

St. Paul's Evangelical Lutheran Church  
Constitution and By-Laws

ARTICLE 1 - INTRODUCTION AND MISSION

Whereas the Word of God demands that a Christian Congregation not only conform to the Word of God in doctrine and practice (Psalm 119: 105; Galatians 1: 6-8; 2 Timothy 4: 1-5); but that also all things be done decently and in order (1 Corinthians 14:40), therefore we, the members of St. Paul's Lutheran Church of Ogallala, Nebraska, set forth by this document, signed by ourselves, the Constitution and By-Laws, in accordance with which our congregational affairs, spiritual and material, shall be conducted.

The purpose of this congregation shall be to give honor and glory to God, to carry out His will, to assist in preaching the Gospel of Jesus Christ to all the world, to manifest the unity of our faith in Jesus Christ as God and Savior, to foster Christian fellowship and love, to extend a helping hand in human need, and to achieve our objectives by the preaching of the Word of God, by the administration of the Sacraments, and by the religious instruction of all its members according to the confessional standard of the Evangelical Lutheran Church.

ARTICLE II - NAME

The name of this congregation shall be: St. Paul's Evangelical Lutheran Church of Ogallala, Nebraska.

ARTICLE III - CONFESSION OF FAITH

This congregation accepts and acknowledges all the Canonical Books of the Old and New Testaments as the inspired Word of God, and all the Symbolical Books of the Evangelical Lutheran Church, contained in the Book of Concord, as a true and sound exhibition of Christian doctrine, taken from and in full agreement with the Holy Scriptures, and in this congregation nothing shall be taught, or tolerated which is at variance with these symbols of the Evangelical Lutheran Church, including:

1. The three Ecumenical Creeds (the Apostolic, the Nicene and the Athanasian Creed.)
2. The Unaltered Augsburg Confession
3. The Apology of the Augsburg Confessional
4. The Smalcald Articles
5. Luther's Small Catechism
6. Luther's Large Catechism
7. The Formula of Concord

According to this norm of doctrine, all doctrinal controversies which may arise in this congregation shall be decided and adjudicated.

ARTICLE IV - MEMBERSHIP

The membership of this congregation includes the following:

Section 1 - BAPTIZED members are all who have been baptized in the name of the Triune God and who are under the spiritual care of the pastor of this congregation, including the children who have not yet been confirmed.

Section 2 - COMMUNICANT members are those baptized members who have been confirmed in the Lutheran faith, accept the confessional standard of ARTICLE III of this constitution, are familiar at least with the contents of Luther's Small Catechism, and are not members of organizations whose principles and conduct conflict with the Word of God.

#### ARTICLE V - DUTIES OF MEMBERS

It shall be the duty of every member of this congregation to contribute according to his ability towards the maintenance of the church and school and, in general, to assist in bearing the burdens of the congregation. It shall be the duty of such members of this congregation as have the parental care of unconfirmed children incumbent upon them, to commit such children to the Christian Day School of the congregation, or otherwise to provide for their proper training in pure Christian doctrine. It shall be the duty of all members and guests to register before attending Holy Communion.

#### ARTICLE VI - ELIGIBILITY TO VOTE AND HOLD OFFICE

All members of the congregation that are eighteen (18) years of age shall be entitled to vote and eligible to hold office. Membership on the Board of Elders, Chairman, Vice-Chairman of the congregation and members directly involved with the administration of the "Office of the Keys" shall be male voting members.

#### ARTICLE VII - MEETINGS AND RESOLUTIONS

It shall be the duty of every voting member to regularly attend the business meetings of the congregation and by failing to attend, a member waives the right of casting a vote during such meeting. When a meeting has been announced at least 10 days in advance, such a meeting shall be capable of transacting business and passing valid resolutions. Matters shall be disposed of by the vote of the majority of the voting members at a meeting properly conducted.

#### ARTICLE VIII - POWERS AND RIGHTS OF CONGREGATION

The congregation as a body shall have the supreme power in the external and internal administration and management of its own ecclesiastical and congregational affairs. No decision, enactment or performance, in behalf of the congregation, or with reference to a member thereof as such, shall be valid, whether it have preceded from an individual, or from a body within the congregation, unless it shall have been enacted, or performed, according to a general or special power, conferred by the congregation, and whatever may have been ordered, or decided, by individuals, or minor bodies within the congregation, shall always be subject to revision and final decision by the congregation. But not even the congregation shall be empowered to order, enact, or decide, anything contrary to the Word of God and the symbols of the Lutheran Church, and any such ordinance, enactment, or decision, shall be null and void.

The right of choosing and calling ministers and school teachers, and of electing all other officers of the congregation, shall be vested in the congregation, and shall never be delegated to an individual, or to a minor body or circle within the congregation.

#### ARTICLE IX - OFFICE OF PASTOR AND TEACHER

Section 1 - The office of pastor or teacher in this congregation shall be conferred upon such ministers, or candidates of the ministry, teachers, or candidates of the teaching profession, only as profess their acceptance and adherence to all the Canonical Books of the Old and New

Testaments as the inspired Word of God, and all the Symbolical Books of the Lutheran Church, enumerated in Article III, as derived from such Word of God and the Symbolical Books of the Lutheran Church, by the call extended to and accepted by them.

Section 2 - In the public service of this congregation Christian hymns, and in all ministerial acts purely Lutheran forms shall be used. Thus also in the Christian Day school, besides the Holy Scriptures and Luther's Small Catechism, such books only as are purely Lutheran shall be introduced for instruction in Christian doctrine.

Section 3 - The Pastor will serve as an ex-officio member of all Boards and Committees.

#### ARTICLE X - CHURCH DISCIPLINE

All church discipline is to be executed according to Matthew 18: 15-20. When a member of this congregation after fruitless admonition in the various grades prescribed by the Word of God (Matthew 18: 15-20), where the observance of such grades has been possible, shall have been expelled by a 2/3rd's majority vote of the congregation. Such excommunicated person shall have forfeited all rights of a member of this congregation, and all claims upon the property of the congregation as such, or upon any part thereof. The same also holds good with reference to such members as may have refused to submit to church discipline, and thus have excommunicated themselves, as also by those who may sever their connection with the congregation by removal to another place.

#### ARTICLE IX - OFFICERS OF THE CONGREGATION

Section A - All officers of the congregation shall have no authority beyond that which has been conferred upon them by the congregation; and whatever power may have been delegated to them, shall be at all times liable to change, or revision, by the congregation.

Section B - All officers of the congregation may in Christian and lawful order be removed from office. Sufficient and urgent causes for deposing a pastor or school teacher are: persistent adherence to false doctrine, scandalous life, and willful neglect of official duties.

Section C - All officers shall be elected from its eligible membership, as identified in Article VI of this Constitution.

Section D - The congregation shall elect from its eligible membership:

1. A minimum of seven elders who shall assist the pastor and the teachers in preserving Christian discipline and order in church and school.
2. A minimum of five members of the Board of Education who shall assist the principal and teachers in preserving Christian discipline and order in the school.
3. A minimum of three trustees who shall administer the property of the congregation in compliance with the rules of the congregation, and the laws of the state.
4. A minimum of three parish education members shall be responsible for areas of parish education.
5. A chairman, a vice-chairman, a secretary, a financial secretary, a finance board of a minimum of three members, a treasurer, and other officers as the congregation may deem necessary.

6. The time limit of holding office, the mode of electing the officers, and any further rules pertaining to them, shall be stated in the By-Laws of this Constitution.
7. No officer shall hold more than one office at one and the same time.
8. Each board shall elect its own chairman and secretary.

#### ARTICLE XII - THE CHURCH COUNCIL

1. Shall consist of the Chairman and Vice-Chairman of the congregation, the Chairman and Vice-chairman of the Board of Elders, the chairman of the Board of Education, the chairman of the Board of Parish Education and Trustees, the Secretary, the Financial Secretary and the Treasurer. The Pastor is an ex-officio member of the Church Council.
2. The Church Council shall meet monthly or before each regular congregational meeting, and for special meetings as called by the Chairman or Pastor.
3. The Chairman shall prepare a written agenda for the congregational meetings.
4. The Church Council shall have authority to transact business between congregational meetings.
5. The Church Council shall be responsible for preparing the annual budget, subject to approval by the Board of Elders, and then submitting it to the congregation for approval. Lacking approval, the budget will be returned to the Council for revision.
6. The Church Council shall have the authority to appoint voting members in good standing to fill vacancies of all elected offices other than chairman, vice-chairman and treasurer. These appointments shall not exceed the unexpired terms and shall be voted on at the next congregational meeting.

#### ARTICLE XIV- CONSTITUTION REVISIONS

Of this Constitution, Articles III, IV, V, VIII, IX, X, XIII, and XIV shall be unalterable and irrevocable. To alter or repeal any alterable or repealable Article of this Constitution, it shall be requisite that such contemplated action be announced by public reading of the proposed changes at two separate congregational meetings, and when voted upon, two-thirds of all voting members present cast their votes in favor of such alteration or repeal to be valid.

#### BY - LAWS

#### ARTICLE I - INTRODUCTION

Since according to 1 Corinthians 14: 40 everything should be done decently and in order, we the undersigned, lay down the following rules and regulations, according to which the congregation is to be governed.

#### ARTICLE II - CALLING OF PASTORS AND TEACHERS

When a pastor, principal, or teacher is to be called, every member of the congregation shall have the privilege of making one or more nominations. The congregation shall also ask the President of the Synodical District for recommendations.

In the case of a pastoral call the Board of Elders shall serve as the screening committee, and in case of the calling of a principal or teacher, the Board of Education shall perform that function. In the screening process, the respective board shall submit all names to the District

President for information and evaluation. After receiving the information and recommendations from the District President, the respective Board shall present to the congregation, by means of a public announcement, at least three preferred candidates, together with a biographical sketch of each.

At a congregational meeting called for the purpose of electing a new pastor, principal or teacher, the preferred list may be amended by means of a two-thirds vote of those present. At that point the congregation shall be asked to agree to be satisfied with whatever selection is finally made by the congregation.

Balloting shall proceed by means of a secret ballot vote. A majority is needed in order to determine the disposition of the call.

### ARTICLE III - MEETINGS OF THE CONGREGATION

Section 1 - The annual meeting of the congregation shall be in January. Other regular meetings shall be in April and in October. All regular meetings shall be announced on the preceding Sunday in addition to the required 10 days notice.

Section 2 - Special meetings may be called by the chairman, the pastor or the church council, and shall be announced a minimum of ten (10) not more than fifty (50) days prior to the meeting by published notice, or by notifying each voting member by mail.

Section 3 - Individual members shall submit to the resolutions of the majority.

### ARTICLE IV - DUTIES OF OFFICERS AND BOARDS

Section 1 - The BOARD OF ELDERS shall:

A. Pray for, encourage, and be concerned about the spiritual, emotional, and physical health and welfare of the Pastor and his family.

B. Counsel with the Pastor so that the Word of God is preached in truth and purity, the Holy Sacraments are administered in accordance with Christ's institution, and Lutheran doctrine and practices are preserved in the congregation.

C. Assist the Pastor in counseling with difficult cases and in finding peaceful and God-pleasing solutions to spiritual problems within the congregation.

D. Encourage spiritual growth in the congregation through regular church attendance, study of the Word, frequent reception of the Lord's Supper, a more active prayer life, and increased involvement in the mission of the church.

E. Direct and supervise the visitation of all members and make every effort to enlist them in the work of the church.

F. Determine eligibility for membership of all individuals and families applying for membership in the congregation, according to Article IV of this Constitution, and Article V of the By-Laws.

G. They shall be responsible for all public worship services including the ushers.

H. When necessary, they shall carry out church discipline carefully and prayerfully in accordance with the Word of God and Article X of the Constitution.

I. They shall serve as the pulpit committee of the congregation when a pastoral vacancy occurs.

J. The Elders shall meet a minimum of eight times per year.

Section 2. - THE BOARD OF EDUCATION shall:

A. Pray for, encourage, and be concerned about the spiritual, emotional, and physical health and welfare of the Principal, the staff and their families.

B. Determine that the educational program of the church and school is in harmony with the congregation's mission and purpose. Prepare a clear and precise purpose statement. Seek endorsement of that statement by the congregation. Communicate that statement to members of the school and the congregation.

C. Provide an educational program that fulfills the school's and congregation's requirements of purpose and meets state requirements.

D. Develop educational policies, in accord with congregational policies and procedure and according to legal requirements.

E. Work with, support and supervise the school principal who is the school's executive administrator and who is responsible for, under the board, the daily management of all aspects of the school's operation. When a vacancy occurs in the principal's office, the board will proceed according to congregational policy and procedure in Article II of these By-Laws in the calling or engaging of a new principal.

F. Be responsible, according to provisions of the congregation, for the financial management of the educational programs.

G. Prepare and present regular reports and plans for the future, to the congregation, the Church Council and its leaders along with appropriate recommendations.

H. Carry out such other responsibilities and tasks as may be assigned to the board by the congregation.

Section 3 - THE BOARD OF TRUSTEES shall:

Be the custodians of all the property of the congregation. They shall be given authority by resolution of the congregation, if necessary, to make contracts, sign documents, appear in court, and transact all business that the congregation as owners have to transact.

Section 4 - BOARD OF PARISH EDUCATION shall:

A. Deal with the areas not covered by the Board of Education, such as; Sunday School, Mid-week School, Vacation Bible School and other Bible Study Groups.

B. Set up adequate objectives for all age levels, embracing training in Christian attitude and skills, such as Bible use, witnessing, prayer, giving and family life.

C. Develop a Parish Education training and leadership program adequate to serve the needs of the congregation.

Section 5 - THE CHAIRMAN

A. The Chairman of the congregation shall be the "Executive Director" of the program of the congregation. As such, he is responsible for seeing that all elected or selected officers, boards, or committees of the congregation are functioning and carrying out their individual responsibilities.

B. He shall preside at all congregational meetings.

C. He shall represent the congregation in conducting all business affairs of the corporation, as directed by the congregation. He may delegate, at his discretion, his duties in conducting the business affairs of the corporation to other duly constituted officers or voting

members, who shall conduct such delegated duties under his supervision, and subject to the approval of the congregation.

D. The Chairman, shall, on behalf of the corporation, with two trustees, sign all deeds, bills of sale, mortgages, notes and other contracts and legal documents, upon the approval of the congregation, EXCEPT, his signature shall not be necessary to the validity of checks or drafts issued by the congregation.

E. The Chairman's term of office shall be for one year and may be held for three consecutive terms only.

#### Section 6 - THE VICE-CHAIRMAN

A. The Vice-chairman shall assist the chairman in his duties as executive director of the congregation and conduct council meetings.

B. In the Chairman's absence, the Vice-chairman shall perform the duties of the office.

C. The Vice-chairman's term of office shall be for one year, and may hold this office for three consecutive terms only.

#### Section 7 - THE SECRETARY

The Secretary shall keep accurate minutes of all council and congregational meetings for the permanent records of the congregation and shall publish them in the newsletter.

#### Section 8 - THE FINANCIAL SECRETARY

The Financial Secretary shall keep a duplicate record of all contributions, work in conjunction with the Treasurer, and send quarterly reports to all contributors.

#### Section 9 - THE TREASURER

The Treasurer shall receive all monies, place them in the bank under the name of the congregation, keep separate accounts of money used in administering the temporal affairs of the congregation, and of the money given through the congregation for Synodical and outside purpose.

The Treasurer shall pay all fixed and regular expenses promptly without special order from the congregation.

The Treasurer also may make urgent necessary expenditures to the amount of two hundred and fifty dollars (\$250.00) if the expenditures exceed the amount of two hundred and fifty dollars (\$250.00), a resolution by the congregation is necessary.

The Treasurer may not issue expenditures that exceed approved budget items without the authorization of the Church Council or the Congregation.

The Treasurer shall give a written monthly report to the Church Council, a quarterly report at each quarterly congregational meeting and an annual report to the congregation.

#### Section 10 - THE FINANCE BOARD

The Finance Board shall assist the Financial Secretary and Treasurer by counting and depositing the offerings following Sunday's services.

### ARTICLE V - THE ELECTION OF OFFICERS

Section A - Candidates for the respective offices shall be nominated by a nominating committee to be appointed by the chairman of the congregation. The nominating committee shall

consist of an odd number of members in good standing and shall be appointed at least 30 days prior to election of officers. The committee shall be composed of at least one elder and two other members. Duties of the nominating committee will be to nominate at least two candidates for each office and to contact each candidate to secure his approval prior to his or her nomination. This procedure shall not exclude nominations of other candidates from the floor.

Section B - At the October quarterly meeting, at least one member of the Board of Elders, one member of the Board of Education, one Trustee, one member of the Board of Parish Education, and one member of the Finance Board shall be elected to serve for three years.

The Chairman, the Vice-chairman, the Secretary, the Financial Secretary and the Treasurer are elected each year for a term of one year. All officers may succeed themselves. The election of officers shall be by ballot. All officers shall hold office until successors are elected and qualified.

#### ARTICEL VI - ADMISSION OF MEMBERS

Persons desiring admission as Communicant Members of the congregation may be received as follows:

1. The Rite of Confirmation as youth or adult
2. Transfer from a congregation in fellowship with the LCMS, with the recommendation for membership by the Elders;
3. Reaffirmation of Faith, or Profession of Faith in cases where their membership in a Lutheran Congregation has lapsed. A prospective member must speak with the Pastor and receive the recommendation of the Elders.

#### ARTICLE VIII - RULES OF ORDER

All matters not covered by the By-laws shall be governed by Robert's Rules of Order, the latest edition.

#### ARTICLE IX - STRUCTURE OF BOARDS AND COMMITTEES

Prior to the annual congregational meeting, all Boards and Committees will meet and select a chairman, vice-chairman and secretary and report at the annual meeting.

The following committees will be appointed annually by the Chairman and approved by the voters:

1. An Auditing Committee composed of at least three qualified members who shall audit the Treasurers report once a year prior to the April voters meeting and report at that meeting.
2. Head Usher, who in turn shall duties at worship services. (this was the way it was typed in the old book, Diane) The ushers shall be responsible for counting attendance at services and reporting to the Elder in charge of the service.
3. Worship Committee composed of three members appointed from the congregation, the pastor and head organist.
4. Social Ministry Committee composed of three members of the congregation and one member of the Board of Elders.
5. Evangelism Committee, composed of one member from the Board of Elders, Board of Education, Board of Parish Education, Sunday School Staff, L.W.M.L. and Youth group, will direct its attention to outreach, witnessing and encouraging each member to share their joy and salvation in Christ our Savior, within the congregation and with others, to spread the Gospel.



ARTICLE X - PERIODIC REVIEW OF THE CONSTITUTION AND BY-LAWS

The chairman will appoint a Constitutional Review Committee beginning in 1995 and every five years thereafter who will review the Constitution and By-Laws for current needs and/or changes.

ARTICLE XI - TO ALTER OR REPEAL

To alter or repeal any Article in these By-laws, it shall be necessary that public reading of the proposed changes be presented at two separate congregational meetings, and when voted upon, two-thirds of all members present cast their votes in favor of such repeal or alteration.