

BYLAWS FOR SOUTH ZUMBRO CONSTITUTION

Part I Communion Participation

1. This congregation invites all of its members, who have been prepared to receive the Sacrament, to participate regularly in Holy Communion.
2. Participation in Holy Communion shall be open to members of other congregations who accept the Lutheran teaching in regard to this Sacrament.
 1. It shall be made known to prospective participants that the belief of this congregation is: "Participation in the Lord's Supper is the reception of "the body and blood of our Lord Jesus Christ given with bread and wine, instituted by Christ Himself for us to eat and drink". We hold that a "person is well prepared and worthy who believes these words, GIVEN AND SHED FOR YOU FOR THE REMISSION OF SINS. But anyone who does not believe these words, or doubts them, is neither prepared nor worthy, for the words FOR YOU require a believing heart."
 2. Worthy participation requires sincere repentance, faith in Jesus Christ as Savior, and an earnest desire to amend one's sinful life, as well as acceptance of the Scriptural teaching regarding the Real Presence of Christ with His Body and Blood in the Sacrament. Registration forms or oral announcements shall be so devised as to make prospective participants aware of these requirements.

Part II Conflicting Loyalties

1. While the buildings of the congregation shall be open to all to share in its worship, instruction, pastoral care, and fellowship, the congregation rejects all fellowship with organizations, secret or open, which are avowedly religious or practice forms of religion without confessing faith in the Triune God and in Jesus Christ as the Eternal Son of God incarnate to be our only Savior from sin, and which thus teach salvation by works.
2. Ceremonies of lodges and other such organizations shall not be permitted in buildings or premises of this congregation; nor shall the pastor(s) or lay assistants take part in any such ceremonies wherever they are conducted.

Part III Membership

A. Baptized Members

1. Children become members of the congregation by Christian baptism, or if so baptized previously, become members by the admission of one or both parents or guardians.
2. Baptized children of non-members shall upon consent of one or both parents or guardians be admitted into membership.
3. An adult who has not previously received Christian baptism, upon receiving instruction and giving evidence of having adequate understanding and acceptance of the teachings of the Word of God as confessed by the Lutheran Church, shall, upon confession of faith and Christian baptism, become a baptized member of the congregation.

B. Confirmed Members

1. A baptized adult, not previously a confirmed member of a Lutheran congregation, shall become a confirmed member of this congregation after having received instruction, having given evidence of

adequate understanding of the teachings of the Word of God as confessed by the Lutheran Church, and having publicly affirmed his/her faith.

2. A baptized member of the congregation shall become a confirmed member of the congregation through the rite of confirmation; except that an adult who has become a baptized member in accordance with the provisions of Article VI.2.A , of this part of the By-laws shall be considered a confirmed member without participation in the rite of confirmation.
3. An applicant for membership who presents a Letter of Transfer which certifies that the applicant is a confirmed member in good standing of a Lutheran congregation shall become a confirmed member of this congregation upon approval by the Church Council and acceptance by the congregation.
4. An applicant for membership who presents evidence of confirmation in a Lutheran congregation but does not have a Letter of Transfer shall be admitted to confirmed membership when the Church Council has determined that he/she meets the standards of Christian faith and life indicated in this constitution and By-laws when he/she has reaffirmed his/her faith before the congregation.

C. Voting Membership

1. The Church Council shall be responsible for determining the voting membership in accordance with the qualifications specified in the Constitution and the By-laws.

D. Discontinuation of Membership

1. Members who move away shall be contacted regarding their membership and encouraged to seek fellowship in a local congregation.
2. A member in good standing desiring to change his/her membership to another Lutheran congregation shall, upon request, receive a Letter of Transfer.
3. Members who resign, are dismissed, are transferred to another Lutheran congregation, or who are definitely known to have joined some other congregation without transfer, shall thereupon lose their membership in this congregation.
4. Any members who have not kept contact with this congregation in any way for a period of two years shall be declared inactive members. His/Her name shall be retained as one who is in need of the congregation's prayer and concern and shall be encouraged to apply for reinstatement to active membership.
5. A child, neither of whose parents or guardians is a member of the congregation may be removed from the roster of baptized members if he/she fails to participate in the life and worship of the congregation. The name shall be retained on the responsibility list.

E. Discipline

1. This congregation places a high value on unity within the body of Christ. The concerns and needs of any individual member are therefore subject to the greater mission and ministry of the whole congregation.
2. Cause for discipline of a congregational member may include:
 - a. Denial of the Statement of Faith as described in this Constitution and Bylaws.
 - b. Conduct grossly unbecoming a member of the Church of Jesus Christ, including unrepentant immorality.
 - c. Actions that threaten the safety and security of this congregation and its members.
 - d. Persistent trouble-making in this congregation contributing to factions and disunity.

3. Prior to disciplinary action, reconciliation shall be attempted and encouraged following the successive steps described in Matthew 18:15-17:
 - a. Persons who have a grievance with any other person in this congregation shall go to them privately and try to resolve the conflict between them. (Matthew 18:15)
 - b. If the discipline of an individual member is required, the first step shall be private counsel and/or admonition by a pastor.
 - c. If the conflict cannot be resolved, or if a member persists in the conduct described above, a meeting will be established with the persons involved in the presence of two or three witnesses. This may include a pastor or deacons – as appointed by the Church Council. It may also include outside counselors and resources considered necessary or helpful in resolving the conflict. (Matthew 18:16)
 - d. If the conflict cannot be resolved, or if a member continues to persist in the conduct described above, the persons involved will be counseled and/or admonished in the presence of the Church Council. In this case, the member shall have received a written notice, specifying the exact charges that have been made against the member, at least ten days prior to the meeting. (Matthew 18:17)
4. If the conflict or behavior continues to persist, the Church Council shall then have at its option:
 - a. Censure before the Church Council or congregation;
 - b. Suspension from membership for a definite period of time; or
 - c. Exclusion from membership in this congregation. Disciplinary actions (4b) and (4c) shall be delivered to the member in writing.
5. Disciplinary actions may be reconsidered and revoked by the Church Council upon evidence that injustice has been done or on the basis of repentance of an individual or reconciliation of the parties involved.
6. If a particular grievance is made by a member of this congregation regarding a pastor or staff member, the Church Council or its designee, may at its discretion, serve in the capacity of counselor with the goal of bringing reconciliation in the name of Christ.

Part IV The Pastoral Call

1. When the congregation has voted to call a pastor, it shall issue a Letter of Call to the pastor-elect, in a form reviewed by Lutheran Congregations in Mission for Christ (LCMC). It shall be signed by the members of the Church Council and attested by Lutheran Congregations in Mission for Christ (LCMC).
2. The call shall normally be for an indefinite period of time.
3. If the pastor receives a call to another congregation or ministry, he/she shall consult the Church Council or the congregation, before reaching a decision. He/She should attempt to reach a decision as soon as possible, normally within a month. He/She shall notify the congregation and Lutheran Congregations in Mission for Christ (LCMC) of his/her decision. When a release has been granted and the call accepted, the pastor shall terminate his/her ministry as soon as possible to negotiate his/her transfer of service, normally within a month.
4. A desire for a change in pastorate by either the congregation or the pastor shall be brought to the attention of the Church Council, who shall advise in the matter in accordance with this constitution (Article IX). The Church Council may, at its discretion, enter into discussion with Lutheran Congregations in Mission for Christ (LCMC).

5. The congregation requires that its pastor shall be loyal to the faith and purpose of this congregation as stated in the Articles II and III of this constitution. The pastor shall be a member in good standing of the Lutheran Congregations in Mission for Christ (LCMC) or shall be acceptable according to the standards of the Lutheran Congregations in Mission for Christ (LCMC).
6. In case of an interim pastor, his/her qualifications should follow in accordance with Part IV-5 of the By-laws. Interim pastoral duties and responsibilities shall be defined by the Church Council and/or the congregation.
7. Other pastoral functions may be performed occasionally in this congregation with the approval of the Church Council or congregation, and its pastor.

Part V Meetings of the Congregation

1. Announcement of the time and place of the annual meeting, spring meeting, and special meetings of the congregation shall be made two (2) Sunday worship services immediately preceding each meeting; and in such publications as the congregation or the pastor may periodically issue; or by written notice to the voting membership at least ten (10) days in advance of the meeting. A quorum shall consist of fifteen (15) voting members.
2. The current rosters of voting members shall be available at each annual meeting of the congregation.
3. The order of business at the annual meeting shall be:
 - a. Opening devotion
 - b. Approval of the minutes of the previous annual meeting
 - c. Reports of the pastor, treasurer, committees, and others
 - d. Elections
 - e. Approval of the budget
 - f. Unfinished business
 - g. New business
 - h. Closing prayer
4. The annual meeting of the congregation shall elect a nominating committee of at least three Christian minded and enlightened members. The pastor shall serve as convener and advisory member. The term of office of the members of the nominating committee shall be one year. The nominating committee shall provide a slate of candidates for offices to be filled and secure the consent of candidates. In the case of a vacant office, the nominating committee shall provide two candidates. The list of nominees shall be announced to the congregation in conjunction with the announcements of the annual meeting. In addition to the candidates submitted by the nominating committee, nominations may be made from the floor. The Church Council shall fill vacancies on the nominating committee.
5. In the following cases, voting shall be by written ballot;
 - a. To elect officers, and members of boards
 - b. To adopt or amend the articles of incorporation, constitution, or by-laws of the congregation
 - c. To call a pastor, or to request his/her resignation

- d. To remove a member from office in the congregation
 - e. To sever membership with Lutheran Congregations in Mission for Christ (LCMC).
 - f. To dispose of, encumber, or purchase real property
 - g. When requested by a majority of members present
6. Except as otherwise stated in the constitution and by-laws. All matters shall be decided by majority vote of those present and voting.
 7. No one shall be declared elected unless he/she has received a majority of votes cast.
 8. Unless otherwise ordered, parliamentary procedures shall be in accordance with Robert's Rules of Order.

Part VI Officers and Boards

A. Eligibility and duties of Officers

1. Only voting members of the congregation shall be eligible to serve as officers.
2. The president shall preside over the meetings of the congregation, and the Church Council. The nominating committee shall provide two candidates if the president has served three consecutive terms.
3. The vice president shall preside over meetings of the congregation and the Church Council in the absence of the president, unless the council decides otherwise. The vice president shall serve on the Board of Trustees. The nominating committee shall provide two candidates if the vice president has served three consecutive terms.
4. The secretary shall keep the minutes of the congregation and the Church Council and keep its archives. The nominating committee shall provide two candidates if the secretary has served three consecutive terms.
5. The treasurer(s) shall have custody of home budget funds, benevolence funds, building funds, memorial and other contributions. He/She shall receive and disburse funds in accordance with the decisions of the congregation and Board of Trustees. He/She shall present an audited report to the congregation annually and to the Council as requested. The nominating committee shall provide two candidates if the treasurer has served five consecutive terms.
6. The financial secretary shall record contributions to the home budget, benevolence and building funds, memorials and other contributions. Submit year-end balanced records to the treasurer for annual report recording and auditing purposes. Prepare statements acknowledging parishioners' contributions. The nominating committee shall provide two candidates if the financial secretary has served three consecutive terms.
7. The financial assistant shall assist the treasurer and financial secretary with the responsibilities as stated above in 5 and 6.

B. Membership and meetings of boards

1. In addition to the provisions of the constitution, the following shall govern membership of the Board of Deacons, the Board of Trustees, the Church Cemetery Board, and the Board of Education and the conduct of their meetings;
2. Only a voting member of the congregation shall be eligible for membership on the boards of the congregation.
3. The nominating committee shall provide at least one candidate if a board member has served two consecutive three year terms.

4. If a vacancy occurs on a board, the Council shall fill the vacancy until the next annual meeting, at which time the unexpired term will be filled.

C. Meetings of the Church Council

1. In addition to the provisions in the constitution, the following shall govern the Church Council in the conduct of its meetings;
 - a. A quorum of the Church Council shall be one-half its members.
 - b. A member of the Church Council who is absent from two consecutive regular meetings shall be consulted by the president of the congregation. If he/she is absent from three consecutive regular meetings without valid excuse, the Council may declare the office vacant.
 - c. A special meeting may be called by the pastor, the president, or any three members of the Council. Notice of such meetings shall be given at least five (5) days prior to the meeting and shall be announced at any public service which is held during that period.

D. Duties and Responsibilities of the Church Council

1. The Church Council shall conduct regular meetings each month at such time and place as the Council may determine.
2. Approve the nominee(s) of the Board of Education for the Church Sunday School Superintendent(s) and present the candidate(s) to the congregation for election.
3. Exercise discipline according to the provisions of this constitution and its by-laws.
4. Act as advisory to the Boards.
5. Supervise and oversee the various committees appointed by the Church Council or the congregation.
6. Maintains roster of voting members.

E. Duties and Responsibilities of the Church Cemetery Board

1. The Board shall elect from its own membership a chairman, a secretary, and a treasurer.
2. The chairman shall preside at all meetings. In his/her absence, a temporary chairman may be elected.
3. The secretary shall keep a record of the proceedings of each meeting of this Board. The secretary shall maintain a plat of the cemetery which shall show the lots occupied or purchased. He/She shall enter the date of each burial, the name, age, sex, and cause of death of each person interred insofar as the facts can be ascertained from relatives, friends, and mortician in charge.
4. The treasurer shall keep accurate records of all funds received from opening of graves, perpetual care funds, any special funds and for any other services involved.
5. The Board shall meet annually in March and semi-annually in October, and at such other times as the Board may determine.
6. This Board shall report at the annual meeting of the congregation as to the year's activities.

7. All records shall be open to public inspection by any member of the congregation or the next of kin of any person buried in said cemetery, or upon requests of State Board of Health and Local Health officers.

F. Part VII Reports of Organizations

1. All committees and organizations handling funds within the congregation shall submit a fiscal report to the church secretary at least fourteen (14) days prior to the annual meeting.

G. Part VIII Parish Records

1. The records of the congregation shall be and remain the property of the congregation.
2. The pastor shall be responsible for the maintenance of the records except as otherwise provided herein.
3. The pastor shall report to Lutheran Congregations in Mission for Christ (LCMC) such statistics as may be requested, and shall annually report to the congregation a summary of ministerial acts.

H. Part VII Marriage Statement

1. From the beginning, God instilled marriage with sacred significance and purpose. As a church that loves God and serves people, we desire to clearly proclaim God's design for marriage and to affirm our commitment to that singular design.
2. We affirm that God created us male and female, and that it is God's will and intention that human sexual expression and fulfillment take place only within the boundaries of marriage between one man and one woman (Genesis 2:24-25; Matthew 19:4-6; and Mark 10:2-9).
3. Marriage is the first human relationship created and ordained by God (Genesis 2) and is intended to be life giving and lifelong. In Matthew 19:4-6, Jesus said: "Haven't you read that at the beginning the Creator made them male and female. . . . For this reason a man will leave his father and mother and be united to his wife, and the two will become one flesh? So they are no longer two, but one flesh. Therefore what God has joined together, let no one separate." When a couple makes and consummates their vows, the main actor is not a husband, a wife or a pastor, but God who joins them as one.
4. Marriage has both spiritual and practical importance and is beneficial in many ways. Surveys and studies consistently link marriage to happiness, longevity and even wealth. Spiritually, what God ordained for Adam and Eve not only created something special for them, but foreshadowed Christ's relationship with the church: "This is a profound mystery - but I am talking about Christ and the church." Ephesians 5:32. Marriage mirrors the relationship between Christ and his church. The church is his spiritual body. Christ loves his church because it is part of himself. So Paul writes, "In the same way husbands ought to love their wives as their own bodies. He who loves his wife loves himself." Ephesians 5:28.
5. We therefore affirm that God designed marriage to be the physical and spiritual union joining one man and one woman in a lifelong and exclusive relationship. We find nothing in Scripture that indicates God has modified or altered this design for marriage; but we find much in Scripture to commend God's beautiful design. God intends the marriage relationship as the only safe, secure and sanctified relationship for sexual intimacy to occur between a man and a woman. No other relationship is a biblical marriage and no other relationship was intended by God to serve as a place for sexual intimacy.
6. We further and gratefully affirm that God offers redemption and restoration to those who have not followed God's design for marriage and sexual intimacy. All who confess and forsake their sin, seek forgiveness and mercy through Jesus Christ, will find compassion, love, kindness, acceptance, respect, and dignity from Christ and from South Zumbro Lutheran Church.

7. By this Statement, the Pastor, Deacons and Church Council of South Zumbro Lutheran Church reaffirm their commitment to the union of one man and one woman as the only marriage ordained by God and commended to humankind by Scripture.

Appendix I

03/94

1. Constitution and By-Laws Updated, Modified, and Changed to reflect the following:
 - a. All occurrences referring to American Lutheran Church (ALC) change to Evangelical Lutheran Church in America (ELCA).
 - b. All occurrences referring to Southeastern Minnesota District changed to Southeastern Minnesota Synod.
 - c. All occurrences referring to Him, His, He, Men changed to Him/Her, His/Her, He/She, Men/Women.
 - d. All occurrences referring to President of the District changed to Bishop of the Synod.
 - e. All occurrences referring to ALCW changed to WELCA.
 - f. By-Law typographical correction: (Part III - B - 2) Section A.3. changed to Article VI 2.A
 - g. No other modifications to the documents occurred.

11/09

1. Constitution and By-Laws Updated, Modified, and Changed to reflect the following:
 - a. General visual formatting / indentation of text for overall readability.
 - b. No other modifications to the documents occurred.

02/10

1. By-Laws Updated, Modified, and Changed to reflect the following:
 - a. Spell check run on the By-Laws document – corrections implemented.
 - b. No other modifications to the document occurred.

01/11

1. Constitution and By-Laws Updated, Modified, and Changed to reflect the following:
 - a. Constitution – Article V: All occurrences referring to Evangelical Lutheran Church in America (ELCA) or Southeast Minnesota Synod change to Lutheran Congregations in Mission for Christ (LCMC)

- b. Constitution – Article IX: All occurrences referring to Bishop of the Synod change to relationship organization defined in Article V.
- c. Constitution – Article XI 5.a: occurrence referring to WELCA changed to South Zumbro womens organization.
- d. Constitution – Article XI 5.b: occurrence referring to Secretary of the congregation shall serve as the secretary of the Church Council - deleted.
- e. By-Laws – Part IV 1: occurrence referring to approved by the Evangelical Lutheran Church in America (ELCA) change to reviewed by Lutheran Congregations in Mission for Christ (LCMC)
- f. By-Laws – Part IV 3: occurrence referring to Bishop of the Synod change to Lutheran Congregations in Mission for Christ (LCMC)
- g. By-Laws – Part IV 4: occurrence referring to Bishop of the Synod change to Church Council
- h. By-Laws – Part IV 4: occurrence referring to Evangelical Lutheran Church in America (ELCA) change to The Church Council may, at its discretion, enter into discussion with Lutheran Congregations in Mission for Christ (LCMC).
- i. By-Laws – Part IV 5: All occurrences referring to Evangelical Lutheran Church in America (ELCA) change to Lutheran Congregations in Mission for Christ (LCMC)
- j. By-Laws – Part V 5e: occurrence referring to Evangelical Lutheran Church in America (ELCA) change to Lutheran Congregations in Mission for Christ (LCMC)
- k. By-Laws – Part VIII 3: occurrence referring to secretary of the Evangelical Lutheran Church in America (ELCA) change to Lutheran Congregations in Mission for Christ (LCMC)
- l. No other modifications to the document occurred.

04/16

- 1. Constitution and By-Laws Updated, Modified, and Changed to reflect the following:
 - a. General visual formatting / indentation of text for overall readability.
 - b. X
 - c. X
 - d. X
 - e. Revised the Part III Membership – Discipline section of the By-Laws
 - f. Added Part VII Marriage Statement

Previous wording.....

X. Discipline

- 1. In exercising discipline as provided in the Constitution, the following shall be the procedure:
 - a. A person who is requested to appear before the Church Council for possible discipline, shall be advised in writing no less than ten (10) days prior to the hearing. The written notice shall include the time and the place of the hearing and shall specify the exact reason for the possible discipline. If a person fails

to appear at the time and place without a valid excuse, the Church Council may proceed with the hearing and may reach a conclusion in their absence.

- b. Should the person be found guilty by a two-thirds vote of the members of the Church Council, the Council shall impose one of the following:
 - i. Censure before the Church Council or the congregation.
 - ii. Suspension from membership until proof is given of sufficient repentance and amendment.
 - iii. Exclusion from membership and denial of the Sacraments.

In the event of imposition of (i) or (ii) above, the action of the Church Council shall be in writing.

02/19

1. Constitution and By-Laws Updated, Modified, and Changed to reflect the following:
 - a. Constitution – Article XI: Added f. Financial Assistant
 - b. By-Laws – Part VI A: Added 7.
 - c. No other modifications to the document occurred.

01/21

1. Constitution and By Laws updated, modified, and changed to reflect the following:
 - a. Constitution – Article IX, 6: Changed “defectation” to “incorrect use or interpretation”
 - b. Constitution – Article X, 6: Changed may “by a majority vote recess” to may “recess by a majority vote”
 - c. Constitution – Article XI, 4, a: Changed “the” pastor to “a” pastor
 - d. Constitution – Article XIII, 2, c: Added “next year’s”
 - e. Constitution – Article XIII, 3: Changed of “adoption” to “to be adopted”
 - f. By Laws – Part VI, A, 3: Changed “meeting” to “the council”
 - g. No other modifications to the document occurred