

CONSTITUTION

AND

BY-LAWS

BETHANY LUTHERAN CHURCH  
OF JOHNSON COUNTY, KANSAS -  
MISSOURI SYNOD

05.01.11

CONSTITUTION  
BETHANY LUTHERAN CHURCH OF JOHNSON COUNTY, KANSAS - MISSOURI SYNOD

PREAMBLE

WHEREAS, The Word of God requires that a Christian congregation shall conform to His Divine Word in doctrine and practice,

- ☞ *"And Jesus came and said to them, "All authority in heaven and on earth has been given to me. Go therefore and make disciples of all nations, baptizing them in the name of the Father and of the Son and of the Holy Spirit, teaching them to observe all that I have commanded you. And behold, I am with you always, to the end of the age." Matthew 28:18-20 (ESV)*
- ☞ *"I charge you in the presence of God and of Christ Jesus, who is to judge the living and the dead, and by His appearing and His kingdom: preach the word; be ready in season and out of season; reprove, rebuke, and exhort, with complete patience and teaching. For the time is coming when people will not endure sound teaching, but having itching ears they will accumulate for themselves teachers to suit their own passions, and will turn away from listening to the truth and wander off into myths. As for you, always be sober-minded, endure suffering, do the work of an evangelist, fulfill your ministry." 2 Timothy 4:1-5 (ESV, emphasis added)*
- ☞ *"I am astonished that you are so quickly deserting him who called you in the grace of Christ and are turning to a different gospel—not that there is another one, but there are some who trouble you and want to distort the gospel of Christ. But even if we or an angel from heaven should preach to you a gospel contrary to the one we preached to you, let him be accursed." Galatians 1:6-8 (ESV)*
- ☞ *"But all things should be done decently and in order" 1 Corinthians 14:40 (ESV)*
- ☞ *"Oh give thanks to the LORD; call upon His name; make known His deeds among the peoples! Sing to Him, sing praises to Him; tell of all His wondrous works! Glory in His holy name; let the hearts of those who seek the LORD rejoice! Seek the LORD and His strength; seek His presence continually! Remember the wondrous works that He has done, His miracles, and the judgments He uttered," Psalm 105: 1-5 (ESV, emphasis added)*
- ☞ *"The Lord is at your right hand; he will shatter kings on the day of his wrath. He will execute judgment among the nations, filling them with corpses; He will shatter chiefs over the wide earth. He will drink from the brook by the way; therefore he will lift up his head." Psalm 110: 5-7 (ESV, emphasis added)*

THEREFORE, BE IT RESOLVED, that Bethany Lutheran Church of Johnson County, Kansas (Missouri Synod) be a community of God's people gathered by the Holy Spirit for the purpose of lifting the Cross of Christ to those around us and throughout the world, so that life with our Father might be shared by all. The terms "Bethany" and "Congregation" as used herein mean Bethany Lutheran Church of Johnson County, Kansas (Missouri Synod) and its mission locations.

Guided by the Holy Spirit, we conclude that Christ is calling each Bethany member to a ministry of making more and better disciples. We fulfill his mandate of the Great Commission as we:

**Celebrate** God's love and our life in the Lord through regular worship with Word and Sacrament.

**Cultivate** a more personal relationship with Christ and a deeper understanding of our Christian Faith through the study of God's Word.

**Communicate** to the unsaved the Good News of God's forgiveness and life through the death and resurrection of Jesus.

**Care** for the spiritual, emotional, and physical needs of all within and outside the family of faith.

**Call** each believer to active discipleship; to a Christian lifestyle characterized by prayer, love, joy, service, and obedience to the will of God.

**Challenge** each other in love to offer to Christ and His Church the best of our time, talent, and treasure.

**Come together** as the family of God for mutual encouragement, fellowship, and support.

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BE IT FURTHER RESOLVED that Bethany, a member congregation of the Lutheran Church Missouri Synod (hereafter LCMS or Synod), accepts and subscribes to the following Constitution and By-laws, in accordance with which all spiritual and material affairs of the Congregation shall be governed.

**ARTICLE I  
NAME**

The name of this congregation shall be Bethany Lutheran Church of Johnson County, Kansas (Missouri Synod).

**ARTICLE II  
PURPOSE AND RIGHTS**

- A. The purpose of this Congregation shall be that of a religious organization. This Congregation is established and maintained for the express purpose of disseminating the Gospel truth according to the confessional standards as delineated in Article III of this constitution.
- B. Bethany shall be a member congregation of the LCMS as long as LCMS conforms to the Congregation's confessional standards as set forth in Article III of this constitution,
- C. The Congregation shall have the power to acquire and hold title to such real estate that may be reasonably necessary for the uses and purposes of said Congregation; to sell, convey, mortgage, and encumber the same, and may receive, hold and administer all monies, funds, and property, real and personal, that may come to it by purchase, gift, devise, bequest or otherwise, for any of the uses and purposes of said Congregation and may invest or place at interest, any endowments or other funds on hand, not required for the current expenses and operations of the purposes and affairs of said Congregation, and take and hold proper securities therefore.

**ARTICLE III  
CONFESSIONS**

This Congregation acknowledges and accepts all the canonical books of the Old and New Testaments as the revealed Word of God, verbally inspired, and acknowledges and accepts all the confessional writings of the Evangelical Lutheran Church, as contained in the Book of Concord of the year 1580, to be true and genuine exposition of the doctrines of the Bible. These confessional writings are the three Ecumenical Creeds (Apostles, Nicene, and Athanasian), the Unaltered Augsburg Confession, the Apology of the Augsburg Confession, the Smalcald Articles, Luther's Large and Small Catechisms and the Formula of Concord.

**ARTICLE IV  
MEMBERSHIP**

- A. Synodical Membership
  - 1. It shall be the duty of the Congregation and its individual members to support the work of Synod, since they thereby support their own Christ-appointed work.
  - 2. The Congregation shall send delegates to all conferences and to conventions of the Kansas District of the Lutheran Church-Missouri Synod and the Synod, according to established procedures.

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B. Church Membership

1. Membership in Christ's Church is a public statement that you are a member of God's own people called to discipleship,
  - 📖 "...a chosen race, a royal priesthood, a holy nation, a people for His own possession, that you may proclaim the excellencies of Him who called you out of darkness into His marvelous light." 1 Peter 2:9, (ESV, emphasis added)
2. Christ's disciples are characterized as those:
  - a. Who are baptized in the name of God the Father, Son and Holy Spirit;
  - b. Who accept all the canonical books of the Old and New Testaments as the only divine rule and standard of faith and life;
  - c. Who are familiar at least with Luther's Small Catechism and declare their acceptance of it;
  - d. Who attend divine services faithfully;
  - e. Who lead Christian lives and do not live in manifest works of the flesh
    - 📖 "*Now the works of the flesh are evident: sexual immorality, impurity, sensuality, idolatry, sorcery, enmity, strife, jealousy, fits of anger, rivalries, dissensions, divisions, envy, drunkenness, orgies, and things like these .I warn you, as I warned you before, that those who do such things will not inherit the kingdom of God.*" Galatians 5:19-21 (ESV)
  - f. Who partake of the Lord's Supper frequently;
  - g. Who contribute regularly and faithfully, as God has prepared them, toward the building of Christ's kingdom in the Congregation and throughout the world;
  - h. Who devote their time and talents to the extension of the kingdom of God;
  - i. Who permit themselves to be fraternally admonished and corrected when they have erred; and
  - j. Who are not members, affiliates, or supporters of secret societies or other organizations conflicting with the Word of God.

C. Congregational Membership


1. The Congregation distinguishes three types of congregational membership. Congregational members accept and support the Constitution and By-laws of Bethany:
  - a. Baptized Members: Baptized Members are all Communicant Members, children of Communicant Members who have been baptized; and, such as have been received into Baptized Membership following presentment of a letter of transfer from a recognized orthodox Lutheran Church; or, are baptized children of Communicant Members who were received by profession of faith.
  - b. Communicant Members: Communicant Members are those Baptized Members who have been instructed and are familiar with the contents of *Luther's Small Catechism*, have been confirmed in the Lutheran faith, and accept the confessional standard of Article III of this constitution.
  - c. Voting Members: All Communicant Members in good standing who have reached their 18th birthday shall be entitled to vote. New Voting Members shall sign a record maintained by the Church Council Secretary.

D. Admission into Membership

1. Communicant Members may be admitted into membership of the Congregation by the following means:
  - a. Confirmation: The rite of confirmation is a reception into Communicant Membership.
  - b. By Transfer: Persons coming with a communicant letter of transfer from a sister congregation, provided they conform in all respects to the discipleship characteristics (Article IV, B of this constitution), shall be received by a pastor and their names shall be recorded in the appropriate records of the Congregation.
  - c. Profession of Faith: All other persons shall submit their application to a pastor and having given satisfactory evidence of qualifications for Communicant Membership to a pastor, they shall be received as Communicant Members, and their names shall be recorded in the appropriate records of the Congregation.

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**E. Termination of Membership**

1. Communicant Members may be terminated from membership in the Congregation by the following means:
  - a. Transfer to another LCMS Congregation: Communicant Members desiring to join a sister congregation shall present their request for transfer to a pastor to whom authorization is granted to issue such transfers. The Church Council Secretary will record the names of those transferring appropriately.
  - b. Join a non-LCMS church: In cases where Communicant Members join a non-LCMS congregation, they shall be considered as having terminated their Congregation membership. Their names shall be removed from the membership list by resolution of the Voters Assembly.
  - c. Whereabouts Unknown: The names of members whose whereabouts are unknown and cannot be established within one year, shall be removed from the membership list of the Congregation, by resolution of the Voters Assembly, and forthwith such membership shall be terminated.
  - d. Excommunication and Self-Exclusion: Any member who consistently conducts himself in a manner contrary to Scripture and/or the characteristics described in Article IV, B of this constitution, shall be admonished according to Scripture,  
 *"If your brother sins against you, go and tell him his fault, between you and him alone. If he listens to you, you have gained your brother. But if he does not listen, take one or two others along with you, that every charge may be established by the evidence of two or three witnesses. If he refuses to listen to them, tell it to the church. And if he refuses to listen even to the church, let him be to you as a Gentile and a tax collector. Truly, I say to you, whatever you bind on earth shall be bound in heaven, and whatever you loose on earth shall be loosed in heaven. Again I say to you, if two of you agree on earth about anything they ask, it will be done for them by my Father in heaven. For where two or three are gathered in my name, there am I among them."* Matthew 18:15-20 (ESV)

If such a person refuses to amend his sinful life after proper admonition, he shall be excommunicated. If the member refuses to discuss his case with a pastor and the Elders appointed to discuss his case, he has thereby excluded himself. A unanimous vote (except for the person under consideration for excommunication or self-exclusion) shall be required by the Voters Assembly for excommunication. Excommunication or self-exclusion terminates church membership.

**ARTICLE V  
SUFFRAGE AND ELIGIBILITY TO HOLD OFFICE**

- A. It shall be the duty of every Voting Member to attend each meeting of the Voters Assembly. Voting Members shall accept nomination for office and committee appointments if possible and generally participate in the business activities of the Voters Assembly. By failing to attend meetings, a Voting Member waives his right to cast a vote.
- B. Women voters 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. Accordingly, women shall not serve as a pastor, as an elder, as president or vice president of the Congregation.

**ARTICLE VI  
OFFICES OF THE PASTOR AND COMMISSIONED WORKERS**

- A. The pastoral office of the Congregation, as well as that of any commissioned worker, such as a teacher, Director of Christian Education and/or youth, deaconess or parish worker, shall be conferred upon only those: who 1) profess and adhere to the confessional standard set forth in Article III of this constitution, and 2) hold membership on the Roster of Missouri Synod as an ordained or commissioned worker. Pastors and commissioned workers shall, in the call extended to them and accepted by them, pledge to the standards set forth in Article VI of this constitution.

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- B. From time to time, a contract may be extended to a teacher who is not a commissioned worker, with the agreement that such teacher enroll in an LCMS colloquy program to become commissioned no later than the second year of his or her contract.
- C. A pastor or any commissioned worker may be removed from office by the Voters Assembly in Christian and lawful order, for any of the following causes: persistent adherence to false doctrines; scandalous life; the inability or willful neglect to perform his official duties.

**ARTICLE VII  
OFFICERS, BOARDS, AND COMMITTEES**

- A. Bethany Officers and standing committee chairmen, elected, appointed, standing, or special, must conform to Constitution Article IV, A-D and must be a Voting Member of the Congregation as described in Article IV, C-1-c of this constitution.
- B. Bethany Officers shall be President, Vice-President, Secretary, Treasurer, Church Council Board Chairmen, and Elders shall serve as prescribed by the By-laws.
- C. Any officer may be removed from office by a majority vote of the Voters Assembly in a Christian and lawful order, for any of the following causes: persistent adherence to false doctrines; scandalous life; or, inability or willful neglect to perform his official duties.

**ARTICLE VIII  
CHURCH ADMINISTRATION**

- A. The Voters Assembly as a body shall have the ultimate authority and power to manage and adjust all spiritual and material affairs of the Congregation. Any enactment or decision, whether it proceeds from an individual or from a body within the Congregation, shall be invalid unless it is enacted or performed in the name of the Voters Assembly and according to the authority conferred by it.
- B. The corporate powers of the Voters Assembly, subject to the limitations of this constitution and its by-laws, shall be exercised and administered by the Church Council, in accordance with this constitution and its by-laws and authority granted by the Voters Assembly.

**ARTICLE IX  
PROPERTY RIGHTS**

If at any time a separation of membership should take place the property of the Congregation and all benefits therewith connected shall remain with those Voting Members who continue to adhere in confession and practice as set forth in Article III of this constitution. In the event the Congregation should disband, the property and all rights and obligations connected therewith shall be transferred to the Kansas District of the Lutheran Church -- Missouri Synod.

**ARTICLE X  
DOCTRINAL LITERATURE AND INSTRUCTION**

Only such hymns, prayers, and liturgies shall be used in such public services of the Congregation and in all ministerial acts as conform to the confessional standard set forth in Article III of this constitution. Likewise, all religious teaching and instructional material shall conform to such standard.

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**ARTICLE XI  
BY-LAWS**

This Congregation may adopt such By-laws as may be required to accomplish its purposes.

**ARTICLE XII  
AMENDMENT OF THE CONSTITUTION**

- A. Amendments to Articles III (Confessions), VI (Offices of the Pastor and Commissioned Workers), and X (Doctrinal Literature and Instruction) shall not destroy their essential meaning. Such amendments shall be compliant with LCMS constitutions and By-laws and Kansas District Constitution Committee requirements.
  - B. Amendments shall be submitted in writing at a meeting of the Voters Assembly and made public to the Congregation by public posting and/or by mail to all Voting Members. Notice of the discussion of such amendments shall be given prior to two consecutive regular Voters Assembly meetings when the proposed action will be discussed. Notice that action will be taken on proposed amendments shall be provided to all Voting Members prior to the meeting when a vote will be taken. The revision date shall be referenced in any constitution adopted.
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# BY-LAWS

**BY-LAWS TO THE CONSTITUTION OF  
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**ARTICLE I  
VOTERS ASSEMBLY**

- A. The annual meeting of the Voters Assembly shall be held in January of each calendar year.
- B. The regular meeting of the Voters Assembly shall be held in the month of May.
- C. Special meetings of the Voters Assembly may be called by a pastor, the President of the Congregation, or by the Church Council.
- D. Notice of all scheduled meetings shall be given by announcement or in the bulletins of all worship services prior to the meeting and shall specify matters on which action may be taken. Notice of special meetings shall be given by mail, publication, or by announcement at worship services and shall specify the matters to be acted upon at such meeting. When a meeting has been announced and, except as otherwise expressly provided for herein, the Voting Members of the Congregation in attendance shall constitute a quorum and the meeting shall be considered a properly convened and legal meeting for the transaction of business.
- E. The Order Of Business for Voter Assembly meetings shall be:
  - 1. Call to Order
  - 2. Devotion/Opening Prayer
  - 3. Reception of New Voting Members
  - 4. Reading of Minutes of Last Meeting
  - 5. Treasurer's Financial Report
  - 6. Granting Letters of Transfer
  - 7. Pastoral Report
  - 8. President's Report
  - 9. Officers and Committee Chairmen Reports
  - 10. Election of Officers
  - 11. Unfinished Business
  - 12. New Business
  - 13. Announcements
  - 14. Adjournment
  - 15. Prayer
- F. The preceding shall be the recommended order of business for meetings of the Voters Assembly. The order may be altered or varied as the Voters Assembly determines.
- G. Proceedings at meetings of the Voters Assembly shall be in accordance with the current edition of Robert's Rules of Order.
- H. A unanimous vote shall be required of those present at a meeting of the Voters Assembly for excommunication. A three-fourths majority of the Voting Members of the Congregation present at two consecutive regular and/or special meetings of the Voters Assembly shall be necessary to remove a pastor or a commissioned worker (excluding Day School staff and faculty). Other matters shall be decided by the majority vote of the members present at a Voters Assembly meeting.

**ARTICLE II  
CALLING OF PASTORS AND COMMISSIONED WORKERS**

- A. The calling of a pastor and commissioned workers (excluding Day School staff and faculty) shall be initiated by the Board of Elders and shall be accomplished in accordance with applicable procedures established by the Kansas District and the Synod. A three-fourths majority of the Voting Members of the Congregation present at a regular or special meeting shall be required in order to extend such calls.

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- B. The calling of Day School staff and faculty shall be under the authority of the Church Council or its designee and at the recommendation of the Board of School Education.

**ARTICLE III  
ELECTION OF OFFICERS**

- A. A nominating committee, chaired by the Vice-President of the Congregation, with approval of the Church Council, shall present a slate of candidates at the May meeting of the Voters Assembly in each calendar year. Additional nominations may be made at the meeting. The Board of Elders nominates their Chairman and Church Council approves such nominee. Persons elected at the May meeting shall assume their respective offices on July 1.
- B. Officers shall serve a two-year term. An officer may be elected to serve for two consecutive terms (four years). Officers shall not thereafter be re-elected or appointed to that same office for at least one term year (July-June).
- C. An Elder may serve as many terms as he is willing and able to do so but may be removed from office via election or in accordance with Article VII, C of the Bethany Constitution. The Chairman of the Board of Elders may serve two consecutive terms as Chairman but may continue to serve as an Elder as provided herein.
- D. In the event of a vacancy in a Chairman office, the Church Council shall appoint a successor to serve for the unexpired term. In the event of a vacancy in an Elder, the Board of Elders shall nominate a successor for Church Council approval to serve for the unexpired term.
- E. Officers are elected for the terms specified in these By-laws and shall hold office until their successors shall have been duly elected and qualified.

**ARTICLE IV  
OFFICERS**

- A. The elected officers of this Congregation shall be: President, Vice President, Secretary, Treasurer, the Board of Elders, and a chairman for each of the following Boards: Adult Ministry, Child Ministry, Christian Care, Christian Outreach, Elders, Parish Communications, Property Management, Stewardship, Youth Ministry, and School Education.
- B. The President, Vice-President, one-half of the Board of Elders, and the Chairmen of the Boards of Child Ministry, Christian Care, Christian Outreach, Parish Communications, and Property Management shall be elected in alternate years from the election of the remaining officers.

**ARTICLE V  
CHURCH COUNCIL**

- A. The Church Council shall consist of the President, Vice President, Secretary, Treasurer, and the Chairman for each of the following Boards: Adult Ministry, Child Ministry, Christian Care, Christian Outreach, Elders, Parish Communications, Property Management, Stewardship, Youth Ministry, and School Education. Pastors, Director(s) of Christian Education, Church Administrator, Day School Principal, and the Lutheran Women's Missionary League (LWML) Chairman shall be ex-officio members of the Church Council. Others may be added as ex-officio members as determined by the Church Council.

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- B. The Church Council as a body shall, pursuant to the authority given it under Article VIII of the Bethany Constitution shall manage, control, and adjust all spiritual and material affairs of the Congregation according to the policies and directives of the Voters Assembly.
- C. The Church Council shall have authority with respect to and be responsible for all matters relating to the spiritual care and welfare of the Congregation, the worship and stewardship affairs of the Congregation, and the Christian education of the Congregation.
- D. Acting with Church Council approval, the President, Vice President, and Secretary, shall have authority with respect to and be responsible for all matters relating to the acquisition and disposal of property, both real and personal, of the Congregation.
- E. The Church Council may implement, control and carry out all or any of its functions and fulfill its responsibilities directly or it may appoint or designate one or more individuals or committees to carry out its directives and policies to the end that its functions may be performed and responsibilities fulfilled. All designees shall operate under the Church Council's authority.
- F. Any enactment or decision whether it proceed from an individual or from a body within the Congregation shall be invalid unless it is enacted or performed in the name of and/or with the approval of the Church Council or, as herein otherwise provided, in the name of and with the approval of the Voters Assembly.
- G. The Church Council may in its discretion defer matters coming before it for the purpose of presenting such matters to the Voters Assembly at any regular or special meeting called for such purposes. The Church Council shall make its recommendations to the Voters Assembly and the decision of the Voters Assembly on such matters shall be final.
- H. Any individual or body within the Congregation shall have the right to appeal any ruling or decision rendered by the Church Council. Any such appeal may be in writing or given orally at a regular or special meeting of the Voters Assembly. However, notice of any appeal must first be given in writing to the President. The Voters Assembly may approve and affirm the action of the Church Council or may disapprove such action, in which event the Voters Assembly shall take such action, as it deems appropriate under the circumstances.
- I. At each Voters Assembly meeting, the Church Council shall give a report of all its activities since its preceding report and shall generally advise the Voters Assembly of its plans and proposals within the respective areas of its responsibilities.
- J. The Church Council shall meet not less than quarterly at such times and at such places as may be determined by the Church Council. The Secretary shall give notice of meetings.
- K. The President, a pastor, or any three members of the Church Council may call special meetings. The presiding officer may convene an executive session that is closed to non-council parishioners and ex-officio members.
- L. The Church Council shall have full power to decide the nature of the business to be transacted at each meeting.
- M. Nine members of the Church Council shall constitute a quorum for the transaction of all business. All matters shall be decided by majority vote of the members present.
- N. Proceedings at Church Council meetings shall be in accordance with the current edition of Robert's Rules of Order.

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- O. The Church Council shall publish its meeting minutes, which shall include its actions after every meeting except those actions taken in executive sessions. The Church Council Secretary shall provide a file copy of meeting minutes to the church office by the end of the month in which the meeting was held from which copies may be made for members.
- P. The Church Council shall maintain a manual stating responsibilities of its members and boards. The manual shall be reviewed annually to ensure that prescribed practices are accurately reflected.

**ARTICLE VI  
DUTIES OF OFFICERS**

Officer duties and job descriptions reside in the Church Council's Officers Manual.

**ARTICLE VII  
CHURCH BOARDS AND OTHER COMMITTEES**

- A. Each of the boards identified in By-laws Article V, Section A is empowered to determine the frequency and the place its meetings are held. Each board may determine and adopt rules for the conduct of its meetings, as it deems appropriate.
- B. A Personnel Committee shall be established as prescribed in the Officer Manual.
- C. The Church Council may appoint additional or may enlarge committees, as it deems necessary or desirable.
- D. All members of committees, delegates, and representatives appointed by the Voters Assembly or Church Council shall serve at the discretion of the Congregation and may be removed or replaced by a quorum majority vote of the Voter's Assembly.

**ARTICLE VIII  
AMENDING THE BY-LAWS**

Alteration or repeal of these By-laws requires a majority of the Voting Members of the Congregation present in two consecutive regular and/or special meetings of the Voters Assembly, duly announced as provided in these By-laws.

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