complaint shall be called by the vote of a majority on the Congregational Council on a duly made and seconded motion to the effect that: (1) the allegations in the Complaint, if proved, establish that the Respondent advocated doctrines contrary to Scripture or our Confessions of Faith or engaged in conduct grossly unbecoming a member of the Body of Christ; (2) the Complainant has made an attempt to settle the matter privately with the Respondent; and (3) such efforts have failed.
4. Congregational Council shall specify a date and time for the hearing and give the Respondent a written notice specifying the date and time of the hearing. The Respondent shall be advised in writing no less than ten days prior to the date for the hearing.
5. The basic purpose of this hearing is to restore the broken relationship between the Complainant and Respondent through contrition, repentance, forgiveness, reconciliation, confession and absolution. The Congregational Council shall assure that the Complainant and the Respondent receive due process. “Due process” means: (1) the Respondent’s right to be given specific written notice of all allegations against him or her; (2) in the case of the Respondent, the right to testify in person or to remain silent; (3) the right to call witnesses; (4) the right to introduce documentary evidence concerning the allegations in the complaint; (5) the right to confront and cross-examine all witnesses; (6) the right to a hearing closed to the public unless both the Complainant and Respondent agree to a public hearing; (7) the right to a written decision of the Congregational Council; and (8) the right to be treated with fundamental procedural fairness.
6. “Fundamental procedural fairness” includes: (a) the members of the Congregational Council shall avoid sending written communications to or receiving written communications from either the Complainant or Respondent, unless a copy of the communication is also sent to the other; (b) avoidance by members of the Congregational Council of oral communications with either the Complainant or Respondent outside of the presence of the other; (c) maintaining decorum during the hearing; (d) allowing both the Complainant and Respondent to present their cases without unnecessary interruptions; (e) keeping a record of the hearing; (f) allowing both the Complainant and Respondent to be accompanied at the hearing by a representative (who may, but need not, be a lawyer) who may also participate in the proceedings; (g) impartiality of the members of the Congregational Council which consider the Complaint; and (h) the right to be treated in conformity with the governing documents of our Congregation. “Due process” and “fundamental procedural fairness” shall mean nothing more and nothing less than what is provided in these Paragraphs (e) and (f), respectively. Once a Complaint against a person has been considered by the Congregational Council, that person shall not be required to answer that Complaint again except if a different but related Complaint is laid.
7. Members of the Congregational Council who participate in the preparation of the Complaint or who present evidence or testimony in the hearing before the Congregational Council are disqualified from voting upon the question of the Respondent’s guilt.
8. Should the allegations of the Complaint be sustained by a two-thirds majority vote of the members of the Congregational Council who are not disqualified, but who are present and voting, and the renewed admonition by the Congregational Council for the Respondent to repent prove ineffectual, the Council shall impose one of the following disciplinary actions:
9. Suspension from membership until evidence is given of sufficient repentance and amendment;
10. Exclusion from membership and denial of the Sacraments.
11. If a Respondent fails to appear at the time and place without valid excuse, the Congregational Council may proceed with the hearing and may reach its conclusion in the member’s absence.

In the event of the imposition of the disciplinary action described in paragraph (h)(I) or (II) above, the action of the Congregational Council shall be delivered in writing to the Respondent.

2.9 **Right of** **Appeal**.

In the event of the imposition of the disciplinary action described in paragraph 2.8 (h)(I) or (II) above, the Respondent shall have the right to appeal to a Congregational Meeting, which may revise or overturn the Congregational Council’s decision by a majority vote. Any such vote will be by secret ballot. The request for an appeal to the congregation must be in writing and delivered to the Chairperson of the Congregation within 30 days of Respondent’s receipt of the Congregational Council’s final decision. Congregational Council to call a special meeting of the Congregation for the purpose of hearing the appeal within 60 days of receiving Respondent’s request for appeal.

2.10 **Reconsideration and Revocation**.

Disciplinary actions under paragraph 2.8 (h)(I) or (II) above, imposed against Respondent may be reconsidered and revised, or revoked by the Congregational Council upon receipt of: (a) evidence that injustice has been done; or (b) evidence of the Respondent’s repentance and amendment.

Bylaw 3 - Congregational Authority.

3.1 **Supremacy of God’s Word**.

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.

3.2 **Congregational Authority**.

 The powers of this Congregation shall be those necessary to fulfill its purposes, as set forth in this constitution and its bylaws.

3.3 **Congregational Meeting**.

The powers of this Congregation shall be vested in the congregational meeting, called and conducted in such manner as is provided in our constitution and its bylaws, and, to the extent conveyed by our constitution and its bylaws, or as assigned from time to time by the congregational meeting, in the boards elected by the Congregation.

3.4 **Congregational Acts**:

In the fulfillment of its purpose, the Congregation is empowered to:

1. Acquire real and personal property by gift, devise, bequest, purchase, or other lawful means;
2. Hold title to and use its property for any and all activities consistent with its purpose;
3. Sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
4. Enter into contract;
5. Sue and defend lawsuits;
6. Call pastors;
7. Elect officers and boards for the exercise of their powers and authority and require them to conduct their affairs in accordance with this constitution and its bylaws, and the resolutions of the Congregation.

3.5 **Special Provisions for Real Property**.

Real property shall not be purchased, disposed of, encumbered in any manner except by resolution adopted by not less than a two-thirds majority vote of the members, present and voting, at a legally called meeting of our Congregation.

3.6 **Special Provisions for Borrowing**.

This Congregation may not borrow or raise or secure the payment of money, in any manner, except by resolution adopted by not less than a two-thirds majority vote of the members, present and voting, at a legally called meeting of our Congregation.

3.7 **Strife/Division**.

In case of strife and division in the congregation, the Congregational Council may seek the advice of the President of CALC.

Bylaw 4- Relationship to the Canadian Association of Lutheran Congregations (CALC).

4.1 **Membership in CALC**.

For the better attainment of its purpose, this Congregation shall be a member of the Canadian Association of Lutheran Congregations (CALC) or its successor. It shall be subject to the polity and discipline of the Canadian Association of Lutheran Congregations.

4.2 **Subscription to CALC’s Governing Documents**.

This Congregation subscribes to CALC’s constitution and its bylaws and will act in accordance with them.

4.3 **Membership: Rights and Duties**.

This Congregation claims for itself all the rights and privileges and accepts all the duties and obligations connected with such membership in CALC.

4.4 **Support**.

This Congregation covenants to support the common work of CALC with prayer, personal service, and offerings.

4.5 **Amendments Submitted to CALC**.

This constitution and its bylaws and all amendments thereto, shall be transmitted to the President of CALC for review to ascertain that none of its provisions are in conflict with the constitution and bylaws of CALC.

4.6 **Severance of Ties**.

Severance of membership in CALC shall require a simple majority vote of voting members present and voting at a legally called and conducted meeting. If this Congregation adopts a resolution withdrawing from CALC all provisions of this constitution binding this congregation to CALC shall be immediately ineffective. The Congregation shall promptly deliver a copy of the withdrawal resolution to the President of CALC.

4.7 **Conflicts in Governing Documents**.

If any provision of this constitution and its bylaws appears to conflict with the constitution and bylaws of CALC and/or any other organization this Congregation is a member of, the terms and conditions of this constitution and its bylaws shall prevail until the matter is clarified. The Congregational Council shall, as soon as feasible, present the conflict to the Congregation for a final decision on the alleged conflict.

4.8 **Prohibited Worship**.

This Congregation prohibits any corporate worship with any organization which practices the forms of religion without confessing faith in the Triune God and in Jesus Christ, the eternal and incarnate Son of God, as our only Savior.

Bylaw 5 - Office of the Ministry.

5.1 **Qualifications**.

A pastor of this Congregation shall be a person who: (1) accepts and adheres to the Confession of Faith of this congregation (Bylaw 1); (2) possesses the personal qualifications described in 1 Timothy 3:1-7; (3) possesses the academic training and/or professional and personal experience necessary to fulfill the terms of the call to pastoral ministry as set forth in these bylaws (or is willing to engage in a course of study acceptable to CALC and the Congregation in order to attain the same); and, (4) strives in life and conduct to be above reproach.

5.2 **Vetting**.

Our Congregational Council, or a Call Committee duly appointed by our Congregational Council, shall interview and otherwise vet all candidates for call as our pastor in order to discern whether a candidate meets the qualifications set forth in paragraph 5.1 above. Throughout the call process, the Congregational Council, or Call Committee, may choose to seek the advice and counsel of the President of CALC and/or utilize CALC’s available resources to assist them with the call process.

5.3 **Authority**.

Authority to call a pastor shall rest in the congregation. Such authority to call shall be exercised by not less than a two-thirds majority vote of members present and voting at a meeting legally called for that purpose.

5.4 **Terms of Call**.

Every pastor shall:

1. Through the power of the Word of God continue a personal relationship with Jesus Christ as personal savior as a first priority, with spouse and family as a second priority and the fulfillment of duties and responsibilities to this congregation as pastor as a third priority;
2. Preach the Word, administer the Sacraments and conduct public worship in harmony with the faith and doctrine of the Lutheran Church;
3. Baptize, confirm and marry in accordance with the teaching of CALC and with the laws of the province of British Columbia, visit the sick and distressed and bury the dead;
4. Encourage faith active in love, in personal and family life and provide pastoral leadership to all schools and auxiliary organizations of the congregations;
5. Comfort the mourning, to console the depressed, to bring the promise of redemption to those who seek redemption, to carry forth into the world the Word of the merciful God with its promise of salvation.
6. Encourage and empower, through God’s Word, every Christian as a royal priest to work for mutual edification, each in his or her own station and in accordance with the opportunity and gifts which God has given him or her, either individually, person to person, or in assemblies of the congregation.
7. Install members of the Congregational Council.
8. Seek out and encourage qualified persons to prepare for the ministry of the Gospel and strive to extend the Kingdom of God in the community, at home and abroad;
9. Encourage the members to be generous in support of the ministry of the Congregation and the Church;
10. Keep accurate membership records including baptisms, confirmations, marriages, burials and communicants. The parish records shall be kept in a written and/or electronic form, which shall remain the property of the congregation.
11. Commend members who move to the pastoral care of the parish in which their new home is located.
12. Be responsible for the pastoral care of our members and adherents, including regular visits.

5.5 **Adequate Compensation**.

In order that a pastor of this Congregation may be devoted fully to the duties of the office, adequate compensation shall be provided, paid in semi-monthly or monthly installments. Expenses incident to attendance at conventions of this church and at meetings otherwise required by the pastor's office shall be defrayed by the congregation, except where other provisions are made.

5.6 **Termination**.

The regular call of this congregation when accepted by a pastor shall constitute a relationship, which shall be terminated only for the following causes:

1. Mutual agreement to terminate the call or the completion of a call for a specific term;
2. The pastor’s written resignation (which shall become effective, unless otherwise agreed, 30 days after the date on which it was submitted);
3. The pastor suffers from a physical or mental incapacity which severely impacts his/her ability to minister to and serve his/her congregation;
4. Disciplinary action was taken against the pastor, he/she was found liable and discipline was imposed against him/her;
5. The pastor’s continued neglect of pastoral ministry (Provided he/she was given written notice of the alleged failure and neglect and he/she failed and refused to fulfill the terms of their letter of call within 30 days of the date of the letter);
6. The pastor’s stress leave or medical has lasted twelve (12) months and is expected to continue for an indefinite period of time thereafter (“extended stress leave”); and
7. The pastor’s inability to conduct the pastoral office satisfactorily in the parish in view of local conditions, without reflection on the moral and spiritual character of the pastor.

5.7 **Voluntary Procedures on Termination.**

The following provisions apply if it is alleged that: (a) a pastor suffers from a physical or mental incapacity which severely impacts his/her ability to minister to his/her congregation; (b) a Pastor has neglected and continues to neglect his/her ministry; (c) a pastor’s stress leave has lasted twelve months and is expected to continue for an indefinite period of time thereafter (“extended stress leave”); or (d) a Pastor is unable to conduct the pastoral office satisfactorily in that parish in the view of local conditions, without reflection on the moral and spiritual character of the pastor.

5.8 **Appointment of an Advisory Committee**:

Upon the request of the subject pastor’s congregational council or the receipt of a petition signed by at least one-third of the voting members of said congregation, our President shall appoint an advisory committee (AC) to investigate the allegations. Said AC shall consist of: the President, two CALC Pastors or Diaconal Ministers (not affiliated with the subject congregation); and two members of the subject congregation. The AC shall attempt to mediate between the Pastor in question and the congregation and bring about a resolution.

5.9 **Cases of Neglect of Ministry**.

In the case of alleged neglect of ministry all those concerned shall be heard, by the President and the AC. Following the receipt of all relevant information, the President together with the AC shall counsel with the Pastor and the congregation on a proper course of action, which may include setting specific goals to be achieved by the Pastor in the fulfillment of the terms of his/her call. Such counsel shall be offered out of Christian love and is not to be regarded as an act of discipline. If after such counsel, the Pastor has failed to meet the agreed upon goals, the congregation may terminate the call by majority vote at a duly called congregational meeting.

5.10 **Cases of Incapacity and Extended Stress Leave**.

In the event of an alleged physical or mental incapacity, or extended stress leave, the AC shall make every effort to elicit medical testimony and other credible evidence as to the extent of the mental and physical disability or the extended stress leave, together with a prognosis for a return to work.

The AC will attempt to meet with the pastor, his/her spouse and/or his/her legal representative for the purpose of working toward an amicable solution, which may include:

(a) the pastor’s gradual return to work as suggested by the pastor’s treating physician and/or disability carrier; and

(b) the implementation workplace measures which may be taken to accommodate the deacon’s return to work.

If the AC and the pastor and/or his/her representatives are unable to accommodate the pastor’s return to work, or the agreed upon work place accommodations and return to work plan fail, the AC and the pastor and/or his representatives shall work toward a mutually acceptable termination of employment and severance package. Unless otherwise agreed by the parties, the compensation received by the pastor shall be equal to:

(a) the pastor’s monthly compensation as of the date of the medical leave (or some fraction thereof as agreed to by the pastor and the congregation); (b) multiplied by the number of years of the pastor’s service in the subject congregation. In determining the percentage of the monthly salary to be used in the above described formula, the pastor’s length of service and the congregation’s ability to pay shall be considered.

If the AC determines that such physical or mental incapacity is evident, or the stress leave is expected to last indefinitely, and efforts to negotiate a mutually acceptable severance of employment failed, the AC shall make recommendations to the congregational council, which may include a recommendation to terminate the pastor’s call and declare the pastor’s position vacant. The congregation may thereafter terminate the call by a 2/3rds majority vote at a properly called congregational meeting.

5.11 **Cases of Changed Local Conditions**.

In the case of local conditions which imperil the wellbeing of the congregation and make it difficult for the Pastor to conduct ministry, all those concerned shall be heard, by the President and the AC. Following the receipt of all relevant information, the President together with the AC shall counsel with the pastor and the congregation on a proper course of action, which may include dissolution of the congregation. The pastor’s call shall be deemed terminated as of the date of the vote to dissolve the congregation.

5.12 **Suspension**.

At any point in the foregoing proceedings, the President with the concurrence of the congregational council, may suspend the pastor from the functions of the ministry within the congregation, pending completion of the formal proceedings.

5.13 **Discipline**.

In the event of alleged defection in doctrine or alleged conduct unbecoming a pastor, the matter may be: (a) adjudicated in the congregation using the policies and procedures as set forth in Bylaw 2 paragraphs 2.7-2.10, inclusive; or, (b) the matter shall be referred by the Congregational Council to the President of CALC for action as provided in the constitution and bylaws of CALC.

5.14 **Pastoral Vacancy**.

At a time of pastoral vacancy, an interim pastor may be appointed by the Congregational Council. The interim pastor shall have the responsibilities of a regularly-called pastor. All interim and supply pastors shall refrain from exerting influence in the call process of the Congregation.

5.15 **Additional Pastor**.

When an additional pastor is called, the privileges and responsibilities of that pastor shall be specified in the call drafted in consultation with the incumbent pastor(s), and the congregational council.

5.16 **Receipt of Call**.

Upon receiving a call to another ministry, the pastor shall consult with the chairperson of the Congregational council before a decision is reached. The pastor shall inform the congregation of the decision on the call within thirty days of official notice. When a call has been accepted, the pastor shall normally terminate the ministry within two months.

Bylaw 6 - Congregational Meeting.

6.1 **Date of Annual General Meeting**.

An annual congregational meeting shall be held in January or February every year in order to obtain approval for the year’s annual operating budget and to elect new members of our Congregational Council. The newly-elected council members take their positions at the next regular meeting of the Congregational Council.

6.2 **Special Congregational Meeting**.

Special congregational meetings may be called by the Congregational Council and shall be called at the written request of at least thirty (30) 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.

6.3 **Notice of Congregational Meetings**.

*Option #1*:

Notice of all congregational meetings shall be given at the services of worship on the preceding two consecutive Sundays or by mail to all voting members at least \_\_\_\_\_\_\_\_\_\_\_\_ days in advance of the date of the meeting.

*Option #2* (British Columbia)

Notice of all congregational meetings shall be: (a) sent to all members at least 14 days and not more than 60 days in advance of the meeting; (b) if membership is more than 250, said notice is deemed sent to all members if the notice is sent to every member who has provided an email address, by email to that email address, and is posted on the congregation’s website and church lobby for at least 21 days prior to the meeting; or (c) announced and printed in the service bulletin at the services of worship on the preceding two consecutive Sundays.

6.4 **Quorum**.

*Option #1*:

The voting members present shall constitute a quorum.

*Option #2*

The presence of \_\_\_\_specify a number\_\_\_\_ voting members shall constitute a quorum.

*Option #3*

The presence of \_\_\_\_specify a percentage\_\_\_\_ of the roster of voting members shall constitute a quorum.

6.5 **Proxies – Absentee Ballots**.

Voting by proxy or by absentee ballot shall not be permitted.

6.6 **Majority Required**.

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 and its bylaws or by applicable law.

6.7 **Reports for Annual General Meeting**.

The annual meeting shall receive reports from the Pastor, Council, Boards, Committees and all the organizations of the congregation. Such reports, including a financial statement, shall be submitted in writing to the pastors not less than ten days before such meeting.

6.8 **Recess and Reconvening of Meetings**.

1. The chair of a general or special meeting may, or, if so directed by a majority of the voting members at the meeting, must, adjourn the meeting from time to time and from place to place, but no business may be transacted at the continuation of the adjourned meeting other than business left unfinished at the adjourned meeting.
2. It is not necessary to give notice of a continuation of an adjourned meeting or of the business to be transacted at a continuation of an adjourned general meeting except that, when a meeting is adjourned for 30 days or more, notice of the continuation of the adjourned meeting must be given.

6.9 **Rules of Order**.

Bourinot's Rules of Order, latest edition, shall be the governing parliamentary law of this Congregation, except as otherwise provided in this constitution or its bylaws.

Bylaw 7 - Congregational Council and its Officers

7.1 **Number**.

At its annual meeting the Congregation shall elect a Congregational Council of not less than \_\_\_\_\_\_ (\_\_) nor more than \_\_\_\_\_\_\_ (\_\_) members for terms of three years each with approximately one-third of the terms expiring annually.

7.2 **Qualifications**.

Those seeking election or appointment to our Congregational Council should: have a living relationship with Jesus Christ; have a desire to uphold our Congregation’s Confession of Faith (Article 3); be committed to living a life consistent with Christ’s high calling to us; and possess the Spiritual gift of administration.

7.3 **Term Limitations**.

Members shall be eligible to serve no more than two full terms consecutively.

7.4 **Pastors as Ex Officio Members**.

The pastors of this Congregation shall be ex officio members of the Congregational Council and all its committees and shall be notified of all regular or special meetings of the Congregational Council. The pastors shall have voice at said meetings but no vote.

7.5 **Installation**.

All elected members of the Congregational Council shall be installed by our pastor(s) according to the prescribed order of the Lutheran Church at the next public service following their election or as soon thereafter as convenient.

7.6 **Election of Officers**.

At its first meeting following the annual meeting of the Congregation the Congregational Council shall elect from its own membership:

1. A chairperson and a vice-chairperson who shall be the Chairperson and Vice-chairperson of the Congregation.
2. A secretary who shall serve as the Secretary of the Congregation. Council may appoint a recording secretary to take the minutes of meetings of the Congregational Council and/or the Congregation. Any appointed recording secretary shall have neither voice or vote at meetings of the Congregational Council.
3. A treasurer who shall be the Treasurer of the Congregation. The Treasurer need not be a member of the Congregational Council. A Treasurer who is not a member of the council shall have voice but not vote at the meetings of the Congregational Council.
4. A financial secretary who shall be the Financial Secretary of the Congregation. The Financial Secretary need not be a member of the Congregational Council. A Financial Secretary who is not a member of the council shall have voice but not vote at the meetings of the Congregational Council.

7.7 **Trustees**.

The Congregational Council shall be the trustees of this Congregation and shall have general oversight of the life and activities of this Congregation ensuring that everything is done in accordance with the Word of God and the faith and practice of CALC. The Congregational Council shall exercise such authority as is delegated to it by this constitution, its bylaws and the resolutions of this Congregation.

7.8 **Quorum**.

A majority of the elected and appointed members of the Congregational Council shall constitute the quorum for transacting the business of the Congregational Council.

7.9 **Vacancy**.

If a vacancy occurs on the Congregational Council, the remaining council members shall fill the vacancy until the next annual meeting of the Congregation. Should the unexpired term be one year or less, it shall not be considered in determining eligibility for succession.

7.10 **Unexcused Absence**.

A member of the Congregational Council who is absent from two consecutive regular meetings shall be contacted by the Chairperson and asked to account for the absences. If the member is absent from the next consecutive regular meeting of the Congregational Council without valid excuse, the Congregational Council may declare that position on council vacant.

7.11 **Special Meetings**.

A special meeting may be called by any pastor, the Chairperson or any three members of the Congregational Council. Notice of such meeting shall be given not less than three days prior to the meeting and shall be announced at a public service if one is held during that period.

Bylaw 8 - Duties of the Congregational Council and its Officers

8.1 **Chairperson**.

The Chairperson shall preside at all meetings of the Congregational Council and this Congregation. The Chairperson shall prepare an agenda for any meeting of the Congregational Council and our Congregation in consultation with the pastors. The chairperson may exercise general oversight of the day-to-day operations of our Congregation, as is necessary to ensure that congregational life conforms to the Word of God and our confession of faith, and resolutions of the Congregation and the Congregational Council are implemented.

8.2 **Vice-Chair**.

The Vice-chairperson shall reside at the meetings of the Congregational Council and our Congregation, and provide oversight of congregational life, in the absence of the Chairperson.

8.3 **Secretary**.

The Secretary shall: keep the minutes of the Council and of our Congregation in a volume provided by the Congregation which shall be permanently preserved in the congregational archives; establish and declare the existence of a quorum at meetings of our Congregation; be responsible for correspondence on behalf of our Congregation (when directed by the Congregational Council); and prepare and distribute written notices of meetings to congregants as provided in these bylaws.

8.4 **Treasurer**.

The Treasurer shall have custody of all funds of the congregation and shall receive and disburse such funds in accordance with the decisions of our Congregation and of the Congregational Council.

8.5 **Financial Secretary**.

The Financial Secretary shall maintain records of and issue receipts for contributions in accordance with applicable tax codes and rules and regulations issued by the Canada Revenue Agency.

8.6 **Financial Reports**.

The Treasurer and the Financial Secretary shall make written report of all financial transactions to the Congregational Council monthly and to our Congregation at the annual meetings.

8.7 **Duties**.

The Congregational Council shall:

1. Lead the Congregation in stating its mission, in doing long-range planning, in setting goals and priorities and in evaluating its activities in the light of its mission and goals;
2. Seek to involve all members of our Congregation in worship, learning, witness, service and support;
3. Oversee and provide for the administration of our Congregation to enable it to fulfill its functions and perform its mission.
4. Provide support for the pastor(s) and other professional leaders, assist them to review and evaluate their ministry and review annually their financial compensation making adequate adjustments;
5. Exemplify for our Congregation the life that is worthy of the high calling in Christ;
6. Promote congregational unity and good will, fostering mutual understanding in times of conflict and exercising discipline, when necessary, under the provision of this constitution and its bylaws;
7. Arrange for pastoral service during the sickness or absence of the pastor;
8. Appoint or elect all staff, voluntary or salaried, for the effective administration of all aspects of parish life;
9. Appoint such committees as may be necessary or advisable for the fulfillment of our congregational mission;
10. Prepare policies, procedures and guidelines, consistent with our constitution and its bylaws, for use by our Congregational Council and committees appointed by the same, for the purpose of defining their mission and goals and implementation of the same;
11. Normally meet once a month;
12. Be responsible for maintaining and protecting the property of the congregation;
13. Prepare an annual budget, supervise the expenditure of funds and ensure that the financial affairs of our Congregation are conducted efficiently;
14. Distribute the annual report and proposed budget to our membership at least one week before the annual general meeting; and
15. Appoint a nominating committee at least three months before a meeting at which council members are elected. Said nominating committee shall consist of the outgoing council members who are not seeking reelection to council (if any), at least two and at most three congregational members and our pastors as ex officio members. The nominating committee shall nominate at least one nominee for each vacant position on council. The identity of the members of the nominating committee, their purpose, contact information for the nominating committee, together with an invitation for congregants to put forward names for the nominating committee to consider, shall be published in the weekly Sunday worship bulletins beginning with the Sunday after their appointment through two Sundays before the meeting at which council members are elected. The nominating committee shall submit the names of the nominees to the Pastors and the Council Chairperson no later than the Sunday before the meeting at which the members of council are to be elected. No nominations for election to council positions may be made from the floor of the meeting.

Bylaw 9 - Organizations Within the Congregation.

9.1 **Auxiliaries and Organizations**.

All auxiliaries and organizations within our Congregation shall exist to aid it in ministering to its members and to all whom it can reach with the Gospel of Christ. Regular reports concerning the program and work of these organizations and auxiliaries shall be made to the Congregational Council and congregational meetings.

Bylaw 10 - Amendments

10.1 **Procedures for Amendments**.

Amendments to this constitution and its by-laws may be proposed by the Congregational Council and shall be proposed by the Council at the request of (either (a) a specific number of voting members; or, (b) a specified percentage of the voting roster) voting members. Such proposed amendments shall be:

1. Read (or written amendments distributed to congregants) on two successive public services of our Congregation prior to the congregational meeting at which the amendments are to be considered, or mailed to the voting members, not less than thirty days before the Congregational meeting at which the amendments are to be considered;
2. Approved with or without change at our Congregational meeting following its announcement, by a two-thirds vote of those present and voting;
3. Ratified without further change at a second Congregational meeting held no less than thirty days later, by a two-thirds vote of those present and voting.

Bylaw 11 – Holy Communion

11.1 **Participation**.

Participation in Holy Communion shall be open to (confirmed) members of our Congregation; baptized Christians who have been instructed in the Lutheran teaching in regard to Holy Communion as set forth in paragraph 11.2; and other baptized Christians confess and repent of their sins, desire forgiveness, believe Jesus died for their sins and hunger & thirst for a new and transformed life.

11.2 **Lutheran Teaching**.

Holy Communion requires sincere repentance, faith in Jesus Christ as Savior, and an earnest desire to amend one’s sinful life, as well as acceptance of the Scriptural teaching of the real presence of Christ with His body and blood in the Sacrament. Such registration forms or oral announcements shall be used as will make prospective participants aware of these requirements.

11.3 **Record**.

Record of participation in Holy Communion may be maintained.

Bylaw 12 - Custody of Seal

12.1 **Congregational Seal**.

The Congregation may have a seal which shall be in the custody of the pastor, and its use shall be authorized by a resolution of the Council, and attested to by the person or persons so authorized, or if no officers are prescribed by the resolution, it shall be attested to by the chairperson and secretary.