

**CONSTITUTION
MOUNT CALVARY LUTHERAN CHURCH**

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 the Holy Spirit.

Chapter 1.

NAME AND INCORPORATION

- C1.01 The name of this congregation shall be Mount Calvary Evangelical Lutheran Church.
- C1.02 For the purpose of this constitution and the accompanying bylaws, the Mount Calvary Evangelical Lutheran Church congregation is hereinafter designated as "this congregation".
- C1.03 This congregation shall be incorporated under the bylaws of the State of Colorado.

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 as 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 the 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. This church, 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:
- Worship God in proclamation to the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
 - 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.
 - 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.
 - 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.
 - 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.
 - 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:
- Provide services of worship at which the Word of God is preached and the sacraments are administered.
 - Pastoral care and assist all members to participate in this ministry.
 - Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregation.
 - Teach the Word of God.
 - Witness to the reconciling Word of God in Christ, reaching out to all people.
 - Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
 - 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.
 - Foster and participate in interdependent relationships with other congregations, the synod, and the Evangelical Lutheran Church in America.
 - Foster and participate in ecumenical relationships consistent with churchwide policy.

- C4.04 This congregation's organizational structure shall be described in the bylaws. The Congregation Council shall prepare descriptions of the responsibilities of each ministry, each committee, each task force, or other organizational groups and shall review their actions. Such descriptions shall be contained in the continuing resolutions of the Congregation Council.
- 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 Congregation Council or other organizational units in the 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 pastor as provided in Chapter 9;
 - c. call or terminate the appointment 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, as 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 Congregation Council and require members of the council to carry out its 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 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 Rocky Mountain Synod of the Evangelical Lutheran Church in America.

Chapter 6

CHURCH AFFILIATION

- C6.01 This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and the Rocky Mountain 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 or 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 the 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 provisions in C6.05., to receive synodical approval before terminating its membership in the Evangelical Lutheran Church in America.
- C6.06 If this congregation is considering relocation, it shall confer with the bishop of the synod 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 un-disposed property shall pass to the Rocky Mountain Synod of the Evangelical Lutheran Church in America
- C7.02 If this congregation is removed from membership of 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 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 Rocky Mountain 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 the 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 the 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 the 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 or record to this congregation.
 - d. Associate members are persons holding membership in other Lutheran Congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. They have all the privileges and duties of membership except voting rights and eligibility for elected offices or membership on the Congregation Council of this congregation.
- C8.03 All applicants for confirmed membership shall be submitted to and affirmed by the Congregation 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 Congregation 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 elected by this congregation to recommend the call, shall seek advise 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 the ordained ministers who has been recommended for it 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, every ordained minister shall preach the Word, administer the sacraments, conduct public worship, provide pastoral care, and shall speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world. Each ordained minister with a congregational call shall, within the congregation, offer instruction, preside at confirmation, marriage, and burial of the dead ceremonies, visit the sick and distressed; supervise all schools and organizations of the congregation; shall install regularly elected members of the Congregation Council, and with the council administer discipline. Every pastor shall seek out and encourage qualified persons to prepare for the ministry of the Gospel and to strive to extend the Kingdom of God in the community, in the nation, and abroad; shall impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and shall endeavor to increase the support given by the congregation to the work of the Evangelical Lutheran Church in America and of the 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 of years.;
 - 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.
 - 7) suspension of the congregation as a result of discipline proceedings
- a) When allegation 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 Congregation 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 lay person.
- 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 advise 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 which 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 C9.05b 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 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 recommendation 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.

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 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 without prejudice and with pay provided through a joint churchwide/synod fund and with housing provided by the congregation.

- C9.06 At the time of pastoral vacancy, an interim pastor may be appointed by the bishop of the synod with the consent of the Congregation 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 Congregation 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 to 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 congregation council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- C9.10 **RESERVED FOR ELCA**
- C9.11 With the approval of the bishop of the synod the congregation may depart from C9.04 and call a pastor for a specific term of years. 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 call. Such call may also be terminated before its expiration in accordance with the provisions of C9.05.a..
- C9.12 The pastor shall keep accurate parochial records of all baptisms, confirmation, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation, and shall submit a summary of such statistics annually to the synod and shall become a member of this congregation upon receipt and acceptance of the letter of call.
- C9.13 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

Chapter 10.

CONGREGATION MEETING

- C10.01 Semi-annual meetings of this congregation shall be held at times specified in the bylaws.
- C10.02 Special Congregation Meetings may be called by the pastor, the Congregation Council, or the president of the congregation, and shall be called by the president of the congregation upon the written request of 40 voting members. The call for each special meeting shall specify the purpose for which it is 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 Forty voting members shall constitute a quorum.
- C10.05 Voting by proxy or by absentee ballot shall not be permitted.
- C10.06 All actions by the congregation shall be by majority vote except as otherwise provided in this constitution.
- 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 president, vice-president, secretary, and treasurer
 - a. Duties of the officers are specified in the bylaws.
 - b. The officers shall be voting members of the congregation.
 - c. Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.
- C11.02 The Congregation Council shall elect its officers and they shall be officers of the congregation. The officers shall be elected by written ballot and shall serve for one year or until their successors are elected. Their terms shall begin at the close of the June semi-annual meeting at which they are elected.
- C11.03 No officer shall hold more than one office at a time. No elected officer shall be eligible to serve more than two consecutive terms in the same office.

Chapter 12.

CONGREGATION COUNCIL

- C12.01 The voting membership of the Congregation Council shall consist of the pastor(s) and the 14 members elected by the congregation. Any voting member of the congregation may be elected to the Congregation Council, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from two successive regular meetings of the Congregation Council without being excused. Consistent with the laws of the state in which this congregation is incorporated, the congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.
- C12.02 The members of the Congregation Council, except the pastor(s), shall be elected at a legally called meeting of the congregation during the month of June. Their term of office shall be for three years with the term beginning upon their election and ending on the date of the semi-annual meeting three years after such election. Such members shall be eligible to serve for one additional year (for a total term on the Congregational Council not to exceed four years) if they

are an officer or will become an officer of the congregation the following year or in certain other limited circumstances. After expiration of their term, outgoing council members shall serve as ex-officio members of the Congregation Council (without voting rights on council matters during such period) for sixty days to ensure continuity for the next Congregation Council. Newly elected Congregation Council members shall be installed at a worship service. To the extent reasonably feasible, it is intended that approximately one-third of the Congregation Council shall be elected each year so that there be staggered terms.

- C12.03 Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor who shall serve until the term expires.
- C12.04 The Congregation Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:
- a. To lead this congregation in stating its mission, to do long range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
 - b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
 - c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
 - d. To maintain supportive relationships with the pastor(s) and staff and to help them annually to evaluate the fulfillment of their calling or employment.
 - e. To be examples individually and corporately of the style of life and ministry expected of all baptized members.
 - f. To promote a congregational climate of peace and goodwill and, as differences and conflicts arise, to endeavor to foster mutual understanding.
 - g. To arrange for pastoral service during the sickness or absence of the pastor.
 - h. To emphasize partnership with the synod and churchwide organization of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.
 - i. To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.
 - j. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.
- C12.05 The Congregation Council shall be responsible for the financial and property matters of this congregation.
- a. The Congregation Council shall be the governing board of this congregation, and shall as such be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Colorado, except as otherwise provided herein.
 - b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of the congregation.
 - c. The Congregation Council may enter into contracts of up to \$5,000 for items not included in the budget.
 - d. The Congregation Council shall prepare an annual budget for adoption by the congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations more than \$5,000 in excess of the anticipated receipts only after approval by a Congregation Meeting. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in partnership with the synod and church wide organization.

- e. The Congregation shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to the synodical treasurer.
 - f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.
- C12.06 The Congregation Council shall that the provisions of this constitution, its bylaws, and the continuing resolutions are carried out.
- C12.07 The Congregation Council shall provide for an annual review of the membership roster.
- C12.08 The Congregation Council shall be responsible for the employment and supervision of the salaried lay workers of this congregation.
- C12.09 The Congregation Council shall submit a comprehensive report to this congregation at the January semi-annual meeting.
- C12.10 The Congregation Council shall normally meet once a month. Special meetings may be called by the pastor or the president, and shall be called by the president at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.
- C12.11 A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the pastor or interim pastor, except when such persons requests or consents to be absent and has given prior approval to an agenda of routine matters which shall be the only business of the meeting.

Chapter 13.

CONGREGATIONAL COMMITTEES

- C13.01 The officers of this congregation and the pastor shall constitute the Executive Committee.
- C13.02 A Nominating Committee of three voting members of this congregation shall be elected by the Congregation Council. Term of office will be determined by the Congregation Council.
- C13.03 An Audit Committee of at least two voting members of this congregation shall be elected by the Congregation Council at the October meeting. The Audit Committee members shall not be members of the Congregation Council.
- C13.04 When a pastoral vacancy occurs, A Call Committee of at least five voting members of this congregation shall be appointed by the Congregation Council. Terms of office will be determined by the Congregation Council.
- C13.05 Other congregational committees may be formed as the need arises, by decision of the Congregation Council.
- C13.06 Duties of other congregational committees shall be specified in the bylaws and/or continuing resolutions passed from time to time.

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. This congregation, at its meetings shall determine their policies, guide their activities, and receive reports concerning their membership, work, and finances.
- C14.02 Special interest groups, other than those of the official organizations of the Evangelical Lutheran Church in America, may be organized only after authorization has been given by the Congregation Council.

Chapter 15.

DISCIPLINE OF MEMBERS

- 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 Congregation Council. If for any reason, the pastor is unable to administer admonitions required by a. and b. hereof, the president (if not the pastor) or vice president shall administer such admonition.
- 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, by laws, 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 and shall advise the Congregation 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 Congregation Council. The written charges shall accompany the written citation to the accused. A member charged with the offense shall appear before the Congregation Council after having received a written citation at least ten days prior to the meeting. If the member charged with the offenses fails to appear at the scheduled hearing, the Congregation Council may proceed with the hearing and may pass judgment in the member's absence.
- C15.03 Members of the Congregation Council who participate in the preparation of the written charges or who present evidence or testimony in the hearing before the Congregation 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 Congregation 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 of 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 Congregation 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 Congregation 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 Congregation Council has previously heard and decided, unless so ordered by the Synod Council after an appeal.
- C15.10 **Adjudication**
- C15.11 When there is disagreement among factors within the 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 Congregation 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 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 Congregation Council at least 60 days before a regular or special Congregation meeting called for that purpose and that the Congregation Council shall notify the congregation's members by mail of the proposal with its 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 the congregation to the synod.
- C16.05 Duties of the congregation officers:
- a. The President: shall be chairperson of the Congregation and of the Congregation Council; shall lead council in its long range plan and shall with council be responsible for the oversight of each ministry and each special committee.
 - b. The Vice President: shall serve in the President's stead when the President is unable to perform the duties of the office and shall perform such other duties as may be assigned from time to time by the Congregation Council
 - c. The Secretary. shall keep accurate minutes of all meetings of the Congregation and of the Congregation Council. Minutes shall be placed in a volume provided by the Congregation and the volume shall be preserved permanently in the Church's archives.
 - d. The Treasurer: shall maintain an accurate record of all income and expenditures of the Church; shall cause the preparation of a monthly, written report for the Congregation Council which details income, expenditures, encumbrances, and balances in each budget area; monitor spending of each ministry area; prepare a detailed report of income and expenditures for each semi-annual meeting of the Congregation; serve as a member of the Finance Committee; and provide records for the Audit Committee in ample time for completion of the annual audit.
- C16.06 Financial Secretary.
- a. The financial secretary shall be elected by the Congregation Council and shall serve at the Council's pleasure. He/she may or may not be a member of the Congregation Council.
 - b. Duties: He/she shall maintain a record of all financial gifts to the congregation; inform members quarterly of the status of their individual financial gifts to the congregation; prepare a monthly report for the Congregation Council of income received the previous month (after verification of receipts with the Congregation Treasurer); prepare an income report for each semi-annual meeting of the Congregation; and serve as a member of the Stewardship Committee and of the Finance Committee.
- C16.07 Fund Raising Activities: Mount Calvary Lutheran Church will permit and support fund raising activities.
- a. The beneficiaries of such fund raising and the nature of the activity shall be approved by the relevant ministry chairperson and the Congregation Council.
 - b. Acceptable activities shall include the appropriate exchange of goods and services at agreed amounts, but shall not include games of chance.
- C16.08 Organization Chart. The Congregation Council shall establish and modify the organizational chart and structure of the congregation from time to time through passage of continuing resolutions, to be maintained in the congregation's permanent records.
- C16.09 a. Mount Calvary Lutheran Church Mission Statement: Established January 1979; to be reviewed annually. (PLEASE NOTE THAT THIS MAY BE MODIFIED BEFORE PASSAGE OF THE NEW CONSTITUTION IF A NEW MISSION STATEMENT CAN BE AGREED UPON BY THEN)

Hearing God's call to us through Jesus Christ, and praying for the strength of the Holy Spirit to sustain us,

WE AFFIRM OUR MISSION TO BE:

To love

all people,

To nurture

the family of faith through
teaching
learning
and worship,

To serve

the needs and
heal the hurts of others
through unselfish giving of ourselves,

To share

Christ

within Mount Calvary
the local community
and the world

So that all people
may increasingly
experience
the forgiving love of God,

b. Mount Calvary Evangelical Lutheran Church Reconciling Statement (Established June 28, 1998)

MOUNT CALVARY LUTHERAN CHURCH

A Receptive, Responsive, Reconciling in Christ Community of Faith

We wish to make known our caring, concern, and welcome to all people, whatever their age, gender, race, sexual orientation, physical or mental capability, education, or religious background, economic, marital or social status. We believe all individuals share the worth that comes from being uniquely created by God.

- C16.10 Inactive Members: are confirmed members who have neither communed nor made a contribution of record to this congregation for one year. They have been placed on inactive status by the process below.
- Communicant and contribution records have been checked carefully.
 - If the preliminary check reveals non-compliance with Communion and contribution rules, the member shall be contacted. He/she shall be requested to submit verification or non-verification of the contribution and/or Communion status.
 - He/she shall be requested to state a desire to remain on the active member list.
 - If no response to the first contact is received, a second shall be made.
 - Upon receipt of verification of neither annual Communion nor contribution, the member shall be placed in inactive status.
 - If no response to the second contact is received within 30 days of the contact, the member shall be placed in inactive status.
 - Members placed in inactive status shall remain within the continuing concern of the Congregation and shall be given conscientious pastoral care. They may be restored to the active

roll by the Congregation Council when they have again received Communion and/or made a contribution of record to the Congregation.

- C16.11 The pastor shall keep membership rolls of the Congregation reporting thereon to the Congregation Council periodically; shall record pastoral acts in the official parish register; and shall be the custodian of the seal.
- C16.12 When the pastor of this congregation desires to terminate his/her period of service he/she shall submit a letter of resignation to the Congregation Council for report to the Congregation. Unless otherwise agreed, the resignation shall become effective two months after the date on which it is received by the Congregation Council.
- C16.13 Semi-annual meetings of this congregation shall be held in January and June on a date to be designated by the Congregation Council.
- C16.14 Congregation Council.
 - a. The number of nominees to run for the Congregation Council shall be at least the number of positions open plus one half of that number.

Chapter 17.

AMENDMENTS

- C17.01 Those sections of this constitution that are not required, in accord with the *Model Constitution for Congregations on the Evangelical Lutheran Church in America*, may be amended in the following manner. Amendments may be proposed by at least five voting members of the congregation or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by the congregation at its regular or special meeting called for that purpose. The Congregation Council shall notify the voting members of the congregation with their recommendations 30 days in advance of the Congregational Meeting in which the proposed amendment shall be considered. All proposed amendments shall be submitted to the congregation with or without Congregation Council approval.
- C17.02 A proposed amendment to the constitution shall:
 - a. be approved at a properly called meeting according to this constitution, by a majority vote of a quorum present voting;
 - b. be ratified without change at the next annual meeting by a two-thirds majority vote of a quorum 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 shall be sent by the secretary of this congregation to the synod. The amendment shall become effective within 120 days from the date of 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 Rocky Mountain Synod.
- C17.04 Whenever the *Model Constitution for Congregations* is amended by the Churchwide Assembly, this constitution may be amended to incorporate any such amendment buy 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 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. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such provisions shall become immediately following a vote of approval.

Chapter 18.

CONTINUING RESOLUTIONS

- C18.01 The Congregation Council may enact continuing resolutions which describe the function of the various committees or organizations of this congregation.
- C18.02 Continuing resolutions shall be enacted or amended by a two-thirds vote of all voting members of the Congregation Council.
- C18.03 Ministries:
- a. Implementation of the Mount Calvary Mission Statement shall be the responsibility of the Congregation Council. The Congregation Council shall be strongly encouraged to participate in one or more of the ministries and its committees while a member of the council. The ministries may include, but not be limited to the following:
 - b. Support Ministry. This ministry shall have five sub-ministries: Stewardship; Finance; Fellowship; and Property.
 - c. Learning Ministry.
 - d. Service Ministry.
 - e. Witness Ministry.
 - f. Worship Ministry.
 - g. Each Ministry shall develop annual goals, objectives, and strategies to achieve the goals and objectives. The goals, objectives, and strategies shall be examined and approved by this congregation at the January semi-annual Congregation Meeting.
 - h. Each Ministry shall present a written report at the January semi-annual meeting. The report shall show evidence of objective accomplishment.
 - i. . Each Ministry shall present a report designating the extent of goal and objective achievement at the June semi-annual meeting.
- C18.04 Special Committees.
- a. There shall be a Finance Committee of which the treasurer and the financial secretary shall be members. This committee shall draft a budget for the succeeding year. The draft budget shall be presented to the Congregation Council in a preliminary form in October of each year. The Congregation Council shall approve the proposed budget and present it to the congregation for adoption at the January semi-annual meeting.
The finance committee with the approval of the Congregation Council shall be responsible for the Congregation's investments and its total insurance programs.
The finance committee shall exercise oversight of all the financial affairs of this congregation; shall oversee efficient management of finances; and shall give attention to prompt payment of all obligations.
 - b. Memorial Gifts Committee. may be appointed by the Congregation Council and if appointed, it shall meet as necessary to determine distribution of designated and undesignated gifts to the congregation. Members shall serve such terms as may be established by the Congregation Council.
 - c. Youth Advisory Committee. may be appointed by the Congregation Council. If appointed, this committee shall assist the Learning Ministry in providing programs for youth of the congregation.
 - d. Special task forces and other committees shall be appointed from time to time to examine issues needing specialized examination. Such Task Forces and committees shall be appointed by the Congregation Council and shall terminate upon completion of the task(s) assigned.
 - e. A Mutual Ministry Committee may be appointed. It shall be a caring and listening committee for the paid staff and pastor.

Chapter 19 INDEMNIFICATION

- C10.01 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 Congregation 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.

First Reading June 27, 2004; Adopted by the Congregation January 30, 2005; Tentatively approved by the Synod Secretary _____2005 ; Final approval by the Synod Secretary_____2005_; Effective Date:_____2005