

CONSTITUTION AND BY-LAWS  
of the  
COLLEGE HILL LUTHERAN CHURCH  
and  
BRAMMER STUDENT CENTER  
CEDAR FALLS, IOWA

PREAMBLE

WHEREAS, according to God's Word (1 Cor. 14:40 and Col. 2:5) all things should be done decently and in order in a Christian congregation; and

WHEREAS, in obedience to this Biblical exhortation, our forefathers have set an example in the drafting of Christian Church constitutions; and

WHEREAS, this congregation has caused to be executed and filed Articles of Incorporation incorporating said congregation under the laws of the State of Iowa;

NOW, THEREFORE, we, a number of Lutherans living in and near Cedar Falls, Iowa, by our signatures designate this Constitution and By-Laws along with the Articles of Incorporation, which are by this reference made a part hereof, as the order under which we are united as a congregation, and according to which all internal and external affairs of the congregation are determined and settled.

ARTICLE I.

PURPOSE

The purpose of this congregation shall be to serve its members and to spread the kingdom of God by the preaching of the Word of God, by the administration of the Sacraments and by the religious instruction of youth and adults, according to the confessional standard of the Lutheran Church (Article II), and to foster Christian fellowship and charity.

ARTICLE II.

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, contained in the Book of Concord of the year 1580, to be the 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, the Power and Primary of the Pope, Luther's Large and Small Catechisms, and the Formula of Concord.

ARTICLE III.

MEMBERSHIP

The membership of this congregation includes the following;

A. BAPTIZED MEMBERSHIP

Baptized members are all members who have been baptized, according to the institution of Christ (cf. Matt. 28:19) including the children on the membership rolls who have not yet confirmed their baptismal vows.

B. COMMUNICANT MEMBERSHIP

Communicant members are those

1. Who are baptized in the name of God the Father, Son and Holy Spirit;
2. Who accept all canonical books of the Old and New Testaments as the only divine rule and standard of faith and life;
3. Who are familiar with Luther's Small Catechism and declare their acceptance of it;
4. Who attend divine services faithfully;
5. Who lead Christian lives and do not live in manifest works of the flesh. (Galatians 5:19-21)
6. Who partake of the Lord's Supper frequently after their confirmation.
7. Who contribute regularly and faithfully, as God has prospered them, toward the building of Christ's kingdom in the congregation and throughout the world.
8. Who devote their time and talents to the extension of the kingdom of God.
9. Who permit themselves to be fraternally admonished and corrected when they have erred.
10. Who are not members, affiliates, or supporters of secret societies or other organizations conflicting with the Word of God. (Eph. 5:11-12; 2 Cor. 6:14-18; Matt. 5:34-37)

C. VOTING MEMBERSHIP

All confirmed members of the congregation who have reached the age of 18 years, who have been accepted by the Voters' Assembly, and who have read and signed the Constitution and By-Laws of the congregation shall be entitled to vote, and to hold office.

D. ASSOCIATE STUDENT MEMBERSHIP

1. Open to any student in post-secondary education who is a baptized and Communicant Member in good standing of a sister congregation of The Lutheran Church—Missouri Synod or of a church body that is in altar and pulpit fellowship with the Synod. An Associate Member would retain membership in his/her home congregation.
2. All requirements for Communicant Membership (see B. 1-10) shall apply equally to Associate Student Members.
3. Associate Student Members shall be eligible for Voting Membership.
4. Application for Associate Student Membership shall follow the procedure outlined in the By-Laws, Article I, A, 4.
5. The Associate Membership status shall remain in effect as long as the student is enrolled in a post-secondary institution or until a request for termination is made by the student.

ARTICLE IV.

OFFICES OF PASTOR AND TEACHERS

The pastoral office of this congregation, as well as that of a called teacher in the parochial school, shall be conferred upon such ministers, teachers, and candidates only as profess and adhere to the confessional standard as set forth in Article II of this constitution and are well qualified for their work (1 Tim. 3:1-6; Titus 1:7-9), and who have been endorsed by and are members of The Lutheran Church—Missouri Synod or of church bodies in altar and pulpit fellowship with the Synod. Pastors and teachers shall, in the call extended to and accepted by them, be pledged to this confessional standard.

ARTICLE V.

POWER OF THE CONGREGATION

- A. GENERAL—The congregation as a body, through the voting members, shall have supreme power to administer and manage all its external and internal affairs. The establishment and conduct of all institutions and societies within the congregation, such as the parochial school, Sunday School, youth societies, ladies' organizations, choir, etc. shall at all times be subject to the approval and supervision of the congregation. The congregation, however, shall not be empowered to decide anything contrary to the Word of God and the Confessions of the Lutheran Church (Article II), and any such decisions shall be null and void.
- B. RIGHT OF CALLING—The right of calling pastors and teachers shall be vested in the congregation and shall never be delegated to a smaller body or to any individual.
- C. DECISIONS—Matters of doctrine and conscience shall be decided by the Word of God; other matters shall be decided by the Voters' Assembly by a majority vote unless otherwise specified by the Constitution or By-Laws.
- D. POWER OF OFFICERS—Congregational officers or committees, whether elected or appointed by the voters, shall have no authority beyond that which has been conferred upon them, and whatever power may have been delegated to them may at any time be altered or revoked by the voters.
- E. REMOVAL FROM OFFICE—Any officers, pastor, or teacher may be removed from office by this congregation, in lawful assembly, by ballot, with a super-majority (two-thirds) in Christian and lawful order, for one of the following causes: persistent adherence to false doctrine, scandalous life or inability to perform his official duties or willful neglect of them.

ARTICLE VI.

OFFICERS

The officers of this congregation shall be such officers, Boards, or Committees as the By-Laws of this congregation may prescribe.

ARTICLE VII.

PROPERTY RIGHTS

If at any time a separation should take place on account of doctrine, the property of the congregation and all benefits therewith connected shall remain with those voting members who continue to adhere in confession and practice to Article II of this Constitution. In the event the congregation should totally disband, the property and all rights connected therewith shall be transferred to the IOWA DISTRICT EAST, or its successor, of The Lutheran Church—Missouri Synod.

ARTICLE VIII.

DOCTRINAL LITERATURE

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

ARTICLE IX.  
SYNODICAL MEMBERSHIP

- A. This congregation shall hold membership in The Lutheran Church—Missouri Synod as long as the confession of faith and constitution of the Synod remain in accord with the congregation’s confessional standard set forth in Article II. It shall send its pastor and a lay delegate to the District Convention of the Synod.
- B. It shall be the duty of the congregation and its individual members to support the work of Synod, since they thereby support their own Christ-appointed work.

ARTICLE X.  
BY LAWS

This congregation may adopt such By-Laws as may be required for the accomplishment of its purpose.

ARTICLE XI.  
AMENDING THE CONSTITUTION AND BY-LAWS

- A. Amendments to Articles II, IV, VIII and XI, shall not destroy their essential meaning. Any amendments to these Articles must be submitted to the district’s constitution committee for review prior to presenting to the voters.
- B. Amendments to this Constitution and By Laws shall be adopted at a regular meeting of the Voters’ Assembly provided:
  - 1. That the proposed amendment has been submitted in writing at a previous Voters’ Assembly, and announced to the congregation by posting and/or mail to all communicant members prior to the meeting at which the proposed amendment shall be acted on.
  - 2. When adopting the amendment the Voters Assembly shall require a quorum of one-third of the voting members be present and a two-thirds majority shall be required for adoption of the amendments.
  - 3. The date of approval shall be referenced in any amendment adopted.
- C. The revised constitution shall, as a condition of continued membership in The Lutheran Church—Missouri Synod, be submitted to the president of the district for review by the district’s constitution committee and favorable action by the district’s board of directors before being implemented by the congregation.

**BY-LAWS**

ARTICLE I.  
MEMBERSHIP

A. COMMUNICANT MEMBERSHIP

- 1. By Confirmation—Confirmation itself being a reception into church membership, all who are thus received by this sacred act become communicant members.
- 2. By Transfer—Persons coming with a communicant letter of transfer from a congregation in church fellowship provided they conform in all respects to the requirements of membership of this congregation, shall be received by the pastor, whose action is to be approved in a subsequent meeting of the Voters’ Assembly or Board of Directors.
- 3. By Profession of Faith—Other persons shall submit their application to the pastor; and having given satisfactory evidence of qualifications for communicant membership to the pastor and the Director of Board of Elders, they shall be received as communicant members, to be approved in a subsequent meeting of the Voters’ Assembly.
- 4. By Associate Student Membership—Any student who meets the requirements set forth in Article III, D, shall submit their application to the pastor, and having given satisfactory evidence of qualification for Associate Membership, shall be received as an Associate Member, to be approved in a subsequent meeting of the Board of Directors or Voters’ Assembly.

B. VOTING MEMBERSHIP

- 1. Reception—An applicant for voting membership shall give notice of his/her intention to the pastor. A copy of the Constitution and By-Laws of the congregation shall be furnished. At a subsequent meeting of the Voters’ Assembly, the pastor shall present such application. Upon

unanimous vote of the voting members present he/she shall sign the Constitution and By-Laws of the congregation and be declared a voting member.

2. Duties of Voting Members—It shall be the duty of every voting member to attend the voters' meetings. By failing to attend such meeting a member waives the right to cast his/her vote during that meeting. He/she shall accept nomination for officer, committee appointments, etc., if possible, and generally participate in the business activities of the Voters' Assembly.

### C. TERMINATION OF MEMBERSHIP

#### 1. Communicant Membership

- a. Transfer to Other Congregations—Communicant members desiring to join a congregation in church fellowship shall present their request for transfer to the pastor, to whom authorization is granted to issue such transfers. Each transfer of membership shall be approved by the Voters' Assembly or The Board of Directors in a subsequent meeting.
- b. Joining Other Churches— In cases where communicant members have joined another congregation outside our own fellowship, they shall, upon the recommendation of the pastor or Board of Elders be considered such as have terminated their membership, and their names shall be removed from the membership list by a resolution of the Voters' Assembly or Board of Directors.
- c. Whereabouts Unknown—The names of members whose whereabouts are unknown and cannot be established shall be removed by the Voters' Assembly, and forthwith such membership is terminated.
- d. Excommunication— Any member who conducts himself/herself in an unchristian manner shall be admonished according to Matt. 18:15-20. If he/she refuses to amend his/her sinful life after proper admonition, he/she shall be excommunicated. If the member refuses to attend the Voters' Assembly to discuss his/her case, he/she has thereby excluded himself/herself. A unanimous vote shall be required for every resolution by the Voters' Assembly for excommunication. Excommunication terminates membership.
- e. A person whose communicant membership has been terminated has forfeited all rights of a member of this congregation and all claims upon the property of the congregation as such or upon any part thereof, so long as he/she is not reinstated into membership.

2. Voting Membership—A voting member who is absent from the meetings of the Voters' Assembly for a full year without offering valid excuse shall have his/her name removed from the roster of voting members; however, he/she may be reinstated by re-applying for voting membership.

## ARTICLE II.

### MEETINGS

- A. The Annual Meeting of the Voters' Assembly shall be held in the month of January. Regular meetings of the Voters' Assembly shall be held during the months of April, July, and October.
- B. Special Meetings of the Voters' Assembly may be called by the pastor or the Chairman of the congregation.
- C. Every Voters' meeting shall be announced (by word or in the bulletin) at a Sunday service prior to it. Whenever a meeting has thus been announced, and at least one-fourth of the voting members of the congregation, or a quorum, are in attendance, it shall be considered a properly convened and legal meeting capable of transacting business. However, for amending the Articles of Incorporation, the Constitution, and By-Laws, the erection of buildings, the purchase or sale of property, or the removal of a pastor or teacher or some other member from office, a quorum of one-third of the voting members is necessary, and a two-thirds majority shall be required for the adoption of a resolution, unless otherwise provided by State Law.

## ARTICLE III.

### CALLING OF PASTORS AND TEACHERS

- A. Nominations—At a meeting of the Voters' Assembly properly convened, the list of candidates having been received from the District President and presented, candidates for the office of pastor or teacher shall be submitted by the nominating committee. Any voter is entitled to make additional nominations from the floor.
- B. Elections—The election of a pastor or teacher from the list of candidates chosen by the congregation shall be by ballot. The candidate receiving the majority of all votes cast shall be considered elected. The election shall, if possible, be made unanimous by a rising vote, and the call shall be sent to the pastor or teacher elect.
- C. Joint Calling—In the event of a call being issued jointly by the District and this congregation, the congregation will operate under the regulations of the District Mission Committee. This section will not apply if the congregation is not on subsidy.

ARTICLE IV.  
ELECTION OF CONGREGATIONAL OFFICERS

A nominating committee appointed by the Chairman of the congregation shall present a slate of candidates at the January meeting of the Voters' Assembly. The slate proposed by the nominating committee shall consist of at least one name for each office. Additional nominations may be made from the floor. The annual election shall be by ballot and shall take place at the January meeting. The officers-elect shall assume their respective duties following public installation. In the event of a vacancy in any office, the Board of Directors shall appoint a successor to serve until the next annual election. Officers shall be elected for the terms specified in the By-Laws and shall hold office until their successors shall have been elected and qualified.

ARTICLE V  
OFFICERS

- A. THE ELECTED OFFICERS OF THIS CONGREGATION SHALL BE: a Treasurer; a Financial Secretary; a Director for each of the following Boards; Board of Elders, Board of Church Properties, Board of Education, Board for Evangelism, Board for Stewardship, and Board of Campus Ministry.
- B. The officers shall meet all the requirements set by the Word of God and The Lutheran Church—Missouri Synod. (LCMS Convention Resolution, 1969) (LCMS Convention Resolution Denver 2-17 and LCMS Commission on Constitutional Matters Ruling, Lutheran Witness Reporter, vol. 6, #4.)

ARTICLE VI.  
CONGREGATIONAL BOARD OF DIRECTORS

THE CONGREGATIONAL BOARD OF DIRECTORS shall be composed of no more than ten members. It shall consist of at least the Director of each Board position, the Secretary, the Treasurer, and the Financial Secretary of the congregation. The Pastor shall be an exofficio member of the Board of Directors. It shall be the duty of the Board of Directors to meet once a month to consider and discuss all matters pertaining to the general welfare of the congregation as presented by the various Boards and to present recommendations to the congregation. The Board of Directors shall act in matters committed to it by the Voters' Assembly and shall carry on the normal routine business between congregational meetings. The Board of Directors shall have their first meeting after elections, elect from among its membership a Chairman and Vice Chairman. The Director of each Board shall be responsible for appointing the number of persons necessary to complete the tasks assigned to the respective Board.

ARTICLE VII.  
TERMS AND DUTIES OF OFFICERS

- A. CHAIRMAN OF THE CONGREGATION—The office of chairman will be filled by a man (1 Tim. 2:11-15). The term of office shall be one year. The Chairman shall preside at all meetings of the Voters' Assembly and the Board of Directors. The Chairman shall enforce the Constitution and By-Laws of the congregation and carry out the expressed will of the congregation as embodied in the resolutions of the Voting membership. The Chairman shall be a voting member of the Endowment Fund Board. All Boards, committees, auxiliaries, groups, etc., in the congregation shall be responsible to the Chairman, who shall be welcome at any and all meetings of such groups, either in person or as represented by such person or persons as may be appointed. The Chairman shall also call and preside over the meetings of the Parish Planning Council and shall endeavor to coordinate the functions, plans and activities of the congregation in all its parts for the total furtherance of the work of Christ's Kingdom in our midst. The Chairman shall appoint a secretary, immediately after taking office, who shall continue in office until the Chairman's term of office expires. The Chairman shall appoint an Auditing Committee consisting of any two qualified communicant members of the congregation other than the Treasurer and Financial Secretary to audit the financial records of the congregation. The Chairman shall submit the Audit Committee's report to the Voting Membership.
- B. THE VICE CHAIRMAN of the congregation in the absence of the Chairman shall act for and in the stead of the Chairman. The office of vice chairman will be filled by a man (1 Tim. 2:11-15). For the term of one year.
- C. THE SECRETARY shall be present at all Voters' meetings, Board of Directors' meetings and Parish Planning Council meetings and shall enter the minutes of all meetings of said groups in a permanent record book. The Secretary shall conduct all official correspondence of the congregational Boards and committees under the supervision of the Chairman. In general, the secretary shall perform all the duties normally pertaining to the secretary and such additional duties as the Voting membership may delegate. The Term shall be one year.

- D. **TREASURER**—The term of office of the Treasurer shall be two years. He/she shall receive and deposit all congregational monies, including offerings, contributions, special collections, loans, subsidies, bequest, etc. He/she shall pay all bills authorized by the congregation. He/she shall keep accurate records of the receipts and disbursements of the congregation in books which shall be and remain the property of the congregation. The Treasurer shall be a voting member of the Endowment Fund Board, and shall serve as treasurer for the Endowment Fund Board. All of these books shall be audited annually, and a report of each audit shall be submitted to the congregation. He/she shall submit a report at each Board of Directors' meeting and Voters' Assembly meeting. Such report shall show actual receipts and disbursements compared with budgeted amounts.
- E. **FINANCIAL SECRETARY**—The term of office of the Financial Secretary shall be two years. It shall be his/her duty to recruit, train and schedule congregational members in order to help receive and record all congregational monies, including offerings, contributions, special collections, loans, subsidies, bequests, etc. The Financial Secretary shall submit a report of all receipts to the Treasurer on a regular weekly basis. The Financial Secretary shall be responsible for issuing quarterly contribution summaries to the members of the congregation. He/she will also supply reports as requested by Boards and Committees which require such information for church business (e.g. annual budgeting process).
- F. **TREASURER AND FINANCIAL SECRETARY** term of office shall be two years, elected on alternating years.
- G. **THE BOARD OF ELDERS** shall consist of a Director and as many members as deemed necessary to complete the assigned tasks. They shall be men appointed by the Director. The basic objectives of this Board are the spiritual welfare of the pastor and congregational members, individually and corporately, and the supervision of everything pertaining to congregational worship. That the objectives of this Board may be carried out, the Board, either corporately or through specific designated individuals, shall:
1. Maintain membership role.
  2. Recruit and Schedule Sunday Morning Greeter Program.
  3. Recruit and schedule ushers.
  4. Recruit and Schedule organists program for congregation.
  5. Secure special music for worship (Instrumental/Vocal).
  6. Assist in planning and scheduling of special worship.
  7. Pray for the pastor and other spiritual leaders.
  8. Encourage the pastor in his work.
  9. Be concerned about the spiritual, emotional and physical health and welfare of the pastor and his family (adequate compensation, housing, free time, vacation, assistance in times of illness), and to that end specifically review items once a year.
  10. Acquire and oversee secretarial help, with Board of Directors' approval, to perform the necessary secretarial duties of the church.
  11. And any additional duties deemed necessary by this board.
- H. **THE BOARD OF CHURCH PROPERTY** shall consist of the Director and as many members as deemed necessary to carry out assigned tasks. They shall be appointed by the Director. The basic objectives of this Board are the proper maintenance and repair of the church property, and the general protection of the congregation against loss or damage of whatever nature. That the basic objectives of this Board may be carried out, the Board, either corporately or through specifically assigned individuals, shall:
1. Make an annual inspection of church properties and equipment and recommend to the Board of Directors needed repairs.
  2. Conduct an annual inventory of all church properties, equipment, and supplies, including acquisition date and approximate value of each item.
  3. Carry out all resolutions of the Voters' Assembly on purchases, repairs, replacement of church property and equipment.
  4. Oversee custodial work done by Resident-Caretakers.
  5. Determine and engage, with the Board of Directors' approval, adequate custodial help.
  6. The Board shall also meet periodically with custodians to discuss the care of the building, needs and problems in custodial service, and the like.
  7. Prepare for the custodial help a detailed list of the required daily and weekly, monthly or annual maintenance of the facilities and equipment of the congregation.
  8. Make and issue keys for church property, and keep and review annually the list of the keys issued.
  9. Enlist work crew for special repair, improvement, cleaning, painting, decorating, landscaping, and other projects.
  10. And any additional duties deemed necessary by this Board.
- I. **THE BOARD OF EDUCATION** shall consist of the elected Director and as many members as deemed necessary to complete the assigned tasks. They shall be appointed by the Director. The

basic objectives of this Board are to plan and administer the educational program of the congregation, to determine policies, to select personnel for the various agencies, and to direct and supervise the entire educational program for the congregation. That the objectives of this Board may be carried out, the Board, either corporately or through specifically designated individuals, shall:

1. Be responsible for the Christian nurture of children, youth, and adults in the congregation.
  2. Establish objectives, set policies for and supervise the educational program for the Sunday School and Vacation Bible School classes.
  3. Approve curriculum and analyze performance of each education agency and seek constant improvement.
  4. Recruit teaching personnel for all agencies and provide training.
  5. Encourage increasing participation of every congregation member in Bible study, privately and in formal and informal groups.
  6. Delegate administration of education to qualified persons.
  7. And any additional duties deemed necessary by this board.
- J. THE BOARD FOR EVANGELISM shall consist of the elected Director and as many members deemed necessary to complete the assigned tasks. They shall be appointed by the Director. The basic objectives of this Board are the bringing of the Gospel to the church, the enlistment of all God's people in the work of spreading the Gospel, the deepening of the faith and activity of members of this congregation. That the objectives of this Board may be carried out, the Board, either corporately or through specifically designated individuals, shall:
1. Share with the pastor the outreach program.
  2. Encourage prayer in church and homes for sincere evangelistic concern toward all people inside and outside the Church.
  3. Foster a climate of evangelism that encourages congregational members informally and spontaneously to share Christ with one another, the back sliding and the unsaved.
  4. Maintain an ongoing visitation program, offering people more than membership in a church—a saving relationship with God.
  5. Be responsible for public relations which identifies the congregation in the community and on campus with the Gospel of Christ.
  6. Be responsible for maintenance and follow up of worship visitors.
  7. Coordinate and direct Sunday Morning Host(ess) program.
  8. And any additional duties deemed necessary by this board.
- K. THE BOARD FOR STEWARDSHIP shall consist of the elected Director and as many members as deemed necessary to complete the assigned tasks. They shall be appointed by the Director. The basic objectives of this Board are to initiate programs for the development of good stewardship attitudes in the members of the congregation in regard to time, talents, and treasures, to provide for the training and utilization of members of the congregation and its work through the developed program of dedicated, proportionate, giving. That the objectives of this Board may be carried out, the Board, either corporately or through specifically designated individuals, shall:
1. Study the scriptural principles regarding the total stewardship calling of the Christian—as a member of his family, as a neighbor and citizen, and as a congregational member—and share these insights with congregational members.
  2. Maintain a program to discover and enlist for Kingdom service the talents God has given members, old, and new, young people and adults.
  3. Be responsible for maintenance of congregational talent file at all times, and provide for the immediate recording of the talents and abilities of incoming members.
  4. Conduct an intensive program annually to confront every member personally with basic Biblical stewardship principles and practices.
  5. Evaluate the offerings of the congregation regularly and share these evaluations with the members of the congregation.
  6. And any additional duties deemed necessary by this board.
- L. THE BOARD OF CAMPUS MINISTRY shall consist of the elected Director(s) and as many members as deemed necessary to complete the assigned tasks. They shall be appointed by the Director(s). The basic objectives of this Board are to foster spiritual growth of students, Christian outreach to the UNI campus and to represent the needs and interests of the campus ministry to the congregation. That the objectives of this Board may be carried out, the Board, either corporately or through specifically designated individuals, shall:
1. Explore the changing needs of campus ministry and provide appropriate programs, services and recommendations.
  2. Coordinate the plans and activities of the LCMS U at UNI group.
  3. Coordinate, plan and oversee joint campus/congregational activities.
  4. Assist Pastor in the selection of Peer Leaders and/or Resident Caretakers.
  5. Seek an annual review of Campus work with the District Mission Committee.
  6. And any additional duties deemed necessary by this board.

- M.** THE PARISH PLANNING COUNCIL shall consist of the Directors of all the Boards, the Pastor, and the Presidents of all auxiliary organizations in the Congregation. They shall meet to plan the parish programs, draw up the church calendar, and provide meeting times for the various groups within the church. The Planning Council will meet in the early summer and plan the programs for the next academic year as directed in Article VII A.

#### Article VIII.

#### ENDOWMENT FUND

College Hill Lutheran Church and Brammer Student Center (CHLC&BSC), Cedar Falls, Iowa, has a living endowment of faithful members with rich gifts and varied talents. And our Lord has said through the Apostle Peter: "As each has received a gift, use it to serve another, as good stewards of God's varied grace: whoever serves, as one who serves by the strength that God supplies in order that in everything God may be glorified." (1Peter 4: 10-11)

CHLC&BSC shall have a permanent Endowment Fund. This fund shall be called the CHLC&BSC Endowment Fund.

The Endowment Fund's purpose shall be to further the growth of the mission and ministry of the church by supporting ministries and stewardship opportunities additional to and apart from the general operation of the congregation.

The Endowment Fund shall be set up to receive and administer gifts, bequests, estates, insurance and other assets, to be perpetual and perpetuating.

The initial goal for the fund shall be \$250,000. Prior to reaching the goal the income from the fund may be used for purposes selected by the Congregation. After the goal is reached income from the fund and new monies in excess of \$250,000 may be used.

All bequests, memorials, and gifts to CHLC&BSC shall automatically be allocated to CHLC&BSC Endowment Fund unless otherwise directed by individual donors.

The membership of CHLC&BSC shall at regular or specially called congregational meetings, decide for what purposes the Endowment Fund income and/or principal is to be used.

An Endowment Fund Board shall be established to be the managers of the Endowment Fund.

While CHLC&BSC has every intention of using the Endowment Fund as set forth in these By-Laws, it does recognize that with the passage of time and changing circumstances, there may be a time when it is not feasible to utilize the Endowment Fund as was intended. Should that situation develop, CHLC&BSC or its successors in interest shall then be free to make such other use of the income and principal as is consistent with the charitable and Christian purposes of CHLC&BSC, in accordance with provisions of the laws of the state of Iowa, and preserving the principal of those gifts designated to be perpetual, carrying out the donor's wishes.

#### **A. THE Endowment Fund BOARD**

- 1) The Endowment Fund Board shall consist of five voting members: the Chairman of the congregation, the Treasurer of the congregation, and three (3) members appointed by the Congregational Board of Directors.
- 2) The term of the congregational officers will follow their elected terms, as set by the Constitution and By-Laws. The appointed members shall serve staggered 3-year terms so that only one will complete a term each year. The appointed members can serve two consecutive terms and after a 12-month absence from the board are again eligible for re-appointment. If an appointed member is unable to complete a term, the Congregational Board of Directors shall appoint a replacement to complete the term.
- 3) All Endowment Fund Board members shall endeavor to maintain a high degree of communication with the Congregational Board of Directors, other organizations within the church, and members of the congregation to nurture the total life and mission of the church and of the Fund. Each board member must be a member in good standing of CHLC&BSC. The pastor of the congregation shall be an ex-officio non-voting member of the Endowment Fund Board.
- 4) The board shall elect from its membership a chairman and a secretary. The congregational treasurer shall serve as treasurer for the Endowment Fund Board.
- 5) The board shall meet quarterly at the church at a time fixed by resolution of the board and more frequently as it may be deemed by it for the best interests of the Fund. The board, when it deems it unnecessary to hold a scheduled meeting, may by resolution cancel a meeting. Special meetings may be called on twenty-four (24) hours written or oral notice to the members of the board by the chairman or any two members of the Fund Board. No notice other than the recording of the resolution of the board fixing the time of regular meetings need to be given the members. Each board

member is charged with knowledge of the contents of the minute book. If a board member is not present, his/her written approval or disapproval of the action reflected in the minutes shall have the same force and effect as though he/she had been present and voting at the meeting.

- 6) A quorum shall consist of three (3) voting members of the fund board. The affirmative vote of at least three board members shall carry any motion or resolution except for recommendation of a new fund category for Congregational Restricted Fund Use which shall require affirmative vote of at least 4 board members.
- 7) The board may ask other members of the congregation to serve as advisory members and may employ, at the expense of the Endowment Fund income, such professional counseling on investments and legal matters as it deems to be for the best interest of the Endowment Fund.
- 8) The board Treasurer shall maintain complete and accurate books of accounts and may employ such professional help as the board deems necessary in this connection. The books shall be audited annually by the same persons and at the same time as the treasurer's records of the of the congregation are audited.
- 9) The secretary shall maintain complete and accurate minutes of all meetings of the board and supply a copy thereof to each member within seven (7) days after the meeting.
- 10) The chairman, or the member designated by the chairman, shall preside at all board meetings.
- 11) No member of the board shall engage in any self-dealing or transactions with the Fund in which the member of the board has direct or indirect financial interest and shall at all times refrain from any conduct in which his/her personal interests would conflict with the interests of the Fund. This shall include abstention from votes involving personal interest.

#### **B. Endowment Fund BOARD DUTIES**

- 1) The board shall establish, subject to Congregational Board of Directors approval, written rules and regulations as may be necessary for the conduct of its business. It shall adopt standards and goals to guide in the expenditure of the income from the Fund which it may amend in accordance with the stated purposes of this Fund.
- 2) The Endowment Fund Board shall develop a list of appropriate categories in which the Funds can best be used and present this information to the congregation at a regular or specially called meeting of the Voters' Assembly. Categories proposed by the board for the use of Fund income will be published with notice of the meeting. Members of the congregation may make written suggestions to the board, at least one week in advance of the meeting. All suggestions made to the board will be reported to the Voters' Assembly. The Voters' Assembly, at a regular or specially called meeting, will select by majority vote from the category options presented by the board. The approved categories shall be added to the "Approved Categories for Congregational Restricted Funds Uses" which shall be documented and maintained by the Endowment Fund Board.
- 3) The board 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 the treasurer as directed by the board.
- 4) The Endowment Fund Board, at the April meeting of the Voters' Assembly, shall render a full and complete account of the administration of the Endowment Fund during the preceding year. This report shall include the specific categories in which the funds were utilized during the previous year.
- 5) The Endowment Fund Board or church may receive funds through gifts, bequests, wills, estates and assigned funds from any individual, corporation, organization or from any other source in cash or in other property acceptable to them. All Endowment funds and property shall be kept and maintained separate, distinct and independent from the funds and property otherwise belonging to the church.
- 6) The Endowment Fund Board shall in no event be required to make segregation of the assets of the Endowment Fund in order to conform to the directions of any individual donors.
- 7) The board is to inform the members of the congregation of the purposes of the Fund, and may arrange for members of the congregation to meet with professional

counselors of their choosing in the areas of charitable giving, wills, bequests, insurance, etc.

- 8) All new members of the Endowment Fund Board are to receive a copy of the Endowment Fund format to become acquainted with the function and purposes of the Fund.

### **C. Endowment Fund BOARD POWERS**

In the administration of this Endowment Fund, the Endowment Fund Board shall have all powers and authority necessary to carry out the purposes of the Fund, including the following powers and authority on behalf of CHLC&BSC.

- 1) To take, hold, exchange, transfer, convert, invest, reinvest, and in all other respects to handle, manage and control, the Endowment Fund, or any part thereof, as they in their judgment and discretion shall deem wise and prudent;
- 2) To retain any property in the form in which received; to convert and reconvert the Endowment Fund, or any part thereof, into other forms of investment, and to invest and reinvest the Fund or assets herein, or any thereof, as they shall deem wise and prudent, including in such bonds, debentures, mortgages, or other securities, which they in their absolute discretion may select or determine, and including, without limitation, savings deposits of any bank, mutual savings bank, federal home loan bank or savings and loan association, or in any common Endowment fund, mutual fund, or any like fund, subject to the usual standards of prudence required of trustees of similar funds;
- 3) To receive the income, profits, rents and proceeds of the Endowment Fund and to correct any receipt for the same and pay all administrative and necessary expenses in connection with it. Expenses are to be paid from the Endowment Fund income.
- 4) To receive real estate in the name of CHLC&BSC and to conduct the routine management thereof. The acceptance, management and/or the sale thereof by the Endowment Fund Board shall be subject to the prior approval of the Congregational Board of Directors and the CHLC&BSC Voters' Assembly.
- 5) To determine what is principal and income according to accounting procedures;
- 6) To hold investments in the name of the Endowment Fund on behalf of CHLC&BSC and to sign checks and all other necessary documents on behalf of the congregation in furtherance of the Endowment Fund purposes;
- 7) To employ and reasonably compensate from the Endowment Fund income accountants, agents, and attorneys to assist and advise in the execution of the Endowment Fund, without liability for their commissions or neglect, but using reasonable care in their selection, and to rely on the advice of the persons so employed.
- 8) The Endowment Fund Board shall not be liable for any losses which may be incurred upon investments of the Endowment Fund except to the extent that such losses shall have been caused by bad faith or gross negligence of the board members. No member shall be personally liable as long as he or she acts in good faith and with ordinary prudence in discharging the duties of the office. Each board member shall be liable only for his or her own willful misconduct or commissions in bad faith. No board member shall be liable for the acts or commissions of any other board member, or of any accountant, agent, attorney, or custodian selected with reasonable care.
- 9) The Endowment Fund Board members shall not receive any compensation but may be reimbursed from the income of the Endowment Fund for expenses reasonably incurred.

### **D. ENDOWMENT FUND CATEGORIES, RECEIPTS AND DISTRIBUTIONS**

Individuals who desire to support the Fund should designate their gift to: "College Hill Lutheran Church and Brammer Student Center of Cedar Falls, Iowa for the College Hill Lutheran Church and Brammer Student Center Endowment Fund." Specified categories to which donors may make gifts or bequests for religious, charitable or educational purposes are as follows:

- 1) Unrestricted Funds
  - a. All undesignated gifts and bequests shall go into this category. This "Unrestricted Funds" category requires no minimum contribution. (Note that loose offerings would

continue to go into the general budget.) None of the income or principal from this fund shall be distributed to the congregation's general budget or debt reduction.

- b. Distributions of income from these funds may occur annually. The income and principal from undesignated gifts and bequests to the Endowment may be used for any of the uses, projects and programs which are included in the "Approved Categories for Congregational Restricted Funds Uses" as recommended by the Endowment Fund Board and approved by the Voters' Assembly.

2) Congregational Restricted Funds

- a. Donors of any amount may request that their donation be utilized in one or more of the areas of mission and ministry opportunities as defined in the "Approved Categories for Congregational Restricted Funds Uses".
- b. Donors making a donation of at least \$1,000 may request their donation be applied to a new unlisted category. The Endowment Fund Board shall review all such requests and present them with a recommendation to the next regular Voters' Assembly meeting. Approval to add a new category will require a majority vote of the Voters' Assembly.

3) Donor Restricted Funds

Larger gifts and bequests may be given by the donor with special terms or conditions as to the use of the gift and/or of the income providing that such designated use is consistent with the stated Purpose of the Endowment Fund. Donor Restricted Funds shall require a \$10,000 minimum contribution. The donor may define how the gift is to be used, how interest/earnings and principal are to be distributed and over what time period the distributions are to take place. The Endowment Fund Board shall submit at the next Voters' Assembly (or request a special meeting), its recommendation on the acceptability of such a gift or bequest. The Voters' Assembly reserves the right to rule on the appropriateness of such designation. The acceptance of such a gift shall be by a simple majority of voting members present in the Voters' Assembly.

**E. THE CONGREGATION**

- 1) The Voters' Assembly at a regular or specially called meeting shall approve by majority vote any proposed changes in the "Approved Categories for Congregational Restricted Funds Uses" as presented by the Endowment Fund Board.
- 2) The Voters' Assembly may, after consultation with the Endowment Fund Board, decide when and if any principal, or corpus, shall be used by a two-thirds (2/3) majority vote of those present at a legally called meeting of the Voters' Assembly.
- 3) The Voters' Assembly shall approve by simple majority vote the acceptance of any Donor Restricted Fund gifts or bequests as submitted by the Endowment Fund Board at a regular or special Voters' Assembly.
- 4) The Voters' Assembly shall, upon recommendation of the Congregational Board of Directors and the Endowment Fund Board, decide whether to hold or to sell real estate administered by the Endowment Fund Board.
- 5) The Endowment Fund Board shall supply the congregation with sufficient information to ensure the best use of the Endowment Fund according to its purposes.

Revisions as of 2/18/2020