

BY-LAWS
for

THE IMMANUEL EVANGELICAL LUTHERAN CHURCH
EASTON, FRESNO COUNTY, CALIFORNIA
(Revised 8/7/2011)

Section I: COMMUNION PARTICIPATION

1. As a member of the North American Lutheran Church, Immanuel Evangelical Lutheran Church invites all believers to participate in **Holy Communion**.
2. **Instruction** for First Communion shall normally be held in 5th grade.
3. While 5th grade is the normal age for First Communion, the **decision and responsibility** shall ultimately fall on the discretion of the **parents and the pastor**. It may be determined that a child will take communion later or much earlier than this.
4. **Visitors** who come forward for Holy Communion will receive the sacrament at their request
5. Non-alcoholic wine is used.

Section II: DISCONTINUANCE OF MEMBERSHIP

1. Members in good standing **who move away or who desire to transfer membership to another Lutheran congregation** shall, upon request, be entitled to a letter of transfer.
2. A **confirmed member who does not attend a Sunday Church Service during a calendar year** shall be presumed to no longer desire membership, and shall not be counted in the membership statistics of the congregation unless they a) make a contribution to the church during that year, or b) are shut-ins and can no longer attend because of physical or mental health consideration, or, c) have moved away on a temporary basis because of schooling, military service, or job considerations and request to remain a member. The discontinued member's name shall be kept on file for a period of five years. He/She shall be encouraged to participate in congregational life or transfer elsewhere as may seem advisable. If he/she resumes activity within the five year period, he/she will be restored to active membership; if not, he/she will be dropped from membership.
3. **Children, neither of whose parents or guardians is a member, shall be dropped from baptized membership** if they fail to take part in the Christian education program, life and worship of the congregation.
4. **Members who are definitely known to have joined other congregations without transfer** shall thereby have lost membership in this congregation and all rights pertaining thereto.

Section III: THE CONGREGATIONAL MEETING

1. The Annual meeting of the congregation will be held on the third Monday of January or the Sunday immediately preceding or following. The Semi-Annual meeting will be held on the third Monday of July, or the Sunday immediately preceding or following.
2. Announcement of the **business meetings of the congregation** shall be made at two Sunday morning services immediately preceding such meetings.
3. A **special meeting** may also be called by written notice to all voting members mailed at least ten (10) days prior to such meeting.
4. A **quorum** for the conducting of business shall consist of at least twenty (20) (percent) of voting members.
5. **When necessary to complete the business of a meeting**, the congregation may, by majority vote of those present and voting, recess to re-convene at a specified time and place. A congregational meeting may also decide to recess to re-convene upon call, but time and place of such re-convened meetings must then be announced at no less than **one** public service in advance or by written notice to the voting members mailed not less than ten (10) days in advance.
6. In the following cases **voting shall be by ballot**:
 - a. Contested election of officers;
 - b. Adopting or amending the Articles of Incorporation, the Constitution, or By-laws;
 - c. Calling a pastor or requesting his resignation;
 - d. Excommunicating a member or removing a member from office;
 - e. Severing membership in The North American Lutheran Church;
 - f. Disposing of, encumbering, or purchasing real property; and
 - g. Approval of the annual budget.
7. Except as otherwise provided in the Constitution and By-laws, all matters shall be decided by **majority vote** of those present and voting.
8. **Election to office** shall require a majority of the votes cast.
9. **If more than one ballot is required in an election**, it shall be in order, by proper motion, to limit the balloting after the first ballot to the three candidates receiving the highest number of votes on the first ballot and, after the second ballot, to limit the balloting to the two candidates receiving the highest number of votes.

10. All **items of business requiring action** by the congregation must be turned into the church council at its meeting immediately preceding the congregational meeting.

Section IV: OFFICERS AND THE CHURCH COUNCIL

1. The officers of this congregation shall be **elected at the Annual Meeting for a term of two years**. The normal and typical length of service shall be no more than two terms; and, after the expiration of the second term, the officer shall be ineligible to hold office for one year.
2. Approximately **one-half of the members of the board** shall be elected each year at the Annual Meeting as follows:
 - a. **First year:** president, financial secretary, two trustees, *½ of the* deacons.
 - b. **Second year:** vice-president, secretary, treasurer, trustee, *½ of the* deacons.
 - c. Head Deacon and Head Trustee are determined by seniority. When there is no clear seniority, each shall serve as Head Deacon or Head Trustee for an appropriate percentage of the year.
 - d. The Sunday School Superintendent is **elected annually at the Semi-Annual Meeting** and his/her term shall run from July to September of the following year.
 - e. The Pastor(s) of this congregation and the president of the Immanuel Women's Ministry **shall be ex-officio members of the council**.
3. If possible, officers shall hold office **until their successors have been elected and installed**.
4. **Vacancies** which occur shall be filled by an appointee of the church council until the next regular or special meeting of the congregation. -The filling of an unexpired term of less than one year shall not be regarded as a term of office.
5. The church council **shall hold monthly meetings** or on call of the president or the pastor, and shall keep a record of its deliberations, which shall be reported to the congregation at its regular or special meetings, or through the church bulletin. A quorum for any regular or special meetings of the church council shall be one-half of its regular membership.
6. At its meeting immediately prior to the Annual or Semi-Annual Meeting of the congregation, **the council shall determine what matters it deems necessary to be placed before the congregation for its consideration**. Any matters of importance, including budget matters, which a member wishes to present to the congregation for action must first be brought to the attention of the church council at this meeting.

7. Standing **Committees** of the church council.

- a. The church council, at its discretion, may establish standing **committees on:**
 - i. **Evangelism;**
 - ii. **Worship;**
 - iii. **Fellowship;**
 - iv. **Education;**
 - v. **Stewardship;**
 - vi. **Finance; and**
 - vii. **Alcohol and Other Drug Addictions**
- b. Members of the congregation shall normally serve on only two standing committees at one time.
- c. The Council may form additional standing committees according to the needs of the ministry.

8. **Duties** of officers, members, and committees of the Church Council.

- a. The **president** shall preside over meetings of the council and of the congregation unless the meeting decides otherwise.
- b. The **vice-president** shall preside in the absence of the president unless the meeting decides otherwise and chair the finance committee.
- c. The **secretary** shall keep the minutes of the council and of the congregation and perform such other duties as usually develop upon a secretary.
- d. The **financial secretary** and assistant shall receive and record all contributions from members and all regular and special offerings. He/She shall deposit such moneys in the regular church account and turn over deposit slips to the treasurer. He/She shall present a duly audited report to the Annual Meeting of the congregation and such other reports as may be requested by the church council or the congregation.
- e. The **treasurer** shall disburse all funds in accordance with the council or the congregation. He/She shall present a duly audited report to the Annual Meeting of the congregation and such other reports as may be requested by the council or the congregation.
- f. The **trustees** shall have special responsibility for the care of the church property and shall make recommendations thereon to the council.
- g. The **deacons** shall oversee the spiritual affairs of the congregation and its community.

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- h. The **committee on finance** shall have general supervision over the financial affairs of the congregation, the preparation of the annual budget.
 - i. The **committee on stewardship** shall be responsible for encouraging and promoting healthy spiritual practices within the congregation in matters of the gifts of God including but not limited to: finances, healthy living, use of talents and time.
 - j. The **committee on worship** shall have special responsibility of the worship life of the congregation and all matters pertaining to the worship and music of the congregation.
 - k. The committee on **evangelism** shall help promote, encourage, and equip members to spread the Word of God.
 - l. The **committee on alcohol and other drug addiction** shall have charge of matters pertaining to the issues of alcohol and other drugs as affects the church and her members in church and society.
9. **Other responsibilities** of the church council.
- a. The church council shall be empowered to secure such help as is necessary to **carry on the work** of the congregation, such as: church organist, music director, youth minister, office secretary, custodians and shall fix their salaries subject to the congregation's approval of the budget.
 - b. The church council, with consideration and consultation of the appropriate committees shall be responsible for **adjustments of the pastor's salary**, subject to the congregation's approval of the budget.
 - c. The church council in its entirety, shall have the responsibility for the **management of all funds**, and, as far as possible, operate within the limits of the budget approved by the congregation.

Section V: USE OF THE CHURCH PROPERTY

- 1. The property of the congregation **shall be for the use of the congregation in its normal functions** as a Lutheran Church and shall not be used in any way not in harmony with the purposes of the congregation.
- 2. The buildings, real property, and other property of the congregation **may not be rented for any reason**. Members may use them without cost with the permission of the council. Non-members may use them without cost with the permission of the council for community service, non-profit use.
- 3. The buildings, real property, and other property of the congregation **are not available for**

personal use by non-members.

4. The **sanctuary is the congregation's central place of worship** and its use at all times should reflect this set-apartness.

Section VI: REPORTS OF THE ORGANIZATIONS

1. Organizations and committees handling funds within the congregation shall **submit their accounts to the treasurer or to the church office** so they may be included in the Annual Report to the congregation.
2. Each organization of the church shall **submit a report or its activities to the church office** at least twenty (20) days prior to the Annual Meeting of the congregation for inclusion in the Annual Report.

Section VII: MINISTERIAL RECORDS

1. The pastor shall be responsible for keeping accurate **records of the membership of his/her ministerial acts** on forms provided by the congregation, which records shall remain the property of the congregation.
2. He/She shall report these statistics **annually to the congregation**, and when required to do so, to the secretary of the North American Lutheran Church.
3. Upon leaving the congregation, the pastor shall **complete the records of his/her ministry** up to the time of departure.

Section IX: AMENDMENTS TO THE BY-LAWS

1. The by-laws may be **amended** at any legally called meeting of the congregation by a two-thirds majority vote of those present and voting.
2. Amendments may be proposed by at least 33% of voting members or by the Church Council. Proposals must be filed in writing with the Church Council sixty (60) days before a regular or special Congregational Meeting called for that purpose. The Church Council shall notify the members of the proposal with the council's recommendations regarding disposition of the proposal at least thirty (30) days in advance of the meeting.
3. The by-laws shall not conflict with the constitution. If a conflict is shown to exist, the constitution shall prevail.

Section X: ALCOHOL AND OTHER DRUG USE

1. **At the Eucharist, non-alcoholic wine, grape juice, or a similar non-alcoholic beverage**

| **will be served exclusively.** -At each celebration of the Eucharist, a statement either written and/or spoken will be made so that worshipers are informed, vis-à-vis the use of the non-alcoholic beverage in the cup.

2. **The use of alcoholic beverages** on church premises and at church sponsored functions is **prohibited**.
3. **The use of tobacco is prohibited** in the congregation's buildings.
4. The **use of illegal drugs**, including the misuse of prescription drugs, **is prohibited** on church premises and at church sponsored functions.