

# **BY-LAWS OF GRACE LUTHERAN CHURCH, ELCA Upland, California**

## **Chapter 1: COMMUNION PARTICIPATION**

### **A. General.**

We understand Holy Communion to be Christ's gift to us as a means of receiving God's grace. Since we are serving as hosts for Christ's meal we practice open communion. Following the words of Martin Luther in the Small Catechism, "We hold that a person is well-prepared who believes these words, 'given and shed for you for the remission of sins.' But anyone who does not believe these words, or doubts them, is neither prepared nor worthy, for the words 'for you' require simply a believing heart.", we invite other baptized Christians to enter into communion and receive the sacrament with us.

## **Chapter 2: MEMBERSHIP**

### **A General**

Each applicant for membership by way of baptism, confirmation, confession of faith, transfer, or reinstatement, shall make his or her wishes known to the pastor. Upon approval by the pastor, the name of the applicant shall be presented to the church council for their approval. Upon approval the Secretary shall enter the name in the active roster of the parish records. Membership does not require formal presentation at a worship service.

### **B. Admission to baptized membership**

1. Children receiving Christian baptism shall be received as baptized members of this congregation.
2. Children, neither of whose parents or guardians are members of this congregation, shall, upon Christian baptism duly recorded as a ministerial act performed under the auspices of this congregation, thereby be received as baptized members of this congregation unless there is understanding that, for good reason, they will be enrolled as baptized members of another congregation, in which case notice of the baptism shall be given to the congregation in which the child is to be enrolled as a baptized member.
3. Children baptized in other congregations (and baptized adults mentally incompetent for confirmation) shall be received as baptized members of this congregation upon admission of one or both parents or guardians to membership, or by consent of one or both parents or guardians, or by action of the Congregational Council.

### **C. Admission to confirmed membership**

1. Baptized adults, not previously members of the congregation, who have received instruction and given evidence of having an adequate understanding and acceptance of the teaching of the Word of God as confessed by the Lutheran Church shall be admitted to confirmed membership through the rite of confirmation.
2. Adults received as baptized members according to the provisions of Chapter 2.C,4 of the Bylaws shall be recognized as confirmed members, whether or not, at the discretion of the pastor(s), they participate in the rite of confirmation.
3. Children who are baptized members of the congregation shall be admitted to confirmed membership through preparation for and participation in the rite of confirmation.
4. Applicants for membership presenting letters of transfer showing them to be confirmed members in good standing in other Lutheran Churches shall be admitted to confirmed membership upon acceptance of their letters of transfer by the Congregational Council and the report of their names to the congregation.
5. Applicants for membership who present evidence of confirmation in a Lutheran Church but do not have letters of transfer shall be admitted to confirmed membership when the Congregational Council has determined that they meet the standards of Christian faith and life indicated in the constitution and bylaws and when they have reaffirmed their faith before the congregation.

#### **D. Admission to voting membership**

1. The congregational council shall be responsible for determining the voting membership in accordance with the qualifications specified in the constitution and bylaws. Any doubtful cases shall be decided by the congregation

#### **E. Discontinuance of membership**

1. Members who move away shall be encouraged to transfer. Any confirmed members in good standing desiring to change his or her membership to another Lutheran Church shall, upon request, be entitled to a letter of transfer.
2. Any confirmed member who, in the judgment of the congregational council, shows no interest in attending church services, or fails to partake of communion and fails to contribute to the congregational treasury according to the congregation's records, for a period of two years, shall be presumed no longer to desire membership, shall lose the right to vote, and shall not be counted in the membership statistics of the congregation. However, their name and record shall be kept in the files for a period of five years thereafter. Such a person shall be encouraged to participate in the congregational life, or to transfer elsewhere, as the situation may indicate to be advisable. If they resume their activity within the five-year period, they shall be restored to the

- active membership list; if not, they shall be dismissed from the congregation and notified accordingly, where possible.
3. Children, neither of whose parents or guardians are active members of this congregation, shall be dropped from the baptized membership roll if they fail to participate in the Christian education program of the congregation for a period of two years.
  4. Members who have been excommunicated, dismissed, or have resigned and members who have transferred to other Lutheran congregations, or who are definitely known to have become members of other congregations without transfer, shall thereby have lost membership in this congregation and all rights appertaining thereto.

## CHAPTER 3: THE ANNUAL MEETINGS

### A. General

1. Announcement of the time and place of the Annual Meeting of the congregation shall be made at two public services immediately preceding the meetings, said services to be at least a week apart, and in such publications as the congregation or the pastor may periodically issue; or by special written notice to the voting members mailed at least ten days in advance.
2. The current roster of voting, confirmed, and baptized members shall be determined prior to each annual meeting.
2. A quorum for the conduct of business at annual and special congregational meetings shall consist of 10% of the voting members.
4. The focus of the annual meeting shall be:
  - Budget by Committee Chairpersons, members of the Executive Council
  - Pastor (Expenditures of over \$10,000 require congregational approval)
  - Congregational Council Elections (C12.01)
  - Election of a Synod Assembly representatives
  - Election of an Audit Committee team of 2 members of the congregational council. Elected term will be 1 year and can be re-elected. They cannot be members of the Congregational Council. (C13.03)
  - Election of a Finance Committee of a minimum 3 congregational members, preferably with financial experience. Members of this committee may also be members of the congregational council
  - The election of the nominating committee of 3 congregation members for the next year's annual meeting
  - Other business for the annual meetings shall include reports of the staff, officers, and committees, unfinished business, and any new business.
5. In the following cases voting shall be by ballot:
  - a) To elect the Executive Council (President, Vice President, Secretary and Treasurer).
  - b) To elect the Committee Chairpersons (Stewardship, In Reach, Out Reach, Education, Worship, Buildings and Grounds) of the Church Council.

- c) To adopt or amend the articles of incorporation, constitution, or bylaws of the congregation.
  - d) To call a pastor or to request the pastor's resignation.
  - e) To excommunicate a member from the congregation or remove a member from office in the congregation.
  - f) To sever membership in the ELCA.
  - g) To dispose of, encumber, or purchase real property.
  - h) Any item when requested by ten or more voting members present.
6. Except as otherwise provided in the constitution and bylaws, all matters shall be decided by majority vote.
  7. No one shall be declared elected unless that person has received a majority of the votes cast.
  8. If more than one ballot is required in an election, it shall be in order by proper motion to limit the balloting after the first ballot to three candidates receiving the highest number of votes on the first ballot and after the second ballot to limit the balloting to the two candidates receiving the highest number of votes.
  9. In all matters not specifically provided for herein, procedure shall be according to Robert's "Rules of Order", latest edition.

## CHAPTER 4: THE CONGREGATIONAL COUNCIL

### A. Membership and meetings of the Congregational Council

1. The Congregational Council shall consist of not more than 11 members, (President, Vice President, Secretary, Treasurer, and heads of the following committees: Stewardship, Inreach, Education, Outreach, Worship and Buildings and Grounds. The Pastor shall be an ex officio non-voting member of the Congregational Council. Each Chairperson of the 6 committees is responsible for those subjects listed in attachment A. Chairpersons may appoint ministry teams within their committees to assist them in providing support in their designated responsibilities.
2. The responsibilities of the Congregational Council Committees are as follows:
  - Stewardship** - responsible for participation of congregation in all church activities. Maintain church personnel records. Will be assisted by appointment of ministry teams.
  - In Reach** - responsible for all internal church activities to include Fellowship Hall after church, any receptions in the Fellowship Hall after events (funerals, guest speakers, etc.) including senior activities (i.e. quilting, knitting, men's breakfast, etc.) will be assisted by appointment of ministry teams.
  - Education** - responsible for all Christian education with members of the congregation, with a special emphasis on all 3 levels of Catechesis for the youth of the congregation. Also included are youth group and confirmation. Will be assisted by appointment of ministry teams.
  - Outreach** - responsible for all external church activities i.e. sponsored dinners, guest speakers and any other activity the church engages in with outside

ministries. Home visitation with eucharist and minister as required. Will be assisted by appointment of ministry teams.

**Worship** - responsible for all worship activities to include ushers, lectors, communion, greeters, funerals, weddings, and special events. Ensure the Instruction Booklet for all above responsibilities is current. Will be assisted by appointment of ministry teams.

**Building and Grounds** – responsible for maintaining all the grounds and buildings of the church, preschool and parsonage. Will be assisted by appointment of ministry teams.

3. No member of the Congregational Council, including the President, shall succeed himself or herself in office more than two (2) consecutive terms. The filling of an unexpired term of less than one year shall not be deemed to be a term of office. In the event an officer or committee head has served two consecutive terms and there is no applicant for that position at the Annual Meeting the incumbent will be allowed to have his or her name placed on the ballot. The same standard applies if, after three votes, the congregation cannot, through majority vote, elect a new congregational member for the position being voted on. This standard will remain in effect until a qualified applicant is available.
4. Any expired term of office in the Congregational Council shall be temporarily filled by a council President appointment, with approval by the Congregational Council and permanently filled at the next annual congregational meeting for the duration of the unexpired term.
5. No Congregational Council business shall be transacted unless a majority of the members are present.
6. Meetings of the Congregational Council shall be held monthly on a date to be determined by the Congregational Council.
7. Special meetings of the Congregational Council may be called by notice given at a public service or a written notice mailed seven days in advance. Special meetings may be called by the pastor(s), the president, or three members of the Congregational Council.
8. In the event that a member of the Congregational Council is absent from three consecutive regular meetings of the council without excuse acceptable to the council, they shall forfeit their membership on the Congregational Council. Any member having two consecutive unexcused absences from regular meetings shall be notified thereof by the secretary.

## **B. Committees of the Church Council**

1. The Nominating Committee shall be guided in the election process by the guidelines in The Grace Lutheran constitution (C13.02). The mission of the Nominating Committee shall be to advise the congregation, in writing, at least 45 days in advance of the next Congregational Meeting of open positions on the Congregational Council. Responses should be in writing to the Nominating Committee and can be submitted up to the day of the scheduled Congregational Meeting.

2. The Finance Committee will be responsible for reviewing monthly and annual financial reports including bank statements, balance sheets and income statement of the church. It will also formulate a long-term plan to insure the financial stability of the church. It will also prepare an annual report for the congregation which includes financial statements, an outline budget for the coming year and an assessment of the annual performance with regard to the long-term financial plan.
3. The Congregational Council authorizes committee heads to appoint Ministry Teams it deems necessary to fulfill the constitutional mandates C12.04. Each team will have responsibility for a specific ministry and will report to the council committee chairperson.
4. The committee heads shall have the authority to appoint or elect additional congregational members who are not members of the council as members of specific ministry teams.
5. Each Ministry Team will prepare a mission strategy statement which shall spell out the name, specific area of responsibility, recommended duties, the number of meetings, and the goals of the Ministry Team. The mission strategy statement will be presented to the congregation council for approval.
6. Meetings of the Ministry Teams shall be held as required in order to review, coordinate and plan the area of responsibility for that Team.
7. Each ministry team will elect a leader who is to be approved by the committee chairperson.
8. The Congregational Council shall, at least once a year, invite the full membership of its Ministry Teams together with representatives chosen by the organizations of the congregation to review the entire program of the congregation.

**C. Duties of the Officers and Congregational Council Committees**

1. The President:
  - a. shall preside over meetings of the Congregational Council and congregation.
  - b. shall be responsible for agendas of the congregation and Congregational Council.
  - c. shall represent the congregation as requested by the congregation or Congregational Council.
  - d. shall sign contracts and other legal documents on behalf of the congregation under the direction and control of the congregation and Congregational Council.
  - e. shall be authorized to sign checks.
  - f. shall be an ex-officio member of all ministry teams and/or committees
2. The Vice President:
  - a. shall preside in the absence of the President.
  - b. should the President be unable to continue in office, the Vice President may succeed to that office for the remainder of the term.

3. The Secretary:
  - a. shall keep the minutes of the Congregational Council and of the annual congregational meeting and preserve its archives
  - b. shall execute with the president letters of call and other legal documents of the congregation,
  - c. shall see that an annual report of the congregation is prepared before the annual meetings.
4. The Treasurer:
  - a. serves as the financial officer of the congregation and shall supervise the financial procedures, records, and accounting of the congregation's offerings and investments.
  - b. shall be responsible for payment of all bills, invoices and charges under the direction of the Congregational Council including monthly remittance of benevolence to the synod treasurer.
  - c. shall serve on the Ministry Team responsible for finances.
  - d. shall prepare a monthly financial report for the Congregational Council and an annual report for the congregation.
  - e. assists in the preparation of the Annual Budget for the Congregational Council
  - f. shall perform or oversee all of the bookkeeping functions.
  - g. Shall appoint a council-approved check signing team to include bank authorization.
5.
  - a. A bookkeeper/accountant may be appointed by the Treasurer, and approved by the Congregational Council. The specific duties and any compensation of the bookkeeper/accountant shall be agreed upon in writing between the Congregational Council, the Treasurer and the bookkeeper.
6. The Executive Committee:
  - a. shall consist of the President, Vice President, Secretary, and Treasurer
  - b. shall assist the pastor(s) in supervising and planning the duties of the committee chairpersons.
  - c. the President shall be chairperson of the Executive Committee.

## **D. Finances**

1. Current Expenses and Benevolences
  - a. Primary monies for current expenses of the congregation and for benevolences should come from the faith offerings of Grace members. Additional funds may be contributed by whatever means considered best by the pastor(s) and the Congregational Council. The education and inspiration of the membership towards personal giving in response to God's grace should be done year-round. In planning a particular financial program, due consideration shall be given to the recommended systems of the ELCA, such as Every Member canvas, envelopes, proportionate giving, etc.

- b. All monies so collected shall be used for the purpose for which they have been gathered.
2. Budget
- a. The Officers, Committee Chairpersons and Pastor shall each present to the Financial Ministry Team a yearly budget for the next fiscal year (January – December) The Financial Ministry Team shall compile these budgets and present aa annual church budget to the congregational council for their approval. This proposed budget will be submitted to the Treasurer 4 weeks prior to the Annual Meeting and will be subject to review by the Committee Heads and the Executive Council.
  - b. The Congregational Council shall present the composite budget to the congregation for approval or alteration at the Fall Annual congregational meeting. Upon approval of the budget by the congregation, all salary increases will become effective January 1 of the budget year.
  - c. The Congregational Council shall be authorized to incur expenditures set forth in the approved budget. Expenditures over \$500 should be made in consultation with the treasurer to ensure proper funding.
  - d. The Congregational Council shall, as far as possible, operate within the limits of the approved budget of the congregation. The congregation council may approve necessary expenditures in excess of the budgeted items except that expenditures exceeding \$10,000 must be approved by the congregation.
  - e. The fiscal year shall be from January 1 to December 31.
3. Bids and Vendors
- a. Committee heads are allowed to spend money as specified in their approved budget. If financial requirements exceed an approved committee budget by 10% the following will apply:  
Each job project shall require a minimum of 3 bids by a committee recognized reputable person / vendor. The bids will be presented to the Congregational Council for approval or rebid with a committee chairperson recommended order of preference.
  - b. Committee heads will make a determination based on the size of the job whether the vendor must be included on the list of approved vendors (see part c below) and indicate as such during the presentation to the congregational council.
  - c. Approved vendors and sub-vendors must possess the following:
    - 1. A current State of California Contractor’s License
    - 2. A Certificate of Insurance policy that covers the following:  
See attachment A
    - 3. Grace Lutheran Church covered as a scheduled additional insured
    - 4. No outstanding safety violations
- 4.. Audit Team



- a. The Audit Committee shall be guided in the election process by the guidelines in The Grace Lutheran Constitution (C13.03). The Audit Committee will oversee the finances of the church working in conjunction with the Treasurer, to insure financial stability and long term viability of the church.
- b. The Audit Committee shall have a semi-annual audit of the financial books of the congregation and all organizations. The semi-annual audit will include an analysis of actual budget versus proposed budget for all those submitted budgets in 4.D.2.a. Reports shall be made at a regular congregational meeting and as requested by the church council.

**CHAPTER 5: REPORTS OF ORGANIZATIONS**

- A. All committees and organizations handling funds within the congregation shall submit accounts to the treasurer at least ten days prior to the fall annual meeting and the treasurer shall include such accounts in the report to the meeting. This report shall include, at a minimum, highlights from the current year and forecast for the next year.

**CHAPTER 6: MINISTERIAL RECORDS**

- A. The pastor(s) shall be responsible for keeping accurate records of membership and ministerial acts on forms provided by the congregation and which shall remain the property of the congregation. The pastor(s) shall report these statistics to the congregation annually, and, when required, to the secretary of the ELCA. Upon leaving the congregation, the pastor shall complete the records of the ministry up to the time of departure.

Attachment A pg8, D, #3, C2

Bodily Injury & Property Damage Liability \$1,000,000 Per Occurrence/\$2,000,000 Aggregate  
 Combined Single Limits \$250 per Occurrence Deductible for Property Damage Liability  
 Personal & Advertising Injury (Workers Compensation) \$1,000,000 per Occurrence/\$2,000,000 Aggregate  
 Products & Completed Operations \$1,000,000 per Occurrence/\$2,000,000 Aggregate  
 Medical Expenses \$5,000 Each Person/\$10,000 Each Accident

**Certificate of Secretary**

I, the undersigned, certify that I am the presently elected Secretary of the Congregational Council of Grace Lutheran Church, ELCA, and the above amended Bylaws are the Bylaws of this organization as adopted at a meeting of the congregation held on:

Secretary \_\_\_\_\_

Date: \_\_\_\_\_