

CONSTITUTION & BYLAWS

OF

TRINITY EVANGELICAL LUTHERAN CHURCH
LATROBE, PENNSYLVANIA

A Congregation in the Southwestern Pennsylvania Synod
of the Evangelical Lutheran Church in America

Last Amended on June 6, 2021 & Ratified on December 5, 2021 in
Accordance with ***C16.02.**

Last Amended on November 19, 2023 in Accordance with ***C16.04.**

Bylaws Last Amended on June 6, 2021 in Accordance with ***C17.02.**

FOREWORD

This constitution is consistent with the "Model Constitution for Congregations of the Evangelical Lutheran Church in America" as adopted by the 1989, 1991, 1993, 1995, 1997, 1999, 2001, 2003, 2005, 2007, 2009, 2011, 2013, 2016, 2019 and 2022 Churchwide Assemblies.

The model is consistent with the requirements of the constitutional governing documents of the Evangelical Lutheran Church in America's (ELCA) churchwide organization and synods.

The "Model Constitution for Congregations of the Evangelical Lutheran Church in America" originally was adopted by the Constituting Convention of this church in Columbus, Ohio, on April 30, 1987. This was done as required by the "Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America."

Required provisions: Sections of this constitution identified by Article Numbers in **bold typeface and marked by an asterisk [*]** are required when a congregation amends its governing documents. These sections must be used without alteration or amendment of the text in any manner (neither additions nor deletions). This is in keeping with provision 9.52. in the "Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America." This provision stipulates that when a congregation of this church "wishes to amend any provision of its governing documents, the governing documents of that congregation shall be so amended to conform to 9.25.b." in the churchwide constitution. The provisions herein identified by Article Numbers in **bold typeface and marked by an asterisk [*]** are those that are indicated as required in ELCA constitutional provision 9.25.b.

Amendments: Amending this constitution by adding revised or future ELCA required provisions or other changed provisions in the "Model Constitution for Congregations of the Evangelical Lutheran Church in America", like amending the bylaws (*C17.02.), requires a majority vote at a Congregation Meeting (*C16.04.). Other constitutional amendments by this congregation require congregational approval and subsequent ratification by a two-thirds vote (*C16.02.).

Codification explanation: An alphanumerical codification indicates (a) general subject, (b) constitutional provisions, (c) bylaws, and (d) continuing resolutions.

- a. Major sectors are designated as chapters. The chapter designation becomes the first number in the codification sequence and is followed by a period. Thus, provisions in "Chapter 8. Membership" are preceded by "C8.". All provisions in congregational constitutions are prefaced with "C" to distinguish these from comparable provisions in the synod and ELCA constitutions.
- b. Constitutional provisions are codified with two sets of numbers: the chapter number and a two-digit number preceding the second period in the codification. Thus, one constitutional provision related to "Membership" is codified *C8.05.
- c. Bylaw provisions are codified with the letter "B" to signify a bylaw and three sets of numbers: the related constitutional chapter number, the related provision number within the chapter, and a two-digit number. Thus, one bylaw provision related to "Membership" would be codified B8.05.01.
- d. The Congregation Council may adopt continuing resolutions to provide further descriptions of operational patterns or of the ongoing responsibilities of committees or other units within the organizational structure of a congregation. Within the governing documents of a congregation, continuing resolutions are the provisions most easily amended. Unlike constitutional provisions and bylaws, continuing resolutions may be updated regularly by the Congregation Council without the necessity of calling a regular or special Congregation Meeting. Continuing resolutions are codified with the letters "CR" to signify a continuing resolution and three sets of numbers except that the third set is preceded by a capital letter. Thus, a continuing resolution might be numbered CR12. to designate the related constitutional chapter; CR12.04. to designate the subject matter within the chapter; and the third set might be numbered A99. in the codification CR12.04.A99. to indicate by the "A" that it is the first continuing resolution regarding that subject and to indicate by the "99" that it was adopted in 1999.

When many related provisions are parts of a unit that are considered inseparable, they are normally lettered "a," "b," "c," etc. When related provisions are part of a unit but considered separable, such as a list of duties, they are normally numbered in sequence.

Missing and non-sequential numbers: Certain numbers are intentionally missing from the numbering sequence in some chapters of this constitution. The number ".10." and multiples thereof have been reserved for possible use as section headings in future editions. Therefore, in the sequence, for example, of Chapters 1, 9, 12, and 13 of this constitution, these ".10." numbers do not appear. Also, the bylaws are grouped by topic and as bylaw codifications pertain to constitutional references, the bylaw codifications may not be sequential.

References to church: In the governing documents, "Church" with a capital letter is used in reference to the one, holy, catholic, and apostolic Church. In references to the Evangelical Lutheran Church in America, the words "church" and "this church" in lower case letters are employed, although, for clarity, the full name or "ELCA" is normally used.

The congregation of Trinity Evangelical Lutheran Church is identified, as provided in C1.02., as "this congregation."

Trinity Evangelical Lutheran Church, as provided in *C6.01., is an interdependent part of the Southwestern Pennsylvania Synod of the Evangelical Lutheran Church in America. The Southwestern Pennsylvania Synod may be identified as the "synod" in this constitution, accompanying bylaws and continuing resolutions, although, for clarity, the full name is normally used.

"The basic commitments of the Evangelical Lutheran Church in America as well as its organizational outline, structural patterns, and rubrics or governance are reflected by this church's constitutions, bylaws, and continuing resolutions. These documents govern our life together as congregations, synods, and churchwide organization.

We find ourselves consulting these documents again and again to guide, direct, and assist us. They express for us, as a church body, our understanding of the nature of the Church. They contain our statement of purpose and our principles of organization. They define our membership, our relationship, and our operating patterns.

While we recognize that the Evangelical Lutheran Church in America officially began operation as a church body on January 1, 1988, through the uniting of three predecessor bodies, we realize that our roots reach deep into the soil of Lutheran Confessions and draw constant nourishment from our biblical foundations. So we really are an old church with a different name and structure from those of our three predecessor church bodies. We are a particular gathering of people known as the Evangelical Lutheran Church in America. As part of the whole Church of Christ, we announce and declare the teachings of the prophets and apostles and seek to confess in our time the faith once delivered to the saints."

The later three paragraphs were written by the Reverend Lowell G. Almen, Secretary of the Evangelical Lutheran Church in America, for the Day of Commemoration for Henry Melchior Muhlenberg, October 7, 2005.

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CONSTITUTION OF TRINITY EVANGELICAL LUTHERAN CHURCH LATROBE, PENNSYLVANIA

Last Amended on June 6, 2021 & Ratified on December 5, 2021 in Accordance with *C16.02.
Last Amended on November 19, 2023 in Accordance with *C16.04.

***(1)PREAMBLE**

We, baptized members of the Church of Christ, responding in faith to the call of the Holy Spirit through the Gospel, desiring to unite together to preach the Word, administer the sacraments, and carry out God's mission, do hereby adopt this constitution and solemnly pledge ourselves to be governed by its provisions. In the name of the Father and of the Son and of the Holy Spirit.

Chapter 1. NAME AND INCORPORATION

- C1.01. The name of this congregation shall be Trinity Evangelical Lutheran Church of Latrobe, Pennsylvania.
- C1.02. For the purpose of this constitution and the accompanying bylaws, the congregation of Trinity Evangelical Lutheran Church is hereinafter designated as "this congregation."
- C1.11. This congregation shall be incorporated under the laws of the Commonwealth of Pennsylvania.

Chapter 2. CONFESSION OF FAITH

- *C2.01. This congregation confesses the Triune God, Father, Son, and Holy Spirit.
- *C2.02. This congregation confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.
 - a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.
 - b. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.
 - c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.
- *C2.03. This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.
- *C2.04. This congregation accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.
- *C2.05. This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.

⁽¹⁾ * indicates required provisions.

- *C2.06.** This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.
- *C2.07.** This congregation confesses the Gospel, recorded in the Holy Scripture and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

Chapter 3. NATURE OF THE CHURCH

- *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.
- *C3.02** This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian Unity throughout the world.
- *C3.03.** 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. The Evangelical Lutheran Church in America, 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.
- *C3.04.** This church, inspired and led by the Holy Spirit, participates in The Lutheran World Federation as a global communion of churches, engaging in faithful witness to the gospel of Jesus Christ and in service for the sake of God's mission in the world.
- *C3.05.** The name Evangelical Lutheran Church in America (ELCA or "this church") as used herein refers in general references to this whole church, including its three expressions—congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.

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:
 - a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
 - b. 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.
 - c. 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.
 - d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity, justice and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, embracing and welcoming racially and ethnically diverse populations, and standing in solidarity with the poor and oppressed, and committing itself to their needs.

- e. 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.
 - f. 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:
- a. Provide services of worship at which the Word of God is preached and the sacraments are administered.
 - b. Provide pastoral care and assist all members to participate in this ministry.
 - c. Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregation.
 - d. Teach the Word of God.
 - e. Witness to the reconciling Word of God in Christ, reaching out to all people.
 - f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
 - g. Motivate its members to provide financial support for this congregation's ministry and the ministry of the other expressions of the Evangelical Lutheran Church in America.
 - h. Foster and participate in interdependent relationships with other congregations, the synod, and the churchwide organization of the Evangelical Lutheran Church in America.
 - i. Foster and participate in ecumenical relationships consistent with churchwide policy.
- *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 Committees.
- *C4.05.** This congregation shall adopt and periodically review a mission statement which will provide specific direction for its programs.
- *C4.06.** References herein to the nature of the relationship between the three expressions of this church—congregations, synods, and the churchwide organization—as being interdependent or as being in a partnership relationship describe the mutual responsibility of these expressions in God's mission and the fulfillment of the purposes of this church as described in this chapter, and do not imply or describe the creation of partnerships, co-ventures, agencies, or other legal relationships recognized in civil law.

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 this congregation's governing documents is recognized. All remaining authority is retained by this congregation. This congregation is authorized to:

- a. call a pastor as provided in Chapter 9;
 - b. terminate the call of a pastor as provided in Chapter 9;
 - c. call a minister of Word and Service;
 - d. terminate the call of a minister of Word and Service in conformity with the constitution of the Evangelical Lutheran Church in America;
 - e. adopt amendments to the constitution, as provided in Chapter 16, and amendments to the bylaws, as specified in Chapter 17, and continuing resolutions, as provided in Chapter 18;
 - f. approve the annual budget;
 - g. acquire real and personal property by gift, devise, purchase, or other lawful means;
 - h. hold title to and use its property for any and all activities consistent with its purpose;
 - i. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
 - j. elect its Congregation Council and require them to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
 - k. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.
- *C5.04.** This congregation shall elect 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 this congregation and other qualifications shall be as prescribed in guidelines established by the Southwestern Pennsylvania Synod of the Evangelical Lutheran Church in America.
- C5.05.** This congregation shall have mission endowment funds that will operate as specified in this congregation's bylaws. The purpose of the mission endowment funds are to provide for mission work beyond the operational budget of this congregation.

Chapter 6.

CHURCH AFFILIATION

- *C6.01.** This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the Southwestern Pennsylvania 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 roster of Ministers of Word and Sacrament 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. These special

circumstances are limited either to calling a candidate approved for the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services with a minister Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.

- d. This congregation agrees to consider ministers of Word and Service for call to other staff positions in this 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 and with the constitution of the synod.

***C6.04.** Affiliation with the Evangelical Lutheran Church in America is 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 or in accordance with provision 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America.
- d. The Southwestern Pennsylvania Synod takes charge and control of the property of this congregation to hold, manage, and convey the same on behalf of the synod pursuant to †S13.24. of the synod constitution. This congregation shall have the right to appeal the decision to the next Synod Assembly.
- e. 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 intent to terminate its relationship must be adopted at two legally called and conducted special meeting of this congregation by a two-thirds vote of the voting members present at each meeting. The first such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time this congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the Congregation Council. Unless the bishop and/or the bishop's designees are voting members of this congregation, they shall have voice but not vote at the first meeting.
- b. Within 10 days after resolution has been voted upon at the first meeting, the secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that a special meeting was legally called and conducted and certifying the outcome of the vote, and shall send copies of the resolution and certification to voting members of this congregation.
- c. If the resolution was adopted by two-thirds vote of the voting members present at the first meeting, the bishop of the synod and this congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the bishop of the attestation and certification as specified in paragraph b. above.
- d. If this congregation, after such consultation, is still considering termination of its relationship with this church, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of the second meeting shall be sent to all voting members and to the bishop at least 10 days in advance of the meeting. Unless the bishop and/or the bishop's designees are voting members of this congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the second meeting.

- e. Within 10 days after the resolution has been voted upon, the secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the second special meeting was legally called and conducted and certifying the outcome of the vote, and shall send copies of the resolution and certification to the voting members of the congregation. If the resolution was adopted by a two-thirds vote of the voting members present at the second meeting, the relationship between the congregation and this church shall be terminated subject to Synod Council approval as required by paragraphs f. and g. below.
 - f. Unless this notification to the bishop also certifies that this congregation has voted to affiliate with another Lutheran denomination, this congregation shall be an independent or non-Lutheran church, in which case *C7.04. shall apply.
 - g. This congregation shall abide by these covenants by and among the three expressions of this church:
 - 1) Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in *C6.05., shall be required to receive Synod Council approval before terminating their membership in this church.
 - 2) Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to receive synod approval before terminating their membership in this church.
 - 3) Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church.
 - h. If this congregation fails to achieve the required two-thirds vote of voting members present at this congregation's first meeting as specified in paragraph a. above or fails to achieve the required two-thirds vote of voting members present at this congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of *C6.05. and may begin no sooner than six months after the meeting at which the two-thirds vote was not achieved.
- *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 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 taken.
- *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 unit of the Churchwide organization before any steps are taken leading to such action.

Chapter 7. PROPERTY OWNERSHIP

- *C7.01.** If this congregation ceases to exist, title to undisposed property shall pass to the Southwestern Pennsylvania Synod of the Evangelical Lutheran Church in America.
- *C7.02.** If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline or pursuant to 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America,, title to property shall continue to reside in this congregation.
- *C7.03.** If 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, provided the process for termination of relationship in *C6.05. has been followed. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Southwestern Pennsylvania Synod.

- *C7.04.** If 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 and have followed the process for termination of relationship in *C6.05., title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the process established by the synod, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America. In neither case does title to this congregation's property transfer to the synod.
- *C7.05.** Notwithstanding the provisions of *C7.02. and *C7.03. above, where this congregation has received property from the synod pursuant to a deed or other instrument containing restrictions under provision 9.71.a. of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, this congregation accepts such restrictions and:
- a. Shall not transfer, encumber, mortgage, or in any way burden or impair any right, title, or interest in the property without prior approval of the Synod Council.
 - b. Shall—upon written demand by the Synod Council, pursuant to †S13.23. of the constitution of the Southwestern Pennsylvania Synod—reconvey and transfer all right, title, and interest in the property to the synod.

Chapter 8. MEMBERSHIP

- *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.
- *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 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 this congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws. They shall not have voted as a seasonal member of another congregation of this church in the previous two calendar months.
 - d. ***Associate*** members are persons holding membership in other Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. These individuals have all the privileges and duties of membership except voting rights or other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.
 - e. ***Seasonal*** members are voting members of other congregations of this church who wish to retain such membership but desire to participate in the life and mission of this congregation, including exercising limited voting rights in this congregation. The Congregation Council may grant seasonal membership to such persons provided that this congregation is a member of a synod where the

Synod Council has approved seasonal member voting on its territory. Such seasonal members shall have all the privileges and duties of voting members except that:

- 1) they shall not be eligible for elected office in, or for membership on the Congregation Council or on a call committee of, this congregation;
- 2) they shall not have the right to vote on any matter concerning or affecting the call or termination of call of any minister of this congregation;
- 3) they shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with this church;
- 4) they shall not be eligible to serve as voting members from this congregation of the Synod Assembly or the Churchwide Assembly;
- 5) they shall not, even if otherwise permitted by this congregation, vote by proxy or by absentee ballot; and
- 6) they shall not, within any two calendar month period, exercise voting rights in this congregation and in the congregation where they remain voting members.

***C8.03.** All applications for confirmed membership shall be submitted to and shall require the approval of 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 in accordance with Chapter 20 of the constitution and bylaws of the Evangelical Lutheran Church in America; or
- e. removal from the roll due to inactivity in accordance with the provisions of this constitution and its 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.

ROSTERED MINISTER

***C9.01.** Authority to call a pastor shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod.

***C9.02.** Only a member of the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Sacrament who has been recommended for this congregation by the synod 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,

- a. Every minister of Word and Sacrament shall:
 - 1) preach the Word;
 - 2) administer the sacraments;
 - 3) conduct public worship;
 - 4) provide pastoral care;
 - 5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
 - 6) impart knowledge of this church and its wider ministry through available channels of effective communication;
 - 7) witness to the Kingdom of God in the community, in the nation, and abroad; and
 - 8) speak publicly to the world in solidarity with the poor and oppressed, advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations.
- b. Each pastor with a congregational call shall, within the congregation:
 - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2) relate to all schools and organizations of this congregation;
 - 3) install regularly elected members of the Congregation Council;
 - 4) with the council, administer discipline;
 - 5) endeavor to increase the support given by the congregation to the work of the churchwide organization and of the Southwestern Pennsylvania Synod; and
 - 6) encourage adherence to covenantal relationship with this church as expressed in the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.

***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.** The provisions for termination of the mutual relationship between a minister of Word and Sacrament and this congregation shall be as follows:

- a. The call of this congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the pastor's death, or following consultation with the synod bishop for any of the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the pastor, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the pastoral office effectively in this congregation in view of local conditions;
 - 4) inability to conduct the pastoral office effectively in view of disability or incapacity of the pastor;
 - 5) suspension of the pastor through discipline for more than three months;
 - 6) resignation or removal of the pastor from the roster of Ministers of Word and Sacrament of this church;
 - 7) termination of the relationship between this church and this congregation;
 - 8) dissolution of this congregation or the termination of a parish arrangement; or
 - 9) suspension of this congregation through discipline for more than six months.
- b. When allegations of disability or incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod:
 - 1) the bishop, who has sole discretion, may investigate such conditions personally together with a committee of two rostered ministers and one layperson; or
 - 2) 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 this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.

- c. In case of alleged disability or incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament with disability status. Upon resumption of the ability to conduct the office effectively, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.
 - d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the pastor and then to this congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the synod.
 - e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, this congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds 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 majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
 - f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.
- *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.
- *C9.07.** During the period of service, an interim pastor shall have the rights and duties in this 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 rostered minister providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.
- *C9.08.** 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.
- *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.
- *C9.11.** With the approval of the bishop of the synod, this 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 this 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.

- *C9.12.** The pastor of this congregation:
- a. shall keep accurate records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from this congregation;
 - b. shall submit a summary of such statistics annually to the synod; and
 - 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.
- *C9.13.** The pastor(s) shall submit a report of ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.
- *C9.14.** The records of this congregation shall be maintained by the pastor and shall remain the property of this congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in the secretary's hands in good order by a departing pastor before the installation of that pastor in another call or approval of a request for change in roster status.
- C9.15.** Under special circumstances, subject to the approval of the synod bishop and the concurrence of this congregation, a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between this congregation and the pastor in a form proposed by the synod bishop and approved by this congregation.
- *C9.21.** Authority to call a deacon shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod.
- *C9.22.** Only a member of the roster of Ministers of Word and Service of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Service who has been recommended for this congregation by the synod bishop may be called as a deacon of this congregation.
- *C9.23.** Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:
- a. Be rooted in the Word of God, for proclamation and service;
 - b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
 - c. Speak publicly to the world in solidarity with the poor and oppressed, advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations;
 - d. Equip the baptized for ministry in God's world that affirms the gifts of all people;
 - e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
 - f. Practice stewardship that respects God's gift of time, talents, and resources;
 - g. Be grounded in a gathered community for ongoing diaconal formation;
 - h. Share knowledge of this church and its wider ministry of the gospel and advocate for the work of all expressions of this church; and
 - i. Identify and encourage qualified persons to prepare for ministry of the gospel.

- *C9.24.** The specific duties of the deacon, compensation, and other matters pertaining to the service of the deacon shall be included in a letter of call, which shall be attested by the bishop of the synod.
- *C9.25.** The provisions for termination of the mutual relationship between a minister of Word and Service and a congregation shall be as follows:
- a. The call of a congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the deacon's death or, following consultation with the synod bishop, for any of the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the deacon, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the ministry of Word and Service effectively in this congregation in view of local conditions;
 - 4) inability to conduct the office effectively in view of disability or incapacity of the deacon;
 - 5) suspension of the deacon through discipline for more than three months;
 - 6) resignation or removal of the deacon from the roster of Ministers of Word and Service of this church;
 - 7) termination of the relationship between this church and this congregation;
 - 8) dissolution of this congregation or the termination of a parish arrangement; or
 - 9) suspension of this congregation through discipline for more than six months.
 - b. When allegations of disability or incapacity of the deacon under paragraph a.4) above, or ineffective conduct of the office of minister of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,
 - 1) the bishop, who has sole discretion, may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) 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 this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
 - c. In case of alleged disability or incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service with disability status. Upon resumption of the ability to conduct the office effectively, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.
 - d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the deacon, if appropriate. If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.
 - e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds 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 majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
 - f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make

recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

- *C9.26.** This congregation shall make satisfactory settlement of all financial obligations to a former deacon before calling a successor. A deacon 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.
- *C9.27.** When a deacon is called to serve in company with another rostered minister or other rostered ministers, the privileges and responsibilities of each rostered minister shall be specified in documents to accompany the call and to be drafted in consultation involving the rostered ministers, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- *C9.28.** With the approval of the bishop of the synod, this congregation may depart from *C9.25.a. and call a deacon 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 deacon and representatives of this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.25.a.
- *C9.29.** The deacon shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the deacon shall hold membership in one of the congregations.
- *C9.31.** The deacon(s) shall submit a report of ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

Chapter 10.

CONGREGATION MEETINGS

- C10.01.** Regular meetings of this congregation shall be held each year at the times specified in the bylaws to conduct, at the minimum, those business purposes specified in the bylaws. Consistent with the laws of the Commonwealth of Pennsylvania, the bylaws shall designate one regular meeting per year as the Annual Business Meeting of this congregation.
- C10.02.** A special Congregation Meeting may be called by the pastor(s), the Congregation Council, the president of this congregation, or the vice president of this congregation if the pastor is president, and shall be called by the president of this congregation upon the written request of five percent (5%) of the voting members. The president of the Congregation Council shall call a special meeting upon request of the synod bishop. The call for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted.
- C10.03.** Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail or electronic means, as permitted by Commonwealth of Pennsylvania law, to all voting members at least 10 days in advance of the date of the meeting.
- C10.04.** Five percent (5%) of the voting members shall constitute a quorum.
- C10.05.** Voting by proxy or by absentee ballot shall not be permitted.
- C10.06.** All actions approved by this congregation shall be by a majority vote of those voting members present and voting, except as otherwise provided in this constitution or by Commonwealth of Pennsylvania law.
- C10.07.** Robert's Rules of Order, latest edition, shall be the governing parliamentary procedure of all meetings of this congregation.
- C10.08.** This congregation may hold meetings by remote communications, including electronically and by telephone conference, as long as there is an opportunity for simultaneous aural communication or its

equivalent. To the extent permitted by Commonwealth of Pennsylvania law, notice of all meetings may be provided electronically.

- C10.09. “*Ex officio*” as used herein means membership with full rights of voice and vote unless otherwise expressly limited.

Chapter 11. OFFICERS

- C11.01. The officers of this congregation shall be a president, vice president, secretary, and treasurer.
- a. Duties of the officers shall be specified in the bylaws.
 - b. The officers shall be voting members of this congregation who can sign legally binding contracts under the laws of the Commonwealth of Pennsylvania (normally having attained 18 years of age).
 - c. The Congregation Council elects the officers of this congregation. The president, vice president, and secretary shall be selected from the membership of the Congregation Council. The treasurer may be selected from outside the membership of the Congregation Council.
 - d. Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council, with the possible exception of the treasurer. The treasurer, if not an elected member of the Congregation Council, shall be accorded the privilege of voice without vote at meetings of the Congregation Council.
- C11.02. The officers of the Congregation Council 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 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, with the exception of the treasurer, 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), the deacon(s) and not more than eighteen layperson members of this congregation, not more than three of whom, as youth representatives, shall be under the age of eighteen at the time of their election. The total of eighteen layperson members includes those officers of this congregation elected as members of the Congregation Council. Members of the Congregation Council who cannot sign legally binding contracts under the laws of the Commonwealth of Pennsylvania (normally under the age of 18) will have full voting privileges with the exception of matters involving contracts or other agreements which legally obligate this congregation. Any voting member of this congregation, except layperson staff (called and hired) members of this congregation, may be elected, subject only to the limitation on the length of continuous service permitted for membership on the Congregation Council. 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 three successive regular meetings of the Congregation Council without just cause, approved by the Congregation Council. Consistent with the laws of the Commonwealth of Pennsylvania, this congregation may also 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) and deacon(s) shall be elected by written ballot at a legally called meeting of this congregation for the election of the Congregation Council members as specified in the bylaws. The term of office for adult (defined as having obtained 18 years of age or legally emancipated at the time of their election) members shall be for three years or until their successors are elected by this congregation, with the term of office beginning at the next scheduled meeting of the Congregation Council. Their tenure shall be so arranged that one-third of the terms expire

annually. Adult members shall be eligible to serve no more than two full terms plus the remaining year of a previously vacated position to which they were initially elected as a successor member (C12.03.) of the Congregation Council, unless one year has elapsed before reelection. The term of office for youth representatives shall be for one year or until their successors are elected by this congregation, with the term of office beginning at the next scheduled meeting of the Congregation Council. Youth representatives of the Congregation Council shall be eligible to serve no more than three full terms. Should a youth representative obtain legal age (18 years old) or become emancipated during their tenure on the Congregation Council, he or she shall be eligible for election to the Congregation Council as an adult member, providing they have not served more than one consecutive term as a youth representative. Otherwise, one year must elapse to become eligible for reelection as an adult member. Newly elected Congregation Council members shall be installed at a worship service prior to or following the date they assume office.

- C12.03. Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor until the next regularly scheduled election of Congregation Council members by this congregation.
- 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 rostered minister(s) and staff and 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 persons.
 - 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(s).
 - h. To emphasize support of 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 board of trustees of this congregation, and as such shall 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 Commonwealth of Pennsylvania, 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 this congregation.
 - c. The Congregation Council may enter into contracts of up to no more than \$40,000.00 for items not included in the budget.
 - d. The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may not incur any extra budgetary financial obligations exceeding five percent (5%) of the amount for current expenses during the preceding year. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in collaboration with the synod and churchwide organization.
 - e. The Congregation Council 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 mission support monies to the synod.
 - f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.
- C12.06. The Congregation Council shall see 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, evaluation and supervision of the hired staff of this congregation. Nothing in this provision shall be deemed to affect this congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church.
- C12.09. The Congregation Council shall submit a comprehensive report to this congregation at an annual meeting.
- C12.11. The Congregation Council shall normally meet once a month. Special meetings may be called by the pastor(s), president, or vice 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.
- C12.12. A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the senior pastor or interim pastor, except when the senior pastor or interim pastor requests or consents to be absent and has given prior approval to the agenda for a particular regular or special meeting, which shall be the only business considered at that meeting. Chronic or repeated absence of the senior pastor or interim pastor who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synod bishop.
- C12.13. All actions by the Congregation Council shall be by majority vote except as otherwise provided in this constitution. Voting by proxy or by absentee ballot shall not be permitted.
- C12.14. Robert's Rules of Order, latest edition, shall govern parliamentary procedure of all meetings of the Congregation Council.
- C12.15. The Congregation Council shall appoint standing committees to help fulfill its mission, ministry and responsibilities to this congregation. Standing committees appointed by the Congregation Council shall be specified in the bylaws.
- C12.16. Other duties of the Congregation Council may be specified in the bylaws.

- C12.17. The Congregation Council and its committees may hold meetings by remote communication, including electronically and by telephone conference, as long as there is an opportunity for simultaneous aural communication or its equivalent. To the extent permitted by Commonwealth of Pennsylvania law, notice of all meetings may be provided electronically.

Chapter 13. CONGREGATION COMMITTEES

- C13.01. The officers of this congregation and the pastor(s) shall constitute the *Executive Committee* with this congregation's vice president serving as chairperson.
- C13.02. A *Nominating Committee* consisting of seven voting members not currently serving on the Congregation Council, three of whom, if possible, shall be former members of the Congregation Council, shall be elected at a Congregation Meeting for a term of one year. The term for membership on the Nominating Committee shall begin at the close of the meeting at which they are elected. Members of the Nominating Committee are not eligible for consecutive reelection. The chairperson of the Nominating Committee shall be appointed by this congregation's president from the voting membership of the Nominating Committee.
- C13.03. An *Audit Committee* of three voting members shall be elected by the Congregation Council. Audit Committee members shall not be members of the Congregation Council, officers or staff of this congregation, nor immediate family members of the Executive Committee. Term of office will be three years, with one member elected each year. Members shall be eligible for reelection. The chairperson of the Audit Committee shall be elected by the voting members of the committee by majority vote. Should the committee be unable to elect a chairperson, this congregation's president shall appoint the chairperson from the voting membership of the Audit Committee.
- C13.04. A *Mutual Ministry Committee* of six voting members shall be appointed jointly by the president (vice president if the pastor is president) and the rostered minister(s) and approved by the Congregation Council. Term of office shall be three years, two members to be appointed each successive year. Members are not eligible for reappointment to successive terms. Committee members shall hold no other elected office in this congregation during their term, nor shall they be staff or immediate family members of staff of this congregation. The chairperson of the Mutual Ministry Committee shall be elected by the voting members of the committee by majority vote. Should the committee be unable to elect a chairperson, the pastor (senior pastor if more than one pastor) shall appoint the chairperson from the voting membership of the Mutual Ministry Committee.
- C13.05. A *Special Gifts Committee* of five voting members shall consist of the pastor (senior pastor if more than one pastor) and treasurer as ex-officio members and three other voting members who are not members of the Congregation Council appointed by the (senior) pastor and approved by the Congregation Council. Term of office shall be three years, with one member to be appointed each successive year. Members are not eligible for appointment to successive terms. The chairperson of the Special Gifts Committee shall be elected by the voting members of the committee by majority vote. Should the committee be unable to elect a chairperson, the (senior) pastor shall appoint the chairperson from the voting membership of the Special Gifts Committee.
- C13.06. A *Long Range Planning Committee* shall consist of the pastor(s), ELCA rostered laypersons called to the ministry staff of this congregation, and this congregation's president as ex-officio members plus nine additional voting members elected by the Congregation Council. Term of office shall be three years, with three members to be elected each successive year. Members are not eligible for reelection to successive terms. The chairperson of the Long Range Planning Committee shall be elected by the voting members of the committee by majority vote. Should the committee be unable to elect a chairperson, this congregation's president shall appoint the chairperson from the voting membership of the Long Range Planning Committee. The chairperson of the Long Range Planning Committee shall not be eligible to serve as chairperson for more than two consecutive years.

- C13.07. When a vacancy occurs in a position for which this congregation calls a rostered minister, a ***Call Committee*** of seven voting members shall be elected by the Congregation Council from a slate of twelve names selected by the Nominating Committee. Term of office shall terminate at the installation of the newly called rostered minister. The chairperson of the Call Committee shall be elected by the voting members of the committee by majority vote. Should the committee be unable to elect a chairperson, this congregation's president shall appoint the chairperson from the voting membership of the Call Committee.
- C13.08. Other congregation committees may be formed by decision of this congregation or Congregation Council. The bylaws shall describe the number of voting members, election or appointment to membership, and method of determination of the chairperson for each such committee.
- C13.09. The term of membership on congregation committees shall begin at the conclusion of the Congregation Council meeting at which the committee members are appointed or elected, unless otherwise stated in this constitution.
- C13.11. Duties of congregation committees shall be specified in the bylaws.
- C13.12. Members of congregation committees shall be voting members of this congregation. The [senior] pastor of this congregation shall be an *ex officio* member of all committees and boards of this congregation. The president of this congregation shall be an *ex officio* member of all committees and boards of this congregation, except the Nominating Committee.
- C13.13. Should a member's position for an unexpired term on a congregation committee be declared vacant by the Congregation Council, the Congregation Council shall elect a successor to the Executive Committee (officers of this congregation) and may appoint a successor to fulfill the remaining term of a vacated position on other congregation committees.

Chapter 14. ORGANIZATIONS WITHIN THIS 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 meeting 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 and should be specified in a continuing resolution.

Chapter 15. DISCIPLINE OF MEMBERS AND ADJUDICATION

- *C15.01. Persistent and public denial of the Christian faith, willful or criminal conduct grossly unbecoming a member of the Church of Christ, continual and intentional interference with the ministry of this congregation, or willful and repeated harassment or defamation of member(s) of this congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will be attempted following Matthew 18:15-17, proceeding through these successive steps, as necessary: a) private counsel and admonition by the pastor, b) censure and admonition by the pastor in the presence of two or three witnesses, c) written referral of the matter by the Congregation Council to the vice president of the synod, who will refer it to a consultation panel drawn from the Consultation Committee of the synod, and d) written referral of the matter by the consultation panel to the Committee on Discipline of the synod. If, for any reason, the pastor is unable to administer the admonitions required by paragraphs a. and b. hereof, those steps may be performed by another pastor chosen by the Executive Committee of the Congregation Council.

- *C15.02.** The process for discipline of a member of this congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If the counseling, censure, and admonitions pursuant to C15.01 do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three lay persons and two rostered ministers). A copy of the written charges shall be provided to the consultation panel and the accused member(s). The consultation panel, after requesting a written reply to the charges from the accused member(s), shall consider the matter and seek a resolution by means of investigation, consultation, mediation, or whatever other means may seem appropriate. The panel's efforts to reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it.
- *C15.03.** If the consultation panel fails to resolve the matter, that panel shall refer the case in writing, including the written charges and the accused member's reply, to the Committee on Discipline of the synod for a hearing. A copy of the panel's written referral shall be delivered to the vice president of the synod, the Congregation Council, and the accused member(s) at the same time it is sent to the Committee on Discipline of the synod. The Executive Committee of the Synod Council shall then select six members from the Committee on Discipline to decide the case, and shall appoint a member of the Synod Council to preside as nonvoting chair. Those six members plus the nonvoting chair comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the parties to the case.
- *C15.04.** The discipline hearing panel shall commence and conduct the disciplinary hearing in accordance with the provisions governing discipline of congregation members prescribed in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- *C15.05.** By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:
- a. suspension from the privileges of congregation membership for a designated period of time;
 - b. suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
 - c. termination of membership in this congregation; or
 - d. termination of membership in this congregation and exclusion from the church property and from all congregation activities.
- *C15.06.** The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next council meeting.
- *C15.07.** No member of this congregation shall be subject to discipline a second time for offenses that a discipline hearing panel has heard previously and decided pursuant to this chapter.
- *C15.10.** Adjudication
- *C15.11.** When there is disagreement between or among factions within this congregation on a substantive issue which cannot be resolved by the parties, members of this congregation may petition the synod bishop for consultation after informing the president [vice president] of this congregation of their intent to do so. The synod bishop shall seek a timely resolution of the dispute. If the issue relates directly to the pastor, the bishop may begin the process in †S14.18.d. In all other matters, if the bishop's consultation fails to resolve the issue, the bishop shall refer the matter to the Consultation Committee of the synod, which shall undertake efforts to find an appropriate solution. If the Consultation Committee's efforts fail

to resolve the dispute, the entire matter shall be referred to the Synod Council for adjudication by whatever process the Council deems necessary. The Synod Council's decision shall be final.

Chapter 16.

AMENDMENTS

- *C16.01.** Unless provision *C16.04. is applicable, those sections of this constitution that are not required, in accord with the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, may be amended in the following manner. Amendments may be proposed by at least five 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 this congregation's members of the proposal, together with the council's recommendations, at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by Commonwealth of Pennsylvania law.
- *C16.02.** An amendment to this constitution, proposed under *C16.01. shall:
- a. be approved at any legally called meeting of this congregation by a majority vote of those voting members present and voting; and
 - b. be ratified without change at the next regular meeting of this congregation by a two-thirds vote of those voting members present and voting.
- *C16.03.** Any amendments to this constitution that result from the processes provided in *C16.01. and *C16.02. shall be sent by the secretary of this congregation to the synod. The synod shall notify this congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.
- *C16.04.** This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* as most recently amended by the Churchwide Assembly. Such amendments may be approved by a majority vote of those voting members present and voting at any legally called meeting of this congregation without presentation at a prior meeting of this congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by Commonwealth of Pennsylvania law, notice to this 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 at least two (2) voting members of this congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of this congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following the congregation's vote of approval.

Chapter 17.

BYLAWS

- *C17.01.** This congregation may adopt bylaws. No bylaw may conflict with this constitution.
- *C17.02.** Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a two-thirds vote of those voting members present and voting.
- *C17.03.** Changes to the bylaws may be proposed by any voting member, provided 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. The Congregation Council shall notify this congregation's members of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting. Notification may take place by mail or electronic means, as permitted by Commonwealth of Pennsylvania law.
- *C17.04.** Adopted or amended bylaws shall be sent by the secretary of this congregation to the synod.

Chapter 18.

CONTINUING RESOLUTIONS

- *C18.01.** This 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.
- *C18.02.** Continuing resolutions shall be enacted or amended by a majority vote of a meeting of this congregation or a two-thirds vote of all voting members of the Congregation Council.
- *C18.03.** Adopted or amended continuing resolutions shall be sent by the secretary of this congregation to the synod.

Chapter 19.

INDEMNIFICATION

- *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.

Chapter 20.

PARISH AUTHORIZATION

- *C20.01.** This congregation may unite with one or more other congregations recognized by the synod named in *C6.01. to form a parish. Except as provided in *C20.02. and *C20.03., a written agreement, developed in consultation with the synod and approved by the voting members of each congregation participating in the parish, shall specify the powers and responsibilities that have been delegated to the Parish Council. The Parish Agreement shall identify which congregation of the parish issues calls on behalf of the member congregations or shall establish a process for identifying which congregation issues calls on behalf of the member congregations.
- *C20.02.** One congregation of a parish shall issue a call on behalf of the member congregations to a minister of Word and Sacrament or a candidate for the roster of Ministers of Word and Sacrament who has been recommended by the synod bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregation meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.
- *C20.03.** One congregation of a parish may issue a call on behalf of the member congregations to a minister of Word and Service or a candidate for the roster of Ministers of Word and Service who has been recommended by the synod bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregation meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.
- *C20.04.** Any one of the congregations of the parish may terminate their relationship with the pastor as provided in †S14.18.d. of the synod constitution of the synod named in *C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.
- *C20.05.** Any one of the congregations of the parish may terminate their relationship with a minister of Word and Service as provided in †S14.43.d. of the synod constitution of the synod named in *C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.

- *C20.06.** Whenever a parish agreement is terminated, the call of any rostered minister serving that parish is terminated. Should any congregation that was formerly part of the parish agreement desire to issue a new call to that rostered minister, it may do so in accordance with the call process of this church.

BYLAWS OF TRINITY EVANGELICAL LUTHERAN CHURCH LATROBE, PENNSYLVANIA

Approved on June 7, 1998 by this congregation.
Effective on June 6, 2021 when last amended in accordance with *C17.02.

Section I MISSION STATEMENT

B4.05.01. Mission Statement (adopted on January 18, 1998 and revised at the June 7, 1998 Congregation Meeting):

Trinity Evangelical Lutheran Church, Latrobe, is to be a growing community of disciples of Jesus Christ, called by the Holy Spirit to share the Good News of God's love with all.

B4.05.02. Vision Statement (adopted at the January 18, 1998 Congregation Meeting):

We the people of Trinity Evangelical Lutheran Church, Latrobe, Pennsylvania, by the grace of God pledge ourselves to be:

Vibrant in worship,
Inviting all God's children to discipleship,
Stewards offering ourselves for mission and ministry,
Intentionally serving those in need,
Open to spiritual growth,
Nurturing leaders for the next century.

Section II MEMBERSHIP

B8.05.01. The Congregation Council may remove inactive members from the roll of this congregation. An inactive member shall be defined as not having used the means of grace, both Word and sacraments, with this congregation, nor having made a contribution of record to this congregation, within the last three years.

Section III CONGREGATION MEETINGS

B10.01.01. This congregation shall hold at least three (3) meetings each year.

a. The Annual Business meeting of this congregation shall normally be held during the month of November at a time and place determined by the Congregation Council. The purpose of this meeting is to conduct at minimum the following business of this congregation:

- 1) the nomination (B12.02.01.) of candidates for election to the Congregation Council;
- 2) the presentation by the Congregation Council of the proposed operating budget for the forthcoming fiscal year and to act on any and all congregational amendments to the proposed budget;
- 3) the election of the Nominating Committee members (B13.02.01.);
- 4) the presentation of the Audit Committee Report from the previous fiscal year (B13.03.01.); and
- 5) the acceptance of the minutes from the Annual Ministry meeting.

- b. The second meeting of this congregation shall be for the election of members to the Congregation Council (B12.02.02.) and approval of the annual operating budget for the forthcoming fiscal year (C12.05.). This meeting shall normally be held shortly (i.e., 1 to 2 weeks) after the Annual Business Meeting and not adjourned and will be reconvened following each worship service in a given weekend as determined by the Congregation Council. The proposed budget with any approved amendments from the Annual Business Meeting shall be presented to this congregation for adoption without change. Should the budget fail to be adopted by this congregation at this meeting, the budget shall be re-evaluated by the Congregation Council and presented to this congregation by the Congregation Council and adopted, or amended and adopted, by this congregation at the Annual Ministry Meeting or another special Congregation Meeting as called by the Congregation Council.
 - c. The third meeting of this congregation shall be the Annual Ministry meeting, normally to be held during the first quarter of the calendar year at a time and place determined by the Congregation Council. The purpose of this meeting is to review the ministries of the past year and to discuss and formulate plans for the coming year/years. The work of the Long Range Planning Committee (C13.06.) should play a significant role in this meeting. A guest speaker at this meeting is encouraged. Other business at this meeting shall at minimum include:
 - 1) the acceptance of the minutes from the Annual Business Meeting;
 - 2) the acceptance of the minutes from the Council Election/Budget Approval meeting; and
 - 3) the review of Annual Reports from the standing committees of the Congregation Council (B12.09.01.), the called staff (Ministry Report), other organizations within this congregation [e.g., Women of the Evangelical Lutheran Church in America (WELCA) and Trinity Senior Citizens] (B14.01.01.), and the treasurer's report (B11.01.06.).

If the Audit Committee has completed its work, it may also present their findings to this congregation at this meeting rather than the Annual Business meeting.
- B11.01.02. Persons who are not voting members (*C8.02.c.) of this congregation may attend meetings of this congregation and may be accorded the privilege of voice without vote at the discretion of this congregation's president or presiding officer of the meeting. Should any such visitor be disruptive, they may be removed from the meeting.
- B11.01.06. The treasurer shall submit a written report to this congregation at the Annual Ministry Meeting (B10.01.01.) summarizing the financial transactions and account balances of this congregation for the previous fiscal year (B11.01.05.).
- B12.09.01. The Congregation Council shall, through reports (B12.15.05.) by the standing committees of the Congregation Council (B12.15.02.) and the called staff (Ministry Report), submit a comprehensive written Annual Report to this congregation at the Annual Ministry Meeting (B10.01.01.) on membership, work of the previous year, and, if appropriate, plans and goals for the upcoming year.
- B13.02.01. Election of the Nominating Committee members shall occur at the Annual Business Meeting (B10.01.01.). Nominations for election to the Nominating Committee shall be made by the Nominating Committee (B13.11.02.) and can be made from the floor by any voting member (*C8.02.c.) of this congregation. All nominees shall meet the constitutional requirements to serve on the Nominating Committee (C13.02. and C13.12.) and agree, if elected, to serve as a member of the Nominating Committee (B13.11.02.). When there is more than one candidate per vacant position on the Nominating Committee, the election shall be by written ballot and the result recorded in full by the secretary. The persons receiving the highest number of votes, up to the number of Nominating Committee members to be elected (C13.02.), shall be deemed elected to the Nominating Committee of this congregation.
- B13.03.01. The Audit Committee shall submit a written report to this congregation at the Annual Business Meeting (B10.01.01.) summarizing their findings and recommendations from the financial records audit, and review of accounting, procurement and payment practices (B13.11.03.) for the previous fiscal year of this congregation and organizations within this congregation (C14.01.).
- B14.01.01. Each organization within this congregation [e.g., Women of the Evangelical Lutheran Church in America (WELCA) and Trinity Senior Citizens] shall submit a written report to this congregation at the Annual Ministry Meeting (B10.01.01.) concerning their membership, work, and audited finances.

Section IV

DUTIES OF THE OFFICERS OF THIS CONGREGATION

- B11.01.01. The president shall preside at all meetings of this congregation and the Congregation Council. Further, the president shall, early in the term of each newly established committee (C13.09. and B13.09.01.), by prayerful consideration, appoint chairpersons to those congregation committees (Nominating, and possibly Audit, Long Range Planning, and Call committees) which constitutional duty is (C13.02.) or may be (C13.03., C13.06., and C13.07.) required of the president of this congregation. The president shall also be an ex-officio member of the Long Range Planning Committee (C13.06.). The president of this congregation shall not vote on the election of members to the Congregation Council (B12.02.02.) or committees of this congregation, except in the event of a tie vote by this congregation which precludes an election wherein the president may cast the deciding vote or shall draw lots to complete the election.
- B11.01.03. The vice president shall temporarily assume the duties of the president of this congregation (B11.01.01., B11.01.02. and B12.16.02.) in the event of the president's inability to serve, either for absences or until such time as the Congregation Council elects a successor president of this congregation (C13.13.). The vice president shall also chair the Executive Committee (C13.01) and may preside at meetings of this congregation and the Congregation Council at the behest of the president.
- B11.01.04. The secretary shall be responsible to keep accurate minutes of all meetings of this congregation and the Congregation Council, which shall be organized and permanently preserved, along with the Annual Report of the Congregation Council (C12.09. and B12.09.01.), in the archives of this congregation. The minutes of all meetings of this congregation and the Congregation Council shall be made available to this congregation by the secretary. The secretary shall also be responsible for tallying and recording election results (B12.02.02. and B13.02.01.) of this congregation. Continuing resolutions of the Congregation Council should be maintained by the secretary and be available for reference in the office of this congregation. The secretary shall also be an ex-officio member of the Constitution & Bylaws (B12.15.02.k.) and Library & Archives [a subcommittee (B12.15.03.b.)] committees.
- B11.01.05. The treasurer shall keep the book of account for this congregation. The treasurer shall supervise and account for the receipt and disbursement of all funds on proper orders, making monthly remittance of benevolence receipts to the treasurer of the synod (C12.05.e.). Before payments are made, all invoices should be approved by either a pastor, the responsible Congregation Council standing committee chairperson, or Congregation Council representative to the standing committee (B12.15.04.). The treasurer shall cooperatively work with the Audit (C13.03.) and Finance (B12.15.02.d.) committees, providing requested financial records and documentation, and make written report of all financial transactions to the Congregation Council monthly and to this congregation, together with a satisfactory audit, at its Annual Business Meeting (B11.01.06.). The Annual Report of the Treasurer shall also update what bequests and special gifts were received by this congregation and indicate to what mission endowment fund or funds the gifts were applied. The Treasures Report shall also publicize to this congregation the existence and use of the various mission endowment funds in cooperation with the Stewardship Committee (B12.15.02.h.) of the Congregation Council. The treasurer shall also be an ex-officio member of the Finance (B12.15.02.d.), Special Gifts (C13.05.), and Information Technologies [a subcommittee (B12.15.03.b.)] committees.

Section V

THE CONGREGATION COUNCIL

- B12.02.01. Nominations for Congregation Council membership shall be made by the Nominating Committee (B13.11.02.) and can be made from the floor by any voting member (***C8.02.c.**) of this congregation at the scheduled Congregation Meeting (B10.01.01) for nominations of candidates for election to the Congregation Council. Nominees from the floor shall meet the constitutional requirements to serve on the Congregation Council (C12.01. and C12.02.) and agree, if elected, to serve as a member of the Congregation Council (B12.04.01.).
- B12.02.02. Elections of layperson members to the Congregation Council (B10.01.01) shall be by written ballot and the result recorded in full by the secretary. The persons receiving the highest number of votes, up to the number of Congregation Council members to be elected (C12.02.), shall be deemed elected to the

Congregation Council. The election of Congregation Council members to fill the remaining terms of any vacated positions (C12.03., terms of less than three years) may be from (1) a separate slate of specific nominees for the remaining term(s) with the specific nominee(s) receiving the most votes deemed elected, or (2) shall be that person, or those persons for multiple vacated positions, receiving the next highest number of votes deemed elected to the Congregation Council sequentially filling vacated positions with the longest remaining terms. Should the Congregation Council decide to use the separate slate method of election for the remaining term(s) of any vacated position(s) on the Congregation Council, this election method must be declared to this congregation prior to nominations for election to the Congregation Council (B12.02.01.). In the event of a tie vote by this congregation precluding an election of the remaining member(s) to the Congregation Council, the president of this congregation may cast the deciding vote or shall draw lots to complete the election (B11.01.01.).

B12.04.01. As the layperson members of the Congregation Council are the elected leaders of this congregation, it shall be their privilege and duty to:

- a. Be faithful in worship and diligent in prayer.
- b. Seek to grow in faith through Bible study, Sunday Church School, or other Christian educational programs.
- c. Be examples of faith, active in love, to help maintain the life and harmony of this congregation.
- d. Be exemplary in the giving of time, talent, and resources to the support of this congregation, encouraging others to do likewise.
- e. Serve as an officer of this congregation (C11.01.), or as a chairperson or council representative on a standing committee of the Congregation Council (B12.15.01.).
- f. Maintain strict confidentiality about staff salaries and evaluations, offerings, pledges, and other sensitive matters to the members of this congregation.
- g. Actively participate in the life and mission of this congregation and faithfully attend the meetings of this congregation, the Congregation Council, and the standing committees upon which they serve.

B12.11.01. The Congregation Council shall hold a regular monthly meeting, normally on the third Tuesday evening of each month.

B12.11.02. The order of business at a regular meeting of the Congregation Council shall consist of the following:

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|--|--|
| a) Devotions/Prayer | g) Report of the treasurer |
| b) Period for the study of the life and work of the church | h) Report of the standing committees |
| c) Roll call and action on excuses for absence | i) Report of special/ad hoc committees |
| d) Consideration of minutes | j) Other reports |
| e) Reception of petitions and communications | k) Unfinished Business |
| f) Ministry Report | l) New Business |
| | m) Adjournment/Prayer |

B13.09.01. The Congregation Council shall, at its first regular meeting of each calendar year, by prayerful consideration, approve the appointments and elect members to those congregation committees (Audit, Mutual Ministry, Special Gifts, and Long Range Planning committees) which constitutional duty (C13.03., C13.04., C13.05., and C13.06.) belongs to the Congregation Council.

B11.02.01. The Congregation Council shall, by prayerful consideration, elect the officers of this congregation at the first meeting of the Congregation Council following the annual election of members to the Congregation Council (B12.02.02.).

B12.15.01. The Congregation Council shall annually establish the standing committees of the Congregation Council following the election of the officers of this congregation (B11.02.01.). Each standing committee shall be composed of one or more members of the Congregation Council and, in addition, other voting

members (*C8.02.c.) of this congregation. Standing committees should endeavor to build their membership reflecting the age, gender, and race diversity of this congregation. The chairperson of each standing committee shall be appointed by, and should be a member of, the Congregation Council. If the chairperson is not a member of the Congregation Council, the Congregation Council shall appoint a Congregation Council member as the council representative for each such standing committee.

B12.15.02. Standing committees of the Congregation Council shall consist of the following:

- a. Children, Youth & Family Ministry
- b. Christian Education
- c. Constitution & Bylaws
- d. Evangelism
- e. Fellowship
- f. Finance
- g. Personnel
- h. Property
- i. Social Ministry
- j. Stewardship
- k. Worship & Music

The duties of the standing committees of the Congregation Council shall be specified in the continuing resolutions of the Congregation Council.

B12.15.03. Additional committees:

- a. Other standing committees may be formed by decision of the Congregation Council.
- b. The standing committees of the Congregation Council may form subcommittees (i.e., Catechism, Decorating, Fine Arts, Information Technologies, Library & Archives, and Memorial committees and the Gardening Club) to help fulfill their stated duties. The subcommittee will be responsible to the standing committee and need not have Congregation Council representation. The chairperson of each subcommittee shall be approved by the responsible standing committee of the Congregation Council.
- c. Special or ad hoc committees to fulfill specific purposes, which will be dissolved upon completion of their stated purposes, may be formed by decision of the Congregation Council. Each special or ad hoc committee shall have Congregation Council representation on the committee. The chairperson of each special or ad hoc committee shall be approved by the Congregation Council.

B12.15.04. Each standing committee of the Congregation Council, the standing committee chairperson, or the Congregation Council representative to the standing committee shall supervise and approve (B11.01.05.) the expenditure of funds by the standing committee and any subcommittees of the standing committee consistent with the adopted budget of this congregation (C12.05.d.). Each standing committee shall also participate in the preparation of the annual budget for this congregation (C12.05.d.) by reviewing committee expenditures and making recommendations to the Congregation Council for necessary and planned expenditures for the next fiscal year.

- B12.15.05. Each standing committee of the Congregation Council shall submit a comprehensive written report for the Annual Business Meeting of this congregation (B12.09.01.) concerning its membership, work of the previous year, and, if appropriate, plans and goals for the upcoming year. Such reports shall also include the same information for any subcommittees reporting to each of the standing committees of the Congregation Council.
- B12.15.06. Members of this congregation may attend all meetings of the standing committees of the Congregation Council and subcommittees of the standing committees. Non-committee members may be accorded the privilege of voice without vote at the discretion of the presiding chairperson of the meeting. Should any such visitor be disruptive, they may be asked to leave and then shall leave the meeting or be subject to disciplinary actions in accordance with the constitution.
- B12.16.01. The Congregation Council, as authorized by this congregation in this bylaw, shall, by prayerful consideration, either elect, appoint, or approve the appointments of official representatives or voting members for this congregation (*C5.04.) from its role of voting members (*C8.02.c.), excluding those persons whose attendance is otherwise required [i.e., ELCA rostered staff (pastors and laypersons) and individual members of the Synod or ELCA Councils or any conference, cluster, coalition, or other area subdivisions of which this congregation is a member], at conference, cluster, coalition, other area subdivisions of which this congregation is a member, synod, region, or ELCA meetings, assemblies, conventions, or elections, including appointing the voting members for this congregation to the annual Southwestern Pennsylvania Synod Assembly.
- B12.16.02. Members of this congregation may attend all meetings of the Congregation Council, except when the Congregation Council is convened in Executive Session. Non-members of the Congregation Council may be accorded the privilege of voice without vote at the discretion of the president (C11.01.) or presiding officer of the meeting. Should any such visitor be disruptive, they may be asked to leave and then shall leave the meeting or be subject to disciplinary actions in accordance with the constitution.
- B12.16.03. The Congregation Council shall assist and cooperatively work with the Nominating (C13.02.), Audit (C13.03.), Mutual Ministry (C13.04.), Special Gifts (C13.05.), Long Range Planning (C13.06.), and Call (C13.07.) committees and organizations [e.g., Women of the Evangelical Lutheran Church in America (WELCA) and Trinity Senior Citizens] of this congregation.
- B12.16.04. As it relates to the Special Gifts Committee (C13.05., B13.11.05., B13.05.01., B13.05.02., and B13.05.03.) and bequests and special gifts received by this congregation (B5.05.01. and B5.05.02.), the Congregation Council shall have the following duties and responsibilities:
- a. As to requests for mission endowment fund income usage referred to it by the Special Gifts Committee, the Congregation Council shall determine which requests for money it shall consider, the priority of the requests, and the amounts to be granted (C12.05.) based upon the report of the funds available as reported by the Finance Committee (B12.15.02.d.).
 - b. The Congregation Council shall have the final decision on the use of church funds, consistent with the mission endowment fund usage obligations (B5.05.01.) and guidelines (B5.05.02.).
 - c. The Congregation Council shall have the final decision on applications for money in those situations where the Special Gifts Committee and the Congregation Council cannot agree.
- B12.16.05. The Congregation Council, as authorized by this congregation in this bylaw, shall, on behalf of this congregation, review and approve, or correct and approve, the minutes of all meetings of this congregation.
- B18.01.01. Duties of the Congregation Council, standing committees of the Congregation Council, and subcommittees to the standing committees may be further specified in the continuing resolutions (*C18.01.).

Section VI DUTIES OF CONGREGATION COMMITTEES

- B13.11.01. The Executive Committee shall perform those functions as directed and authorized by the Congregation Council. Members of the Executive Committee shall be the only persons in this congregation who can be authorized by this congregation or Congregation Council, consistent with the constitution of this congregation and the laws of the Commonwealth of Pennsylvania, to sign legal documents or contracts which extend calls, that offer or terminate employment, or that buy, sell, or otherwise encumber property on behalf of this congregation. The Executive Committee shall also provide general oversight and guidance to the congregation committees and Congregation Council. As such, members of the Executive Committee shall be accorded the privilege of voice at all meetings of this congregation's committees, standing committees and subcommittees of the Congregation Council, and any special or ad hoc committees of the Congregation Council, except the Audit (C13.03.), Mutual Ministry (C13.04.), and Call (C13.07.) committees of this congregation. Except for the Executive Committee and Congregation Council, no member of the Executive Committee should chair any congregation committee or standing committee (B12.15.02.), subcommittee (B12.15.03.b.), or special/ ad hoc committee (B12.15.03.c.) of the Congregation Council.
- B13.11.02. The Nominating Committee shall nominate at least one but not more than three candidates, and should endeavor to build a slate of two nominees, from the membership of this congregation, for each vacancy to be filled on the Congregation Council. The nominees shall meet the eligibility requirements as set forth in the constitution (*C8.02., C12.01. and C12.02.) and have been deemed qualified by the committee to serve on the Congregation Council, and have agreed, if elected, to serve as a member of the Congregation Council (B12.04.01.). The Nominating Committee shall also nominate qualified candidates, who meet the eligibility requirements as set forth in the constitution (*C8.02., C13.02., C13.03., C13.04., C13.05., and C13.12.) and agree, if elected or appointed, to serve for the position nominated, for other congregation committees, including the Nominating Committee. A minimum of one candidate will be nominated for each vacant position on congregation committees, except as otherwise provided in the constitution (C13.07.). The Nominating Committee should endeavor to build slates of nominees which reflect the age, gender, and race diversity of this congregation.
- B13.11.03. The Audit Committee shall audit the financial records, and review the accounting, procurement and payment practices of this congregation and organizations within this congregation [C14.01., e.g., Women of the Evangelical Lutheran Church in America (WELCA) and Trinity Senior Citizens]. The Audit Committee shall submit appropriate written reports of their findings and, if applicable, recommendations to this congregation (B13.03.01.) and the synod.
- B13.11.04. The Mutual Ministry Committee shall affirm and strengthen the mission of this congregation and ministry of the called staff (pastors and ELCA rostered laypersons) by following the guidelines and published resources of the ELCA (e.g., Mutual Ministry Committee: A Vision for Building Up the Body of Christ, by G. E. Keck, 1994), including: listening and clarifying, sharing and communicating, and reviewing and reflecting. The committee shall aid in the clarification of expectations between the ministry staff and this congregation. It shall provide a positive and constructive forum for the resolution of differences or conflict. Members of this committee shall respect and maintain the personal confidences, outside of committee discussions, of any and all persons who request it and shall disregard without consideration anonymous correspondence. The Mutual Ministry Committee should also, at least annually, evaluate the effectiveness of the ministry team, individual called staff and their ministries, and review those evaluations with the individual called staff and, if appropriate, the entire ministry team. The professional development and continuing education of the called staff shall be guided and encouraged by the committee. Further, the Mutual Ministry Committee shall make recommendations to the Congregation Council as to the compensation and benefit packages for the called staff for the next fiscal year budget, especially considering any ELCA or synod recommendations or guidelines for changes in compensation or benefits to pastors or ELCA rostered laypersons.
- B13.11.05. The Special Gifts Committee shall be responsible for the general oversight of bequests and special gifts received by this congregation, recommending the appropriate use of income (i.e., investment or interest earnings) from this congregation's mission endowment funds (B5.05.01.), and present to the Congregation Council this committee's determination for use of bequests and property gifts received by

this congregation. The committee shall also promote awareness to this congregation of how these bequests and special gifts are used for the ministry of the Gospel.

- B13.11.06. The Long Range Planning Committee shall focus on forward thinking, planning, and strategies for ministry, guiding and supporting this congregation in its endeavor to fulfill the Mission (B4.05.01.) and Vision (B4.05.02.) Statements. As such, this committee shall study the long range direction for the ministry of this congregation, taking into consideration both the membership makeup of this congregation and the surrounding community. It shall strive to anticipate and recommend revisions to this congregation's programs and facilities to meet those needs of an ever changing environment. The Long Range Planning Committee may present recommendations to this congregation and shall present recommendations to the Congregation Council on future program and budgetary needs to aid the Congregation Council in fulfilling its constitutional duties (C12.04.a.).
- B13.11.07. The Call Committee shall follow synod guidelines for finding a qualified candidate(s) for a pastoral (*C5.03.a.), or possibly ELCA rostered layperson (*C5.03.c.), call to this congregation.
- B13.11.08. Duties of congregation committees may be further specified in the bylaws and continuing resolutions (*C18.01.).
- B13.11.09. Except for meetings of the Executive (C13.01.), Audit (C13.03.), Mutual Ministry (C13.04.), and Call (C13.07.) committees, members of this congregation may attend all meetings of this congregation's committees. Non-committee members may be accorded the privilege of voice without vote at the discretion of the presiding chairperson of the meeting. Should any such visitor be disruptive, they may be asked to leave and then shall leave the meeting or be subject to disciplinary actions in accordance with the constitution.

Section VII

SPECIAL GIFTS TO THIS CONGREGATION

WHEREAS, Christian stewardship involves the faithful management of all the gifts God has given to humankind – the created world, the gospel, life, time, abilities, money, including accumulated, inherited, and appreciated resources; and

WHEREAS, the scriptural principle of proportionate giving, to return to the Lord a portion of the gifts God has first given to his beloved children, is both a privilege and an appropriate response in all times and circumstances; and

WHEREAS, Christians can give to the work of the Church through bequests in wills, assignment of life insurance, charitable gift annuities, charitable remainder and other trusts, assignment of certificates of deposit, and transfers of property such as cash, stocks, bonds, and real estate; and

WHEREAS, it is the desire of this congregation to encourage, receive, and administer these gifts in a manner consistent with the loyalty and devotion to our Lord expressed by the donors.

B13.05.01. This congregation shall maintain mission endowment funds for the management of bequests and special gifts. The Special Gifts Committee (C13.05. and B13.11.05.) of this congregation shall oversee and work with the Congregation Council concerning the use and maintenance of these funds and earned interests.

B5.05.01. Mission endowment funds and usage obligations are as follows:

- a. Trinity Undesignated Endowment Fund – The income from this fund may be used for ministry, outreach, capital facilities improvements, or scholarship aid. All non-designated bequests and special gifts to this congregation will be placed into this fund.
- b. Ministry Endowment Fund – The income from this fund shall be limited to the ministry of this congregation and used for such items as worship, education, youth, congregational support, educational assistance, and equipment for these ministries.

- c. Outreach Endowment Fund – The income from this fund shall be used for such items as: community, synod, national and worldwide ministries; missionary support; evangelism; and social ministry concerns.
- d. Capital Improvements Endowment Fund – The income from this fund shall be limited to capital facilities improvements and acquisitions by this congregation and used for items such as: property and facility care, repairs, and improvements; and equipment repairs and acquisitions.
- e. Educational Opportunities for Christian Advancement Endowment Fund – Principal and interest related to this fund as approved by the Congregation Council shall be used for and by:
 - Scholarship aid related to attendance at Thiel College or other Evangelical Lutheran Church in America colleges or seminaries accredited by the Evangelical Lutheran Church in America;
 - Scholarships / Camperships / Vocational / Internships / Other Educational Opportunities for Christian Advancement – involving Christian related learning activities;
 - Trinity members or others.

B5.05.02. Mission endowment fund guidelines are as follows:

- a. Investment of the endowment funds shall be the responsibility of the Congregation Council (C12.05.) following an investment policy to achieve the maximum earnings consistent with prudent management and security of the investment.
- b. With the exception of the Educational Opportunities for Christian Advancement Endowment Fund, only the income (i.e., investment or interest earnings) of the endowment funds may be used unless otherwise so indicated within the bequest. The principal shall remain the earning source for future and continuing fund usage. Endowment fund principal and income shall be determined according to Generally Accepted Accounting Principles.
- c. Unencumbered or unused income from any of the endowment funds at the end of each fiscal year for this congregation shall remain available for future use.
- d. Bequests and special gifts shall be administered in such a way that they do not diminish the responsible stewardship and current support of members of this congregation. Income from the funds should be used to enable extended ministries, and no portion of the income generated by the endowment funds shall be used for the usual operating expenses of this congregation unless otherwise so indicated within the bequest. Only in extremely difficult circumstances may this congregation, by action in meeting assembled, use a portion of the income of the endowment funds for its own support services, and then, provided such action is not beyond the designated use of the endowment fund(s) involved.
- e. Borrowing either the principal or income from any of the endowment funds shall never be permitted.
- f. Income from the endowment funds shall be used by this congregation in its total mission and ministry. Consideration for synod, denominational, and ecumenical causes should be given, in addition to local ministries, for use of the Trinity Undesignated Endowment Fund and Outreach Endowment Fund income.
- g. Income from the endowment funds may be used as seed money for new programs.
- h. Every person involved, directly or indirectly, in the planning, management, or administration of any church fund must take care to avoid even the appearance of a conflict of interest. No person shall engage in any transaction involving the church funds if the person has a direct or indirect financial interest in that transaction.
- i. In the event that Trinity Evangelical Lutheran Church of Latrobe, Pennsylvania ceases to exist either through merger or dissolution, disposition or transfer of the endowments funds or other properties

shall be at the discretion of the Congregation Council in conformity with this congregation's constitution (C12.05.) and in consultation with the bishop of the synod to which this congregation belongs at such time. Consultation with the Evangelical Lutheran Church in America may be desirable for continuation of endowment fund obligations.

B13.05.02. Operation of the Special Gifts Committee is as follows:

- a. The committee shall meet on a quarterly basis in March, June, September, and December, and at other times at the call of the ex-officio member Pastor (C13.05.), chairperson (C13.05.), or any three committee members.
- b. All actions by and recommendations from the Special Gifts Committee shall be by majority vote. Voting by proxy or by absentee ballot shall not be permitted.
- c. Three committee members shall constitute a quorum. When only three (3) committee members are present, a unanimous vote shall be required to carry any motion or recommendation to the Congregation Council.
- d. The chairperson of the Special Gifts Committee (C13.05.) shall appoint a recording secretary who shall record and maintain complete and accurate minutes of all meetings and supply a copy thereof to each member of the committee. The complete records and minutes of this committee shall be delivered to the recording secretary successor.

B13.05.03. Duties of the Special Gifts Committee, consistent with Bylaw B13.11.05., shall include:

- a. The Special Gifts Committee (B13.11.05.) shall provide assistance to the Congregation Council in making its decision as to whether certain requests for money do qualify or fit into the usage obligations applicable to this congregation's mission endowment funds. To that end, the Special Gifts Committee is charged with the following:

Applications for Money

- The committee will receive written applications for money for various projects on a quarterly basis (on or before March 1, June 1, September 1, and December 1 of each year).
- The applications may come from any member, organization, or standing committee of this congregation or the Congregation Council. Applications shall be made through any Special Gifts Committee member.

Determining if Requests Fit Usage Obligations

The Special Gifts Committee, soliciting input from the Finance Committee (B12.15.02.d.), shall make the initial determination of whether the request for money qualifies under the usage obligations relating to the endowment funds.

- If the committee determines that the request conforms to the usage obligations, it will refer the request, together with its determination, to the Congregation Council and to the Finance Committee (B12.15.02.d.) for their report to the Congregation Council (B12.16.04.).
- If the committee determines that the request does not conform to the usage obligations, the request will be returned to the applicant with the reasons supporting the committee's determination.

Appeals of Rejected Requests

The Special Gifts Committee will act on appeals from applicants whose requests for money were determined by the Special Gifts Committee not to fit into usage obligations for the endowment funds. The Special Gifts Committee may take the following actions:

- It may affirm the original determination of the Special Gifts Committee.

- It may suggest to the applicant what action may bring the request within the applicable endowment fund usage obligations, and then suggest that a revised request for money be submitted to the Special Gifts Committee.

If an applicant disagrees with the determination of the Special Gifts Committee, they shall first discuss the problem with that committee and attempt to resolve it. If no resolution is possible, the final appeal shall be to the Congregation Council.

- b. It is not the purpose of the Special Gifts Committee to determine the value or priority of any request, but only to determine if the request conforms to applicable mission endowment fund usage obligations.
- c. The Special Gifts Committee shall no less than semi-annually receive a full report from the Finance Committee (B12.15.02.d.) concerning the investment of the mission endowment funds and special gifts and the use made of the investment or interest earnings, and, if applicable, other earnings (i.e., leases, royalties, etc.), and shall review the report, with the understanding that the Congregation Council has the final responsibility in these matters.
- d. The Special Gifts Committee, soliciting input from the Finance Committee (B12.15.02.d.), shall make the final determination as to which mission endowment fund(s) each monetary bequest to this congregation shall be applied, fully considering the desires of the donor.
- e. The Special Gifts Committee shall make recommendations to the Congregation Council as to hold, sell, exchange, rent, lease, transfer, or convert all non-monetary gifts received by this congregation. Final determination shall be made by the Congregation Council.
- f. The Special Gifts Committee shall make a quarterly report to the Congregation Council and detail all requests to the committee and recommendations for action by the Congregation Council.
- g. The Special Gifts Committee shall make an annual report to this congregation. The annual report of the Special Gifts Committee shall report on recommendations made to the Congregation Council and the final determination(s) made by the Congregation Council as to the application of this congregation's mission endowment funds.
- h. The Special Gifts Committee shall also do the following:
 - Handle all communications and questions concerning use of the mission endowment funds.
 - With the cooperation of the Congregation Council and the Stewardship Committee (B12.15.02.h.), arrange for speeches or educational seminars relative to planned giving (wills, insurances, charitable trusts, etc.) of bequests or special gifts to this congregation.
 - Provide guidance and assistance when requested by any person desiring to make a bequest or special gift to this congregation through planned giving.