

**BYLAWS**  
**FOR THE**  
**AMERICAN EVANGELICAL LUTHERAN CHURCH OF PRESCOTT, ARIZONA**

**Contents**

<b>CHAPTER 1</b>	<b>NAME AND PURPOSE</b>
<b>CHAPTER 2</b>	<b>MEMBERSHIP</b>
<b>CHAPTER 3</b>	<b>DISCIPLINE</b>
<b>CHAPTER 4</b>	<b>CONGREGATIONAL MEETINGS</b>
<b>CHAPTER 5</b>	<b>THE CHURCH COUNCIL</b>
<b>CHAPTER 6</b>	<b>EXECUTIVE COMMITTEE</b>
<b>CHAPTER 7</b>	<b>CHURCH COUNCIL BOARDS</b>
<b>CHAPTER 8</b>	<b>OTHER BOARDS AND COMMITTEES</b>
<b>CHAPTER 9</b>	<b>CONFLICTING LOYALTIES</b>
<b>CHAPTER 10</b>	<b>THE PASTOR</b>
<b>CHAPTER 11</b>	<b>PARISH RECORDS</b>

## **CHAPTER 1 – NAME AND PURPOSE**

- B1.01** The name of this organization is American Evangelical Lutheran Church (AELC), a non-profit organization and Body of Christ organized under the laws of the State of Arizona and subject to the Arizona Revised Statutes.
- B1.02** The Church is organized exclusively for one or more of the purposes as specified in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under Section 501(c)(3) of the Code.
- B1.03** The financial year of the Church shall begin January 1 and end December 31 of each year.

## **CHAPTER 2 – MEMBERSHIP**

- B2.01** 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 proper transfer from other Lutheran congregations or by affirmation of faith.
- B2.02** 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.
- B2.03** Voting Members shall be those who are members in good standing, and are at least 18 years of age. The term “in good standing” shall be defined to include:
- a. Those who partake of Holy Communion;
  - b. Those who contribute to the Congregational treasury according to the Congregation’s record; and
  - c. Those who participate in the life and worship of the Congregation.
- B2.04** A baptized, confessing Christian may become an Associate Member by signing and returning the “Associate Membership Form.”
- a. An Associate Member may not vote in any official church meeting nor hold an elected office, nor be included in the official membership roll of the congregation, but would enjoy all the other privileges and responsibilities affiliated with membership at American Evangelical Lutheran Church.
  - b. The Board of Deacons will review the Associate Membership list annually, with the help of the Senior Pastor.
- B2.05** At the request of the member or the receiving church, the Congregation shall provide a Letter of Transfer to anyone leaving our membership.

A confirmed member who does not, for a period of one year, partake of Holy Communion, support the church with his offerings, and does not appear to desire to participate in the life and worship of the Congregation, shall be removed from the membership roster.

### **CHAPTER 3 – DISCIPLINE**

**B3.01** Denial of the Christian faith as described in this Constitution and Bylaws, conduct grossly unbecoming a member of the Church Of Christ, or persistent trouble-making in this congregation are sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation will be attempted following Matthew 18:15-18, proceeding through these successive steps.

- a. Private admonition by the pastor(s),
- b. Admonition by the pastor(s) in the presence of two or three witnesses, and
- c. The member may be requested to appear before the Church Council.

**B3.02** Discipline shall be administered by the Church Council on behalf of the congregation, with the right of appeal to the congregation. Discipline in the congregation shall be exercised in accordance with Matthew 18:15-18.

**B3.03** A person who is requested to appear before the Church Council for possible discipline shall be advised in writing no less than ten days prior to the hearing. The written notice shall include the time and place of the hearing and shall specify the exact reason for the possible discipline. If a person fails to appear at the time and place without valid excuse, the Church Council may proceed with the hearing and may reach its conclusion in his/her absence.

**B3.04** Should the person be found in need of discipline by a two-thirds vote of the members of the Church Council, the Council shall impose one of the following:

- a. Censure before the Church Council or the congregation.
- b. Suspension from membership until proof is given of sufficient repentance and amendment.
- c. Exclusion from membership and denial of the Sacraments.
- d. In the event of the imposition of (b) or (c) above, the action of the Church Council shall be delivered to the member in writing.

**B3.05** The discipline described here is in accordance with the AELC document labeled Policy For Corrective Discipline.

### **CHAPTER 4 – CONGREGATIONAL MEETINGS**

**B4.01** Time and place of the annual meeting of the Congregation shall be announced:

- a. In two public services one week apart immediately preceding the meeting;
- b. In publications periodically issued by the Church;
- c. By written notice to the voting members not less than ten days in advance of the meeting.

**B4.02** The annual meeting shall be held the last Sunday of January each year. The annual meetings Order of Business is:

- a. Opening Devotion
- b. Appointment of a parliamentarian where it is announced that Roberts Rules of Order will govern the meeting
- c. Approval of previous meeting minutes
- d. Reports of the Senior Pastor, the Church Council, the President, the Treasurer, Committees and others
- e. Elections
- f. Unfinished business
- g. New Business
- h. Approval of budget
- i. Closing Prayer

**B4.03** In the following cases, voting shall be by ballot:

- a. To adopt or amend the Constitution, Articles of Incorporation or Bylaws of the Congregation;
- b. To Call a Pastor or to request his/her resignation;
- c. To exclude a member from the Congregation or remove a member from office in the Congregation;
- d. To dispose of, encumber or purchase real property;
- e. When requested by 10 percent or more voting members present; and
- f. In all matters not specifically provided for herein, procedure shall be according to the most recent edition of Robert's Rules of Order.

**B4.04** The current rosters of voting, confirmed, and baptized members shall be available at each meeting of the congregation.

**B4.05** The annual meeting of the congregation shall elect a Nominating Committee of five members. The Senior Pastor shall serve as convener and as an advisory member. The term of office of the members of the nominating committee shall be one year.

- a. The nominating committee shall nominate one or more candidates for each office to be filled, and shall secure the consent of each candidate.
- b. The list of nominees shall be announced to the congregation in conjunction with the announcements of the meeting of the congregation at which the elections are to take place.
- c. The Church Council shall fill vacancies on the nominating committee.
- d. In addition to the candidates submitted by the nominating committee, additional nominations may be made from the floor.
- e. Voting members of this congregation, not less than twenty one (21) years of age, shall be eligible to be elected to the Church Council.

## CHAPTER 5 – THE CHURCH COUNCIL

**B5.01** The Church Council will be the governing body of the church. The Church Council will consist of the following:

- a. Executive Committee (five members).
- b. Board of Deacons (three members).
- c. Board of Education (three members).
- d. Board of Trustees (three members).
- e. Pastoral Staff (advisory members-- Leadership Team).

The Senior Pastor shall be directly responsible to the Church Council and shall be an advisory member of the Church Council and its various committees. Associate Pastors and other staff so designated by the Senior Pastor will serve as the Leadership Team. The Leadership Team shall provide monthly status reports to the Council on the activities of the areas of their responsibility.

The Executive Committee and the individual Boards are encouraged and empowered to establish secondary committees to serve as support and to accomplish tasks and goals necessary for the worship and life of the Congregation.

**B5.02** The duties of the Church Council shall be to:

- a. Hire and terminate appointed employees of the Congregation and shall fix their salaries in conformance with the current Human Resources Policies & Procedures Manual.
- b. Operate within the limits of the approved budget of the Congregation. Any excess expenditures of the total voted budget must be approved by a two-thirds vote of the Council or unanimous vote of the Executive Committee;
- c. Have general oversight of the life, worship and work of the Congregation, to coordinate the activities of the boards and committees of the Congregation;
- d. Determine the rosters of the baptized, the confirmed and the voting members of the Congregation; this task may be delegated to the church staff.
- e. Shall provide periodic review of the Constitution and Bylaws; and
- f. Perform other such duties and responsibilities as are provided in the Constitution and these Bylaws.
- g. All legal documents shall be signed by the President and the Secretary.

**B5.03** Qualification for membership on the Church Council shall include membership in the Congregation for at least one year prior to the date of election and regular attendance at worship services and communion.

- a. Vacancies on the Church Council occur as a result of a death, resignation or removal of a Council Member. Openings on the Council also occur when the Congregation fails to elect the authorized number of Council Members. They can be elected at any annual, regular or special meeting of the Council. Further, the Council is permitted to declare the office of a Council Member vacant when a person is found to be incompetent; is

convicted of a crime involving moral turpitude, or does not accept the office of Council Member.

- b. Removal, etc. is to be handled in writing or by attending a meeting of the Council within thirty (30) days notice of the election.
- c. Any vacancy occurring and any Council position to be filled as a result of an increase in the number of Council Members shall be filled by the Council. A vacancy is filled by the affirmative vote of a majority of the remaining Council Members even if it is less than a quorum of the Council, or is a sole remaining Council member.
- d. A Council member elected to fill a vacancy shall be elected for the unexpired term of the predecessor in office. Vacancies reducing the number of Council Members to less than three (3) shall be filled before the transaction of any other business.
- e. No spouse, parent, child or sibling of a full time employee of American Evangelical Lutheran Church shall be elected as an officer or Board member.
- f. No spouse, parent, child or sibling of a Council member shall become a member of the Church Council at the same time.

**B5.04** Meetings of the Church Council shall normally be held on the last Thursday of each month or as determined by the council.

- a. Insofar as is possible, the date, time and place of the monthly meeting shall be published in the newsletter and website of the Church in January of each year. In the event that this day falls on a Holy day, the Council shall reschedule the affected meeting and post the information in the church bulletin and on the website.
- b. Special meetings of the Church Council may be called by notice given at all regular Sunday worship services on the Sunday preceding the meeting, or a written notice delivered to each member of the Church Council 72 hours prior to the time of the meeting. E-mail notice will be considered a sufficient means of notification. Special meetings may be called by the President of the Council, the Senior Pastor or three members of the Council.
- c. The President of the Council shall contact any member with three consecutive unexcused absences from regular monthly meetings. If another meeting is missed, the Council may on two-thirds vote of the Council terminate the person's membership on the Council. The vacancy will be filled pursuant to Paragraph B5.03d. above.

## **CHAPTER 6 – EXECUTIVE COMMITTEE**

**B6.01** The Executive Committee shall consist of the President, Vice President, Secretary, Treasurer, and Financial Secretary. A subcommittee for volunteer ministry may be included.

- a. When necessary to Call a Pastor, the Executive Committee will select and charter a Search or Call Committee.

**B6.02** Officers shall be elected for a term of one year. Officers may succeed themselves twice. The duties of the officers of the Congregation shall be as follows:

- a. President – shall conduct the meetings of the Council, provide leadership for the Council in their work, worship, and service and provide consultation with the Pastoral staff in regards to matters of the Congregation. The President shall also make assignments for projects as needed.
- b. Vice President – In the absence of the President, shall conduct the meetings of the Council and assist in matters of the Congregation as assigned by the President.
- c. Secretary – shall be responsible for the minutes and records of the Congregation at all Council meetings and Congregational meetings.
- d. Treasurer – In cooperation with Church staff, the Treasurer shall be responsible for the financial records and reports to the Council and the Congregation; to administer all fundraising activities necessary to achieve the mission of the Church; to recommend to the Church Council the budget based on the requests submitted by all of the committees; to monitor disbursement of the funds of the Congregation; to monitor adherence to budget restrictions and to recommend to the Church Council whatever disbursement reductions may be necessary in the event sufficient funds are not available to meet the budget. The Treasurer shall present a report to the annual meeting of the Congregation on the financial affairs for the past year and a report of the financial affairs of each Committee and Board.
- e. Financial Secretary – In cooperation with Church staff, shall provide financial reports on giving by the Congregation to the Church; provide additional assistance to the Treasurer in the performance of his duties.

## CHAPTER 7 – CHURCH COUNCIL BOARDS

**B7.01** The Boards of Deacons, Trustees, and Education shall each consist of three members elected at the annual meeting of the congregation, each for a term of three years.

- a. One-third of the members of each Board shall be elected at each annual meeting of the Congregation.
- b. Each board shall elect from its own membership a chairman and a secretary.
- c. Each board shall conduct regular meetings once each month or at such time and place as the board may determine.
- d. Each member shall regularly attend Church Council meetings.
- e. No member of the Board shall be eligible to succeed himself more than once.
- f. The Senior Pastor shall be an advisory member by virtue of his office, but without vote.

**B7.02** In addition to the duties and responsibilities provided in the Constitution and elsewhere in the Bylaws, the **Board of Deacons** shall;

- a. Include the Minister of Parish Life as an advisory member.
- b. Consider, oversee, and approve all matters relating to the spiritual life of the congregation that do not require action by the Church Council. These matters include, but are not limited to the following:
  - 1. Consider and approve appropriate use and scheduling of church facilities by both members and nonmembers for events beyond our daily parish life of worship and education, excluding weddings and funerals. Included are dinners, potlucks,

simulcasts, concerts, movies, presentations, and marketing events. All requests submitted to the Board of Deacons shall include any known or estimated costs to the church and an accounting shall be given to the Board of Deacons of all monies collected from Board approved events involving facility use fees or ticket sales.

2. The Board of Deacons shall obtain from the Minister of Parish Life any established facility use fees. All event planning will be coordinated with the Minister of Parish Life.
3. Consider and approve all requests for financial outreach of the congregation, such as requests for donations, fund raising, and dispensation of the fifth Sunday special offering.
4. Annually review existing ministry charters and approve the establishment of new ministries.
5. Support the pastor(s) in helping guide the spiritual life of the congregation.
6. The Board of Deacons will review the Associate Membership list annually, with the help of the Senior Pastor.

**B7.03** In addition to the duties and responsibilities provided in the Constitution and elsewhere in the Bylaws, the **Board of Trustees** shall;

- a. Receive reports regularly from the treasurer to ascertain that expenditures are within the budget approved by the congregation. Any expenditure in excess of the total approved budget must be approved by the congregation.
- b. Prepare a budget for review by the Church Council which shall make a recommendation for submission to the annual meeting of the congregation.
- c. Assure that the treasurer and others who have access to the funds of the congregation are adequately bonded.
- d. Appoint annually an auditing committee of a minimum of three members which shall audit the fiscal records of the congregation and report its findings in writing to the annual congregational meeting. Such audits shall include examination of existing insurance coverage. Recommendations can be made to the church council concerning adequacy of insurance coverage. No spouse, parent, or child of a full time employee of AELC or a member of the Church Council shall be appointed to this auditing committee.
- e. Be responsible for the upkeep and maintenance of church buildings and premises of the congregation.
- f. Periodically update prices for use of the church facilities according to the form Facilities Usage and Church Calendar Request. Coordinate this update with the Minister of Parish Life and the Board of Deacons.
- g. Report its activities at the annual meeting of the congregation and at such other times as the congregation may request.

**B7.04** In addition to the duties and responsibilities provided in the Constitution and elsewhere in the Bylaws, the **Board of Education** shall;

- a. Develop an effective teaching ministry which includes the training of teachers and leaders, and provide opportunity for study by every member of the congregation through its teaching agencies.

- b. Nominate candidates for the position of Christian Education Director to the Church Council.
- c. Report its activities to the annual meeting of the congregation and at such other times as the congregation may decide.

## CHAPTER 8 - OTHER BOARDS AND COMMITTEES

**B8.01** A partial list of standing committees is as follows. Each of these committees or boards shall have its own charter or bylaws, and be responsible to the Church Council, either directly or through Church Staff.

- a. **Human Resources Committee.** This committee shall develop and maintain a Human Resources guide which will be used to define and regulate the employment of the Church staff personnel. It will be responsible to the Minister of Parish Life.
- b. **Endowment Fund Foundation Board.** This board of five members will manage the AELC Endowment Fund, which is a separate fund of contributions, gifts, bequests, and donations directed to the AELC Endowment Fund. It will be responsible to the Board of Trustees.
- c. **Pre- School Advisory Board.** This Board will take responsibility for overseeing the day to day operations of the AELC Pre-School. It will be responsible to the Board of Education.
- d. **Benevolence Committee.** This committee will monitor the giving of AELC to charities both inside and outside the Church. It will be responsible to the Board of Trustees.
- e. **Memorial Gifts Committee.** This committee will recommend the disbursement of undesignated memorial gifts and donations made to AELC. It will be responsible to the Board of Trustees.
- f. **Finance Committee (Audit).** This committee will provide the auditing function provided for in B7.03d above. It will be responsible to the Board of Trustees.
- g. **Restoration Committee.** This committee will oversee the disciplinary process as provided for in these Bylaws. Members should be familiar with the document Policy For Corrective Discipline. It will be responsible to the Executive Committee.
- h. **Columbarium Committee.** This committee will be responsible for the operation and maintenance of the Crossroads Outdoor Chapel and Columbarium, and for the funding and maintenance of the Perpetual Care Trust Fund to be used for the care and upkeep of the Crossroads Outdoor Chapel and Columbarium grounds. It will be responsible to the Board of Trustees.

**B8.02** Other committees, Boards, or Organizational Groups may exist as established by the Church Staff, Church Council, or by Ministry Charter.

## CHAPTER 9 – CONFLICTING LOYALTIES

**B9.01** While the buildings of the congregation shall be open to all people to share in its worship, instruction, pastoral care, and fellowship, the congregation rejects all fellowship with organizations, secret or open, which are avowedly religious or which practice forms of religion without confessing faith in the Triune God and in Jesus Christ as the eternal Son of God incarnate to be our only Savior from sin, and which thus teach salvation by works.

**B9.02** Ceremonies of lodges or other such organizations shall not be permitted in the buildings or premises of the congregation; nor shall its pastor(s) or lay assistant(s) take part in any such ceremonies wherever they are conducted.

## **Chapter 10 – THE PASTOR**

**B10.01** When the Congregation has voted to Call a Pastor, it shall issue a Letter of Call to the Pastor-elect. It shall be signed by the President and the Secretary of the Council at which the Call was voted.

- a. A Call to a Clergy to be an Associate Pastor will be issued only with the concurrence of the Senior Pastor of the Congregation. 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.
- b. The Call will normally be for an indefinite time. A Call issued to an Associate Pastor may be for a definite time.
- c. Duties of the Pastor shall include but not be limited to: preach the Word properly, distinguishing between law and gospel; administer the Sacraments; conduct public worship; provide pastoral care; preside at confirmations, marriages and funeral services; oversee all schools and organizations of this Congregation; install regularly elected members of the Church Council; administer discipline together with the Church Council; seek out and encourage qualified persons to prepare for the ministry of the Gospel; strive to extend the Kingdom of God in the community, in the nation and abroad; impart knowledge of this Church and its wider ministry through distribution of its periodicals and other publications; endeavor to increase the Congregation's sense of partnership in the broader work of the Kingdom of God; and equip the saints for ministry, helping each to identify gifts for ministry both within and beyond the Congregation, training and support every member in their ministries and encouraging gifted and trained members to use their gifts in ministry, including each of the areas mentioned above.
- d. Ministerial Records – the Senior Pastor shall be responsible for keeping accurate records of membership and of ministerial acts on forms provided by the Congregation which shall remain property of the Congregation. The Senior Pastor shall report these statistics to the Congregation annually and to the Lutheran Congregations in Mission for Christ as required. Upon leaving the Congregation, the Senior Pastor shall complete the records of all ministerial acts up to the time of departure.

**B10.02** If a Pastor receives a Call to another ministry, the pastor is to consult the Church Council, or if the pastor desires, the Congregation, before reaching a decision. The pastor should announce his/her decision as quickly as possible. If the Call is accepted, the Pastor should terminate his/her ministry as soon as feasible. The Call of a congregation, when accepted by a Pastor, shall normally constitute a continuing mutual relationship and commitment which, except in the death of the Pastor, shall be terminated only following consultation among the Council and committees and for the following reasons:

- a. Mutual agreement to terminate the Call or the completion of a Call for a specific term;
- b. Resignation of the Pastor;

- c. Inability to conduct pastoral office effectively in the Congregation in view of local conditions, without reflection on the competence or the moral and spiritual character of the pastor;
- d. The physical or mental incapacity, or incompetence of the pastor;
- e. Disqualification of the pastor through discipline on grounds of doctrine, morality, or continued neglect of duty;
- f. Following the Council's decision to seek Termination of Call, the Pastor in question will take administrative leave with pay until the Congregational meeting;
- g. The dissolution of the Congregation.

**B10.03** A specially called meeting will meet all specified requirements for Congregational voting meetings. A resolution requesting a pastor's resignation must be adopted by a two-thirds majority ballot vote of those present and voting, representing a quorum of the membership. No less than 10 days notice of such a meeting of a Congregation will be given. In the event of a termination hearing, the Pastor will be placed on paid administrative leave pending the outcome of the hearing.

## **CHAPTER 11 – PARISH RECORDS**

**B11.01** The records of the congregation shall be and remain the property of the congregation. The Senior pastor shall be responsible for the maintenance of the records, except as otherwise provided herein. Upon the termination of his service to the congregation, he shall have brought the records up to date prior to his departure. The records shall consist of:

- a. The roster of baptized, confirmed, and voting members.
- b. The ministerial acts performed by the Senior pastor.
- c. The minutes of the meetings of the congregation and the Church Council, for which the secretary of the congregation shall be responsible.
- d. The financial records of the congregation, for which the treasurer of the congregation shall be responsible.

**B11.02** The Senior pastor shall report to the secretary of the Lutheran Congregations in Mission for Christ such statistics as may be requested and shall annually report to the congregation a summary of his ministerial acts.

**B11.03** Should the congregation cease to do business and be dissolved, all property and funds remaining after the payment of the debts of the congregation shall be distributed to the Lutheran Congregations in Mission for Christ (or its successor) or a corporation, trust, foundation, or other organization organized and existing for religious and/or charitable purposes which would then qualify under the provisions of Section 501(c) (3) of the Internal Revenue Code, as now enacted or as may hereafter be amended.