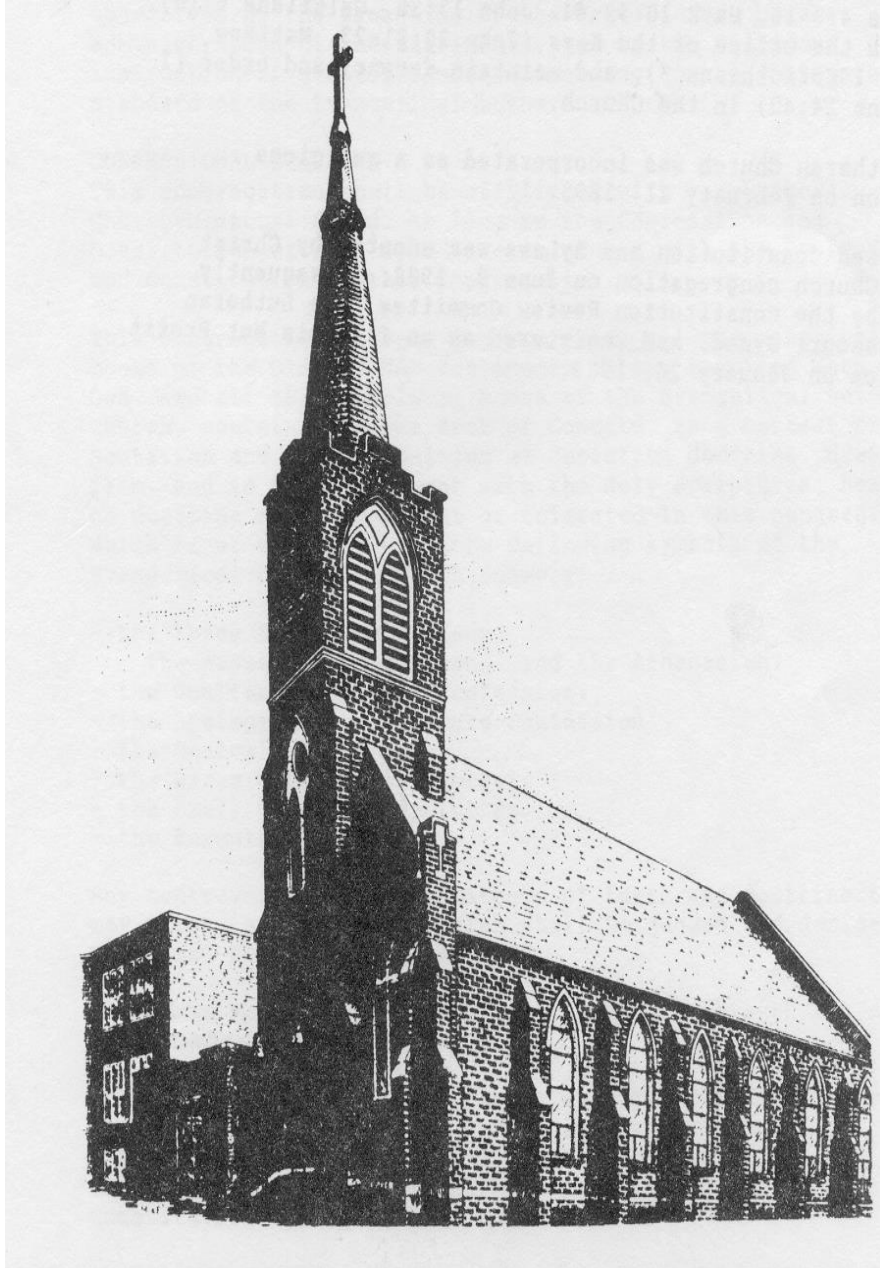


**The Constitution and Bylaws
Of
Christ Lutheran Church
November 17, 2019**



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Of Christ Lutheran Church**

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The Constitution and Bylaws of Christ Lutheran Church

Historical Introduction

As early as 1867, the leaders of Trinity Lutheran Church in Peoria, Illinois cited a need to establish a school for the children living in the south side of Peoria. In 1880, they obtained a building on Adams Street, and assigned a candidate for the ministry to teach classes in that facility. Soon it became evident that there was also a need for worship services in Peoria's south side representing Lutherans. In 1892, Trinity Congregation purchased land on Malone Avenue with plans to build a church. In February of 1894, a call was accepted by Pastor F. W. Jass to serve the new congregation. And on December 9, 1894, Christ Lutheran Church was founded.

Christ Lutheran Church was incorporated as a religious corporation on February 11, 1895, and registered as an Illinois Not for Profit Corporation on January 26, 1989.

Amendments to this Constitution and Bylaws have been made over the last one hundred twenty-five years reflecting how Christ Lutheran Church administers its affairs. Major revisions were reviewed by the Congregational Constitutional Committee and approved by the congregation on November 19, 1998, November 16, 2008, and August 24, 2015. In celebration of our 125th anniversary, changes were approved on November 17, 2019.

THE CONSTITUTION

1.0 NAME

The name of this congregation shall be Christ Lutheran Church of Peoria, Illinois. Christ Lutheran School is a division and a part of Christ Lutheran Church of Peoria, Illinois.

2.0 MISSION AND MINISTRY STATEMENT

Christ Lutheran Church of Peoria, Illinois is a religious corporation and an Illinois Not for Profit Corporation organized for religious, educational, and charitable purposes. The Bible, through many examples in both Old and New Testaments, teaches us clearly that God "wants all men to be saved and to come to a knowledge of the truth" (1 Timothy. 2:4). This, therefore, is God's mission. God's mission is necessary because human sin disrupted the harmony that existed originally in God's creation (Romans 3:23). God's plan is to reconcile the world to himself through Jesus Christ (Ephesians 1:10; Acts 4:12). The Holy Spirit has been sent to empower us for work in God's mission (Acts 1:8; John 14:16). God now sends us to bring the message of salvation to everyone in the world (John. 20:21; Matthew 28:18-20). Thus, God's mission is our mission (1 Peter 2:9). Our mission at Christ Lutheran Church is embodied in the following ministry activities:

WORSHIP -- to receive God's offered blessings in Word and Sacrament, and to give honor and glory to the Triune God in prayer, praise, and thanksgiving (Hebrews 10:24-25).

NURTURE—to be effective partners in the Gospel through the Word and Sacraments by the discipling of leaders and edifying of all members, that all may be equipped for their ministries (Ephesians 4:7-16).

FELLOWSHIP—to help each other and our fellow men (Acts 2: 42; John 13:35; James 1:27), providing support in accordance with need.

SERVICE—through faithful stewardship, putting God first in service and giving, to help advance the Kingdom of Christ (2 Corinthians 8:9-15; Matthew 6:33).

WITNESS—to reach out in evangelism (Matthew 28:18-20; Mark 16:15; Acts 1:8), confessing to others our Spirit-given faith that Jesus is Savior and Lord.

3.0 **CONFESSIONAL STANDARD**

This congregation shall be affiliated with the Lutheran Church-Missouri Synod, as long as the Confessions and Constitution of said Synod are in accord with the Confessions and Constitution of this Congregation.

This congregation accepts and confesses 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 correct presentation and true exposition of Christian doctrine, drawn from, and in full agreement with the Holy Scriptures; hence, no doctrine shall be taught or tolerated in this congregation which is at variance with the following symbols of the Evangelical Lutheran Church, namely;

- The three Ecumenical Creeds: The Apostolic, the Nicene, and the Athanasian;
- The Unaltered Augsburg Confession;
- The Apology of the Augsburg Confession;
- The Smalcald Articles;
- The Large Catechism of Luther;
- The Small Catechism of Luther;
- The Formula of Concord.

Any controversy involving matters of faith and doctrine that may arise in this congregation shall be judged and decided according to this standard.

3.1 All hymnals, forms, writings, etc., used in this church shall conform to Article 3.0.

3.2 The property of this congregation and all of its benefits shall in all events remain with this congregation (of at least two members) consisting of those members who shall continue to confess and adhere to Article 3.0 in the Constitution.

4.0 **MEMBERSHIP**

Membership in this congregation shall be divided into three classes, namely; Baptized members. Communicant members and Voting members.

4.1 **Membership**

- 4.1.1 Baptized members are all members who have been baptized in the name of the Triune God, and who are under the spiritual care of this congregation.
- 4.1.2 Communicant members are those baptized members who have been confirmed in the Lutheran faith, accept the confessional standards of Article 3.0 of this Constitution, and are not members of any organization whose principles and conduct conflict with the Word of God.
- 4.1.3 Voting members are communicant members who have reached the age of eighteen (18) years. All communicant members have the privilege of attending congregational meetings. An absent member waives the right to vote and therefore is not entitled to vote. Voting by proxy is prohibited.

4.2 **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 recommended by the Pastor and the Board of Elders, and approved by the Church Council. All receptions will be reported at the semi-annual congregational meetings by the Board of Elders.

4.3 **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, regularly attend worship services, attend Bible study, bring up their children in the nurture and admonition of the Lord (Ephesians 6:4), teach them religion at home and enroll them in various congregational educational programs, 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.

4.4 **Termination**

- 4.4.1 Membership shall be terminated by transfer to a sister congregation, by death, by joining a congregation outside the fellowship of this congregation, by self-exclusion, by release to the church of their choice, or by ex-communication.
- 4.4.2 Communicant members in good standing shall be transferred to a sister congregation upon recommendation of the Pastor and Board of Elders. Such transfer shall be reported to the Church Council for approval at its next meeting.
- 4.4.3 Communicant members who join congregations other than Christ Lutheran Church thereby terminate their membership. Their names shall be removed from the membership list upon recommendation of the Pastor and Board of Elders. Such action will be reported to the Church Council for approval at its next meeting.
- 4.4.4 Members who move out of the community and thereby become inactive shall be encouraged to transfer their membership to a sister congregation of the Lutheran Church Missouri Synod near to

them, upon recommendation of the Pastor and the Board of Elders. Such recommendation will be reported to the Church Council for approval at its next meeting.

- 4.4.5 Communicant members whose whereabouts are unknown and whose addresses cannot be established for one (1) year shall have their names removed from the membership list upon recommendation of the Pastor and Board of Elders. Such action will be reported to the Church Council for approval at its next meeting.
- 4.4.6 Communicant members can be released to the church of their choice upon recommendation of the Pastor and the Board of Elders. Such a situation is reported to the Church Council and subsequently reported at the semi-annual congregational meeting by the Chairperson of the Board of Elders.
- 4.4.7 Excommunication procedures are described in the Bylaws, Article 15.0.

5.0 **AUTHORITY OF THE CONGREGATION**

- 5.1 Congregational Powers and Rights. The congregation as a whole shall have supreme powers in all the external and internal administration of its ecclesiastical and congregational affairs.

No enactment in behalf of the congregational or with reference to a member of the same by an individual or body of individuals shall be valid or binding against the congregation, unless such individuals or body of individuals shall have been empowered by the congregation.

The Congregation at all times reserves the right to withdraw or rescind its own actions or the actions of individuals acting under powers conferred. The congregation shall never enact or decide anything contrary to the Word of God and the symbols of the Lutheran Church, and all actions or enactments contrary to Article 3.0 of this Constitution shall be null and void.

- 5.2 The Church Council; Staff, whether commissioned or under contract; any elected or appointed Board of members of any Board; and any hired personnel; shall have no power or authority beyond that conferred upon it by the congregation, the Constitution, and the Bylaws, which power may at any time be withdrawn by the congregation in accordance with the Constitution and the Bylaws.

6.0 **MEETINGS**

- 6.1 Regular and special meetings of the congregation shall be as determined in the Bylaws. Notice of regular and special meetings shall be printed in the Church bulletin and stated in a separate written notification. This may include written notification mailed to each Voting member at their last known address, email, or fax notifications. Notice shall be deemed given and received on the date mailed, emailed, or faxed. One notice to voting members living at the same address is sufficient.

Notice of regular and special meetings should be given at least seven (7) calendar days prior to the meeting unless a longer period is otherwise provided for in the Constitution or Bylaws, except that in the case of removal of one or more directors, Called workers or commissioned workers, a merger, consolidation, dissolution or sale, lease, or exchange of assets, or amendment of the constitution, not less than twenty (20) calendar days prior to the meeting,

6.2 Right of Petition is available to any communicant member in good standing. A member shall have the right to bring matters before a meeting of the Church Council for study and decision. If an appeal from the Church Council decision is to be sought, the matter is to be referred to the next regular or special membership meeting of the congregation.

6.3 A meeting of the congregation shall not be required for the sale or exchange of marketable securities such as stocks, bonds and mutual funds.

7.0 **QUORUM**

7:1 Regular meetings: a minimum of ten (10) voting members present at a regular congregational meeting shall constitute a quorum.

7.2 Decision making: in regular matters of business, a majority vote of all members present shall decide an issue.

7.3 **SPECIAL MEETINGS**

7.3.1 All special meetings require forty (40) voting members to be present to conduct business. Failing to have forty (40) voting members present in the first meeting, a second meeting can be scheduled on another calendar date for the same purpose. Any subsequent meetings will require a minimum of twenty-five (25) voting members in attendance.

8.0 **PASTOR (S), PRINCIPAL (S), AND/OR DIRECTOR OF CHRISTIAN EDUCATION AND TEACHERS**

8.1 This congregation shall recognize the Pastoral Office, which has been established by our Lord. This congregation is free, as the need arises, to establish the Office of Principal and/or Director of Christian Education, and each of said offices, as well as the Pastoral Office, shall be conferred only upon such candidates who publicly profess their acceptance of, and adherence to Article 3.0 of this Constitution; who are qualified; who have been endorsed by Synod; and who are members of Synod; and such acceptance and adherence shall be required of them in the Call extended by the congregation.

8.2 The term "the Pastor" referred to in this Constitution and Bylaws refers to the Senior Pastor. The term "the Pastor (s)" refers to either the Senior, Associate, or Assistant Pastor. In the event the Senior Pastor is absent or unable to perform his duties, the Associate and/or the Assistant Pastor

will assume the duties of the Senior Pastor on a temporary basis as authorized by the Board of Elders.

- 8.3 The calling procedure of Pastor (s), Principal (s) and/or Director of Christian education, and 12-month commissioned teacher (s) from the field, are established in the Bylaws, Article 16.0.
- 8.4 The right to call a Pastor, Principal and/or Director of Christian Education, or a 12-month commissioned teacher from the field, shall be vested in the congregation as a whole, and may never be delegated to an individual or number of individuals in the congregation.
- 8.5 Teachers, other than the Principal and/or Director of Christian Education, whether commissioned or under contract, for the faculty of the Christian Day School, shall be engaged by the congregation, through the Church Council, upon recommendation of the Board for Christian Day School.
- 8.6 The procedure of removing Pastor (s), Principal (s), and/or Director of Christian education and all commissioned teachers are established in the Bylaws, Article 17.0.

9.0 **LIMITATIONS ON HOLDING OFFICE**

Women who have reached the age of twenty-one (21) may serve as officers and as members of boards and committees as long as these positions are not directly involved in the specific functions of the Pastoral office (preaching/the public administration of the Sacraments, church discipline) and as long as this service does not violate the order of creation (usurping authority over men). Accordingly, they shall not serve as a Pastor, as a Principal, as a member of the board of elders, as president or vice-president of the congregation.

10.0 **DIRECTORS/ OFFICERS, BOARDS, ELECTIONS, INSTALLATION, VACANCY, AUTHORITY AND REMOVAL**

10.1 **DIRECTORS**

- 10.1.1 The Directors of this congregation shall consist of the President, the Vice-President, the Secretary, the Chairperson of each Board, the Vice-Chairperson of each Board, and the Ladies' Representative, and any additional directors as authorized by the congregation and provided by the Bylaws.
- 10.1.2 The Office of President, Vice-President, and Secretary shall be filled from the at-large communicant membership of the congregation who has reached the age of twenty-one (21). All officers will perform the duties as specified in the Bylaws.
- 10.1.3 The President shall serve a one-year term. He shall succeed to the office of the President after he has served a one-year term as Vice-President.
- 10.1.4 The Vice-President shall serve a one-year (1) term. He shall succeed to the office of the President after he has served as Vice-President.
- 10.1.5 The Secretary will serve a two-year (2) term.

10.2 **OFFICERS**

The officers of this congregation shall be all directors, all appointed members of each Board, and all members of any committees established by the Church Council or any Board.

10.3 **BOARDS**

10.3.1 The duties of all Boards are described in the Bylaws.

10.3.2 All Board members must be communicant members of Christ Lutheran Church and must be at least eighteen (18) years of age, except for the Board for Youth and the Board of Parish Ministry and Outreach as stated in 10.3.7 of the Constitution and 7.2.2 of the Bylaws.

10.3.3 The Vice-Chairperson of each Board is elected by the congregation each year. Each Vice-Chairperson shall succeed as Chairperson of that Board after serving one year as Vice-Chairperson.

10.3.4 Other Board members will be appointed for a two (2) year term in a special Council meeting following the annual congregational election in November of the current year, and preceding January 1st of the succeeding year. The newly acceded Board Chairmen shall also participate in this special meeting in an advisory and non-voting capacity. The newly acceded Chairperson of each Board shall provide to the Church Council names of individuals that they would like to have appointed to their respective boards. The Church Council is expected to approve or reject the recommendations. If other board members are not appointed at this special Council meeting they shall be appointed at a subsequent Council meeting.

10.3.5 To provide continuity of members of each Board, one-half of its membership not elected by the congregation is appointed each year.

10.3.6 Appointed Board members may succeed themselves.

10.3.7 All Boards will conform to the following name, membership and term.

The Boards will consist of at least the following number of members:

<u>BOARD NAME</u>	<u>NUMBER OF MEMBERS</u>	<u>TERM</u>
Board of Elders	8	2 years
Board of Trustees	4	2 years
Board of Stewardship & Finance	4	2 years
Board for Christian Day School	4	2 years
Board of Parish Ministry & Outreach	4	2 years
Board for Youth	4	2 years
Total of all Boards: 28		

The Chairperson and Vice-Chairperson of all Boards must be at least twenty-one (21) years old. All Board members must be at least 18, except for the Board for Youth and Board of Parish Ministry & Outreach which may have one (1) member under the age of 18.

10.3.8 All Boards must have at least one half of the members present at each meeting to constitute a quorum and conduct business.

10.4 ELECTIONS

- 10.4.1 Each year a Vice-President shall be elected who accedes to the Presidency after one year as Vice-President. If no Vice President has been or is on the ballot to be elected, and if no Vice-President is then serving, a President may be elected.
- 10.4.2 The Ladies' Representative and Secretary shall be elected in alternate years.
- 10.4.3 Appointed Board members can be candidates for Vice-Chairperson of that Board at any election and are not prohibited due to serving on a Board.
- 10.4.4 The President may be a candidate for Vice-President or President if the Nominating Committee is unable to obtain agreement from another suitable candidate for that position.
- 10.4.5 The Chairperson of a Board shall be eligible for appointment to that Board following their term as Chairperson. The Chairperson of a Board may be a candidate for Vice-Chairperson or Chairperson of that same Board.
- 10.4.6 A majority of those voting members present are required to elect a candidate to an office.
- 10.4.7 The regular terms of office for elected and appointed members begin on the first day of the year.

10.5 INSTALLATION

All members of the Church Council and Board appointees should present themselves for installation during a Church service within a reasonable time before or after the beginning of the year.

10.6 VACANCY

- 10.6.1 In case of a vacancy in the Office of President, the Vice-President shall accede to the Office of President. He shall complete the remaining term of the vacant office and will complete his normal one-year term as President. The Church Council shall appoint a temporary replacement for the Vice-President to serve only until a new Vice-President is elected at the next regular meeting of the congregation to serve for the remainder of the term of the person replaced.
- 10.6.2 In case of a vacancy in the office of Chairperson of a Board, the Vice-Chairperson of that Board shall accede to the office of Chairperson. He/she shall complete the remaining term of the vacant office and will complete his/her normal one-year term as Chairperson of that Board. The President of the Congregation shall appoint a temporary replacement for the Vice-Chairperson of that Board to serve only until a new Vice-Chairperson is elected at the next regular meeting of the congregation to serve for the remainder of the term of the person replaced.
- 10.6.3 In case of a vacancy in the office of Secretary or Ladies' Representative, the President of the Congregation shall appoint a temporary replacement subject to Church Council approval, to serve only until a new Secretary or Representative, as the case may be, is elected at the next regular meeting of the congregation to serve for the remainder of the term of the person replaced.

- 10.6.4 As vacancies occur on any Board as it applies to appointed members, the Chairperson of that Board shall appoint a replacement, subject to Church Council approval, to serve the remainder of the term of the Board member replaced.
- 10.6.5 In case of a vacancy in the Office of the Vice-President, or the Office of the Vice-Chairperson of any Board, the President shall direct the last established nominating committee to strive to select at least two candidates within thirty (30) calendar days before the next regular meeting of the congregation, or within a reasonable period of time before said meeting if a vacancy occurs less than thirty (30) days before the next regular meeting of the congregation. The election shall be conducted as set forth in the Constitution and Bylaws.
- 10.6.6 Resignation from any person in an elected or appointed position shall be submitted in writing to the Church Council specifying an effective date.

10.7 **AUTHORITY**

The officers and board members shall exercise the authority and duties outlined in the Constitution and Bylaws. Such authority delegated to them shall be at all times subject to change or decision by action at a congregational meeting.

10.8 **REMOVAL FROM OFFICE**

All elected and appointed Board members of the congregation can, in Christian and lawful order, be removed from office. Sufficient and urgent causes for deposing an officer include but are not limited to: persistent adherence to false doctrine, scandalous life, and/or willful neglect of official duties. A twenty (20) day written notice is required and shall be issued by the Church Council, to inform the voting membership of the congregation the purpose of the meeting. In all cases, said twenty (20) day written notice shall be given to each board member sought to be removed by personal service or by certified mail return receipt requested showing actual receipt of notice by the Board member or a member of his/her household.

11.0 **CHURCH COUNCIL**

The Church Council will consist of, and conform to the following membership, and voting membership status.

MEMBERSHIP	VOTING MEMBERSHIP STATUS
The President	Voting
The Vice-President	Voting
The Secretary	Voting
The Chairperson of the Board of Elders	Voting
The Chairperson of the Board of Trustees	Voting
The Chairperson of the Board of Stewardship and Finance	Voting
The Chairperson of the Board for Christian Day School	Voting
The Chairperson of the Board of Parish Ministry & Outreach	Voting
The Chairperson of the Board for Youth	Voting
The Ladies' Representative	Voting
The Pastor (s)	Non-voting

The Director of Youth	Non-voting
The Principal	Non-voting
The Director of Christian Education	Non-voting
The Director of Evangelism	Non-voting

12.0 PROPERTY RIGHTS OF CONGREGATION

The congregation may receive, acquire, hold title to, and manage such real estate and other property as it may need and may sell or dispose of such real estate and other property, or any part thereof; and this corporate body shall have all the rights and powers that are granted by the laws of the State of Illinois to religious corporations incorporated in accordance with the General Not for Profit Corporation Act.

13.0 DIVISION

If at any time a division should take place in this congregation on account of doctrine, the property of the congregation and all the benefits connected therewith shall remain with those members who shall continue to adhere to Article 3.0 and Article 3.2 of this Constitution.

14.0 AMENDMENTS

14.1 DOCTRINAL MATTERS

Amendments to this Constitution may be made, provided they do not conflict with the provisions laid down under Article 3.0 or any of the doctrinal Articles of this Constitution.

14.2 PROCEDURE

Proposed amendments to this Constitution must be submitted in writing to a congregational meeting. The Communicant membership must be provided a written copy of any proposed Amendments in accordance with the notice provision in Article 6.1 hereinabove. The meeting shall be conducted as outlined in Articles 6 and 7. A two-thirds (2/3) vote of the members present shall be required for adoption of any amendment to the Constitution.

15.0 CHARITABLE PURPOSE

This corporation is organized exclusively for and will be operated exclusively for charitable, religious and educational purposes including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

15.1 No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its members, trustees, officers or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article 15.0 hereof. No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of these articles, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal

tax code, or (b) by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or corresponding section of any future Federal tax code.

16.0 **DISSOLUTION**

Should the congregation cease activities and be dissolved, and upon dissolution of the corporation, all property and other assets remaining after the payment of the debts of the congregation shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future Federal tax code, to The Lutheran Church-Missouri Synod (or its successor) or a corporation, trust, foundation, or other organization organized and existing for religious, educational, and/or charitable purposes which would then qualify under the provisions of section 501(c) (3) of the Internal Revenue Code, as now enacted or as may hereafter be amended, or the corresponding section of any future Federal tax code.

BYLAWS

1.0 CONGREGATIONAL MEETINGS

1.1 There shall be congregational meetings semi-annually, on the third Sunday of May and on the third Sunday of November. The date of semi-annual meetings may be changed, for cause, by the President or, if the President is unable, the Church Council, with notice of said different date given as provided in the Constitution and Bylaws.

May meeting will consider:

1. Church Council and Board reports and recommendations.
2. Approve Nominating Committee.
3. Other business as necessary.

November meeting will consider:

1. Election of congregational directors defined by 10.1.1 in the constitution.
2. Annual Budget.
3. Church Council and Board reports and recommendations.
4. Other business as necessary.

The two meetings provided for in this Article 1.1 shall be designated the "regular meetings" of the congregation.

1.2 Notice of regular meetings of the congregation shall be given by the President of the congregation, or if the President is unable, the Church Council pursuant to the Constitution and Bylaws.

1.3 Special meetings of the congregation may be called by the President of the congregation, the Church Council, or one-twentieth of the voting membership. Notice shall be given by the person (s) calling the meeting as provided in Article 6.1 of the Constitution.

1.4 Emergency meetings may be called by the President, or if the President is unable, the Vice-President, on as much notice and in the manner as is reasonably available, all in the discretion of the President, or the Vice-President as the case may be. An emergency meeting shall be defined as a meeting deemed expedient when an extraordinary situation occurs such that normal notice cannot be given of a special meeting as provided in the Constitution and Bylaws.

1.5 The subject of a special meeting may include items 1 through 10 as listed below, but not limited to those listed. The affirmative vote of two-thirds (2/3) of the voting members present is required to decide on an issue described in said items 1 through 10, except as otherwise stated. All other special meetings require a majority vote of all voting members present to decide an issue.

1. Amending the Constitution.
2. Resolutions pertaining to relations between Pastor (s), Principal (s), all teachers, employees and congregational members.

3.
 - a. Selling, mortgaging, leasing or otherwise conveying and disposing of the property of the corporation, other than the sale of marketable securities.
 - b. Buying real estate for the corporation.
4. Resolutions pertaining to the Synodical affiliation of this congregation.
5. Calling of Pastor (s), Principal (s), and/or Director of Christian Education, or 12-month called teacher (s) from the field.
6. Matters of doctrine.
 - a. A unanimous decision shall be required for all binding activities.
7. Removal of Pastor (s), Principal (s), and/or Director of Christian Education.
8. Removal of Teachers, commissioned or under contract.
9. Excommunication.
10. Removal of any elected officer.

1.6 A written agenda for each congregational meeting shall be prepared by the Church Council, and be available to all who attend the meeting.

1.7 The meetings of the Congregation, Church Council and all Boards shall be conducted according to Roberts Rules of Order.

2.0 **CHURCH COUNCIL MEETINGS**

2.1 The regular meetings of the Church Council shall be monthly on a date and at the time set by the President. Notice of said meeting shall be given to all Directors and members of the Council in the manner provided in Section 6.1 of the Constitution except that only forty-eight (48) hours notice is necessary unless as otherwise provided in the Illinois Not for Profit Corporation Act.

2.2 Five (5) voting members of the Church Council shall constitute a quorum.

2.3 If a Board Chairperson cannot attend a Council meeting, the Vice-Chairperson of that Board shall attend, give the monthly report, and will be eligible to vote in the stead of said Board Chairperson.

2.3.1 If the Secretary cannot attend a Council meeting, an Assistant Secretary shall attend and serve in the Secretary's place and stead (and will be eligible to vote in the stead of the Secretary).

2.4 Special meetings of the Church Council can be called by the President, Pastor (s) or any three members of the Council by notice to each member of the Council and Directors of the time and place of the meeting in the manner provided in Section 6.1 of the Constitution except that only five days (5) notice is necessary.

2.5 Each Board is expected to provide any motions that they wish the Church Council to consider, in writing, at or before each meeting of the Church Council.

2.6 Motions in writing presented by any Board to the Church Council carry a second and are immediately subject to debate and discussion.

- 2.7 The Church Council may establish rules and procedures from time to time concerning the conducting of Church Council meetings.
- 2.8 The Church Council is allowed to have members attend a Church Council meeting via electronic means, including phone and video conferencing.
- 3.0 **DUTIES OF THE BOARD OF ELDERS**
- 3.1 The Board of Elders shall be charged with the supervision of Public Worship, Mission Endeavor, and Church Discipline, and to that end shall:
- 3.1.1 Admonish members who are neglecting the means of grace and who fail to share in the support of congregational endeavors.
- 3.1.2 Promote the cause of missions, also through the function of social ministry endeavors.
- 3.1.3 Cooperate with the Board of Parish Ministry & Outreach in the visitation of newly received members and make every effort to enlist them in the work of the congregation.
- 3.1.4 Cooperate with the Board for Christian Day School in monitoring the spiritual life and faith growth of all families with children enrolled at Christ Lutheran School.
- 3.1.5 Supervise the music for all services and cooperate with the organist, the choir director (s), and choir members in maintaining high musical standards for our services of worship.
- 3.1.6 Supervise the work of the Ushers Society and cooperate with the members of this Society in maintaining proper church decorum at all services.
- 3.1.7 Supervise the Altar Guild.
- 3.1.8 Supervise the Book Nook and assist the staff members in their effort to disseminate Christian literature among the members of the congregation.
- 3.1.9 Have jurisdiction over the procedure of receptions, transfers and terminations of membership in the congregation.
- 3.1.10 Shall be responsible for the keeping of the official records of the Church, along with the Pastor (s), and be responsible for the Office Secretary.
- 3.1.11 The Board of Elders shall coordinate the vacation schedule of the Pastor (s), Principal (s), and/or Director of Christian Education, lay ministers, teachers, commissioned or under contract, vicars, deaconess(s), and all church office personnel.
- 3.1.12 The Board of Elders shall coordinate the responsibilities of the Pastor (s), Director of Christian Education, vicar (s), deaconess(s), lay minister (s), church office personnel and unless supervised by another Board, lay workers, commissioned or under contract.

- 3.1.13 Supervise the L.W.M.L. and Senior Club activities.
- 3.1.14 Shall be responsible for the authorized use of memorial funds.
- 3.1.15 Assure that appointments are made for the Lutheran Welfare Council, Lutheran Hillside Village, and the Lutheran Women of Greater Peoria as needed.
- 3.2 The Board of Elders shall be authorized annually to appoint or reappoint such officers and committees as shall be necessary to carry out the duties described in Article 3.1 (e.g., visitation committee, music committee, Chairperson of John Jass Ministerial Student Aid Fund and Concordia Student Fund, etc.).
- 3.3 The Board of Elders may, on an annual or other periodic basis, appoint auxiliary Elders or Deacons, subject to approval of the Senior Pastor and the Church Council. Each auxiliary Elder or Deacon shall present themselves for installation during a Church service prior to serving as an auxiliary Elder or Deacon. The Board of Elders and the Senior Pastor shall from time to time establish such standards, rules, and procedures as deemed appropriate for these positions.
- 3.4 The Board of Elders shall, on an annual or other periodic basis appoint the Director of Youth, subject to approval of the Senior Pastor and the Church Council. The Director of Youth shall be supervised by the Pastor (s) and the Board for Youth. The Director of Youth shall present themselves for installation during a Church service prior to serving as Youth Director. The Board of Elders and the Senior Pastor shall from time to time establish such standards, rules, and procedures as deemed appropriate for this position.
- 3.5 The Board of Elders shall, on an annual or other periodic basis appoint the Director of Evangelism, subject to approval of the Senior Pastor and the Church Council. The Director of Evangelism shall be supervised by the Pastor (s) and the Board of Parish Ministry & Outreach. The Director of Evangelism shall present themselves for installation during a Church service prior to serving as Evangelism Director. The Board of Elders and the Senior Pastor shall from time to time establish such standards, rules, and procedures as deemed appropriate for this position.
- 3.6 The Board of Elders shall with the assistance of the Pastor (s), supervise, oversee, and assist in carrying out the matters set forth in Article 9.0 of these Bylaws.

4.0 DUTIES OF THE BOARD FOR CHRISTIAN DAY SCHOOL

- 4.1 The Board for Christian Day School shall be charged with the supervision of Christ Lutheran School, a division of Christ Lutheran Church, and to that end shall:
 - 4.1.1 Cooperate with the Principal (s) and the Pastor (s) in the supervision of Christ Lutheran School, make rules and regulations in respect thereto, approve the curriculum and the text books in use, do what is reasonably possible to increase the enrollment in these agencies, and maintain the highest standards in the field of elementary education.

- 4.1.2 The Board for Christian Day School shall coordinate the responsibilities of the Principal (s), teachers, commissioned or under contract, and school office personnel.
- 4.1.3 The Board for Christian Day School in conjunction with the Principal shall submit to the Church Council name (s) of candidates to be commissioned or hired under contract as teachers of the Christian Day School.
- 4.1.4 Supervise the Parent-Teacher League.
- 4.1.5 Supervise the Book Committee and Hot Lunch Program activities.
- 4.1.6 Supervise the Childcare and Extended Care Program
- 4.1.7 Cooperate with the Board of Elders in monitoring the spiritual life and faith growth of all families with children enrolled at Christ Lutheran School.
- 4.2 The Board of Christian Day School shall be authorized to annually appoint or reappoint such officers and committees as shall be necessary to carry out the duties described in Article 4.1.

5.0 DUTIES OF THE BOARD OF TRUSTEES

- 5.1 The Board of Trustees shall be charged with the supervision of Congregational Property, and to that end shall:
 - 5.1.1 Have the custody and control of the corporate property including properties purchased for the Pastor (s), Principal (s), and/or Director of Christian Educations, or 12 month commissioned workers and make such rules and regulations as they may deem expedient for the improvement of the Church property, and they may sell, mortgage, lease, or otherwise convey and dispose of the property of the corporation, other than marketable securities subject to the provisions of Article 6 and 7 in the Constitution and Article I in the Bylaws.
 - 5.1.2 Supervise and direct the work, and approve the vacation time of the custodians and attend to the maintenance and repair of all properties of the congregation, including snow removal.
 - 5.1.3 Authorize the necessary equipment and supplies for the efficient operation of the congregation.
 - 5.1.4 Supervise the keeping of the official property records of the congregation.
 - 5.1.5 Appoint the insurance coordinator as needed.

- 5.1.6 Annually appoint one (1) voting member to serve for a term of three (3) years on the Lutheran Cemetery Board. By agreement, a like number, of three (3) shall represent Trinity Lutheran Church.
- 5.1.7 Be responsible for maintaining adequate property and liability insurance coverage. The Board of Trustees shall report annually to the President of the congregation and the Church Council the status of all insurance coverage. Any changes in insurance policies and/or the selection of any insurance company shall be subject to Church Council approval.
- 5.1.8 Authorizes the use of congregational facilities by those organizations that are within the congregation as well as those that are independent of our congregation, (e.g., Thrivent Financial, etc.)
- 5.2 The Board of Trustees shall be authorized to appoint or reappoint annually officers and committees as shall be necessary to carry out the duties described in Article 5.1 (e.g., custodians, etc.).

6.0 DUTIES OF THE BOARD OF STEWARDSHIP AND FINANCE

- 6.1 The Board of Stewardship and Finance shall be charged with supervision of the Church stewardship program and financial affairs and to that end shall:
 - 6.1.1 Appoint annually the treasurer, assistant treasurer, financial secretary, and the housing treasurer, subject to the ratification by the Church Council.
 - 6.1.2 Gather, or cause to be gathered, the offerings and shall keep a record of same; supervise the work of the financial secretary and assistants in keeping an account of all contributions, and make rules and regulations in respect thereto.
 - 6.1.3 Supervise the work of the treasurer in keeping an accurate account of all disbursements and make rules and regulations in respect thereto.
 - 6.1.4 Be responsible for conducting an annual budget meeting with all Board Chairpersons attending to develop the annual budget. The Board of Stewardship and Finance shall prepare an annual budget based on the planned congregational program subject to Church Council approval, with final approval given by the congregation.
 - 6.1.5 Inform the entire church membership of the Christian obligation of stewardship - time, talents, and treasures; local church opportunities and problems; world church needs and requirements.
 - 6.1.6 Annually maintain, review, and provide current salary, pension, or annuity policy guidelines for the benefit of the Church Council concerning called workers, employees under contract, or other hired personnel of the congregation.
 - 6.1.7 Annually review salaries and other remunerations (housing allowances, utilities allowance, car allowance, travel allowance, etc.), for the Pastor (s), Principal (s), and/or Director of Christian Education, teachers, commissioned or under contract, lay workers, called or under contract, and all hired personnel.

- 6.1.8 The Board of Stewardship and Finance shall be responsible for the administration and accounting of all pledges or contributions made toward special District or Synodical fund raising programs or other fund raising programs as directed by the Church Council.
- 6.1.9 The Board of Stewardship and Finance shall be responsible for providing assistance to the Board of Trustees for the purpose of arranging and managing the financial terms and conditions for loans, mortgage payments, and/or loan repayments to financial institutions and/or church members for the purchase or maintenance of congregational property, including any property held in the name of the congregation.
- 6.2 The Board of Stewardship and Finance shall be authorized to appoint or reappoint annually such officers and committees as shall be necessary to carry out the duties described in Article 6.1.

7.0 DUTIES OF THE BOARD FOR YOUTH

- 7.1 The Board for Youth shall be charged with the supervision of Christian Youth activities in Christ Congregation, and to that end shall:
 - 7.1.1 Assist the Pastor (s), and Director of Youth, in the supervision of the programs of the youth activities, seeing to it that such programs contribute to the spiritual edification of the participants and make every effort to enroll all the young people of the congregation in the church's program of Christian education.
 - 7.1.2 Foster and encourage a program of Christian social and recreational activities within the youth activities, and provide and maintain any equipment which is required to carry out such a program.
 - 7.1.3 Foster and encourage Community Service activities.
- 7.2.1 The Board for Youth shall be authorized to appoint annually such officers and committees as shall be necessary to carry out the duties described in Article 7.1 (e.g., adult youth counselors, etc.). All adult youth counselors shall be chosen by the Board for Youth with approval of the Pastor (s), and shall be presented to the Church Council for ratification and approval.
- 7.2.2 In addition to Board members, the Board for Youth shall be authorized to appoint up to two non-voting advisory board members under the age of twenty-one (21) for a one (1) year- term.
- 7.3 The Board for Youth, with the assistance of the Pastor (s), shall supervise the Director of Youth.

8.0 DUTIES OF THE BOARD OF PARISH MINISTRY & OUTREACH

- 8.1 The Board of Parish Ministry & Outreach shall be charged with the supervision of the Sunday School, Bible Classes, and Vacation Bible School and to that end shall:

- 8.1.1 Give leadership to the important task of operating the Sunday School and Bible Class Departments, encourage enrollment and attendance in Sunday School and Bible Classes, provide the best materials available for instruction of the Sunday School pupils and Bible Class members; assist the Pastor (s) and superintendent (s) in maintaining an adequate teacher staff; and in general, do all that is possible to increase the effectiveness and mission activity of these agencies.
- 8.1.2 Assist the Pastor (s), Director of Christian Education, and superintendent (s) in maintaining a program of training for Sunday School and Bible Class teachers.
- 8.1.3 Promote and supervise other educational agencies within the parish which would enlarge the opportunities of the congregation in the field of Christian education.
- 8.1.4 Supervise all Sunday School and Bible Class finances.
- 8.1.5 Supervise the annual Vacation Bible School, approve the materials in use, see to it that the Vacation Bible School is staffed with competent teachers and assistants, do what is reasonably possible to increase enrollment in Vacation Bible School, and cause the Vacation Bible School to be an effective mission arm of the congregation.
- 8.2 The Board of Parish Ministry & Outreach shall be authorized to appoint or reappoint annually such officers and committees as shall be necessary to carry out the duties described in Article 8.1 (e.g., Sunday School and Bible Class superintendent and department heads). The members of the teaching staff of the Sunday School and Bible Class departments shall be chosen by the Board of Parish Ministry & Outreach in consultation with the superintendent, and with the approval of the Pastor (s), and shall be presented to the Church Council for the ratification and approval.
- 8.3 The Board of Parish Ministry & Outreach shall be charged with effectively sharing the Gospel to the unchurched, establishing in-reach programs in order to encourage member involvement, strengthening family ties, and incorporating new members into the life and mission of the congregation, and to that end shall:
 - 8.3.1.1 Oversee and maintain an ongoing visitation program.
 - 8.3.2.2 Develop a Sponsor Program in order to assist new members to become acquainted and involved in the church facility and programs.
 - 8.3.3.3 Emphasize evangelism and encourage evangelism programs in and through the various Boards and Organizations of the Congregation.
 - 8.3.4.4 Establish fellowship programs in and out of the Church in order to strengthen the family ties.
 - 8.3.5.4 The Board of Parish Ministry & Outreach shall appoint such officers and committees as shall be necessary to carry out the duties described in Article 8.3 (e.g., visitation committee, sponsor committee, etc.).
 - 8.3.6 The Board of Parish Ministry & Outreach shall supervise, with the assistance of the Pastor (s), the Director of Evangelism.

9.0 **OTHER SPECIAL MATTERS**

The Congregation, through the Church Council and its Boards, shall strive to accomplish and assist in the following:

- 9.1 All Officers are expected to regularly attend church services.
- 9.2 The Church Bulletin with the relevant month's Church calendar is desired to be sent or delivered to each member who has not recently attended church, at the beginning of the relevant month.
- 9.3 A pictorial directory of church members, staff, and organizational activities is desired to be prepared, assembled, and distributed to church members at least once every 5 years.
- 9.4 A directory of all church members, with the most current contact information then available, shall be prepared and made available to all church members by February 15th of each calendar year.

10.0 **REQUIREMENTS FOR ALL BOARDS**

- 10.1 Every board will submit a proposed Annual budget, including salary recommendations, if applicable, commensurate with the Annual budget meeting held by the Board of Stewardship and Finance.
- 10.2 Any person employed by the congregation and responsible to a particular board may not serve as a member of that board due to a conflict of interest.

11.0 **DUTIES OF THE CHURCH COUNCIL**

- 11.1 For the purposes of the Illinois Not for Profit Corporation Act, the voting members of the Church Council shall be the Board of Directors of Christ Lutheran Church, Peoria, Illinois, the President shall be the Chairperson of the Board, and a meeting of the Church Council shall constitute a meeting of the Board of Directors.
 - 11.1.1 The Church Council shall be responsible for maintaining Christ Lutheran Church as a religious corporation and for maintaining the Illinois Not for Profit Corporation status of Christ Lutheran Church of Peoria, Illinois, and complying with the current General Not for Profit Corporation Act or any successor.
 - 11.1.2 The Church Council will be responsible for the following annual activities in compliance with the General Not for Profit Corporation Act, including the filing of the annual report together with all fees and charges, in accordance with applicable law, which presently requires delivery to the Secretary of State of Illinois within sixty (60) days immediately preceding the first day of the anniversary month of the corporation each year.

- 11.2 The Church Council shall have the authority to act on behalf of the congregation in instituting and carrying out programs which, will promote the purposes for which the congregation exists, subject to the limitations imposed by the Articles of the Constitution and Bylaws.
- 11.2.1 It shall be responsible for leadership and supervision for the work of the church; foster leadership, harmony and cooperation among the various boards, committees and auxiliary organizations so that all are mindful of the spiritual life and faith growth of all families that are members of Christ Lutheran Church and members or non-members that have children enrolled at Christ Lutheran School; and shall periodically review the effectiveness of the Church program. It shall regularly hear reports of the working boards and shall make such recommendations as it deems wise in improving and facilitating such activities. Written reports of the Board and Committees shall be submitted each month, with a summary report made available to the congregational membership at the semi-annual congregational meetings.
- 11.2.2 It shall function as the decision-making body of the congregation in the interim between semi-annual congregation meetings, except as otherwise outlined in the Constitution and Bylaws.
- 11.2.3 It shall schedule the annual budget meeting.
- 11.2.4 It shall approve the annual congregational budget prior to its being submitted to the congregational meeting.
- 11.2.5 It shall be responsible for the existence and maintenance of a long-range congregational program.
- 11.2.6 It shall plan the agenda for the semi-annual congregational meetings.
- 11.2.7 It shall function as an appeal board when a member desires to exercise his Right of Petition as outlined in Article 6.2 of the Constitution.
- 11.2.8 It shall consider disagreements, which may arise between working Boards, and endeavor to resolve the differences by making recommendations.
- 11.2.9 The Church Council shall have the authority to overrule a decision made by a working board if it is advisable after reviewing all pertinent facts presented to it in the matter. The Church Council shall have no authority to overrule a decision made by the congregation.
- 11.2.10 It should make appointments as outlined in Article 10.3.4 and 10.6 of the Constitution, and as otherwise set forth in the Constitution and Bylaws.
- 11.2.11 The Church Council shall have authority to give approval of any auxiliary organization to be formed.
- 11.2.12 The Church Council shall have the duty to manage the Endowment Fund.
- 11.2.13 The Church Council will be responsible for providing guidelines and approval of educational funding for the Day School teacher staff, Pastor(s) and other commissioned workers for the purpose

of encouraging continuing education and professionalism. Continuing education funding is a budget item for the congregation.

- 11.3 General provisions for the Church Council Investment Advisory Committee (hereinafter, "Advisory Committee").
 - 11.3.1 The Church Council shall establish an Investment Advisory Committee. The Advisory Committee will consist of three (3) people and report directly to the Church Council.
 - 11.3.2 The President of the Congregation shall appoint three (3) members who are not members of the Church Council, for a three-year (3) term with one new member appointed each year subject to Council approval.
 - 11.3.3 The Church Council shall elect a chairperson and a secretary from the three members of the Committee. The Church Council shall fill any vacancy in the Committee. Any member of the Committee may be removed by a two-thirds (2/3) majority vote of the Church Council.
 - 11.3.4 A member may succeed himself or herself since long-term experience is desired.
- 11.4 The advisory Committee will have "oversight" over all funds established by Christ Lutheran Church namely, the following;
 1. Adopt-A-Student Fund;
 2. Endowment Fund;
 3. John Jass Ministerial Student Aid Memorial Fund;
 4. Annual Fund;
 5. Housing Fund;
 6. Roof Fund;
 7. Concordia Fund;
 8. Improvement Fund;
 9. And any other fund named by the Congregation and specified to be subject to oversight by the Advisory Committee.
- 11.5 The Advisory Committee shall have authority to ask questions and seek answers for any questions about fund withdrawals, deposits, investment balance and performance.
- 11.6 The Advisory Committee shall receive a copy of all periodic reports from each Fund Administrator and shall review their performance and report to the Church Council monthly, and report to the Congregation at each semi-annual Congregational meeting.
- 11.7 The Advisory Committee shall recommend to the Church Council how all funds should be invested and may advise on which professional help, agents, trustees, financial advisors, stockbrokers, accountants, counselors or attorneys should be retained.
- 11.8 The Advisory Committee shall act as a liaison for Christ Lutheran Church with professional investment companies.

11.9 INDEMNIFICATION

- 11.9.1 Christ Lutheran Church shall indemnify any person serving as a member of the Advisory Committee in accordance with the provisions of Article 19 of these Bylaws.
- 11.10 The Church Council will be responsible for establishing and monitoring the internal and external communications policy at Christ Lutheran Church and Day School. This policy will define appropriate business use, personal use, network and security, email retention, policy awareness and consequences of non-compliance.

12.0 OTHER COMMITTEES

12.1 The committees of the congregation include:

- 12.1.1 An Auditing Committee consisting of three (3) members, none of whom shall be members of the Board of Stewardship and Finance, appointed by the President in January. The Auditing Committee shall make an audit of all congregational books and records, as well as the books and records of auxiliary organizations and funds, and any other audit as the congregation may assign to it and shall make its report to the May meeting of the congregation.
- 12.1.2 The Nominating Committee shall consist of at least five (5) members. The Vice-President shall be the Chairperson of the Nominating Committee and the President shall appoint at least four members twenty-one (21) years of age, from the membership at large, approved by the voting body in the May Congregational Meeting. The Pastor (s) shall be ex-officio members of this committee.
 - 12.1.2.1 The Nominating Committee shall strive to select at least two persons for each elective office. After getting agreement from each candidate that is willing to serve, this list shall be sent in letterform by mail, email, or fax, in accordance with the constitution and bylaws, to all communicant members at least seven (7) calendar days before the November congregational meeting. At the November meeting, this slate will be voted on, after the assembly has had the opportunity to add names from the floor with the consent of the nominee.
- 12.1.3 The President of the Congregation will appoint three (3) members to the Public Relations Committee at his discretion. The Public Relations Committee shall be in charge of all publicity for the congregation, and shall make reports to and present requests for appropriations to the Church Council.
- 12.2 The President shall appoint such other committees as may be authorized or created by the congregation and the Church Council.
- 12.3 The President may appoint a Cabinet to advise and assist him in his duties as President. It is contemplated that the Cabinet would meet approximately twice each calendar year, and otherwise, as determined by the President. The Cabinet shall consist of approximately three (3) members as well as ex-officio members consisting of the Senior Pastor and the Principal, with the President serving as Chairman.

13.0 **AUXILIARY ORGANIZATIONS**

Auxiliary organizations are to report to the Church Council through the appropriate Board governing their activities. The Church Council has jurisdiction over the creation of any new auxiliary organization at Christ Lutheran Church and determines the Board that will supervise its activities.

14.0 **DUTIES OF OFFICERS**

- 14.1 The President shall preside at all meetings of the congregation and the Church Council, and perform such other duties as the congregation may delegate to him. He shall be responsible for the development and execution of a coordinated congregational program, working through the Church Council.
- 14.1.1 The President shall be responsible for reviewing, with all Board Chairpersons, the constitutional duties of each Board and the Church Council.
- 14.1.2 Each year, the President shall appoint an Assistant Secretary (or such other assistant secretaries as necessary from time to time) subject to ratification of the Church Council. If there is a vacancy in the Assistant Secretary's position, the President shall appoint someone to fill that vacancy subject to ratification of the Church Council. An Assistant Secretary's term shall expire upon the appointment and ratification of a successor Assistant Secretary. If there is no vacancy in the Assistant Secretary's position but if the Assistant Secretary is unavailable or otherwise unable to perform his/her duties for whatever reason, the President may appoint a temporary acting Assistant Secretary to serve in the Assistant Secretary's place and stead until an Assistant Secretary is again available and able to perform his/her duties.
- 14.2 The Vice-President shall perform the duties of the President in his absence, his disability, or at his request.
- 14.3 The Secretary shall accurately record the proceedings of the congregational meetings and Council meetings, register all members attending the meeting, and submit records for revision and approval at the following regular meeting. The Secretary shall keep the official copy of the Constitution up-to-date by noting all changes, corrections, and amendments passed by the congregation, and shall make such Constitution available at all Congregational and Church Council meetings. The Secretary shall have available a copy of the latest edition of Roberts Rules of Order at all Church Council and Congregational meetings. The Secretary shall preserve all approved records and shall, at the expiration of his/her term of office, deliver them to the successor.
- 14.3.1 If the Secretary is unavailable or otherwise unable to perform his/her duties for whatever reason, an Assistant Secretary shall act in the Secretary's place and stead (including voting at Church Council meetings).
- 14.4 The Treasurer is responsible for maintaining an accurate chart of accounts for recording expenses and revenues; shall pay all bills and will be the legal signer of all checks; and shall balance the church checkbook and reconcile all accounts, monthly unless required otherwise.

The Treasurer is responsible for preparing all internal and external financial reports required by the congregation, and local, state and federal government agencies.

The Treasurer is responsible for maintaining the financial records on computer software and hardware that the congregation endorses.

The Treasurer will report to the Board of Stewardship and Finance, and work together to perform the duties of the Board in accordance with the Constitution and Bylaws.

14.5 The Assistant Treasurer shall perform the duties of the Treasurer in his/her absence or at his/her request. From time to time the Assistant Treasurer will be asked to help the Treasurer perform required responsibilities to assure that the Assistant is properly prepared to administer Treasurer responsibilities. The Assistant Treasurer will report to the Board of Stewardship and Finance.

14.6 The Financial Secretary is responsible for assuring that all contributions are accurately counted, classified, timely deposited at our bank, and recorded to account for all receipts received during normal weekly operations or special services.

The Financial Secretary will report to the Board of Stewardship and Finance, and work together to perform the duties of the board in accordance with the Constitution and Bylaws.

14.7 The Housing Treasurer will be responsible for managing those accounts used for collecting or disbursing funds required to secure housing for our Pastors and twelve (12) month commissioned church workers.
The Housing Treasurer will be responsible for reporting transactions and balances in these accounts by preparing a Housing Fund Report as required.
The Housing Treasurer will report to the Board of Stewardship and Finance, and work together to perform the duties of the board in accordance with the Constitution and Bylaws.

14.8 The duties of all other officers shall be delineated by these Bylaws, the Constitution, the Congregation, the Church Council, or the appropriate Board.

15.0 **EXCOMMUNICATION PROCEDURE**

Communicant members who conduct themselves in an unchristian manner shall be admonished according to Matthew 18:15-20; if they remain impenitent after proper admonition, they are subject to being excommunicated upon recommendation of the Pastor and the Board of Elders. Such a situation is reported by the Board of Elders to the Church Council for deliberation. At the next semi-annual congregational meeting or a special congregational meeting, each case will be presented by the Chairperson of the Board of Elders. If such members are not present at the meeting (s) they have been invited to by certified mail, at which their case is to be discussed, they shall be regarded as having given up their right to redress. A two-thirds (2/3) majority of all members present shall be required to excommunicate. Notice shall be in accordance with Article 6.0 in the Constitution and Article 1.0 in the Bylaws.

In all cases, a twenty (20) day written notice shall be given to the communicant member sought to be excommunicated by personal service or by certified mail return receipt requested showing actual receipt of notice by the communicant member or a member of his/her household.

16.0 **CALL PROCEDURE**

The Church Council shall recommend to the Congregation at either a regular, special, or emergency meeting, the appropriateness of calling a Pastor, Principal, and/or Director of Christian Education, or a 12 month commissioned teacher from the field, in which case the Call Procedure shall be used, or calling a Pastor from the Seminary (or a Principal or a Director of Christian Education from a Synod University or College) in which case the Synod Placement Option shall be used. If the Call Procedure is chosen, the Call Procedure set forth below must be followed. If the Synod Placement Option is chosen, the Congregation must comply with the Synod placement guidelines and deadlines they specify and recognize that the appropriate Synod authorized personnel will select the candidate to serve our Congregation with limited input from the Congregation.

The calling of a Pastor, Principal, and/or Director of Christian Education, or a twelve (12) month commissioned teacher from the field, shall be in accordance with the following procedures.

The President of the congregation shall appoint a committee of five (5) people at the age of eighteen or over from the membership at large of the congregation, of which at least two (2) members are not presently members of any Board.

The persons on the Committee shall choose a chairperson.

The committee shall adhere to at least seven (7) calendar day notice prior to all congregational meetings.

The Committee shall notify the members of the congregation by mail when a meeting for the purpose of Calling will be held, and that candidates for the office to be filled will be accepted at that time.

The Committee shall also contact the District Office for candidates for the office to be filled.

Names submitted by individuals and the District Office shall have as much information about the candidate as possible. All individuals submitting names will be identified.

At this meeting, those candidates accepted by a majority vote of those present at the meeting, shall constitute the Call list.

The Committee shall then gather any other information available about the candidates. They shall choose a date for the next Call meeting and mail to the members of the congregation a list of the candidates with the information about them, including the date and time of the next meeting. The committee is allowed to share their opinion of the "best suited" candidates. The committee shall direct the Board of Stewardship and Finance with assistance from the Board of Elders and Call Committee to prepare Salary and Benefit information estimates on each candidate, which will be

made available to the congregation upon request. The Salary and Benefit information must be available prior to making the call so that the information is readily available when preparing the formal "Call Document".

At the second Call meeting, the names of the candidates shall be read. The candidates shall then be voted on by written ballot. A two-thirds (2/3) majority of all ballots cast shall be required to elect. If this is not accomplished on the first ballot, a motion may be made from the floor and voted on to remove those candidates with the lesser number of votes. This procedure shall continue until one candidate receives the necessary two-thirds (2/3) votes to elect.

Should the candidate that is called not accept the Call, the procedure shall repeat from the beginning.

17.0 **REMOVAL OF CALLED AND COMMISSIONED WORKERS**

The Pastor (s), Principal (s), all commissioned teachers, and/or Director of Christian Education shall be removed from their office by the congregation by a two-thirds (2/3) majority of the members present, provided there are sufficient and urgent causes, such as persistent adherence to false doctrine, scandalous life, willful neglect, or inability to perform the duties of office. When it becomes apparent that a Pastor, Principal, all commissioned teachers, and/or Director of Christian Education, due to the above-mentioned Biblical reasons has ceased to be faithful to the call which was given, may be asked to tender their resignation.

A twenty (20) day written notice is required and shall be issued by the Church Council, to inform the voting membership of the congregation about the purpose of the meeting. In all cases, said twenty (20) day written notice shall be given to the person under consideration sought to be removed by personal service or by certified mail return receipt requested showing actual receipt of notice by the commissioned worker or a member of his/her household.

It is strongly encouraged, where the situation permits, that said person being removed from the office be informed of this decision personally. The purpose of this removal, "is not intended to punish the sinner, but to: A. lead him or her to repentance and faith; B. prevent him or her from leading others into sin." [cf. Small Catechism, 1991, Q. 283, p. 226.]

18.0 **AMENDMENTS**

Any amendment to the Bylaws can be voted on in a regular congregational meeting, provided the proposed change has been submitted to the Communicant membership in writing seven (7) days before the meeting date. A two-thirds (2/3) majority of those present is necessary for approval.

19.0 **INDEMNIFICATION**

19.1 Christ Lutheran Church of Peoria, Illinois shall indemnify any person who was or is a party, or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative (other than an action by or in the right of the

corporation) by reason of the fact he or she is or was a director, officer, employee or agent of the corporation, or who is or was serving at the request of another corporation, partnership, joint venture, trust or other enterprise, against expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred by such person in connection with such action, suit or proceeding, if such person acted in good faith and in a manner he or she reasonably believed to be in, or not opposed to, the best interests of the corporation, and, with respect to any criminal action or proceeding, had no reasonable cause to believe his or her conduct was unlawful. The termination of any action, suit or proceeding by judgment, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent, shall not, of itself, create a presumption that the person did not act in good faith and in a manner which he or she reasonably believed to be in or not opposed to the best interests of the corporation or, with respect to any criminal action or proceeding, that the person had reasonable cause to believe that his or her conduct was unlawful.

- 19.2 Christ Lutheran Church of Peoria, Illinois shall indemnify any person who was or is a party, or is threatened to be made a party to any threatened, pending or completed action or suit by or in the right of the corporation to procure a judgment in its favor by reason of the fact that such person is or was a director, officer, employee or agent of the corporation, or is or was serving at the request of the corporation as a director, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise, against expenses (including attorneys' fees) actually and reasonably incurred by such person in connection with the defense or settlement of such action or suit, if such person acted in good faith and in a manner he or she reasonably believed to be in, or not opposed to, the best interests of the corporation, provided that no indemnification shall be made in respect of any claim, issue or matter as to which such person shall have been adjudged to be liable for negligence or misconduct in the performance of his or her duty to the corporation, unless, and only to the extent that the court in which such action or suit was brought shall determine upon application that, despite the adjudication of liability, but in view of all the circumstances of the case, such person is fairly and reasonably entitled to indemnity for such expenses as the court shall deem proper.
- 19.3 To the extent that a present or former director, officer, employee or agent of a corporation has been successful, on the merits or otherwise, in the defense of any action, suit or proceeding referred to in subsections 19.1 and 19.2, or in defense of any claim, issue or matter therein, such person shall be indemnified against expenses (including attorneys' fees) actually and reasonably incurred by such person in connection therewith if that person acted in good faith and in a manner he or she reasonably believed to be in or not opposed to the best interests of the corporation.
- 19.4 Any indemnification under subsections 19.1 and 19.2 (unless ordered by a court) shall be made by the corporation only as authorized in the specific case, upon determination that indemnification of the present or former director, officer, employee or agent is proper in the circumstances because he or she has met the applicable standard of conduct set forth in subsections 19.1 or 19.2. Such determination shall be made with respect to a person who is a director or officer at the time of the determination: (1) by the majority vote of the directors who are not parties to such action, suit or proceeding, even though less than a quorum, (2) by a committee of the directors designated by a majority vote of the directors, even through less than a quorum, (3) if there are no such directors, or if the directors so direct, by independent legal counsel in a written opinion, or (4) by the members entitled to vote, if any.

- 19.5 Expenses (including attorney's fees) incurred by an officer or director in defending a civil or criminal action, suit or proceeding may be paid by the corporation in advance of the final disposition of such action, suit or proceeding, as authorized by the board of directors in the specific case, upon receipt of an undertaking by or on behalf of the director or officer to repay such amount, unless it shall ultimately be determined that such person is entitled to be indemnified by the corporation as authorized in this Section. Such expenses (including attorney's fees) incurred by former directors or officers or other employees and agents may be so paid on such terms and conditions, if any, as the corporation deems appropriate.
- 19.6 The indemnification provided by the Section shall not be deemed exclusive of any other rights to which those seeking indemnification may be entitled under any bylaw, agreement, vote of members or disinterested directors, or otherwise, both as to action in his or her official capacity and as to action in another capacity while holding such office, and shall continue as to a person who has ceased to be a director, officer, employee or agent, and shall inure to the benefit of the heirs, executors and administrators of such a person.
- 19.7 Christ Lutheran Church of Peoria, Illinois shall purchase and maintain insurance on behalf of any person who is or was a director, officer, employee or agent of the corporation, or who is or was serving at the request of the corporation as a director, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise, against any liability asserted against such person and incurred by such person in any such capacity, or arising out of his or her status as such, whether or not the corporation would have the power to indemnify such person against such liability under the provisions of this Section.
- 19.8 In the case of a corporation with members entitled to vote, if a corporation indemnifies or advances expenses under this Section to a director, officer, employee or agent, the corporation shall report the indemnification or advance in writing to the members entitled to vote with or before the notice of the next meeting of the members entitled to vote.
- 19.9 For purposes of this Section, references to "the corporation" shall include, in addition to the surviving corporation, any merging corporation (including any corporation having merged with a merging corporation) absorbed in a merger which, if its separate existence had continued, would have had the power and authority to indemnify its directors, officers, employees or agents, so that any person who was a director, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise, shall stand in the same position under the provisions of this Section with respect to the surviving corporation as such person would have with respect to such merging corporation if its separate existence had continued.
- 19.10 For purposes of this Section, references to "other enterprises" shall include employee benefit plans; references to "fines" shall include any excise taxes assessed on a person with respect to an employee benefit plan; and references to "serving at the request of the corporation" shall include any service as a director, officer, employee or agent of the corporation which imposes duties on, or involves services by such director, officer, employee, or agent with respect to an employee benefit plan, its participants, or beneficiaries. A person who acted in good faith and in a manner he or she reasonable believed to be in the best interests of the participants and beneficiaries of an employee benefit plan shall be deemed to have acted in a manner "not opposed to the best interests of the corporation" as referred to in this section.

20.0 **CHRIST LUTHERAN CHURCH ENDOWMENT FUND**

20.1 This congregation shall have a congregational endowment fund. The fund shall be called Christ Lutheran Church Endowment Fund ("Fund") and it shall be one of the funds of this congregation.

20.2 **GENERAL PURPOSE**

20.2.1 This Fund's purpose shall be to receive gifts, devises, legacies, and bequests (hereinafter collectively referred to as "gifts") and to use them for the mission and ministry of Christ Lutheran Church, Peoria, Illinois, and The Lutheran Church--Missouri Synod ("LCMS"), its districts, seminaries, universities, colleges, institutions or agencies.

20.2.2 Both the principal and income from unrestricted gifts to the Fund are to be used for the uses, projects and programs approved by the Church Council, provided that the uses, projects and programs shall be consistent with the general purpose for which this Fund has been established and with the uses, projects and programs specifically approved by the Congregation, all in accordance with Article 15 and Article 15.1 of the Constitution. The list of permitted uses, projects, and programs may be recommended by the Church Council and shall be approved by the Congregation and, thereafter, shall be appended to these Bylaws. However, the list of permitted uses, projects, and programs shall not be considered a part of the Bylaws for the purposes of amending or changing said list. It is recommended that the list of permitted uses, projects, and programs be periodically distributed to the members of the Congregation, at least annually.

20.2.3 The Church Council shall report, at least annually, to the Congregation the distribution of the income and/or principal of the Fund for the designated uses, projects and programs.

20.2.4 None of the principal from unrestricted gifts shall be distributed to the Congregation's operating budget, except as hereinafter set forth.

20.2.5 A gift may be made upon special terms or conditions and may contain limitations or directions as to the investment or use of the substance of the gift, and/or the use or accumulation of the income on the principal, ("Restricted Gift"), provided that such are acceptable to Christ Lutheran Church. The Church Council shall determine whether to accept such a Restricted Gift. An example of a Restricted Gift would be a gift solely for the benefit of Christ Lutheran School (CLS), whereupon funds would only be disbursed to CLS in accordance with the distribution provisions of 20.2.6.

20.2.6 Distributions of income or the Calculated Amount, as hereinafter defined in 20.2.11, from the fund may be made as follows:

- A. Up to seventy-five (75%) is available to be used to address the needs within the Christ Lutheran Church congregation, including, but not limited to: capital improvements, repairs, refurbishment, debt reduction, building programs, church-related camping or leadership conferences, teacher education, pastoral education, ministerial aids (audio, visual, or computer equipment and/or software), or such other training which enables members of the congregation to grow in Christian faith and service to God's people.

- B. Up to twenty-five (25%) is available for outreach into the community, including such things as grants to LCMS colleges, LCMS universities, LCMS seminaries, Lutheran social service agencies, other social service agencies, institutions and agencies to which this congregation relates, and to special programs or projects designed for those persons in our parish area who are in spiritual and/or economic need, including disaster relief.
- C. Any remainder of the income or the Calculated Amount from the Fund not used in the above two categories may be given to accomplish the general mission of the Lutheran Church Missouri Synod. This may include such things as: grants to the Lutheran Church-Missouri Synod for new mission development, professional leadership, educational ministries, world mission, disaster relief, ecumenism, evangelism and capital financing.

20.2.7 There is no requirement that all of the income or the Calculated Amount (under 20.2.11) from the Fund be expended and the accumulation of income or Calculated Amount is expressly permitted. If any income or Calculated Amount of the Fund for the prior calendar year is not expended, allocated or designated for a particular purpose within one hundred fifty (150) days of the end of the prior calendar year, all of the remaining income or Calculated Amount which has not been expended, allocated or designated shall be added to principal.

20.2.8 The Committee appointed in Section 20.4.1 shall make recommendations to the Church Council concerning the expenditures of income.

20.2.9 Principal of the Fund, in addition to the Calculated Amount, may, in special circumstances, be expended for the uses and purposes set forth hereinabove in Section 20.2.6, but only following a two-thirds (2/3) majority approval by the Church Council.

20.2.10 Expenditures and distributions of income or the Calculated Amount from the Fund shall be approved by majority vote of the Church Council.

20.2.11 For the purposes of this Article 20, the term “income” or “the Calculated Amount” shall be deemed to be the amount available for distribution, as set forth below. The following limitations and provisions shall apply to distributions of income and principal from the Fund:

- A. Income or the Calculated Amount under this Section 20.2.11 may be distributed from the Fund beginning in 2009, and each year thereafter. It is intended that the Church Council decide the amount of distribution and the recipient of those distributions out of the Fund before the time of the May semi-annual Congregational Meeting.
- B. The amount available for distribution in each calendar year, shall be the greater of the available income earned by the Fund in the preceding calendar year or no more than five percent (5%) of the average of the fair market value of the assets in the Fund on December 31 for the preceding three (3) calendar years of the Fund, which such average being calculated based on the fair market value as of December 31 of the preceding three (3) calendar years. (the Calculated Amount).
- C. Income shall be the total of interest, dividends, rent, and royalties.

20.3 **DURATION**

20.3.1 The Christ Lutheran Church Endowment Fund shall continue in existence and be used as hereinabove provided, unless earlier terminated, so long as Christ Lutheran Church exists. The assets constituting the Fund when Christ Lutheran Church ceases to exist shall become the property of a successor Lutheran Church or, if no successor Lutheran Church, then it shall become the 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 limitation upon which such properties are held). If Christ Lutheran Church dissolves it shall, at the time of such dissolution, have the right and duty, for the purposes of distribution of the Fund, to determine the existence of a successor Lutheran Church, if any, providing such successor Lutheran church must qualify as an exempt organization under the Internal Revenue Code, and Christ Lutheran Church shall execute the necessary documents to effect such distribution. To the extent the Fund is not distributed under the provisions of this Article 20.3.1 upon dissolution of Christ Lutheran Church, the remaining assets constituting the Fund shall be distributed in accordance with Article 16 of the Constitution of Christ Lutheran Church.

20.4 **ADMINISTRATION**

20.4.1 The Church Council shall administer, promote, and manage the Fund and shall appoint a committee to assist in that regard. ("Committee")

20.4.2 The Committee shall consist of three (3) appointed advisory members who are not members of the Church Council and shall be responsible to account for receipts by and disbursements from the Fund, shall maintain complete and accurate books of account, and shall provide at least annually a written financial report of the Fund to the Congregation. A Chairperson and a Secretary shall be elected by the Church Council from the three members of the Committee. Any vacancy in the Committee shall be filled by the Church Council. Any member of the Committee may be removed by a two-thirds (2/3) majority vote of the Church Council.

20.4.3 The term of the committee members shall be three (3) years, beginning on the first day of the year, except for the initial Committee members; provided, however, that the term of one initial committee member shall end on December 31, 1993 and the term of one other initial committee member shall end on December 31, 1994 so that there will be staggered terms.

20.4.4 The Church Council shall establish such written rules and regulations as may be necessary for the administration of the Fund. It shall adopt standards and goals to guide in the expenditure of the income from the Fund, which it may amend, all within the stated purposes of this Fund.

20.4.5 The Church Council shall maintain accounts with such financial institutions as it may, by resolution, authorize and determine. All checks and other documents transferring or expending any funds or assets in the Fund shall be executed by any two (2) of the following: Members of the Committee, the Church Treasurer, or the Senior Pastor.

20.4.6 The Church Council, through the Committee, shall maintain complete and accurate books of account and may employ such professional help, including but not limited to, agents, trustees, financial advisors, stockbrokers, accountants, counselors or attorneys, as it deems necessary in this connection.

20.4.7 The Secretary of the Committee shall maintain complete and accurate minutes of all meetings of the Committee.

20.4.8 No member of the Committee or the Church Council shall engage in any self-dealing or transactions with the Fund in which any member of the committee or the Church Council has a direct or indirect financial interest and shall at all times refrain from any conduct in which his/her personal interests would conflict with the best interests of the Fund.

20.4.9 A quorum of the Committee shall consist of two (2) members present at a meeting. The Committee shall meet at least four (4) times a year, and whenever otherwise necessary or desirable.

20.5 **FISCAL YEAR**

20.5.1 For tax, accounting, distribution, or other purposes, the fiscal year (whether terminating December 31 or otherwise) of Christ Lutheran Church shall be the fiscal year of the Fund.

20.5.2 Within ninety (90) days after the close of each of the Fund's fiscal years, and at such other time (s) as is deemed convenient, or appropriate, an itemized written report accurately reflecting the position of the Fund's income and principal accounts as of a date reasonably close to the date the statement is submitted, and the receipts, disbursements and changes therein since the Fund's inception or the previous accounting, as the case may be, shall be prepared and submitted to Christ Lutheran Church Congregation at the first Congregational meeting following preparation of the report.

20.6 **DUTIES**

20.6.1 The Church Council shall, at least annually, render to the Congregation a full and complete account of the administration of the Fund during the preceding fiscal year.

20.6.2 Gifts and contributions from any individual, entity, estate, trust, 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 Article 20.2.5.

20.6.3 Means for acknowledging the receipt of each gift and contribution shall be established and maintained, by the Committee, including, whenever feasible, a designation of the estimated value ascribed to each gift.

20.6.4 Separate identification and recording shall be made of all transactions with respect to any Restricted Gift.

20.6.5 The Fund shall be kept and maintained separate, distinct and independent from the other funds and property otherwise belonging to the church. However, the Church Council shall in no event be required to make physical segregation of the assets of the Fund in order to conform to the directions of any individual donors, but may establish separate accounts in its accounting records.

20.6.6 The Church Council 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 areas of charitable giving, wills, bequests, insurance, etc.

20.6.7 All new members of the Church Council are to receive a copy of all of Article 20 of these Bylaws to become acquainted with the function and purposes of the Fund.

20.7 **POWERS**

20.7.1 The manager of the Fund, whether the Fund is managed and administered by the Church Council, or whether any part or the entire Fund is delivered to The Lutheran Church--Missouri Synod Foundation for management and administration, shall have the following powers and authority:

20.7.1.A. The property constituting the corpus of the Fund may be invested and reinvested in any kind of property, (whether real or personal, tangible or intangible, and domestic or foreign), including, but not limited to, securities, stocks, bonds, mutual funds, real estate, oil, gas, and other natural resources and/or accounts or certificates of banks or other lending institutions, and each investment shall be managed and protected in accordance with the principles herein established. In exercising the authority granted in this Article, the decisions with respect to investment shall be guided by the concept of a prudent investor whose investment purpose includes both income and capital appreciation and shall not otherwise be restricted by any law, rule or custom (i) requiring safety of corpus as a primary consideration, (ii) regarding investment in income producing property, or (iii) requiring diversification of investments. It is further understood that any part or the entire Fund may be invested in obligations of the Lutheran Church Extension Fund--Missouri Synod, St. Louis, Missouri or the Central Illinois District Church Extension Fund. In amplification, but not limitation, of the foregoing, authority is granted:

1. To acquire interests in property by purchase, lease, rental or other method; to sell, option, exchange, redeem or convert any property interests; and to rent or lease property of the Fund;
2. To exercise all rights and privileges accruing to a holder of securities, including all voting, conversion, subscription, and preemptive rights; to deposit any securities with, delegate discretionary power to, and participate, cooperate and contract with, as a member or otherwise, any protective committee of security holders; and to effectuate any merger, consolidation, dissolution, reorganization or financial adjustment of the issuer of any securities and/or any transfer, demise, or encumbrance of any of its properties;
3. To manage and/or develop any real property owned, leased or otherwise held by the Fund; to erect, repair, remodel, reconstruct, demolish or remove buildings or other improvements on it; to partition or subdivide it; to lease it, to dedicate all or any part of it to public or semi-public use, and to grant easements or other charges with respect to it;
4. To abandon any property interest deemed worthless or of insignificant value;

5. To borrow money from any source, to encumber property of the Fund and to repay any loan due by the Fund;
6. To foreclose any mortgage, lien, or other encumbrance, and to purchase the encumbered property, whether through foreclosure or private arrangement;
7. To establish and maintain out of income, depreciation, depletion and/or amortization reserves;
8. To maintain a portion or all of the property constituting the Fund in liquid or nearly liquid form, even though little or no income is earned thereon;
9. To use income or corpus funds (irrespective of their derivation) for any purpose of the Fund and with respect, to any property of the Fund (irrespective of the income,) if any, it produces) even if such funds are derived from the sale of or income from other property of the Fund or from a loan (from income or an outside source) using such other property as security.

20.7.1.B. Without limiting the authority otherwise conferred, this additional authority is hereby granted to be exercised as is believed to be in the best interest of the Fund:

1. To accept and receive for any inter vivos, testamentary or other transfer of property to the Fund;
2. To hold property, and to negotiate and execute documents on behalf of the Fund, in the name of the Fund or in the name of a nominee (s) without disclosing any fiduciary relationship to anyone;
3. To allocate between income and corpus (in cases where reasonable doubt of the applicable law exists) in equitable proportions, any money or other property received, and any loss or expenditure incurred;
4. To vote, or refrain from voting, securities having voting privileges, and to give any type of proxy (with or without voting directions) to vote the same;
5. To make division and distribution of property held in the Fund (whenever directed to do so) either in kind or in cash, or partly in kind and partly in cash and for such purpose to set values upon any property of the Fund;
6. To protect the Fund and its property by insurance against damage, loss or liability;
7. To establish checking account (s) in which may be deposited income and/or corpus cash;
8. To employ, at the expense of the fund, attorneys, investment counsel, brokers, custodians of assets, and other agents or employees; and

9. To do all other legal acts to accomplish the proper management, investment and distribution of the Fund.

20.8 INDEMNIFICATION

- 20.8.1 Christ Lutheran Church shall in relation to the Fund and this Article 20 of the Bylaws, indemnify any person serving as a member of the Church Council or a member of the Committee in accordance with the provisions of Article 19 of these Bylaws.
- 20.8.2 For the purposes of Article 19 and this Article 20 of the Bylaws, a member of the Church Council shall be considered a director and agent of the corporation and a member of the Committee shall be considered an agent of the corporation, as set forth in Article 19 of these Bylaws of Christ Lutheran Church.
- 20.8.3 Notwithstanding anything hereinabove to the contrary, and in addition to the foregoing indemnification provisions and without limiting the protection provided by those indemnification provisions, members of the Committee and the Church Council shall not be liable for and shall be held harmless for any losses which may be incurred upon the investments of the assets of the Fund except to the extent such losses shall have been caused by willful misconduct or gross negligence. No member shall be liable for the acts or omissions of any other member.

20.9 AMENDMENTS

- 20.9.1 Any amendment to this Article 20 of the Bylaws which will change, alter or amend the general purpose for which the Fund is established shall be adopted only if approved by a two-thirds (2/3) majority of the voting members present at a duly called and constituted meeting of the Congregation, the notice of which has stated that such an amendment will be proposed to the Congregation.
- 20.9.2 Any change in the list of permitted uses, projects, and programs as described in Article 20.2.2 may be made by a majority of the voting members present at a duly called and constituted meeting of the Congregation.

21.0 JOHN JASS MINISTERIAL STUDENT AID MEMORIAL FUND.

- 21.1 This congregation has a ministerial student aid fund, which is called the John Jass Ministerial Student Aid Memorial Fund (hereinafter, "Ministerial Fund"), and it is one of the funds of this Congregation.
- 21.2 **GENERAL PURPOSE AND PROVISIONS:**
 - 21.2.1 The Ministerial Fund's purpose shall be to receive gifts, devises, legacies and bequests (hereinafter collectively referred to as "gifts"), and to use said gifts to promote, encourage, and assist financially,

men from our congregation to enter the field and ministry of preaching God's word by attending a seminary of The Lutheran Church-Missouri Synod (hereinafter, "LCMS").

- 21.2.2 Both the principal and income from unrestricted gifts to the Ministerial Fund are to be used for student aid as herein provided consistent with the general purpose for which this Ministerial Fund has been established, all in accordance with a charitable purpose.
- 21.2.3 A gift may be made upon special terms or conditions and may contain limitations or directions as to the investment or use of the substance of the gift, and/or the use or accumulation of the income on the principal, (hereinafter, "Restricted Gift"), provided that such are acceptable by the Church Council.
- 21.2.4 There is no requirement that all of the income from the Ministerial Fund be expended and the accumulation of income are expressly permitted. If any income of the Ministerial Fund for the prior calendar year is not expended, allocated or designated for a particular purpose within sixty (60) days of the end of the prior calendar year, all of the remaining income which has not been expended, allowed or designated shall be added to principal.
- 21.2.5 If at any time:
 - A. There are no students applying for or receiving aid from the Ministerial Fund; and
 - B. There is over \$50,000 of principal in the Ministerial Fund;

Then, all income such as interest and dividends received by the Ministerial Fund during that period of time shall be transferred to the general operating fund of Christ Lutheran Church. The Committee appointed in Article 23 of these Bylaws shall determine the amount of all distributions of income and principal of the Ministerial Fund.

21.3 **QUALIFICATIONS AND CONDITIONS:**

- 21.3.1 The following qualifications and conditions apply to each student applying for or receiving aid from the Ministerial Fund:
 - A. The student must be a communicant member in good standing of Christ Lutheran Church, Peoria, Illinois.
 - B. The student must be enrolled as a full-time student in an LCMS seminary with the intent of becoming a full-time Pastor.
 - C. The student must be in good standing, both spiritually and academically, at the seminary.
 - D. The student must inform the congregation during each grading period (by quarter or semester) of his status as a full-time student at the seminary.
 - E. Aid from the Ministerial Fund is limited to three (3) years of seminary education, with the period of vicarage not included.

- F. Financial need is not a qualification for aid from the Ministerial Fund.
- G. Aid shall be paid directly to the seminary, in accordance with its policies, for tuition, books, room, board and housing, and shall not be paid directly to the student.
- H. There shall be no restriction based upon race, color or age.

21.4 DURATION: The Ministerial Fund shall continue in existence and be used as hereinabove provided, unless earlier terminated, so long as Christ Lutheran Church exists, subject to the requirement that any and all properties held. If the Ministerial Fund upon special conditions, restrictions or limitations shall continue to be subject to the conditions, restrictions or limitations upon which such properties are held, if the Ministerial Fund is terminated by the Congregation after a determination that it is no longer useful, all income and principal in the Ministerial Fund shall be transferred to the general operating fund of Christ Lutheran Church and if not otherwise terminated, the assets constituting the Ministerial Fund when Christ Lutheran Church ceases to exist shall become the property of a successor Lutheran Church or, if no successor Lutheran Church, then it shall become the property of The Lutheran Church--Missouri Synod Foundation. If Christ Lutheran Church dissolves, it shall, at the time of such dissolution, have the right and duty, for the purposes of distribution of the Ministerial Fund, to determine the existence of a successor Lutheran Church, if any, provided such successor Lutheran Church must qualify as an exempt organization under the Internal Revenue Code, and Christ Lutheran Church shall execute the necessary documents to effect such distribution. To the extent the Ministerial Fund is not distributed under the provisions of this Article 21.4 upon dissolution of Christ Lutheran Church, the remaining assets constituting the Ministerial Fund shall be distributed in accordance with Article 16 of the Constitution of Christ Lutheran Church.

22.0 CONCORDIA STUDENT FUND

- 22.1 This congregation has a college student aid fund, which is called the Concordia Student Fund (hereinafter, "Concordia Fund"), and it is one of the funds of this congregation.
- 22.2.1 The Concordia Fund's purpose shall be to receive gifts, devises, legacies and bequests (hereinafter collectively referred to as "gifts"), and to use said gifts to promote, encourage, and assist financially, students from our congregation to enter the field and ministry of the teaching profession, to obtain a colloquy certificate, or to become a Deaconess by attending a college or university of The Lutheran Church-Missouri Synod (hereinafter, "LCMS").
- 22.2.2 Both the principal and income from unrestricted gifts to the Concordia Fund are to be used for student aid as herein provided consistent with the general purpose for which this Concordia Fund has been established, all in accordance with a charitable purpose.
- 22.2.3 A gift may be made upon special terms or conditions and may contain limitations or directions as to the investment or use of the substance of the gift, and/or the use or accumulation of the income on the principal, (hereinafter, "Restricted Gift"), provided that such are acceptable to the Church Council.

22.2.4 There is no requirement that all of the income from the Concordia Fund be expended and the accumulation of income is expressly permitted. If any income of the Concordia Fund for the prior calendar year is not expended, allocated or designated for a particular purpose within sixty (60) days of the end of the prior calendar year, all of the remaining income which has not been expended, allowed or designated shall be added to principal.

22.2.5 If at any time:

- A. There are no students applying for or receiving aid from the Concordia Fund; and
- B. There is over \$50,000 of principal in the Concordia Fund;

Then, all income such as interest and dividends received by the Concordia Fund during that period of time shall be transferred to the general operating fund of Christ Lutheran Church.

22.2.6 The Committee appointed in Article 23 of these Bylaws shall determine the amount of all distributions of income and principal of the Concordia Fund.

22.3 **QUALIFICATIONS AND CONDITIONS:**

22.3.1 The following qualifications and conditions apply to each student applying for or receiving aid from the Concordia Fund:

- A. The student must be a communicant member in good standing of Christ Lutheran Church, Peoria, Illinois.
- B. The student must be enrolled as a full-time student or in a colloquy program at an LCMS college or LCMS university with the intent of becoming or continuing as a full-time Christian day school teacher or of becoming a full-time Deaconess.
- C. The student must be in good standing, both spiritually and academically, at the college or university.
- D. The student must inform the congregation during each grading period (by quarter or semester) of his or her status as a full-time or colloquy student at the college or university.
- E. Aid from the Concordia Fund is limited to a maximum of four (4) years of college or university education.
- F. Financial need is not a qualification for aid from the Concordia Fund.
- G. Aid shall be paid directly to the college or university, in accordance with its policies, for tuition, books, room, board and housing, and shall not be paid directly to the student.
- H. There shall be no restriction based upon race, color, sex or age.

22.4 **DURATION:** The Concordia Fund shall continue in existence and be used as hereinabove provided, unless earlier terminated, so long as Christ Lutheran Church exists, subject to the requirement that

any and all properties held by the Concordia Fund upon special conditions, restrictions or limitations shall continue to be subject to the conditions, restrictions or limitations upon which such properties are held, if the Concordia Fund is terminated by the Congregation after a determination that it is no longer useful, all income and principal in the Concordia Fund shall be transferred to the general operating fund of Christ Lutheran Church and if not otherwise terminated, the assets constituting the Concordia Fund when Christ Lutheran Church ceases to exist shall become the property of a successor Lutheran Church or, if no successor Lutheran Church, then it shall become the property of The Lutheran Church-Missouri Synod Foundation. If Christ Lutheran Church dissolves, it shall, at the time of such dissolution, have the right and duty, for the purposes of distribution of the Concordia Fund, to determine the existence of a successor Lutheran Church, if any, provided such successor Lutheran Church must qualify as an exempt organization under the Internal Revenue Code, and Christ Lutheran Church shall execute the necessary documents to effect such distribution. To the extent the Concordia Fund is not distributed under the provisions of this Article 22.4 upon dissolution of Christ Lutheran Church, the remaining assets constituting the Concordia Fund shall be distributed in accordance with Article 16 of the Constitution of Christ Lutheran Church.

23.0 GENERAL PROVISIONS FOR THE JOHN JASS MINISTERIAL STUDENT AID MEMORIAL FUND AND THE CONCORDIA STUDENT FUND.

23.1 ADMINISTRATION:

- 23.1.1 The Board of Elders (hereinafter, "Elders") shall administer, promote, and manage the John Jass Ministerial Student Aid Memorial Fund (hereinafter, "Ministerial Fund") and the Concordia Student Fund (hereinafter, "Concordia Fund"), and shall use a scholarship committee to assist in that regard (hereinafter, "Scholarship Committee"). The Ministerial Fund and the Concordia Fund shall collectively be hereinafter referred to as "Scholarship Fund".
- 23.1.2 The Scholarship Committee shall consist of one (1) appointed member who is not a member any board, the Senior Pastor, the Principal of the Day School, the Chairperson of the Board of Elders, and the Chairperson of the Board of Stewardship and Finance. The one (1) appointed member shall be appointed by the Elders. The Scholarship Committee shall be responsible to account for receipts by and disbursements from each Scholarship Fund, shall maintain complete and accurate books of account, and shall provide at least annually a written financial report of each Scholarship Fund to the congregation. The appointed member shall serve as chairperson, the chairperson of the Elders shall serve as vice-chairperson, and the chairperson of the Finance Board shall serve as secretary of the Scholarship Committee. Any vacancy in the appointed member of the Scholarship Committee shall be filled by the Elders. The appointed member of the Scholarship Committee may be removed by a two-thirds (2/3) majority vote of the Elders.
- 23.1.3 The term of the appointed Scholarship Committee member shall be three (3) years, beginning on the first day of the year, except for the initial appointed Scholarship Committee member, which shall end on December 31, 1997.
- 23.1.4 The Elders may establish such written rules and regulations, as may be necessary or desirable for the administration of each Scholarship Fund. It may adopt standards and goals to guide in expenditures

from each Scholarship Fund, which it may amend, all within the stated purposes of each Scholarship Fund.

- 23.1.5 The Elders through the Scholarship Committee, shall maintain accounts with such financial institutions as it may by resolution authorize and determine. All checks and other documents transferring or expending any funds or assets in either Scholarship Fund shall be executed by any two (2) of the following: the chairperson of the Scholarship Committee, the Senior Pastor or the Church Treasurer.
- 23.1.6 The Elders, through the Scholarship Committee, shall maintain complete and accurate books of account and may employ such professional help, including but not limited to, agents, trustees, financial advisors, stockbrokers, accountants, counselors or attorneys, as it deems necessary in this connection.
- 23.1.7 The secretary of the Scholarship Committee shall maintain complete and accurate minutes of all meetings of the Scholarship Committee.
- 23.1.8 No voting member of the Scholarship Committee, the Elders or the Church Council shall engage in any self-dealing or transactions with either Scholarship Fund in which any voting member of the Scholarship Committee, the Elders or the Church Council has a direct or indirect financial interest and shall at all times refrain from any conduct in which his/her personal interests would conflict with the best interests of either Scholarship Fund, provided, however, that dependents of Scholarship Committee members may receive aid from either Fund, provided that the applicable committee member shall not participate in the decision of the Scholarship Committee as to the nature or extent of aid in that regard.
- 23.1.9 A quorum of the Scholarship Committee shall consist of three (3) members present at a meeting. The Scholarship Committee shall meet at least once a year, and whenever otherwise necessary or desirable, to discuss applicants for and recipients of aid and the status of each Scholarship Fund and its investments.
- 23.2 **FISCAL YEAR:**
- 23.2.1 For tax, accounting, distribution, or other purposes, the fiscal year (whether terminating December 31 or otherwise) of Christ Lutheran Church shall be the fiscal year of each Scholarship Fund.
- 23.2.2 Within 90 days after the close of each of the Scholarship Fund's fiscal years, and at such other time (s) as is deemed convenient, or appropriate, an itemized written report accurately reflecting the position of each Scholarship Fund's income and principal accounts as of a date reasonably close to the date the statement is submitted, and the receipts, disbursements and changes therein since each Scholarship Fund's previous accounting, shall be prepared by the Scholarship Committee and submitted by the Elders, following approval by the Elders, to the Christ Lutheran Church Congregation at the first regular congregational meeting following preparation of the report.
- 23.3 **DUTIES:**

- 23.3.1 The Elders shall, at least annually, render to the Congregation a full and complete account of the administration of each Scholarship Fund during the preceding fiscal year.
- 23.3.2 Gifts and contributions from any individual, entity, estate, trust, 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, 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 either Scholarship Fund at any time, subject to Sections 21.2.3 and 22.2.3.
- 23.3.3 Means for acknowledging the receipt of gifts and contributions shall be established and maintained by the Scholarship Committee, including whenever feasible, a designation of the estimated value ascribed to each gift.
- 23.3.4 Separate identification and recording shall be made of all transactions with respect to any Restricted Gift.
- 23.3.5 Each Scholarship Fund shall be kept and maintained separate, distinct and independent from the other funds and property otherwise belonging to the Church. However, the Elders shall in no event be required to make physical segregation of the assets of each Scholarship Fund in order to conform to the directions of any individual donors, but may establish separate accounts in its accounting records.
- 23.3.6 The Elders are to inform the members of the congregation of the purpose of each Scholarship Fund, and may periodically arrange for members of the congregation to meet with professional counselors in the areas of charitable giving, wills, bequests, insurance, etc.
- 23.3.7 All new members of the Church Council and the Elders are to receive a copy of all of Articles 21, 22 and 23 of these Bylaws to become acquainted with the function and purposes of each Scholarship Fund.
- 23.4 **POWERS:**
- 23.4.1 The Elders, through and by use of the Scholarship Committee, and the Scholarship Committee which acts on behalf of the Elders, shall have the powers and authority set forth as follows in Section 23.4.2 and 23.4.3, subject to Section 23.1.5.
- 23.4.2 The property constituting the corpus of each Scholarship Fund may be invested and reinvested in any kind of property (whether real or personal, tangible or intangible, and domestic or foreign), including, but not limited to, securities, stocks, bonds, mutual funds, real estate, oil, gas, and other natural resources and/or accounts or certificates of banks or other lending institutions, and each investment shall be managed and protected in accordance with the principles herein established. In exercising the authority granted in this Article, the decisions with respect to investment shall be guided by the concept of a prudent investor whose investment purpose includes both income and capital appreciation and shall not otherwise be restricted by any law, rule or custom (i) requiring safety of corpus as a primary consideration, (ii) regarding investment in income producing property, or (iii) requiring diversification of investments. It is further understood that any part or all of either

Scholarship Fund may be invested in obligations of the Lutheran Church Extension Fund-Missouri Synod, St. Louis, Missouri, or the Central Illinois District Church Extension Fund. In amplification, but not limitation, of the foregoing, authority is granted:

- A. To acquire interests in property by purchase, lease, rental or other method; to sell, option, exchange, redeem or convert any property interests; and to rent or lease property of each Scholarship Fund;
- B. To exercise all rights and privileges accruing to a holder of securities, including all voting, conversion, subscription, and preemptive rights; to deposit any securities with, delegate discretionary power to, and participate, cooperate and contract with, as a member or otherwise, any protective committee of security holders; and to effectuate any merger, consolidation, dissolution, reorganization or financial adjustment of the issuer of any securities and/or any transfer, demise, or encumbrance of any of its properties;
- C. To manage and/or develop any real property owned, leased or otherwise held by either Scholarship Fund; to erect, repair, remodel, reconstruct, demolish or remove buildings or other improvements on it; to partition or subdivide it; to lease it, to dedicate all or any part of it to public or semi-public use, and to grant easements or other charges with respect to it;
- D. To abandon any property interest deemed worthless or of insignificant value;
- E. To borrow money from any source, to encumber property of either Scholarship Fund and to repay any loan due by either Scholarship Fund;
- F. To foreclose any mortgage, lien, or other encumbrance, and to purchase the encumbered property, whether through foreclosure or private arrangement;
- G. To establish and maintain out of income, depreciation, depletion and/or amortization reserves;
- H. To maintain a portion or all of the property constituting either Scholarship Fund in liquid or nearly liquid form, even though little or no income is earned thereon; and
- I. To use income or corpus funds (irrespective of their derivation) for any purpose of each Scholarship Fund and with respect to any property of either Scholarship Fund (irrespective of the income, if any, it produces) even if such funds are derived from the sale of or income from other property of either Scholarship Fund or from a loan (from income or an outside source) using such other property as security.

23.4.3 Without limiting the authority otherwise conferred, this additional authority is hereby granted to be exercised as is believed to be in the best interest of each Scholarship Fund:

- A. To accept and receive for any inter vivos, testamentary or other transfer of property to either Scholarship Fund;

- B. To hold property, and to negotiate and execute documents on behalf of either Scholarship Fund, in the name of either Scholarship Fund or in the name of a nominee (s) without disclosing any fiduciary relationship to anyone;
- C. To allocate between income and corpus (in cases where reasonable doubt of the applicable law exists) in equitable proportions, any money or other property received, and any loss or expenditure incurred;
- D. To vote, or refrain, from voting, securities having voting privileges, and to give any type of proxy (with or without voting directions to vote that same);
- E. To make division and distribution of property held in either Scholarship Fund (whenever directed to do so) either in kind or in cash, or partly in kind and partly in cash and for such purpose to set values upon any property of either Scholarship Fund;
- F. To protect each Scholarship Fund and its property by insurance against damage, loss or liability;
- G. To establish checking account (s) in which may be deposited income and/or corpus cash;
- H. To employ, at the expense of the applicable Scholarship Fund, attorneys, investment counsel, brokers, custodians of assets, and other agents or employees; and
- I. To do all other legal acts to accomplish the proper management, investment and distribution of each Scholarship Fund.

23.5 INDEMNIFICATION:

- 23.5.1 Christ Lutheran Church shall in relation to each Scholarship Fund and Articles 21, 22, and 23 of the Bylaws, indemnify any person serving as a member of the Elders or a member of the Scholarship Committee in accordance with the provisions of Article 19 of the Bylaws.
- 23.5.2 For the purposes of Article 19 and Articles 21, 22 and 23 of the Bylaws, a member of the Elders shall be considered a director and agent of the corporation and a member of the Scholarship Committee shall be considered an agent of the corporation, as set forth in Article 19 of these Bylaws of Christ Lutheran Church.
- 23.5.3 Notwithstanding anything hereinabove to the contrary, and in addition to the foregoing indemnification provisions and without limiting the protection provided by those indemnification provisions, members of the Scholarship Committee and the Elders shall not be liable for and shall be held harmless for any losses which may be incurred upon the investments of the assets of either of the Scholarship Funds except to the extent such losses shall have been caused by willful misconduct or gross negligence. No member shall be liable for the acts or omissions of any other member.

23.50 **AMENDMENTS:** The termination of the Ministerial Fund or the Concordia Fund and any amendment to Articles 21, 22 or 23 of the Bylaws which will change, alter or amend the general purpose for which either Scholarship Fund is established shall be adopted only if approved by a two-thirds (2/3) majority of the voting members present at a duly called and constituted meeting of the Congregation, the notice of which has stated that such a termination or amendment will be proposed to the Congregation.

24.0 **GENERAL PROVISIONS FOR THE MAJOR PROJECT IMPROVEMENT FUND** (hereinafter, "Improvement Fund"), and it is one of the funds of this congregation.

24.1 **GENERAL PURPOSE**

24.1.1 The primary purpose of the Improvement Fund shall pay for any major capital and/or maintenance projects to improve or repair church property or buildings.

24.1.2 Church property includes all property owned by Christ Lutheran Church including Christ Lutheran School and other holdings.

24.1.3 70% of the receipts will be allocated to the Improvement Fund for major capital and/or maintenance projects and 30% of receipts will be allocated to the Improvement Fund for general building maintenance. Two separate sub-accounts will be maintained to account for the use of the funds.

24.2 **ADMINISTRATION**

24.2.1 The Board of Stewardship and Finance will manage the fund and account for the inflow and outflow of the fund.

24.2.2 Identified major capital or maintenance projects paid from the fund must be a minimum expenditure of \$2,500 as approved by the Church Council. The Trustees approve use of funds for general building maintenance.

24.2.3 The Improvement Fund will have no minimum amount requirement in the fund.

25.0 **GENERAL PROVISIONS FOR THE CHRIST LUTHERAN SCHOOL ADOPT-A-STUDENT SCHOLARSHIP FUND**

25.1 The congregation of Christ Lutheran Church has a scholarship fund which is called the Adopt-A-Student Scholarship Fund (hereinafter, "Scholarship Fund"), and it is one of the funds of this congregation.

The Scholarship Fund's purpose shall be to receive gifts, devises, legacies and bequests (hereinafter collectively referred to as "gifts"), and to use said gifts to financially assist families who have children enrolled or wish to have children enrolled at Christ Lutheran School and who are unable to pay full tuition.

Both the principal and income from unrestricted gifts to the Scholarship Fund are to be used for tuition assistance as herein provided consistent with the general purpose for which this Scholarship Fund has been established, all in accordance with a charitable purpose.

- 25.2.1 A gift may be made upon special terms or conditions and may contain limitations or directions as to the investment or use of the substance of the gift, and/or the use or accumulation of the income on the principal, (hereinafter, "Restricted Gift"), provided that such are acceptable to the Church Council.
- 25.2.2 There is no requirement that all of the income, contributions, or gifts to the Scholarship Fund be expended and the accumulation of income is expressly permitted. The intent is to allocate not more than one half, but allow up to 100%, of the income earned, and contributions or gifts received during the previous calendar year toward the operating budget of Christ Lutheran Church. This amount is intended to offset the amount of tuition scholarships awarded for the current school year. The decision on the scholarships allocated and the amount of Scholarship Fund payments shall be determined by the Day School Board within two hundred and seventy (270) days of the end of the prior calendar year. All of the remaining income which has not been expended, allowed or designated shall be added to principal. This board will work with the Board of Stewardship and Finance to determine the payment plan schedule.
- 25.2.3 If on January 1 of any year there is over \$100,000 of principal in the Scholarship Fund, then all income, such as interest and dividends, received by the Scholarship Fund during the preceding calendar year, and subject to the condition of any restricted gift, shall be transferred to the general operating fund of Christ Lutheran Church for the purposes set forth in this Article 25.

25.3 QUALIFICATIONS AND CONDITIONS:

The following qualifications and conditions apply to each student applying for or receiving aid from the Scholarship Fund.

- A. The student must qualify to be enrolled as a full-time student in Christ Lutheran School.
- C. The student and family must be in good standing at Christ Lutheran School.
- D. Financial need is the primary factor in determining who receives assistance. Parents are required to submit a written application for assistance. The School Board shall consider each request based upon financial need, the student's behavior, and worship attendance, the involvement of the family in school activities as described in the "Covenant Relationship" document and the "Scholarship Agreement" and any other qualifying document or activity (i.e. attending conferences, volunteerism, and any other factors deemed appropriate by the School Board) the School Board deems necessary.
- E. The total amount of financial aid awarded will be reported to the Church Treasurer and payments shall be made in the last month of each quarter or sooner and deposited in Christ Lutheran Church accounts. Regular tuition payments will also be collected and deposited on a timely basis.

F. There shall be no restriction based upon race, color, or national or ethnic origin.

- 25.4 DURATION: The Scholarship Fund shall continue in existence and be used as hereinabove provided, unless earlier terminated, so long as Christ Lutheran Church and Christ Lutheran School exist, subject to the requirement that any and all properties held by the Scholarship Fund upon special conditions, restrictions or limitations shall continue to be subject to the conditions, restrictions or limitations upon which such properties are held. If the Scholarship Fund is terminated by the Congregation after a determination that it is no longer useful, all income and principal in the Adopt-A-Student Fund shall be transferred to the general operating fund of Christ Lutheran Church and if not otherwise distributed, the assets constituting the Scholarship Fund when Christ Lutheran Church and Christ Lutheran School cease to exist shall become the property of The Lutheran Church -Missouri Synod Foundation. If Christ Lutheran Church dissolves, it shall, at the time of such dissolution, have the right and duty, for the purposes of distribution of the Scholarship Fund, to determine the existence of a successor Lutheran Church and School, if any, provided such successor Lutheran Church must qualify as an exempt organization under the Internal Revenue Code, and Christ Lutheran Church shall execute the necessary documents to effect such distribution. To the extent the Scholarship Fund is not distributed under the provision of this Article 25.4 upon dissolution of Christ Lutheran Church, the remaining assets constituting the Scholarship Fund shall be distributed in accordance with Article 16 of the Constitution of Christ Lutheran Church.
- 25.5 ADMINISTRATION: The Board for Christian Day School (hereinafter, "Day School Board") shall administer, promote, and manage the Adopt-A-Student Scholarship Fund and shall determine the amount of all distributions of income and principal of the Scholarship Fund. Requests for tuition assistance are brought to the School Board and each is considered on an individual basis. The School Board will report annually to the Church Council, to the Board of Stewardship and Finance, and to the Congregation. To assist the Day School Board in administering the Scholarship Fund, the Day School Board shall appoint a committee consisting of the following: 1) Principal of Christ Lutheran School, 2) Senior Pastor of Christ Lutheran Church, 3) Three persons nominated by the Day School Board, none of which is a member of the Day School Board, all subject to the approval of the Church Council.
- 25.5.1 The term of the three (3) appointed Non-day School Board Scholarship Committee members shall be three years (3), beginning on the first day of the year.
- 25.5.2 The Day School Board may establish such written rules and regulations, as may be necessary or desirable for the administration of the Scholarship Fund. It may adopt standards and goals to guide expenditures from the Scholarship Fund, which it may amend, all within the stated purposes of the Scholarship Fund.
- 25.5.3 The Day School Board through the Scholarship Committee, shall maintain accounts with such financial institutions as it may by resolution authorize and determine. All checks and other documents transferring or expending any funds or assets in the Scholarship Fund shall be executed by any two (2) of the following: the Chairperson of the Day School Board, Principal, the Senior Pastor or the Church Treasurer.

- 25.5.4 The Day School Board through the Scholarship Committee, shall maintain complete and accurate books of account and may employ such professional help, including but not limited to, agents, trustees, financial advisors, stockbrokers, accountants, counselors or attorneys, as it deems necessary in this connection.
- 25.6 Other Provisions: The provisions of Section 20.7 and Section 20.8 shall also apply to the Scholarship Fund.