

Comparison of Current MLC Constitutional Provisions with the Required Provisions of the ELCA Model Constitution

February 3, 2010

What are “Required Provisions” and where do they come from?

In response to requests from congregations and synods throughout the ELCA, the 1991 Churchwide Assembly directed the ELCA Church Council to review the *Model Constitution for Congregations* and present to a subsequent assembly proposals to clarify required provisions for congregations. The 1993 Churchwide Assembly received and approved recommendations to mark certain sections as required. Provisions marked as required relate to (1) matters of unity within the life of this church, (2) specific requirements in the synodical or churchwide constitutions in regard to the responsibilities of congregations of this church, and (3) the interdependent relationship of congregations, synods, and the churchwide organization.

Thus, The Constitution of the ELCA states in 9.52:“...When such a congregation wishes to amend any provision of its governing documents, the governing documents of that congregation shall be so amended to conform to 9.25b . . . [which states that we need to:] adopt governing documents that include fully and without alteration the Preamble, Chapter 1, where applicable, and all required provisions of Chapters 2, 3, 4, 5, 6, 7, 8, 9, 15, 16, 17, 18, and 19 in the Model Constitution...” Once we update our constitution to the required provisions of the model, further updates of required provisions only involve a simple majority vote at a congregational meeting.

For the purposes of the comparison below and on the following pages, our provisions which need:

No Changes: either will not be listed, or will remain black text on white background.

Punctuation Changes (punctuation, capitalization, etc.) will be highlighted in Green

Minor Wording Changes will be highlighted in Yellow

Major Wording Changes, Numbering Changes and/or Additions will be highlighted in Red

MLC Constitutional Provision Needing Updating	ELCA Model Constitutional Provision
C3.01. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under His rule and authority.	C.301. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority.

<p>C4.04. This congregation shall develop an organizational structure to be described in the bylaws. The bylaws shall contain descriptions of the responsibilities of each board, task force, or other organizational group.</p>	<p>C4.04. This congregation shall develop an organizational structure to be described in the bylaws. The Congregation Council shall prepare descriptions of the responsibilities of each committee, task force, or other organizational group and shall review their actions. [Such descriptions shall be contained in continuing resolutions in the section on the Congregation Council.] <i>(NOTE: The Task Force has some issues with this specific required provision.)</i></p>
<p>C4.06. This corporation is not organized, nor shall it be operated, for pecuniary gain or profit, and it does not contemplate the distribution of gains, profits or dividends to the members thereof and is organized solely for nonprofit purposes. The property, assets, profits and net income of this corporation are irrevocably dedicated to charitable and religious purposes and no part of the profits or net income of this corporation shall ever inure to the benefit of any director, officer or member thereof or to the benefit of any private shareholder or individual.</p>	<p><i>Note: There is no C4.06. in the model constitution. We can keep it or not.</i></p>
<p>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:</p>	<p>C5.03. Only such authority as is delegated to the Congregation Council or other organizational units in this congregation's governing documents is recognized. All remaining authority is retained by the congregation. The congregation is authorized to:</p>
<p>C5.03. a. call a pastor as provided in Chapter 9.</p>	<p>C5.03. a. call a pastor as provided in Chapter 9;</p>
<p>C5.03. b. terminate the call of a pastor as provided in Chapter 9.</p>	<p>C5.03. b. terminate the call of a pastor as provided in Chapter 9;</p>
<p>C5.03. c. appoint or terminate the appointment of associates in ministry in conformity with the applicable policy of the Evangelical Lutheran Church in America.</p>	<p>C5.03. c. call or terminate the call of associates in ministry, deaconesses, and diaconal ministers in conformity with the applicable policy of the Evangelical Lutheran Church in America;</p>
<p>C5.03. d. approve the annual budget.</p>	<p>C5.03. d. adopt amendments to the constitution, as provided in Chapter 17, and amendments to the bylaws, as specified in Chapter 16.</p>
<p>C5.03. e. acquire real and personal property by gift, devise, purchase, or other lawful means.</p>	<p>C5.03. e. approve the annual budget;</p>
<p>C5.03. f. hold title to and use its property for any and all activities consistent with its purpose.</p>	<p>C5.03. f. acquire real and personal property by gift, devise, purchase, or other lawful means;</p>

<p>C5.03. g. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means as provided in Chapter 7.</p>	<p>C5.03. g. hold title to and use its property for any and all activities consistent with its purpose;</p>
<p>C5.03. h. elect its officers, Congregation Council and board directors, and require them to carry out their duties in accordance with the constitution and bylaws, and the resolutions of the congregation.</p>	<p>C5.03. h. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;</p>
<p>C5.03. i. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.</p>	<p>C5.03. i. elect its [officers][,] [and] Congregation Council, [boards, and committees,] and require [them] [the members of the council] to carry out their duties in accordance with the constitution[,] [and] bylaws[,] [and continuing resolutions]; and <i>(NOTE: Task Force still needs to fully choose the appropriate options in this provision.)</i></p>
<p>ADD: C5.03. j.</p>	<p>C5.03. j. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.</p>
<p>ADD: C5.04.</p>	<p>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 <u>(insert name of synod)</u> of the Evangelical Lutheran Church in America.</p>
<p>C6.03. d. This congregation agrees to consider associates in ministry for appointment to other staff positions in the congregation according to the procedures of the Evangelical Lutheran Church in America.</p>	<p>C6.03. 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.</p>
<p>C6.05. 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.</p>	<p>C6.05. b. The secretary of this congregation shall submit a copy of the resolution to the synodical bishop and shall mail a copy of the resolution to voting members of this congregation. This notice shall be submitted within 10 days after the resolution has been adopted.</p>
<p>C6.05. f. Notice of termination shall be forwarded by the synodical bishop to the secretary of the Evangelical Lutheran Church in America and published in its periodical.</p>	<p>C6.05. 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. <i>(NOTE: Task Force is not sure this is the right wording.)</i></p>

<p>C6.06. If this congregation is considering relocation, it shall confer with the bishop of the synod in which it is territorially located before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.</p>	<p>C6.06. If this congregation considers relocation, it shall confer with the bishop of the synod in which it is territorially located and the appropriate program unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.</p>
<p>ADD: C6.07.</p>	<p>C6.07. If this congregation considers developing an additional site to be used regularly for worship, it shall confer with the bishop of the synod in which it is territorially located and the appropriate program unit of the churchwide organization before any steps are taken leading to such action.</p>
<p>C7.01. If this congregation ceases to exist, title to undisposed property shall pass to the Sierra Pacific Synod of the Evangelical Lutheran Church in America or its successors.</p>	<p>C7.01. If this congregation ceases to exist, title to undisposed property shall pass to the <u>(insert name of synod)</u> Synod of the Evangelical Lutheran Church in America.</p>
<p>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. The roster of baptized members shall be maintained by the pastor and copies shall be available to voting members of the congregation.</p>	<p>C8.01. Members of this congregation shall be those baptized persons on the roll of this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws. <i>(NOTE: Task Force would like to keep the last sentence of our current provision in the new one.)</i></p>
<p>C8.02. c. Voting members are confirmed members. Such confirmed members shall have communed and made a contribution of record during the current or preceding calendar year.</p>	<p>C8.02. c. Voting members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation.</p>
<p>C8.02. 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.</p>	<p>C8.02. d. Associate members are persons holding membership in other [Lutheran] [Christian] congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, or persons who wish to retain a relationship with this congregation while being members of other congregations. They have all the privileges and duties of membership except voting rights and eligibility for elected offices or membership on the Congregation Council of this congregation.</p>

<p>C8.03. All applications for confirmed membership shall be submitted to and shall require the approval of the pastor. The pastor shall promptly inform the Congregation Council of all applications and actions taken thereon.</p>	<p>C8.03. All applications for confirmed membership shall be submitted to and shall require the approval of the Congregation Council.</p>
<p>C8.04. b. live a Christian life in accordance with the Word of God and the teachings of the Lutheran church.</p>	<p>C8.04. b. live a Christian life in accordance with the Word of God and the teachings of the Lutheran church; and</p>
<p>C8.05. e. inactivity. A confirmed member is considered inactive when he or she has not partaken of Holy Communion or supported the Church with an offering during the current or preceding calendar year. A baptized member is considered inactive when he or she fails to participate in the worship and activities of the congregation. There shall be continuing pastoral concern for such persons who have been removed from the roll of members.</p>	<p>C8.05. 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.</p>
<p>C9.01. Authority to call a pastor shall be vested in this congregation. The authority to call shall be exercised by not less than a two-thirds majority ballot vote of members present and voting at a meeting regularly called for that purpose. Before a call is issued, the officers, or a committee elected by this congregation to recommend the call, shall seek the advice and help of the bishop of the synod.</p>	<p>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][the Congregation Council] to recommend the call, shall seek the advice and help of the bishop of the synod.</p>
<p>C9.02. Only a member of the clergy roster of the Evangelical Lutheran Church in America or who has been recommended for the clergy roster by the synodical bishop may be called as a pastor of this congregation, except as provided in C6.03.c.</p>	<p>C9.02. Only a member of the clergy roster of the Evangelical Lutheran Church in America or a candidate for the roster of ordained ministers who has been recommended for the congregation by the synodical bishop may be called as a pastor of this congregation.</p>
<p>C9.03. a. 1) preach the Word.</p>	<p>C9.03. a. 1) preach the Word;</p>
<p>C9.03 a. 2) administer the sacraments.</p>	<p>C9.03. a. 2) administer the sacraments;</p>
<p>C9.03. a. 3) conduct public worship.</p>	<p>C9.03. a. 3) conduct public worship;</p>
<p>C9.03. a. 4) provide pastoral care.</p>	<p>C9.03. a. 4) provide pastoral care; and</p>
<p>C9.03. b. The pastor shall, within the congregation:</p>	<p>C9.03. b. Each ordained minister with a congregational call shall, within the congregation:</p>
<p>C9.03. b. 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead.</p>	<p>C9.03. b. 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;</p>

C9.03. b. 2) supervise all schools and organizations of the congregation.	C9.03. b. 2) supervise all schools and organizations of this congregation;
C9.03. b. 3) install regularly elected members of the Congregation Council.	C9.03. b. 3) install regularly elected members of the Congregation Council; and
C9.03. b. 4) visit members in their homes or places of employment; visit potential new members; and visit inactive members (as defined in C8.05.e), encouraging them to return to active membership.	C9.03. b. 4) with the council, administer discipline.
C9.03. b. 5) with the council, administer discipline.	<i>(NOTE: There is no C9.03.b.5) in the model constitution)</i>
C9.03. c. The pastor shall:	C9.03. c. Every pastor shall:
C9.03. c. 1) 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, in the nation, and abroad.	C9.03. c. 1) strive to extend the Kingdom of God in the community, in the nation, and abroad;
C9.03. c. 2) impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications.	C9.03. c. 2) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
C9.03. c. 3) endeavor to increase the support given by the congregation to the work of the Evangelical Lutheran Church in America churchwide organization and of this synod.	C9.03. c. 3) impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and
ADD: C9.03. c. 4)	C9.03. c. 4) endeavor to increase the support given by the congregation to the work of the churchwide organization of the Evangelical Lutheran Church in America (ELCA) and of the <u>(insert name of synod)</u> Synod of the ELCA.
C9.05. a. The call of the 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:	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:
C9.05. a. 1) mutual agreement to terminate the call or the completion of a call for a specific term.	C9.05. a. 1) mutual agreement to terminate the call or the completion of a call for a specific term;
C9.05. a. 2) resignation of the pastor.	C9.05. a. 2) resignation of the pastor, which shall become effective, unless otherwise agreed, 30 days after the date on which it was submitted;

<p>C9.05. a. 3) the physical or mental incapacity of the pastor.</p>	<p>C9.05. a. 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;</p>
<p>C9.05. a. 4) disqualification of the pastor through discipline on grounds of doctrine, morality, or continued neglect of duty.</p>	<p>C9.05. a. 4) the physical or mental incapacity of the pastor;</p>
<p>C9.05. a. 5) the dissolution of the congregation.</p>	<p>C9.05. a. 5) disqualification of the pastor through discipline on grounds of doctrine, morality, or continued neglect of duty;</p>
<p>ADD: C9.05. a. 6)</p>	<p>C9.05. a. 6) the dissolution of the congregation or the termination of a parish arrangement; or</p>
<p>ADD: C9.05. a. 7)</p>	<p>C9.05. a. 7) suspension of the congregation as a result of discipline proceedings.</p>
<p>C9.05. b. In the case of alleged physical or mental incapacity of the pastor or ineffective conduct of the pastoral office, it shall be the responsibility of the bishop of the synod, when such difficulties are personally known or 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, to investigate such conditions personally in company with a committee of two ordained ministers and one layperson.</p>	<p>C9.05. b. When allegations of physical or mental incapacity of the pastor or ineffective conduct of the pastoral office have come to the attention of the bishop of the synod, the bishop in his or her sole discretion may, or when such allegations have been brought to the synod's attention by an official recital of allegations by the 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 layperson.</p>
<p>C9.05. d. The foregoing procedure shall never be invoked when questions of doctrine, morality, or continued neglect of duty are involved, all such cases being treated as disciplinary matters.</p>	<p>C9.05. d. In the case of alleged local difficulties that imperil the effective functioning of the congregation, all concerned persons shall be heard, after which the bishop of the synod together with the committee described in *C9.05.b. shall decide on the course of action to be recommended to the pastor and the congregation. If they agree to carry out such recommendations, no further action shall be taken by the synod. If either party fails to assent, the congregation may dismiss the pastor at a legally called meeting after consultation with the bishop, either (a) by a two-thirds majority vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a simple majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.</p>

<p>ADD: C9.05. e.</p>	<p>C9.05. e. If, in the course of proceedings described in *C9.05.d., the committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action to the synodical bishop, who may bring charges in accordance with the provisions of the constitution and bylaws of the Evangelical Lutheran Church in America and the constitution of this synod.</p>
<p>ADD: C9.05. f.</p>	<p>C9.05. f. If, following the appointment of the committee described in *C9.05.b. or d., it should become apparent that the pastoral office cannot be conducted effectively in the congregation(s) being served by the ordained minister due to local conditions, the bishop of the synod may temporarily suspend the pastor from service in the congregation(s) without prejudice and with pay provided through a joint synodical and churchwide fund and with housing provided by the congregation(s).</p>
<p>C9.06. At a time of pastoral vacancy, an interim pastor may be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council. An interim pastor shall generally not be considered to be a candidate for call.</p>	<p>C9.06. At a time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.</p>
<p>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.</p>	<p>C9.08. This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting related to the Evangelical Lutheran Church in America.</p>
<p>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. A call to a member of the clergy for an additional pastor shall be issued only with the concurrence of the pastor.</p>	<p>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.</p>

<p>C9.10. With the approval of the bishop of the synod, the congregation may depart from C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop, shall meet with the pastor and representatives of the congregation for a review of the call. Such call may also be terminated before its expiration in accordance with the provisions of C9.05.a.</p>	<p><i>(NOTE: There is no C9.10. in the model Constitution)</i></p>
<p>C9.11. The pastor shall keep accurate parochial records of all baptisms, confirmations, 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.</p>	<p>C9.11. With the approval of the bishop of the synod, the congregation may depart from *C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of the congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.05.a.</p>
<p>C9.12. The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.</p>	<p>C9.12. The pastor of this congregation:</p>
<p>ADD: C9.12. a.</p>	<p>C9.12. a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;</p>
<p>ADD: C9.12. b.</p>	<p>C9.12. b. shall submit a summary of such statistics annually to the synod; and</p>
<p>ADD: C9.12. c.</p>	<p>C9.12. c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.</p>
<p>ADD: C9.13.</p>	<p>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.</p>

<p>ADD: C9.14.</p>	<p>C9.14. The parochial records of this congregation shall be maintained by the pastor and shall remain the property of the congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in his or her hands in good order by a departing pastor before the installation of that pastor in another field of labor or the granting by the synod of retired status to the pastor.</p>
<p>Chapter 15. BYLAWS</p>	<p>Chapter 15. DISCIPLINE OF MEMBERS AND ADJUDICATION</p>
<p>C15.01. This congregation may adopt bylaws. No bylaw may conflict with this constitution.</p>	<p>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 the admonitions required by a. and b. hereof, the president (if not the pastor) or vice president shall administer such admonitions.</p>
<p>C15.02. Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a majority vote of those voting members present and voting.</p>	<p>C15.02. The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the <i>Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America</i>. 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 member(s) of the congregation who shall sign the charges as the accuser(s). The written charges shall be filed with the pastor, who shall advise the 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. The written citation that specifies the time and place of the hearing before the Congregation Council and requests the presence of a member charged with the offense shall be sent at least ten days prior to the meeting. If the member charged with the offense fails to appear at the scheduled hearing, the Congregation Council may proceed with the hearing and may pass judgment in the member's absence.</p>

<p>C15.03. 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 45 days before a regular or special meeting called for that purpose and that the Congregation Council notify the members of the proposal with its recommendations at least 20 days in advance of the Congregational Meeting.</p>	<p>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 members 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:</p> <ul style="list-style-type: none"> a. censure before the council or congregation; b. suspension from membership for a definite period of time; or c. exclusion from membership in this congregation. <p>Disciplinary actions b. and c. shall be delivered to the member in writing.</p>
<p>C15.04. Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.</p>	<p>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.</p>
<p>ADD: C15.05.</p>	<p>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.</p>
<p>ADD: C15.06.</p>	<p>C15.06. 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.</p>
<p>ADD: C15.07.</p>	<p>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.</p>
<p>ADD: C15.10.</p>	<p>C15.10. Adjudication</p>

<p>ADD: C15.11.</p>	<p>C15.11. When there is disagreement among factions within this congregation on a substantive issue that cannot be resolved by the parties, members of this congregation shall have access to the synodical bishop for consultation after informing the chair of the 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.</p>
<p>Chapter 16. AMENDMENTS</p>	<p>Chapter 16. BYLAWS</p>
<p>C16.01. Amendments to this constitution may be proposed by any five voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 45 days before formal consideration by this congregation at a regular meeting or a special meeting called for that purpose. The Congregation Council shall notify the members of the proposal. Notification shall be as provided in Chapter 10.</p>	<p>C16.01. This congregation may adopt bylaws. No bylaw may conflict with this constitution.</p>
<p>C16.02. A proposed amendment to this constitution shall: a. be approved at a properly called meeting according to this constitution by a majority vote of the quorum present and voting. b. be ratified without change at the next legally called meeting which is at least 60 days following the approval by a two-thirds majority vote of the quorum present and voting.</p>	<p>C16.02. Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a majority vote of those voting members present and voting.</p>
<p>C16.03. 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 the receipt of the notice by the synod unless the synod informs this congregation that the amendment is in conflict with the constitution and bylaws of the Evangelical Lutheran Church in America, or the constitution of the Sierra Pacific Synod. Such amendments shall become effective on the date that the congregation receives notice of approval from the Sierra Pacific Synod or 120 days from the date of receipt of the amendment by the Sierra Pacific Synod. The effective date shall be noted in the constitution.</p>	<p>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 notify the congregation's members by mail of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting.</p>
<p>ADD: C16.04.</p>	<p>C16.04. Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.</p>

<p>Chapter 17. AMENDMENTS</p> <p>ADD: C17.01.</p> <p>ADD: C17.02.</p> <p>ADD: C17.03.</p>	<p>Chapter 17. AMENDMENTS</p> <p>C17.01. Unless provision *C17.04. is applicable, those sections of this constitution that are not required, in accord with the <i>Model Constitution for Congregations of the Evangelical Lutheran Church in America</i>, may be amended in the following manner. Amendments may be proposed by at least _____ voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members by mail of the proposal together with the council's recommendations at least 30 days in advance of the meeting.</p> <p>C17.02. An amendment to this constitution, proposed under *C17.01., shall:</p> <ol style="list-style-type: none"> a. be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those present and voting; b. be ratified without change at the next annual meeting by a two-thirds majority vote of those present and voting; and c. have the effective date included in the resolution⁴ and noted in the constitution. <p>C17.03. Any amendments to this constitution that result from the processes provided in *C17.01. and *C17.02. shall be sent by the secretary of this congregation to the synod. The amendment shall become effective within 120 days from the date of the receipt of the notice by the synod unless the synod informs this congregation that the amendment is in conflict with the constitution and bylaws of the Evangelical Lutheran Church in America or the constitution of the <u>(insert name of synod)</u> Synod of the ELCA.</p>
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<p>ADD: C17.04.</p>	<p>C17.04. This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the <i>Model Constitution for Congregations of the Evangelical Lutheran Church in America</i>—as most recently amended by the Churchwide Assembly—by a simple majority vote of those voting members present and voting at any legally called meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail notice to the congregation of such an amendment or amendments, together with the council’s recommendations, at least 30 days prior to the meeting. Upon the request of _____ voting members of the congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.</p>
<p>Chapter 18. CONTINUING RESOLUTIONS</p>	<p>Chapter 18. CONTINUING RESOLUTIONS</p>
<p>ADD: C18.01.</p>	<p>C18.01. The congregation in a legally called meeting or the Congregation Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.</p>
<p>ADD: C18.02.</p>	<p>C18.02. Continuing resolutions shall be enacted or amended by a majority vote of a meeting of the congregation or a two-thirds vote of all voting members of the Congregation Council.</p>
<p>Chapter 19. INDEMNIFICATION</p>	<p>Chapter 19. INDEMNIFICATION</p>
<p>ADD: C19.01.</p>	<p>C19.01. Consistent with the provisions of the laws under which this congregation is incorporated, this congregation may adopt provisions providing indemnification for each person who, by reason of the fact that such person is or was a 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.</p>
	<p>Chapter 20. PARISH AUTHORIZATION (<i>required provisions when congregation is part of a parish, which we are not</i>)</p>