

**ST. JOHN LUTHERAN CHURCH
& SCHOOL**

CONSTITUTION

&

BY-LAWS

(Approved by Voters Assembly)

Dated: 08/30/094/20/09

Submitted by Task Force:

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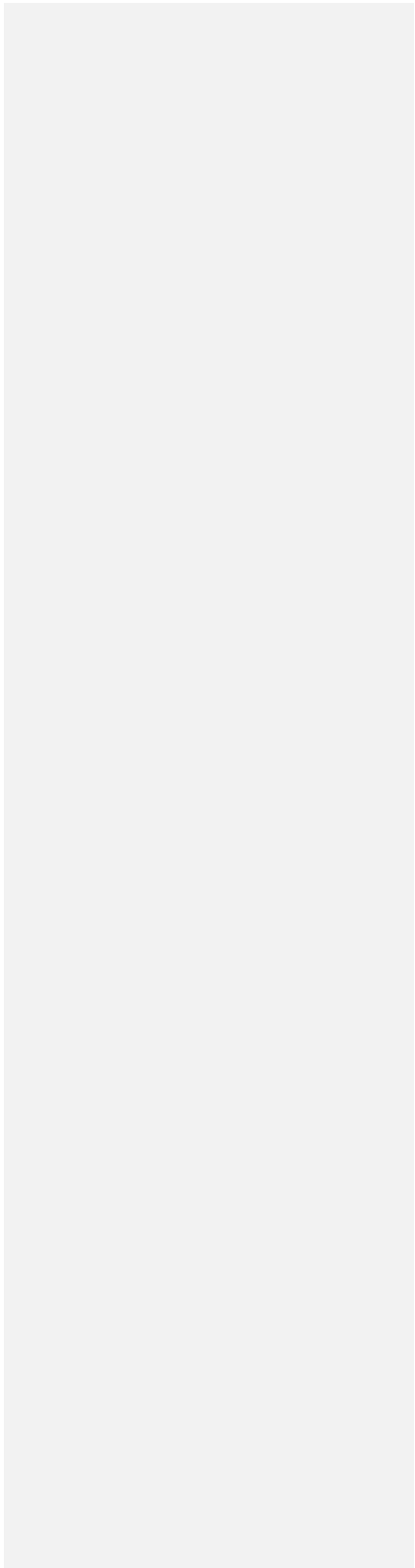
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CONSTITUTION

ARTICLE I

NAME

The name of this congregation shall be “St. John Lutheran Church and School of Ocala, FL, Inc.”

ARTICLE II

MISSION STATEMENT

Shepherding individuals into the family of Christ where each will embrace the spirit of our risen Lord and grow into the fullness of Christ through Word and Sacrament, fellowship, education and service.

ARTICLE III

CONFESSIONAL STANDARD

This congregation accepts without reservation:

- A. The Scriptures of the Old and the New Testament as the written Word of God and the only rule and norm of faith and practice.
- B. All the Symbolical Books of the Evangelical Lutheran Church as a true and unadulterated statement and exposition of the Word of God, to-wit: The three Ecumenical Creeds (the Apostles’ Creed, the Nicene Creed, the Athanasian Creed), the Unaltered Augsburg Confession, the Apology of the Augsburg Confession, the Smalcaid Articles, the Large Catechism of Luther, the Small Catechism of Luther, and the Formula of Concord.

ARTICLE IV

MEMBERSHIP

A. The membership of this congregation shall include baptized, communicant and voting members which are defined as follows:

1. Baptized members are all who have been baptized in the name of Triune God and who are under the spiritual care of the pastor of this congregation, including the children who have not yet been confirmed.
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.
3. Voting members are communicant members who have reached the age of 18 years.
4. Associate members are those members who belong to other Lutheran congregations, who worship with us, but who have no voting rights.

B. Reception:

Baptized and communicant members are received through the Sacrament of Holy Baptism, through the consent of one or both parents in the case of children who have been baptized in another Christian congregation, through the rite of confirmation, through transfer from a sister congregation, through profession of faith or reaffirmation of faith. The reception shall be approved by the Ministry Council.

C. Duties:

Members of the congregation shall conform their entire lives to the rule of God's Word, and to that end make diligent use of the means of grace, exercise faithful stewardship of God's many gifts and talents, impart and accept fraternal admonition as the need of such admonition becomes apparent and be readily available for service in the kingdom of Christ within and beyond the congregation.

D. Termination:

1. Membership shall be terminated by transfer to a sister congregation, by death, by joining a congregation outside the fellowship of this congregation, by excommunication, or by self-exclusion.
2. Communicant members who conduct themselves in an un-Christian manner shall be admonished according to Matthew 18:15-20; if they remain impenitent after proper admonition, they shall be excommunicated. Each case shall be presented individually to the Voters' Assembly for a decision. Excommunication shall be by a two-thirds (2/3) majority ballot vote of those congregational members present at the Voters' Assembly meeting. If such members deliberately absent themselves from the meeting(s) at which their case is to be discussed, they shall be regarded as having excluded themselves from the membership of the congregation.

ARTICLE V

CALLED WORKERS

This congregation shall establish the pastoral office which shall be conferred only on such a pastor or candidate who professes and adheres to the confessional standard set forth in Article III of this constitution, who is qualified for his work, who has been endorsed by the Synod, and who is a member of the Synod.

- A. The right of calling pastors is vested in the congregation. Approval of the call shall be by a two-thirds (2/3) majority ballot vote of those congregational members present at the Voters' Assembly meeting called for such purpose.
- B. The right of calling of teachers and other called workers is delegated to the Ministry Council as set forth in the By-Laws.
- C. Any Pastor, called teacher or other called worker may be removed from office by a two-thirds (2/3) majority ballot vote of those congregational members present at the Voters' Assembly meeting called for such purpose. The meeting shall be conducted in a Christian manner and removal may only be for one of the following reasons: persistent adherence to false doctrine, scandalous life, willful neglect, or inability to perform the duties of the office.

- D. The congregation may request the resignation of any pastor, called teacher, or other called worker from his/her position in the congregation in the case of prolonged incapacity or general incompetence.

ARTICLE VI
GOVERNING STRUCTURE

A. Voters' Assembly:

- 1. The Voters' Assembly shall consist of all voting members present at a regular or special meeting of the congregation. The congregation, through the Voters' Assembly, shall have final authority in managing its internal and external affairs.
- 2. Jurisdiction is specifically retained by the Voters' Assembly over the following matters:
 - a. The call or removal of any pastor, teacher, or other called worker as established in Article V of this Constitution.
 - b. The acquisition or disposal of all real property.
 - c. The disposal of personal property belonging to the church whose value is in excess of fifty thousand dollars (\$50,000).
 - d. The commercial borrowing of monies when the total amount of debt outstanding shall exceed one hundred thousand dollars (\$100,000).
 - e. The ex-communication of members of the congregation.
 - f. Amendments to the Articles of Incorporation and Amendments to this Constitution.

g. The merger or dissolution of the church.

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3. All matters shall be decided by a majority of the voters casting votes unless otherwise specified by this constitution or its by-laws. Matters of doctrine and conscience shall be decided only by the Word of God.

B. Ministry Council:

The Ministry Council shall be the governing body of the congregation and shall act on behalf of and be subject to the Voters' Assembly in administering all of the affairs of the congregation's with the exception of those rights set forth above in

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Article V1, A2. The Ministry Council shall be composed of the President, Vice-~~P~~President, Secretary and Treasurer of the congregation, the Chairman of the Commission for Spiritual Life, Chairman of the Commission for Physical Properties, the Chairman of the Commission for Christian Education, the Chairman of the Commission for Finance & Administration and two (2) congregational members elected at large. The Pastors and the School Administrator shall be ex-officio members of the Ministry Council. The term ex-officio member, as expressed in the Constitution and attached By-Laws, shall mean: ~~The~~The privilege and right to attend meetings, to speak, advise and counsel, but not to vote.

C. Elected Officers:

1. The Voters' Assembly shall elect the following officers:
 - a. President
 - b. Vice-President
 - c. Secretary
 - d. Treasurer
2. The Voters' Assembly shall elect the Chairman of each of the following commissions:
 - a. Commission for Spiritual Life and Worship
 - b. Commission for Physical Properties

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c. Commission for Christian Education

3. The Treasurer shall be the Chairman of the Commission for Finance & Administration.
4. The Voters' Assembly shall elect two (2) congregational members.

All elected Ministry Council members shall be limited to two (2) consecutive two-year (2) terms.

~~A~~ARTICLE VII

SYNODICAL MEMBERSHIP

This congregation shall be a member of the Lutheran Church-Missouri Synod as long as the Synod conforms to the congregation's confessional standards set forth in Article III, as determined by a majority vote of the voting members at a meeting called for that purpose.

ARTICLE VIII

PROPERTY RIGHTS

- A. If, at any time, a separation shall take place within this congregation, the advice of the officers of the denomination shall be sought. If, despite all efforts to resolve differences in peace and love, a division into factions of the congregation shall occur, the property of the congregation and all benefits connected shall remain with those voting members who continue to adhere to the Confessional Standard of this constitution (Article III). If both factions adhere to the Confessional Standard, the property and all benefits connected shall remain with the majority.
- B. In the event the congregation should dissolve, the property and all rights connected therewith shall be transferred to the Florida-Georgia District of the Lutheran Church-Missouri Synod.

ARTICLE IX

LIMITATIONS ON HOLDING OFFICE

- A. Women may serve as officers and as members of boards and commissions as long as these positions are not directly involved in the specific functions of the pastoral office (preaching, the public administration of sacraments, church discipline) and as long as this service does not violate the order of creation (usurping authority over men).
- B. Tasks related to, or in supervision of duties related to the Office of the Keys, shall be reserved for male communicant members.

~~A~~ARTICLE X

MEETINGS

- A. Regular meetings of the Voters' Assembly shall be held at least twice a year, at approximately six months intervals, as determined by the Ministry Council. Notice of the date and time of such meeting shall be published for the two consecutive weeks immediately preceding the date of the meeting.
- B. Special Voters' Assembly meetings may be called by the President, Pastor(s), Ministry Council, or at the request of ten voting members of the congregation. Notice of the date and time of such meeting and the nature of the business to be transacted shall be published for the two consecutive weeks immediately preceding the date of the meeting.
- C. Emergency Voters' Assembly meetings may be called when a majority of the Ministry Council have determined that immediate action by the Voters' Assembly is required to meet an emergency situation. Notice of the date and time of such meeting and the nature of the business to be transacted shall be given as soon as possible prior to the meeting.

ARTICLE XI

QUORUM FOR DECISIONS

The voters present at a properly called Voters' Assembly meeting shall constitute a quorum to do business with the following exceptions. For amending the constitution,

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purchasing or selling property, erecting buildings, or removing from office a called Pastor, teacher or professional church worker, twenty-five percent (25%) of all voting members shall be required for a quorum. In the absence of twenty-five percent (25%), those present may fix the date for an adjourned meeting. Notice of the adjourned meeting date shall be given either at church services one week prior to the adjourned meeting date or by written notice at least four (4) days in advance. The voters who are present at such an adjourned meeting shall constitute a quorum.

ARTICLE XII
AMENDMENTS

- A. Amendments to provisions of this constitution except Section II, III, V, VII and XII may be adopted at a Voters' Assembly meeting when:
1. The proposed amendment has been submitted in writing at a previous meeting of the Voters' Assembly; and
 2. The proposed amendment has been published by posting same in a conspicuous place in the church and mailed to all members of the congregation prior to the meeting at which the proposed amendment will be acted upon; and
 3. An affirmative vote of a two-thirds (2/3) majority of the voters present is secured.
- B. Amendments to provisions of this constitution for Sections II, III, V, VII, and XII may be adopted at a Voters' Assembly meeting when:
1. The proposed amendment and discussion of the same shall be presented at two (2) meetings of the Voters' Assembly before the meeting at which the proposed amendment is to receive action; and
 2. The proposed amendment has been published by posting same in a conspicuous place in the church and mailed to all members of the congregation prior to the meeting at which the proposed amendment will be acted upon; and
 3. Notice of the fact that a vote will be taken on the proposed amendment is given to all voting members of the congregation; and
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4. An affirmative vote of a two-thirds (2/3) majority of the voters present is secured.

Any changes in these articles shall not destroy the essential meaning of the same. Whether or not this has occurred shall be decided, if challenged, by a decision of the Commission on Adjudication of the Florida-Georgia District in which the congregation holds its synodical membership.

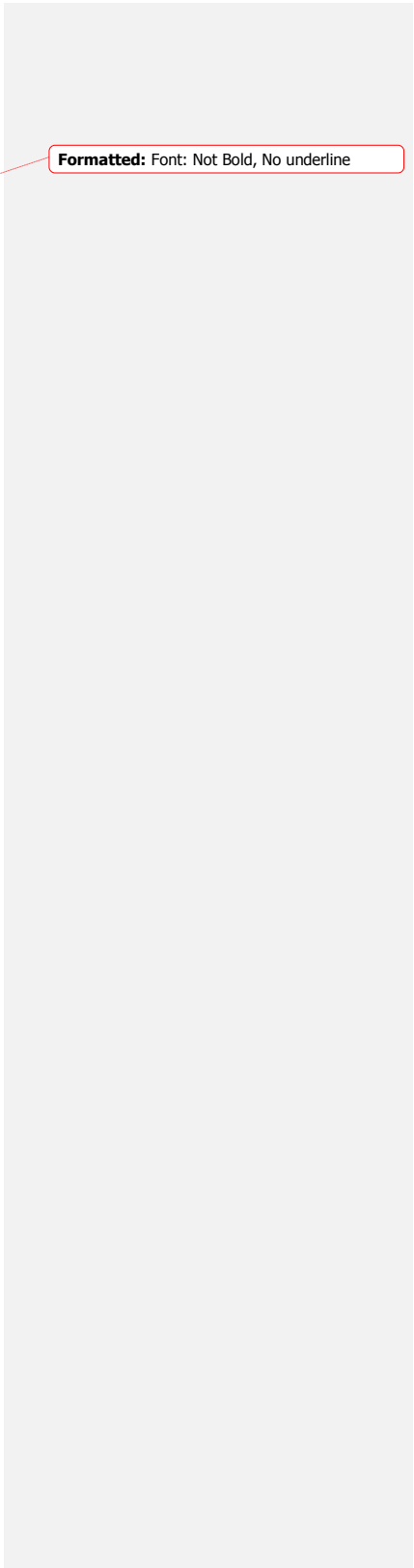
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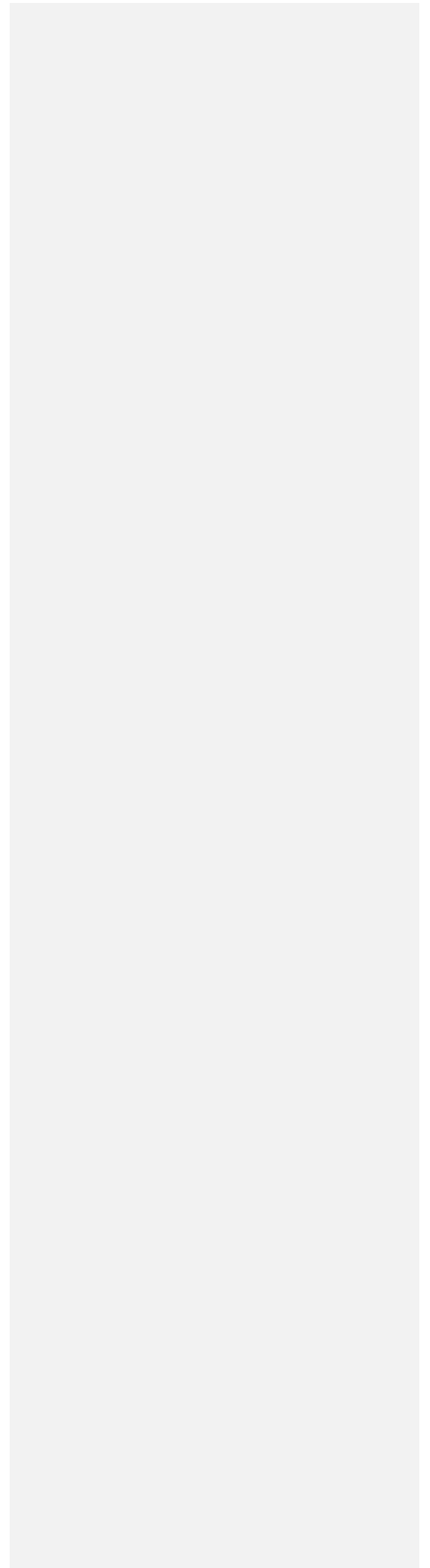


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BY-LAWS

ARTICLE I

CALLED WORKERS

- A. Calling pastors and called workers, other than teachers.
 - 1. After authorization is received from the Voters' Assembly, the Ministry Council shall create and appoint a Call Committee. The Call Committee members may be members of the Ministry Council and should represent as broad a spectrum of the congregation as possible.
 - 2. The Call Committee shall consult with those in the affected ministry area and with the Florida-Georgia District as part of their efforts to secure the names of candidates.
 - 3. The Call Committee will present a final list of candidates to the Voters' Assembly for issuance of the Call.
- B. Calling teachers:
 - 1. The candidates who are nominated for the position of called teacher shall be reviewed by the Commission for Christian Education.
 - 2. The Commission for Christian Education shall recommend a candidate or candidates for call to the Ministry Council for approval.
 - 3. When the Ministry Council has reviewed and approved the call as fulfilling the needs of the entire congregation, the call shall be considered to be approved and issued by the entire congregation.

ARTICLE II

ELECTIONS

- A. Nomination:

The Ministry Council shall annually appoint a Nominating Committee whose responsibility will be to develop a slate of candidates for officers and for Ministry

Council members to be elected each year. The committee shall include members of the Ministry Council and members of the congregation at large. The Committee shall function for one (1) year only, shall report their nominations to the Ministry Council and shall include the Senior Pastor as an ex-officio member.

- B. Election of the elected officers (namely, *President, Vice-President, Secretary and Treasurer*), elected commissioners and congregational members at large, shall take place on the first weekend in December, or as close thereto, as determined by the Ministry Council.
- C. Ballots will be made available to voters before and after church services on election Sunday. Ballots are to be counted by the Nominating Committee and election results reported to the outgoing President on the Monday following the election weekend.
- D. Nominees who receive a majority of the votes cast shall be the elected officers, Commissioners and members at large. (If any election does not result in a majority vote, the remaining candidates names and votes received shall be referred to the Ministry Council. The Ministry Council shall complete the elections from among these candidates, by majority vote.)

ARTICLE III

OFFICERS

- A. Duties of Officers:
 - 1. President:
 - a. Preside at all meetings of the Voters' Assembly and the Ministry Council.
 - b. Enforce the constitution and by-laws.
 - c. Perform the general duties as are common for the office, including such additional duties as may be directed by the Voters' Assembly from time to time.

2. Vice-President:

- a. Perform all of the duties of the President in the latter's absence and such other additional duties which may be directed by the Voters' Assembly, the Ministry Council or by the President from time to time.

3. Secretary:

- a. The duties shall be these commonly required of that office, especially the keeping and preserving of accurate records of all Voters' Assembly meetings, and handling such correspondence as the congregation may require.
- b. Keep and make available minutes of all Ministry Council meetings.

4. Treasurer:

- a. Keep and preserve the accurate records of all receipts and disbursements, and submit a written report of them at all regular meetings of the Voters' Assembly and the Ministry Council.
- b. Assure accuracy and propriety of all financial transactions of the congregation.

B. Vacancies:

Any vacancy in an elected office shall be filled by the Ministry Council for the unexpired term.

ARTICLE IV

OPERATION OF OFFICERS & MINISTRY COUNCIL

A. Officers and Ministry Council members shall assume their offices on January 1 following their election.

B. The Ministry Council shall:

- 1. Establish the vision, direction, goals and desired outcomes for the congregation and shall express same in the form of written policies and communicate same to the congregation.

2. Develop and maintain a policy manual that provides direction for the operation of the Ministry Council.
3. Monitor the performance of the Pastor in accordance with its approved policies.
4. Establish all commissions necessary to carry out the ministry of the congregation. There shall be four (4) permanent commissions.
 - a. The Commission for Spiritual Life and Worship – The Commission shall consist of three (3) members from the congregation at large who are appointed by the Ministry Council. The Commission shall be responsible to the Ministry Council for policy development and for the establishment of goals/outcomes for ministries related to worship, evangelism and care. The Commission shall have one (1) Board, that being the Board of Elders. The Board of Elders shall consist of a minimum of eight (8) men from the congregation at large who are appointed by the Ministry Council. The Board of Elders shall elect a Chairman who will serve on the Commission for Spiritual Life and Worship. The Board of Elders shall form appropriate task forces, teams and/or standing committees to accomplish the goals/outcomes established by the Commission. The Pastor and the President of the Ministry Council shall be ex-officio members of this Commission.
 - b. The Commission for Physical Properties – The Commission shall consist of four (4) members from the congregation at large who are appointed by the Ministry Council. The Commission shall be responsible to the Ministry Council for policy development and for the establishment of goals/outcomes for issues related to church and school building and grounds maintenance, insurance and real estate. The Commission shall form appropriate task forces, teams and/or standing committees to accomplish the goals/outcomes established by the Commission. The Pastor, President of the Ministry Council and the Facilities Manager shall be ex-officio members of this Commission.

- c. The Commission for Christian Education – The Commission shall consist of four (4) members from the congregation at large who are appointed by the Ministry Council. Two (2) of the appointed members shall be assigned to serve on the Church Board for Educational Programs and two (2) of the appointed members shall be assigned to serve on the School Board for Educational Programs. The Commission shall be responsible to the Ministry Council for policy development and for the establishment of goals/outcomes for issues related to the educational programs of St. John Lutheran Church and School. This Commission shall consist of two (2) Boards, those being the Church Board for Educational Programs and the School Board for Educational Programs. The Pastor, President of the Ministry Council, School Administrator and the Treasurer shall be ex-officio members of this Commission.

The Church Board for Educational Programs shall consist of three (3) members from the congregation at large who are on such committees as Sunday School, VBS, Youth Group, Bible Study, Children’s Worship and the two (2) members from the commission who were assigned by the Ministry Council. The Church Board for Educational Programs shall form appropriate task forces, teams and/or standing committees to accomplish the goals/outcomes established by the Commission.

The School Board for Educational Programs shall consist of the president (or their designee) of the PTL, Academic Boosters and Athletic Boosters, as well as two (2) school parents and the two (2) members from the commission who were assigned by the Ministry Council. The School Board for Educational Programs shall form appropriate task forces, teams and/or standing committees to accomplish the goals/outcomes established by the Commission.

- d. The Commission for Finance and Administration – The Treasurer shall be the Chairman of this Commission. In addition to the Treasurer, this Commission shall consist of four (4) members from the congregation at large who are appointed by the Ministry Council. The Commission shall be responsible to the Ministry Council for stewardship programs, for scholarships policy, for the establishment of the annual budget for the church and school and for monitoring the fiscal well being of the congregation throughout the year. The Commission shall form appropriate task forces, teams and/or standing committees to accomplish

the goals/outcomes established by the Commission. The Treasurer shall be the Chairman of this Commission, the Pastor, President of the Ministry Council, Business Manager and School Administrator shall be ex-officio members of this Commission.

5. Appoint the non-elected commission board and committee members.
6. Establish any task forces or teams necessary to complete its work.
7. Consider all matters pertaining to the general welfare of the congregation which are not delegated to staff.
8. Meet no less than ten times per year and as frequently as necessary to fulfill its responsibilities.

ARTICLE V

RULES OF ORDER

In addition to the principles laid down in Scripture, the latest edition of “Roberts Rules of Order” shall be followed.

ARTICLE VI

AMENDMENTS

As needed, the Ministry Council shall appoint a Constitution and By-Laws committee to review any proposed amendments to the Constitution or By-Laws. Amendments to the By-Laws may be made by a two-thirds (2/3) vote of the Ministry Council, providing that the proposed amendment(s) have been reviewed by the By-Laws Committee and read at a previous Ministry Council meeting.