

CONSTITUTION & BYLAWS

(Revised March, 1999)

PREAMBLE

Whereas the Word of God demands that a Christian congregation not only conform to the Word of God in doctrine and practice (Ps. 119:105; Gal. 1:6-8; II Tim. 4:1-5) but that also all things be done decently and in order (I Cor. 14:40), therefore, we the members of Emmanuel Evangelical Lutheran Church, York, York County, Nebraska, set forth by this present document, signed by ourselves, the Constitution and By-Laws in accordance with which our congregational affairs, spiritual and material, shall be conducted.

ARTICLE I - NAME

The name of this corporation shall be Emmanuel Evangelical Lutheran Church (U.A.C.) York, York County, Nebraska, hereinafter referred to as the congregation.

ARTICLE II - PURPOSE

The purpose of this congregation shall be that of a religious organization established and maintained for the express purpose of disseminating the Gospel truth according to the Confessional Standards of The Lutheran Church.

ARTICLE III - CONFSSIONAL STANDARD

This congregation accepts and acknowledges:

- A. All the canonical books of the Old and New Testaments of Bible as the inspired, inerrant, and revealed Word of God and the only rule of faith and life.

- B. All the Symbolical Books of the Evangelical Lutheran Church, contained in the Book of Concord of 1580, as a true and sound exposition of the Holy Scriptures; and in this congregation no doctrine shall be taught or tolerated which is at variance with these Symbols of the Evangelical Lutheran Church. They are:
 - 1. The three Ecumenical Creeds (The Apostolic, the Nicene and the Athanasian).
 - 2. The Unaltered Augsburg Confession
 - 3. The Apology of the Augsburg Confession
 - 4. The Smalcald Articles
 - 5. Luther's Large Catechism

6. Luther's Small Catechism, and
7. The Formula of Concord.

ARTICLE IV - MEMBERSHIP

The membership of this congregation includes the following:

A. Baptized Membership

Baptized members are all members who have been baptized in the Name of the Triune God, Father, Son, and Holy Spirit, and are under the pastoral care of this congregation.

B. Communicant Membership

Communicant membership in this congregation may be held and the rights and privileges thereof enjoyed by such who:

1. Are baptized in the Name of the Triune God, Father, Son, and Holy Spirit.
2. Declare their adherence to all the canonical books of the Old and New Testaments as the only divine rule and standard of Christian faith and life.
3. Are familiar at least with the contents of Luther's Small Catechism, declare their acceptance thereof, and do not reject the other Symbolical Books of the Evangelical Lutheran Church.
4. Attend divine services faithfully as long as physically able.
5. Do not live in manifest works of the flesh (Gal. 5:19-21) but lead a Christian life.
6. Make diligent use of the Means of Grace, partaking frequently of the Lord's Supper.
7. Contribute regularly and faithfully as God has prospered them toward the building of Christ's kingdom in the congregation and throughout the world.
8. Devote their time and talents to the extension of the Kingdom of God.
9. Bring up their children in the nurture and admonition of the Lord, by making use of as many of the educational agencies of the congregation as possible.
10. Permit themselves to be fraternally admonished and corrected when they have erred, and,
11. Are not members of a lodge or any organization in the nature of a lodge, inconsistent with the Word of God, secret or otherwise.

C. Voting Membership.

1. It shall be the responsibility and privilege of every qualified communicant member to join the

Voters' Assembly.

2. All members of this congregation who have reached the age of twenty years, and have been accepted by the Voters' Assembly, and have subscribed to this Constitution and the Bylaws with their signature shall be entitled to vote. All members having enjoyed membership as voting members for one year shall be eligible to hold an elective office.

D. Honorary Voting Membership.

A Voting member may apply for or be granted an honorary voting membership if he cannot attend meetings regularly because of physical incapacitation.

ARTICLE V - THE OFFICES OF PASTORS AND TEACHERS

- A. The pastoral office of this congregation shall be only conferred upon such ministers of religion ordained, hereinafter referred to as pastor/s) as profess and adhere to the confessional standards set forth in Article III of this constitution and are well qualified for their work and certified by Synod.
- B. The Office of Minister of Religion, Commissioned (hereinafter referred to as teacher/s) shall be only conferred upon teachers and candidates as profess and adhere to the confessional standards set forth in Article III of this constitution and are well qualified for their work and have a Lutheran Teachers Diploma.
- C. Pastors and teachers shall, in the call extended to and accepted by them, be pledged to this confessional standard.

ARTICLE VI - POWERS OF THE CONGREGATION

A. General

The congregation as a body, through the voting members, shall have supreme power to administer and manage all its external and internal affairs. The establishment and conduct of all institutions and societies within the congregation shall at all times be subject to the approval and supervision of the congregation. The congregation, however, shall not be empowered to decide anything contrary to the Word of God and the confessions of the Lutheran church (Article III), and any such decision shall be null and void.

B. Right of Calling

The right of calling pastors or teachers shall always be vested in the congregation and shall never be delegated to a smaller body or to an individual.

C. Decisions

Matters of doctrine and conscience shall be decided by the Word of God and all such decisions shall require unanimous approval; other matters shall be decided by the Voters' Assembly by a majority vote unless otherwise specified by the Constitution or Bylaws.

D. Powers of Officers

Congregation officers, boards, or committees, whether elected or appointed by the voters, shall have no authority beyond that which has been conferred upon them, and whatever power may have been delegated to them may at any time be altered or revoked by the voters.

E. Removal from Office

Any officer, pastor, teacher, or contract teacher may be removed from office by the congregation through vote of ballot in Christian and lawful order. Reasons for removal are: Persistent adherence to false doctrine, scandalous life or inability or willful neglect in performance of his/her official duties. It shall require a majority of the members present to remove an officer of the congregation, but it shall require a three fourths majority of the members present to remove a pastor or teacher.

ARTICLE VII - OFFICERS

The officers of this congregation shall be such officers, boards, or committees as the "Bylaws" of this congregation may prescribe.

ARTICLE VIII - PROPERTY RIGHTS

If at any time separation should take place in this congregation on account of doctrine (which we pray the Heavenly Father may graciously prevent), the property of the congregation and all the benefits therewith connected shall remain with those members who shall continue to adhere to Articles III and V. In the event the congregation should totally disband, the property and all rights connected therewith shall be transferred to that District of the Synod in which the congregation held membership at the time of dissolution, subject to the district acceptance thereof.

ARTICLE IX - DOCTRINAL LITERATURE

Only such hymns, prayers, and liturgies shall be used in the public services of the congregation and in all ministerial acts as conform to the Confessional Standard of Article III. Likewise, in all classes for instruction in Christian doctrine only such books shall be used as conform to this standard.

ARTICLE X - SYNODICAL MEMBERSHIP

- A. This congregation shall hold membership in The Lutheran Church - Missouri Synod. It shall send its pastor(s), called teacher(s) and lay delegate to the District Convention of Synod and shall pay their expenses.
- B. It shall be the duty of the congregation and its individual members to support the work of Synod, since they thereby support their own Christ-appointed work.

ARTICLE XI - BYLAWS

This congregation may adopt such "Bylaws" as may be required for the accomplishment of its purpose.

ARTICLE XII - CHANGING THE CONSTITUTION

- A. The following Articles of this "Constitution" of sections thereof shall be unalterable and irrevocable: Article III, Article IV, Section A and B, Article V, Article IX.
- B. Amendments to this "Constitution and Bylaws" may be adopted at a regular Voters' Assembly, provided:
 - 1. They do not conflict with the provisions laid down in Article III or with any section of any other Article that pertains to scriptural doctrine and practice; and,
 - 2. That the proposed amendment has been submitted at a previous Voters' Assembly.

A two thirds majority of the members present shall be required for the adoption of an amendment

BYLAWS

(3-15-99)

ARTICLE I - MEMBERSHIP

A. Admission to Membership

1. Communicant Membership

a. By Confirmation

Confirmation itself being a reception into church membership, all who are thus received by this sacred act become communicant members.

b. By Transfer

Persons coming with a transfer of communicant membership from a congregation in church fellowship, provided they conform in all respects to the requirements of membership of this congregation, shall be received by the elders, approved by the Church Council and reported at a subsequent meeting of the Voters' Assembly.

c. By Profession of Faith

Other persons desiring membership and having given satisfactory evidence of qualifications for communicant membership to the pastor, and approved by the Board of Elders, and the Church Council and reported at a subsequent meeting of the Voters' Assembly.

2. Voting Membership

a. Reception

An applicant for voting membership shall make their intentions known to a pastor, an elder, or at a meeting of the Voters' Assembly. Upon attending a meeting where their application is submitted, they are to receive a copy of the "Constitution and Bylaws" for them to study. At a subsequent meeting of the Voters' Assembly the application must be approved by a unanimous vote, the applicant shall sign the "Constitution and Bylaws" of the congregation and be declared a voting member.

b. Duties of Voting Members are:

1. To show an interest in the work of the congregation by regularly attending the

Voters' Assembly meetings;

2. To willingly accept responsibility given to them in the work of the congregation;
3. To voice their opinion in the meeting on any matter(s) considered by the assembly and willingly to submit to the rule of the majority;
4. By failing to attend a meeting, a member waives the right of casting a vote during such meeting;
5. Voting members who cannot attend a meeting are to notify the chairman, an elder, or a pastor before the time of the meeting giving a valid reason for their absence;
6. All those neglecting their duties in these respects are to be admonished by the elders;
7. It is the duty of every voting member to encourage the participation of fellow members.

3. Honorary Voting Membership

Honorary voting membership is to be instituted by the Board of Elders with the final approval of the voting assembly.

B. Termination of Membership

1. Communicant Membership

a. Transfer to Other Congregations

Communicant members desiring to join a congregation in church fellowship shall present their request for transfer to the elders. Such transfer of membership shall be approved by the Church Council and reported to the Voters' Assembly.

b. Joining other Churches

When communicant members have joined another congregation outside of our own fellowship, they shall be considered such as have terminated their membership and their names shall be removed from the membership list by the Church Council and reported to the Voters' Assembly.

c. Whereabouts Unknown

The names of members whose addresses are unknown and cannot be established shall be removed by the Voters' Assembly, and forthwith such membership is terminated.

d. Excommunication and Self-exclusion

Any member who conducts themselves in an unchristian manner shall be admonished according to Matthew 18:15-20. If they refuse to amend their sinful life after proper admonition, they shall be excommunicated. If the member refuses to submit to church discipline, they have thereby excluded themselves. A unanimous vote shall be required for every resolution of the Voters' Assembly for excommunication or self-exclusion.

e. Status

A person whose communicant membership has been terminated has 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, so long as they are not reinstated into membership, Matthew 18:15

2. Voting Membership

A Voting member who is absent more than one year without offering a legitimate reason shall be dropped from the voting membership. Anyone neglecting their duty in this respect is to be admonished by the elders. They can only be reinstated by giving reasonable assurance to the pastor(s), elders or to the Voters' Assembly that they intend to be more faithful.

ARTICLE II - MEETINGS

A. Regular meetings of the voting assembly shall be held in January, April, September, November. Every regular voters meeting shall be announced in the church bulletin on the two Sundays prior to the meeting. Annual reports are to be given in the January meeting. The election of officers and adopting of the budget shall be conducted in the last regular meeting of the year.

B. Special meetings of the Voters' Assembly may be called by the pastor(s), the Board of Elders, or at the request of 5 voting members. Such meetings may be called at any time with the purpose, place, date and time of the meeting being announced by mail or personally, no less than 10 days and no more than 50 days before the meeting.

C. Quorum: One-fourth of voting members of congregation and such honorary members as specified in Article

IV, Section D, which shall constitute a quorum for a validly called Voters' Assembly Meeting. It shall be considered a properly convened and legal meeting capable of transacting business.

- D. Except as otherwise provided in the "Constitution" and these "Bylaws", the latest edition of Roberts Rules of Order shall govern. The law of Christian love shall always be the supreme and guiding rule. In matters of doctrine and conscience, unanimity shall be required for a final decision; other matters shall be disposed of by a majority vote.

ARTICLE III

PROCEDURE FOR CALLING OF PASTORS, TEACHERS, AND NON-TENURED TEACHERS

- A. When a pastor/s or a teacher/s 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 or his designated representative for recommendations.
- B. In the case of a pastoral call, the Board of Elders shall serve as the screening committee, and in the case of one to serve in the Christian Day School, the Parish Board shall perform that function.
- C. In the screening process, the respective board shall submit all names to the District President for information and evaluation. After receiving information and recommendations from the District President, the respective board shall present to the congregation, by means of a public announcement, all candidates, together with a biographical sketch of each, if available.
- D. At the Voters' Assembly, called for the purpose of calling, the list may be amended by means of a two-thirds vote of those present.
- E. Balloting shall proceed by means of a secret ballot vote. A majority is needed in order to determine the disposition of the call with the vote then to be made unanimous, if possible.
- F. In the case of calling Workers without tenure, the respective board may issue a non-tenured call to the

Worker and report the same to the congregation.

- G. Tenure may be granted to a Minister of Religion, commissioned, by a majority of the Voters' Assembly; such vote to be by secret ballot.

ARTICLE IV - OFFICERS

- A. Elected Positions

The elected officer of this congregation shall be: a President, a Vice President, a Secretary, a Treasurer, a Financial Secretary, an Assistant Financial Secretary, a Board of Elders, a School Board, a Stewardship Board, a Board of Trustees, a Board of Evangelism, Board of Christian Nurture, Board of Youth, and a Compensation Committee. The office of President, Vice-President, and members of the Board of Elders is limited to male only.

- B. Appointed Positions

The following positions are to be filled by appointments; Head Usher, Sunday School Superintendent, Assistant Sunday School Superintendent, Sunday School Treasurer, Sunday School Secretary, and such other committees and officers as may be deemed advisable.

- C. The pastor(s) of the congregation shall be ex officio members of all boards, church council, and committees. The principal of the Parochial school shall be an ex officio member of the Church Council, the School Board, the Board for Christian Nurture, and nominating committee.

ARTICLE V - ELECTION OF CONGREGATIONAL OFFICERS

The nominating committee shall consist of the President of the congregation, three members appointed by the chairman, pastor(s) and principal. The President of the Voters' Assembly shall serve as chairman of the nominating committee. The nominating committee shall present a slate of candidates at the November meeting of the Voters' Assembly. The slate shall consist of at least two names for each office, if possible. Additional nominations may be made from the floor. The election shall be by ballot. The officers-elect shall assume their respective duties at the point in the January meeting when new business is considered.

In the event of a vacancy in any office, the Council shall appoint a successor to serve until the next annual election.

LIMITATION

- A. Members elected to the office of President, Vice President, Secretary, Treasurer, Financial Secretary, Assistant Financial Secretary, Board of Elders, School Board, Board of Stewardship, Board of Evangelism, Board of Trustees, Board of Christian Nurture and the Board of Youth cannot be elected to a second consecutive term of office without their consent. Such a member may be elected to same office or to some other office if they give their consent or they may have a year off a board if desired.
- B. All elected officers of the congregation need to be voting members, except the Financial Secretary, Assistant Financial Secretary, and three members of the Board for Christian Nurture and Board of Youth. Members of the Compensation Committee may hold another office in the congregation at the same time.

ARTICLE VI - CHURCH COUNCIL

- A. The Church Council shall be composed of: President, Vice-President, Secretary, Treasurer, and the chairman of the following boards: Elders, School, Trustee, Stewardship, Evangelism, Christian Nurture, Youth and Pastor/s and Principal of the Day School.
- B. The Church Council shall meet monthly or as needed, to consider and discuss all matters pertaining to the general welfare of the congregation as presented by the various boards/committees and to present recommendations to the Voters' Assembly.
- C. The Church Council shall also serve as a planning council and be responsible for developing immediate and long range goals for the congregation upon approval of Voters' Assembly.
- D. The Church Council in the January meeting shall appoint an Auditing Committee of three persons to audit the financial records of the Church, the Christian Day School, Sunday School, and Emmanuel Endowment Fund. The guidelines for the auditing process are to be established by the Church Council and reviewed on an annual basis. The report of the audit to be submitted to the Voters' Assembly upon completion.

ARTICLE VII - TERMS AND DUTIES OF OFFICERS

- A. The President's term of office shall be for one year. The President of the congregation shall preside at all meetings of the Voters' Assembly. It shall be the duty of the President to see that all duly authorized committees are functioning properly and that all other business of the congregation is conducted in good order. (This office limited to male only.)

- B. The Vice President's term of office shall be for one year, after which he automatically assumes the position of President for one year. The Vice President shall preside at all of the Church Council meetings and shall perform the duties of the President in the latter's absence or at his request. If the office of the President becomes vacant the Vice-President shall succeed him for the balance of that term and shall also serve as President for his regular term the following year. (This office limited to male only.)

- C. The Secretary's term of office shall be for two years. The Secretary shall keep accurate minutes of the meetings of the Voters' Assembly and of the Council for the permanent records of the congregation and shall perform other duties in keeping with his office. They shall keep a master copy of the "Constitution and Bylaws" which is kept up-to-date at all times.

- D. The Treasurer's term of office shall be for two years. The Treasurer shall deposit all funds delegated to him by the congregation in a bank or banks selected and approved by the congregation. He shall pay all bills authorized by the congregation and shall see that accurate records of the receipts and disbursements of the congregation be kept. He shall make a report at each Voters' meeting of all receipts and disbursements, and, at the annual meeting, he shall present an accurate itemized financial report.

- E. The Financial Secretary's term of office shall be for one year. The duties of the Financial Secretary are to receive the contributions of all members given in envelopes or otherwise. He is to keep an exact record of these contributions and turn the monies over to the Treasurer. He may appoint such helpers as he deems necessary. All monies shall be counted in the presence of at least three members.

- F. The Assistant Financial Secretary shall be elected annually and upon the completion of a one year term as Assistant Financial Secretary he automatically assumes the position of Financial Secretary for a one year term. He shall assist the Financial Secretary with his duties. If the office of the Financial Secretary becomes vacant, the Assistant Financial Secretary shall succeed him for the balance of that term and shall also serve as Financial Secretary for his regular term the following year.

- G. Board of Elders: The Board of Elders shall consist of 12 male members. Their terms of office shall be for three years. One-third of the Board of Elders shall be elected each year. They shall:
1. Assist the pastor(s) in all matters pertaining to the spiritual welfare of the congregation;
 2. Act on all applications for membership and on all transfers;
 3. In brotherly and charitable manner, encourage all members to fulfill the requirements of membership listed in ARTICLE IV of the "Constitution";
 4. Have the responsibility of administering church discipline according to Matthew 18:15-20 as outlined in ARTICLE I of "Bylaws" - Termination of Membership, Section A, Paragraph 4;
 5. Be charged with the duty of seeing that the services in God's house are conducted decently and in order and to maintain the supplies necessary for the performance of all worship services;
 6. Supervise the activities of the ushering staff;
 7. Prepare their portion of the annual budget which covers salaries and authorized expenses of the called workers, expenses for the operation of the church office, materials incidental to the worship services, and for District and Synodical Missions, etc., and present this at the October meeting of the Church Council;
 8. Assist the pastor(s) in providing help and guidance for the welfare of the sick and needy;
 9. Be instrumental in carrying out the decisions of the congregation when calling pastor(s) or teachers;
 10. Be an example of Christian conduct and conversation;
 11. Radio Broadcast on Sundays;
 12. Be present at weddings, funerals, private baptisms;
 13. Responsible for Shepherding for all members;
 14. Responsible for continual review of communion and church attendance of all members - make calls on delinquents;
 15. Responsible for the supervision of youth and adult confirmation and church membership;
 16. Responsible for a friendly welcome of visitors at worship and for orientation and integration of new members with the Board of Evangelism;
 17. Be present for periodic training determined by the Pastor(s) and this Board.
 18. Be responsible for the appointment of a head usher.

Head Usher's responsibility shall be;

- a. Recruit a staff of competent ushers.
- b. Set up a schedule of sufficient ushers for each service.

- c. Instruct and supervise all ushers in their duties.
- d. Coordinate the activities of the ushers with the directives of the Board of Elders.

H. School Board: The School Board shall consist of six members. Their terms of office shall be for three years. One-third of the School Board to be elected each year. The parochial school principal shall be ex-officio member of this board.

1. They shall assist the pastor(s) and teachers to:

- a. Foster spiritual growth in the life of all students and families of the Christian Day School;
- b. Strengthen the spiritual home and help equip parents, children, for Christian family living;
- c. Provide opportunities for Christian learning for Pre-school through 8th grade;
- d. Provide leadership education for teachers, officers and workers.

2. Policy Making

- a. Set up adequate objectives for every age level; embracing training in Christian knowledge, in Christian attitudes, and in Christian skills;
- b. Select curricula so that objectives for each age level can be achieved. The curricula shall be Christian, comprehensive, balanced, and functional. The board shall approve proper teaching texts and other educational materials;
- c. Seek the enrollment and attendance of all children of members in the Christian Day School.

3. Administration

- a. Maintain good public relations and cooperation among the congregation, organizations, and agencies;
- b. Prepare their portions of the annual budget which covers salaries of contract teachers, cost of educational supplies, etc., and present this at the October meeting of the Church Council.

I. Stewardship: The Stewardship Board shall consist of six members; their terms of office shall be for three years. One-third of the Stewardship Board shall be elected each year. They shall:

- 1. Discover the talents of the membership and enlist them in the congregational program;
- 2. Assist in the program of training lay workers;
- 3. Sponsor stewardship and mission promotion in the congregation and its organizations;

4. Work in cooperation with the circuit and District stewardship committees to keep well informed of the total program of the church;
5. Plan programs to keep the members informed of their local congregation's activities and opportunities to spread the Gospel at home and into all the world. (Such as: Every Member Visitation or other informative programs);
6. Instruct the people in the grace of Christian giving to the Lord's work in their own parish and in the world;
7. Aid in planning Mission Sundays and other programs for young and old.
8. Supervise the raising of all funds within the congregation;
9. Furnish periodic individual financial information to each family of contributions to the congregation and to missions.
10. Prepare their portion of annual budget which covers the cost of supplies, etc. and present this to the October meeting of the Church Council.

J. Trustees: The Board of Trustees shall consist of six members: their terms of office shall be for three years. One-third of the Board of Trustees shall be elected each year. They shall:

1. Have charge and watch over all properties of the congregation, and shall have the responsibility to keep all church properties in good repair. Major repairs, not included in the budget, must be approved by the Voters' Assembly;
2. Represent the congregation in all legal matters and affairs and shall be custodian of all legal and commercial papers of the congregation;
3. Annually inspect all church properties and prepare and present an estimated budget at the October meeting of the Church Council;
4. Keep informed of the plans of other congregational boards and coordinate their activities.

K. Evangelism: The Evangelism Board shall consist of six members: their terms of office shall be for three years. One-third of the Board of Evangelism shall be elected each year. They shall:

1. Plan and promote the preservation of the faith and spiritual life of the members of the congregation;
2. Plan an effective continuing campaign of expanding the membership of the congregation by reaching the unchurched with the Gospel;
3. Supervise the visitations of the lay workers as they call upon members who are confined to their homes, members who are lax in their church activity, members who are new to the congregation,

and upon individuals who are prospects for membership;

4. Promote church fellowship and friendliness within the congregation;
5. Work in cooperation with the Board of Elders, and the Stewardship Board to coordinate all evangelism activities.
6. Prepare their portion of annual budget which covers the cost of supplies, etc. and present this to the October meeting of the Church Council.

L. Board of Christian Nurture: The Board of Christian Nurture shall consist of six members. Three members elected from the Voters' Assembly and three members from the congregation at large. The chairman of the Board is to be a member of the Voters' Assembly. The terms of office shall be three years. One-third of the Board of Christian Nurture to be elected each year. The Director of Christian Education, the Sunday School Superintendent, and Assistant Sunday School Superintendent, shall be ex-officio members of the Board of Christian Nurture.

1. Initiating and maintaining a Sunday School, Weeknight School and Vacation Bible School that introduces and edifies all preschool through confirmation age children toward a realization of the significance and mission of the Christian life into which they were baptized.
2. The requirements for appointments of Sunday school officers shall be an adult member of the congregation in good standing, at least 21 years of age.
 - a. The Sunday School Superintendent (Term of office one year) is responsible for the following:
 1. Supervise the program of Christian Education in the Sunday School.
 2. Securing of a sufficient number of qualified teachers for each session of the Sunday School.
 3. Responsible for opening and closing classrooms, keeping records, and other duties necessary to maintain an efficient Sunday School.
 4. Work with the Board of Christian Nurture and in cooperation with their directives.
 - b. Assistant Superintendent - term of office shall be two years (one as assistant, one year as superintendent.) The assistant superintendent automatically assumes the position of Superintendent after one year of service or if the Superintendent office becomes vacant. The assistant superintendent is responsible for the following:
 1. Assist the Superintendent with his/her duties.
 2. Assume the Superintendent's role in his/her absence.
 - c. Treasurer - term of office shall be two years. The treasurer is responsible for the

following:

1. Collect all contributions and deposit monies in the Sunday School account.
 2. Make all disbursements for the Sunday School needs.
 3. Have financial records audited annually by the Auditing Committee.
- d. Secretary - term of office shall be two years (appointed opposite year of the appointment of the treasurer.) The secretary is responsible for the following:
1. Maintain all Sunday School materials.
 2. Order Sunday School materials.
 3. Take class attendance.
 4. Maintain correspondence.
 5. Assist wherever needed in Sunday School.
3. Visit and personally observe the Sunday School, and Weeknight school in action by setting up a regular program of visitation by members of the Board.
 4. Establish an ongoing program of enlistment and training for lay people to serve as teachers in Sunday School and Weeknight School.
 5. Annually review the adequacies of the educational facilities, equipment and instructional material for the Sunday school and Weeknight School.
 6. Annually review and recommend for action stewardship education, mission education and mission projects in the Sunday school.
 7. Develop and maintain a Cradle Roll and prepare reports for the congregation on enrollments, attendance, expansion and evangelism, etc.
 8. Evaluate the mission outreach of the Sunday School, Cradle Roll, Weeknight School, and Vacation Bible School and plan improvements.
 9. Annually observe an Educational Festival, including consecration of our Sunday School, Weeknight School and Vacation Bible School teachers, together with recognition of special services rendered by individuals in the past.
 10. Set up a regular system of commendation and recognition for all teachers and/or staff members of the Sunday School, Weeknight School and Vacation Bible School.
 11. Prepare the portion of the annual budget and present this at the October meeting of the Church Council.

M. Board of Youth, (Young Adults and Fellowship): The Board of Youth shall consist of six members. Three members being elected from the Voters' Assembly and three members from the congregation at large. The chairman of the Board is to be a member of the Voters' Assembly. The terms of office shall be three years. One-third of the Board of Youth to be elected each year. The Youth Director shall be a member of the Board and the Youth counselors shall be ex-officio members of this Board.

The Board shall choose their own chairperson and delegate their work areas assigning two (2) members of the Board to the Committee for Youth, two (2) members of the Board to the Committee for Young Adults and two (2) members of the Board to the Committee for Fellowship. Each committee shall choose their chairperson from within their midst.

The Board shall be responsible for and concerned with:

1. Initiating, maintaining and promoting an active program for the youth of the congregation.
2. Appoint the youth counselors who shall serve for a two year staggered term.
3. Encourage all youth to become active members of the youth programs and to participate in youth programs sponsored by the District and Synod.
4. Assist the group in reclaiming inactive members and winning new members of the youth group.
5. The growth of the congregation in young adult ministry. (This is the responsibility of the Committee for Young Adults)
6. The growth of the congregation in Christian fellowship. (This is the responsibility of the Committee for Fellowship)
7. Prepare their portion of the annual budget and present this at the October meeting of the Church Council.

N. COMPENSATION COMMITTEE: The Compensation Committee shall consist of six members. Their term of office shall be for three years, two to be elected each year. They shall:

1. Make an annual detailed study and set guidelines for compensation for all called, contracted and salaried workers of the congregation.
2. This work is to be done prior to September 1st or Board Meetings in which the annual budget is to be considered. The findings of this Committee are to be presented as a recommendation to the appropriate board to which the salaried workers are responsible. This board may make changes in the recommendation and then present it to the voters for approval.

3. This Committee is also responsible to make recommendations of changes in Compensation when special needs arise or when there is a change in personnel. Compensation for workers includes: cash salary, automobile expense, retirement, housing, health insurance, moving expense, etc. The work load, the years of experience, the amount of preparatory education, the cost of living, the size of the family as well as the Scriptural teaching concerning compensation are to be considered in arriving at a recommended salary for each worker.

ARTICLE VIII - EMMANUEL LUTHERAN CHURCH ENDOWMENT FUND

(AMENDED TO THE CONSTITUTION 9-20-87)

A. NAME

This congregational shall have a congregational Fund. The Fund shall be called EMMANUEL LUTHERAN CHURCH ENDOWMENT FUND. It shall not be separate entity, but shall be one of the funds of this congregation.

B. MISSION

It is the will of our Lord Jesus Christ, as contained in Holy Scripture that His disciples should be His witnesses and preach the Gospel to the whole world with the goal of making more disciples for Him. (Mark 16:26, Matthew 18:18-20, Acts 1:8)

It is the desire of the members of Emmanuel Lutheran Church to use this Endowment Fund toward that goal by giving scholarships to those preparing for full-time church work, planting new churches, supporting missionaries in the United States or in foreign lands, and supporting special projects in York or anywhere in the world that have the goal of bringing people to the saving knowledge of Jesus Christ. Our Endowment Fund is one way we hope to look beyond our own congregation and take part in the bigger, world mission of making disciples for our Lord and Savior Jesus Christ.

- C. *(Amendment 3-21-88)* In supporting projects in York unrestricted funds may be used to buy additional property, or for major repairs, improvements, or equipment for the church or school. These funds are not to be used for normal operating expenses."

D. GENERAL PURPOSE

1. This fund's purpose shall be to receive gifts and bequests and to use them for the Mission and Ministry of Emmanuel Lutheran Church, and the Lutheran Church-Missouri Synod, its districts, seminaries, colleges, institutions or agencies.
2. *(Amendment 1-18-93)* Both the principal and income from unrestricted gifts and bequests, (unrestricted means gifts received without designation as to use) to the Fund are to be used for the uses, projects and programs recommended by the Church Council and approved by a simple majority of the Voters' Assembly, provided that the uses, projects and programs shall be consistent with the general purposes for which this Fund has been established.
3. The Church Council shall make, at least annually, recommendations to the Voters' Assembly for distribution of the income and/or principal of the Fund for the designated uses, projects and programs. None of the income or principal from unrestricted gifts shall be distributed to the congregation's operating budget.
4. *(Amendment 1-18-93)* The distribution of the income and/or principal from unrestricted gifts shall be determined by a simple majority of the Voters' Assembly. When the fund balance is less than \$500,000, the Distribution of income and or principal in any one year shall not exceed the earned income of the previous year or 15% of the total fund balance on December 31st, whichever is the least. Earned income shall be defined as the income received on the entire fund for a period of 12 months commencing on January 1st to December 31st. When the Endowment Fund amount reaches or exceeds \$500,000 as stated in paragraph I, Limitations, then a 15% maximum limitation of the December 31st fund balance shall prevail. The previous year's annual earned income earnings shall be a part of the 15% limitation. Funds not distributed in a current year, shall become a part of the endowment fund principal balance.
5. Gifts and bequests may be made upon special terms or conditions or containing limitations or directions as to the investment or use of the substance of the gift, the use or accumulation of the income, provided such are acceptable to Emmanuel Lutheran Church. The Church Council shall submit at the next meeting of the Voters' Assembly (or request an emergency meeting), its recommendation on the acceptability of such a gift or bequest. The acceptance of such a gift shall be by a simple majority of the Voters' Assembly. All gifts or bequests shall be converted to cash or cash equivalent within 6 months from the date of acceptance of the gift or bequest. If the

conversion of a non-cash gift to a cash gift in a 6 month period will cause an undue hardship or loss in value, then the Church Council may seek approval from the Voters' Assembly for an extension of up to two additional years. The period of time for conversion cannot be extended beyond 30 months from date of acceptance without changing this section of the Bylaw.

E. DURATION

The Emmanuel Lutheran Church Fund shall continue in existence and be used as herein above provided, unless earlier revoked, as long as Emmanuel Lutheran Church shall continue to exist. If Emmanuel Lutheran Church should cease to exist, then the assets constituting the Fund when Emmanuel Lutheran Church ceases to exist shall become the absolute property of the Lutheran Church-Missouri Synod Foundation (except that any and all properties held by the Fund upon special conditions, restrictions or limitations shall continue to be subject to the conditions, restrictions or limitations upon which such properties are held).

F. GOVERNING BOARD AND OFFICERS

1. The Church Council shall be responsible for appointing an "Endowment Fund Administration Committee"; hereinafter referred to as the "Committee". The Committee shall consist of seven members with an Assistant Executive Director serving as one of the members and the chairperson. The remaining six members shall serve two year terms. Three of the members shall be appointed in January of an even numbered calendar year and three of the members will be appointed in January of an odd number calendar year. A member may serve a maximum of six consecutive years. Qualifications of a member shall be the same that are required of Church Board members.
2. *(Amendment 1-18-93)* The Committee shall promote and manage the fund. A member of the Committee shall act as Secretary-Treasurer of the Endowment and shall be responsible for the receipts and disbursements from the fund shall be made upon the presentation of a proper statement and within the guide lines of the Endowment Fund by-laws. All funds are to be kept on an interest bearing basis until needed. The treasurer shall maintain complete and accurate books of accounts, and shall provide an annual written financial report of the Fund to the Voters' Assembly.
3. The Church Council, if it deems it to be in the best interest of the congregation may recommend (for investment management,) that the assets of the Fund be invested under the management of the Lutheran Church Missouri Synod Foundation. The Council may also consider using an

Investment Advisor under the Investment Advisor Act of 1940 and whose registration is currently in effect. Any agreement entered into for the management of the Fund shall be valid only if approved by a two-thirds (2/3) majority of the voting members present at a duly called and constituted meeting of the Voter's Assembly.

4. If the voters authorize an Investment Advisor, authority shall also be granted to appoint the Advisor as agent and attorney-in-fact with full power and authority to buy, sell and trade in stocks, bonds and any other security for the fund. Advisor will be responsible for all decisions as to the investment and reinvestment of the assets of the Fund in accordance with the objectives, guidelines and instructions furnished by the committee shall conform to Article V, Section E of these bylaws.
5. The quality and type of investments selected by the Investment Advisor will consist primarily of investments in equity, fixed income and cash equivalent marketable securities. The investments may also include participation in co-mingled or mutual funds. No other categories of investments such as real estate, selling options against stock holdings, commodity transactions, precious metals, foreign currency transactions or other hedging devices will be used. Transactions which may threaten the tax status of the Fund are prohibited.
6. The committee shall meet at least quarterly and more frequently as it may be deemed by it for the best interests of the Fund. Special meetings may be called on twenty-four (24) hours written or oral notice to the members of the committee by the chairperson or any two members. No notice other than recording of the resolution of committee fixing the time of the regular meetings need be given the members.
7. A quorum shall consist of 5 members. The affirmative vote of a majority present and voting shall carry any motion or resolution.
8. The committee shall establish written rules and regulations as may be necessary for the conduct of its business.
9. The secretary shall maintain complete and accurate minutes of all meetings of the committee and supply a copy thereof to each member of the committee and chairman of the church council. Each member shall keep a complete copy of minutes to be delivered to his or her successor.
10. No member of the committee or church council shall engage in any self-dealing of the transactions with the Fund in which the member of the committee or church council has direct or indirect financial interest and shall at all times refrain from any conduct in which his/her personal interests would conflict with the interests of the Fund.

G. FISCAL YEAR

1. For tax accounting, distribution, or other purposes, the fiscal year of Emmanuel Lutheran Church shall be the fiscal year of the Fund.
2. Within two months after the close of the Fund's fiscal year, and at such other time(s) as is deemed convenient, an itemized written statement accurately reflecting the position of the Fund's income and corpus accounts, and the receipts, disbursements and changes in the Fund since the Fund's inception or the previous accounting period, shall be submitted to the Emmanuel Lutheran Church Voters' Assembly.

H. DUTIES OF THE COMMITTEE

1. The committee shall, at least annually, render a full and complete account of the administration of the Fund during the preceding year.
2. Gifts and Contributions from any individual, firm or corporation, in money, in securities, or in any other form of property, including, by way of explanation and not in limitation, direct gifts for the purpose of the fund, gifts in memory of any deceased person or in appreciation or recognition of any living person, gifts in the form of a devise or bequest under will or trust instrument, and gifts or proceeds or portions of proceeds of insurance, annuity, or endowment policies or contracts, may be received by the Fund at any time subject to the terms of II-E.
3. The committee is to inform the members of the congregation of the purpose of the Fund, and may periodically arrange for members of the congregation to meet with professional counselors in the area of charitable giving, wills, bequests, insurance, etc.
4. All new members of the committee are to receive a copy of the Fund bylaws to become acquainted with the Fund and purposes of the Fund.
5. Means for acknowledging the receipt of each gift and contribution shall be established and maintained, including whenever feasible, a designation of the value ascribed to each gift.

I. LIMITATIONS

The Fund shall not use any principal under any circumstances until the Fund shall reach at least \$500,000.00. The principal, however, shall never be reduced below \$250,000.00 by any distributions.

J. AMENDMENTS

Any amendments to this bylaw which will change, alter or amend the general purpose for which this Fund is established shall follow Article XII - "Changing the Constitution". Part B - ["Amendments to this Constitution and Bylaw" may be adopted at a regular Voter's Assembly provided:

1. They do not conflict with the provisions laid down in Article III or with any section or any other Article that pertains to scriptural doctrine and practices and
 2. That the proposed amendment has been submitted at a previous Voters' Assembly.
- A two thirds (2/3) majority of the members present shall be required for the adoption of an amendment.]

Note: This is a repeat of Article 12 Part B from page 6 of the constitution.

ARTICLE IX - ORDER OF BUSINESS

The following shall be the order of business for a Regular Voters' Assembly:

1. Opening Devotions
2. Roll Call
3. Reading and approval of minutes
4. Admission of new members
5. Reports of officers, boards
6. Unfinished business
7. New business
8. Adjournment and closing prayer

The latest edition of Robert's Rules of Order shall govern the business meeting unless it conflicts with this constitution and Bylaws. The law of Christian love shall always be the guiding rule.

EMMANUEL LUTHERAN CHURCH
NINTH & BEAVER - YORK, NEBRASKA