



# Governing Our Life Together

UPDATING YOUR CONGREGATION'S CONSTITUTION



Why is this  
important?

- HOW IS YOUR CONGREGATION “BEING” CHURCH?
- WHAT DO WE NEED TO ADDRESS?

# What will we cover today?

- WHAT IS IN THE CONSTITUTION
- THE REVIEW PROCESS
- BYLAWS AND CONTINUING RESOLUTIONS
- RESOURCES
- YOUR QUESTIONS

# What is in the constitution?

- ▶ Model Constitution for Congregations
  - ▶ Available in English & Spanish
  - ▶ Updated after each churchwide assembly (every 3 years)
  - ▶ <https://www.elca.org/en/About/Churchwide/Office-of-the-Secretary/Constitutions>

# What is in the constitution?

- ▶ Provisions, bylaws, continuing resolutions
  - ▶ **Provisions** are the main tenets of your constitution
    - ▶ Labeled with **2 sets of numbers** (chapter + provision): C1.01, C1.02
  - ▶ **Bylaws** deal with how ministry is structured *in your congregation*
    - ▶ Labeled with **3 sets of numbers**: C1.01.01, C9.15.08, etc.
  - ▶ **Continuing Resolutions** deal with more focused or flexible matters
    - ▶ Labeled with **letters and numbers**: C.10.01.A19, C14.02.B19, etc.

# What is in the constitution?

- ▶ Required provisions vs. recommended provisions
  - ▶ Required provisions are marked with an asterisk (\*)
  - ▶ Three categories
    - ▶ Unity of the church
      - ▶ Example: faith in the Triune God/trinity, faith in Jesus Christ, the Bible is the Word of God, our theology is expressed in Lutheran teachings, we are united with Lutherans worldwide, etc.
    - ▶ Responsibilities of the congregation
      - ▶ Example: congregations will preach and teach, baptize and confirm members, call pastors/deacons, etc.
    - ▶ Interdependent relationship of churchwide offices, synod office, congregation
      - ▶ Example: the congregation will take part in life of the synod and ELCA as a whole, consult the synodical bishop on certain matters, etc.

# What is in the constitution?

- ▶ Required provisions vs. recommended provisions
  - ▶ In required provisions, you can only make changes where you see these:
    - ▶ **A blank, \_\_\_\_\_** (example: C10.01: "...consistent with the laws of the State of \_\_\_\_")
      - ▶ In these cases, fill in the blank
    - ▶ **A bracket [ ]** (example: C11.02: "the officers shall be elected by the [congregation] [Congregation Council] by written ballot and shall serve for one year.")
      - ▶ In these cases, choose one
  - ▶ Otherwise, leave the wording as it is.
  - ▶ Note: you can add bylaws to required provisions if needed

# What is in the constitution?

- ▶ Recommended provisions
  - ▶ Here, you have much more freedom to write what suits your context best
    - ▶ The Model Constitution has some standard committees; yours may be different
  - ▶ Two caveats:
    - ▶ Cannot be **internally inconsistent**
      - ▶ You cannot give your pastor voice and vote in a provision, and then take it away in a bylaw
      - ▶ The CRC will look for these inconsistencies during their review
    - ▶ Because most congregations are **nonprofits**, your governing documents must be in alignment with the state law.
      - ▶ For example: you must have a board of directors (i.e., a council) and all duly elected members get voice and vote.
      - ▶ This is mostly common sense, but we can help if you have questions!



# Revising your constitution

- REVISIONS FOLLOWING A CHURCHWIDE ASSEMBLY
- OTHER REVISIONS
- TIMELINE

“

This constitution may be amended to bring any section into conformity with a section or sections, either required or not **required...as most recently amended by the Churchwide Assembly...**

”

MODEL CONSTITUTION FOR CONGREGATIONS, \*C16.04

- CWA convenes every 3 years
- New Model Constitution available on ELCA website within a month

## 2019 Amendments

- ▶ Formatting and phrasing
- ▶ Refining existing provisions (see chapter 6)
- ▶ Model language for cultural/social changes
- ▶ Structural changes reflecting motions adopted at the CWA
  - ▶ Deacons (Ministers of Word and Service)

*If you are changing nothing else, the synod does not need to review this revision!*

## Other revisions

See \*C16.01, \*C16.02 and \*C16.03 for the outline of this process

- ▶ Our synod's process:
  - ▶ New Draft
  - ▶ CRC review
  - ▶ Finalize draft & vote (\*C16.01, 16.02.a)
  - ▶ Synodical bishop review (\*C16.03)
  - ▶ Consider suggested revisions
  - ▶ Re-vote OR ratify (\*C16.02.b)

“

Each congregation shall provide a copy of its governing documents to the synod. All proposed changes in the constitution shall be referred to the synod with which the congregation is affiliated. The synod shall notify the congregation of its decision to approve or disprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.

**The synod shall recognize that congregations may organize themselves in a manner which they deem most appropriate.**

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ELCA CONSTITUTION 9.53.03

- Work with the CRC to ensure that required provisions are in good order, and there are no internal inconsistencies
- This will make it far more likely that you will move to the ratification vote seamlessly from the bishop's review!

How long will  
this take?

- CREATE DRAFT
- CRC REVIEW (1-2 WEEKS)
- REVISIONS
- VOTE (60 DAYS NOTICE)
- SYNOD REVIEW (APPROX. 1 MONTH)
- RATIFICATION (ANNUAL MEETING)

AVERAGE: 6 MONTHS

# Bylaws & Continuing Resolutions

- INCORPORATING BYLAWS AND CRS
- WHAT BELONGS?
- WHAT DOESN'T?

# Bylaws

- ▶ **Bylaws** deal with how ministry is structured *in your congregation*
  - ▶ Labeled with **3 sets of numbers**: C1.01.01, C9.15.08, etc.
- ▶ Well-established ministries and structures are good bylaws
  - ▶ Your congregation council (chapter 10)
    - ▶ How many people? Who are the officers? How are they elected/appointed? When do their terms start/end? How do you fill a vacancy?
    - ▶ Other permanent committees, details about annual meeting, etc.
- ▶ Do not include a comprehensive list of a committee's duties
- ▶ Second most difficult to change—requires 2 congregational votes (\*C17.02)



# Continuing Resolutions

- ▶ **Continuing Resolutions** deal with more focused or flexible matters
  - ▶ Labeled with **letters and numbers**: C.10.01.A19, C14.02.B19, etc.
- ▶ Ongoing matters, like a new committee, goals for the congregation around representation in leadership, etc.
- ▶ Do not overuse for administrative matters (like office policies)
- ▶ Synod Constitution has CRs for things like: how we handle donations (cash or in-kind), additional responsibilities of the bishop not outlined in the provisions and bylaws.
- ▶ Easiest to amend—requires a single vote of congregation *OR* *council* to adopt or amend

What doesn't  
belong in your  
governing  
documents?

- ▶ Council meeting agendas
- ▶ Mission and vision statements, esp. for each committee
- ▶ Social media or communications policies
- ▶ Archiving policies
- ▶ Membership definitions
- ▶ Etc.

You can create *other documents* to keep on file with your governing documents that outline all of these things.

# Resources

## Synod website ([www.spas-elca.org](http://www.spas-elca.org))

- ▶ Resources → for Congregations → **Constitution Review Process**
- ▶ Outline of our process
- ▶ Who serves on the CRC
- ▶ FAQs
- ▶ Contact information

## Office of the Secretary ([www.elca.org](http://www.elca.org))

- ▶ *Model Constitution for Congregations*
- ▶ Other supporting documents
- ▶ *Guide to the Use of the Model Constitution*



# Your Questions