

General Notes on Constitution Update

Why? While developing the Parish Covenant and working on the details with Assistant to the Bishop Reverend Marilyn Hanson, it was brought to our attention that Immanuel's Constitution was grossly outdated and should be updated.

Who? At the beginning of the year, Council formed a task force to review and make recommendations on changes to the current Constitution. The task force consisted of Pastor Jeff Schlesinger, Council member Diane Englehart, and at-large member Connie Ganz.

How? The task force began by comparing the Model Constitution the ELCA puts out for congregations to our current constitution. We did, indeed, find that our constitution was missing quite a bit of content, as well as many changes that have been recommended over the years. Though our current constitution was constructed using a previous Model Constitution of the ELCA, there have been numerous proposed revisions that have not been considered. We determined that to amend our current constitution by scratching out and adding language, inserting entire sections and renumbering these changes would create an incredibly complex and confusing document. Thus, we decided to use the Model Constitution as a guide to create a brand-new document and sure we captured substantive issues from our current constitution in this new document.

What? What you have before you is the document we created and the Council reviewed and recommended to you. Also included are our recommended Bylaws. Specific notes on these documents and changes are on the following pages.

When? At the 2020 annual meeting, you will be voting only on the Constitution. It takes two votes to adopt or amend a constitution. The second vote would take place at a special congregational meeting or at the 2021 annual meeting, at which time you would also vote on the bylaws. (The bylaws cannot be voted on until the Constitution is officially in place, and they only take a single vote to pass.)

Some Definitions

Constitution – A constitution is the foundational and most permanent document that defines an organization. It contains the most important beliefs and structure of an organization. Because of the nature of what is contained in it, a constitution is not easily changed. In order to pass or amend a constitution, it takes two votes: a first vote in which it can be discussed and amended, if desired by the voting body, and a second or ratifying vote which puts it into effect.

Bylaws – Bylaws further define and interpret what is in a constitution. For instance, it is stated in the Constitution before you that the congregation shall have an annual meeting (C10.01), while the bylaws give specifics on when that should take place (B10.01). Bylaws can be added and amended by the congregation with one vote at a properly called meeting. They are designed to be more flexible, but still take the entire congregation to agree to the change them.

Continuing Resolutions – Continuing Resolutions can be thought of as the ongoing policies and practices of the congregation in order to carry out the Constitution and Bylaws. They are the most flexible type of organizational policy. They can be created, amended or removed at any duly called meeting of the congregation or of the Council. They are designed to be the most flexible because there is much of the day-to-day matters of an organization that are constantly in flux. This document does not include Continuing Resolutions. Those can be set by Council and/or the congregation as time passes.

Coding System – The Constitution is broken down by chapters with a two-digit signifier of each section within a chapter. The letter “C” appears before it to indicate that it is part of the Constitution. Thus, C10.01 refers to the 1st section (C10.01) of the 10th chapter (C10.01) of the Constitution (C10.01). The Bylaws, in turn, are numbered according to the part of the Constitution to which they correspond, but prefixed with the letter B. Thus B10.01 in the Bylaws corresponds to the C10.01 in the Constitution. If there are no corresponding Bylaws, those chapters and sections do not appear in the Bylaws. This explains why the Bylaws begin with chapter 10. If Continuing Resolutions were included, they would be numbered in the same way with CR serving as the prefix. So, CR10.01 (*which does not exist*) would correspond to C10.01.

Specific Notes on the Constitution

Chapters 1 thru 7 – These chapters are expected to be adopted by all congregations of the ELCA as they contain our foundational understandings of doctrine and ministry. Most of the changes in these chapters are for better wording or organization and are not substantive changes from our current constitution. There are two significant additions:

- There are changes/additions to account for a “Minister of Word and Service”, which are discussed in further detail in Chapter 9 below.
- C3.02 was added, which states that as a church body, we are as a congregation, as is the ELCA as a whole, committed to “Christian Unity throughout the world.”

Chapter 8 – Membership – The major change in this chapter is the addition of “seasonal” membership as a classification. We felt that some of our members would more likely be seasonal members at other congregations (i.e. in Florida or Texas or Arizona) rather than for us to we gain members in this category, but certainly thought it was worthwhile to include in our Constitution.

Chapter 9 – Rostered Minister – There are significant changes to this section, mainly due to the addition of “ministers of Word and Service” to the ELCA roster. An ordained pastor is considered a “minister of Word and Sacrament”. Ordained pastors have always been “rostered” in the ELCA, which means they are, by definition, employees of the ELCA, not employees of the congregations or ministries they serve. Congregations “call” pastors to serve them, but they are on the roster of the ELCA. At one of the recent churchwide assemblies, the ELCA voted to include deacons on the roster of the church so that congregations might call them to specialized ministries. Deacons are considered “ministers of Word and Service.” As a point of information, one of the NIS Assistants to the Bishop, Deacon Cheryl Erdman, is rostered as a minister of Word and Service. Here is a summary of substantive changes to chapter 9:

- The name of the chapter was changed from “The Pastor” to “Rostered Minister”
- C9.21-C9.31 were added to outline the calling and responsibilities of a minister of Word and Service. Though this does not currently pertain to Immanuel, the task force felt it wise to include this language in the event, that at some point, in the future we find ourselves considering the call of a minister of Word and Service.
- C9.15 was added, which is a significant addition. This provision allows Immanuel to call a pastor from another church body to which the ELCA has a full communion agreement (i.e. United Methodist Church, Episcopal Church USA, Presbyterian Church, etc.).

Chapter 10 – Congregational Meeting – the main changes in this chapter involved moving specifics of the time (C10.01) and notice (C10.03) of the annual and congregational meetings to the Bylaws.

Chapter 11 – Officers – C11.01d was added to clarify that the officers are not elected at the annual meeting, but are elected by the Council from members of the Council, after the annual meeting.

Chapter 12 – Congregation Council – Very little change in this section. C12.13 is added to allow for electronic meetings.

Chapter 13 – Congregation Committees – In this chapter, the formation of a nominating committee (C13.02) and a mutual ministry committee (C13.04) now state “may” instead of “shall”, as we don’t currently have these committees. In addition, the specifics of the committees were moved to the Bylaws. C13.08 was also added, making the pastor and president *ex-officio* members of all organizations of the congregation (which means they have voice, but no vote).

Chapter 14 & 15 – No substantive changes.

Chapter 16 & 17 have been inverted so that the chapter on Amendments appears prior to the chapter on Bylaws. Otherwise, no substantive changes.

Chapter 18 & 19 – No substantive changes.

Chapter 20 - Parish Authorization – This entire chapter is an addition, which should have been added at the time a parish with First Lutheran was formed.

Specific Notes on the Bylaws

Chapter 10 – Congregation Meetings – This section offers the specific definitions regarding meetings of the congregation. We felt the greater flexibility to change these specifics dictated their presence in the Bylaws rather than the Constitution.

Chapter 11 – Officers – The duties of our congregational officers have been laid out according to current practices. Should these duties need to be expanded or amended, it can be done at any meeting of the congregation.

Chapter 12 – Congregation Council

- B12.01 – Besides putting the specifics in the Bylaws rather than the Constitution, this bylaw changes the size of the Council from nine to seven.
- B12.05 – This is a bylaw adopted at the 2016 annual meeting.

Chapter 13 – Congregation Committees – Specific definitions of the nominating committee and audit committee are given here. We chose not to include the specific definition of the mutual ministry committee as in the collective memory of the task force, no one could remember there ever being a mutual ministry committee. Pastor Schlesinger had one in a previous congregation and is familiar with what that congregation practiced. He said he is ok without one, but stated that it should remain in the Constitution if one ever needs to be created. He said that if a “first call” pastor or deacon is ever called to Immanuel, a Mutual Ministry Committee can be very helpful.

Chapter 20 – Parish Authorization – This is the bylaw that was passed in July of 2017, resulting in our becoming a part of the HOILP. It is the only place in these recommended Bylaws that references Continuing Resolutions. Should this proposed Constitution and these proposed Bylaws be adopted, then the Heart of Illinois Lutheran Parish Covenant will become CR20.01.