

Agreement for Operating for Danville Lutheran School



October 2002

Revised 2006

Revised March 2009

Revised 2012

October 6, 2002

1. Agreement for Operating Danville Lutheran School

Agreement made this Sixth day of October, 2002, by and between TRINITY EVANGELICAL LUTHERAN CHURCH of Danville, Illinois, hereinafter referred to as "Trinity" and IMMANUEL EVANGELICAL LUTHERAN CHURCH of Danville, Illinois, hereinafter referred to as "Immanuel."

Whereas, Trinity and Immanuel are mindful of God's grace and of His will that children be brought up "in the discipline and instruction of the Lord" (Eph. 6:4) and are convinced that an interparish school provides a God-pleasing way to help carry out the congregation's child-training responsibilities and

Whereas, Trinity and Immanuel desire to jointly operate Danville Lutheran School for the purpose of conducting and maintaining a Christian day school for all children of Trinity and Immanuel congregations and the other children of our community as an integral part of their ministry and outreach for the Churches.

CONFESSIONAL STANDARD

A. Each Congregation as a body, and all of its members, as individuals, acknowledge and accept all of the Canonical Books of the Old and New Testaments, as originally given under the direction of the Holy Spirit, to be the inspired and inerrant Word of God and the only rule of faith and life.

It is further accepted that all the Symbolical books of the Evangelical Lutheran Church, as contained in the Book of Concord of 1580, to be the true and sound exposition of Christian Doctrine taken from and in full agreement with the Holy Scriptures. In Danville Lutheran School, no doctrine shall be taught or tolerated which is at variance with the Symbols of the Evangelical Lutheran Church.

These Symbols are:

1. The three Ecumenical Creeds: The Apostles', The Nicene, and the Athanasian;
2. The Unaltered Augsburg Confession;
3. The Apology of the Unaltered Augsburg Confession;
4. The Smalcald Articles;
5. Dr. Martin Luther's Small and Large Catechism;
6. The Formula of Concord.

B. All teaching in and governance of Danville Lutheran School shall be in accordance with this Confessional Standard and all doctrinal disputes will be decided by these forms of doctrine.

Now, therefore, Trinity and Immanuel agree as follows:

ORGANIZATION

Danville Lutheran School is a jointly operated mission of Immanuel Evangelical Lutheran Church of Danville, Illinois and Trinity Evangelical Lutheran Church of Danville, Illinois whose main purpose is the operation and management of a day school consisting of preschool through eighth grade through the leadership and direction of the member congregations.

Membership in this jointly operated mission shall be limited to two members, being Immanuel Evangelical Lutheran Church of Danville, Illinois and Trinity Evangelical Lutheran Church of Danville, Illinois. No membership can be sold, transferred, assigned, or alienated.

The authority to issue a call to any professional staff shall be vested in the member congregations on behalf of Danville Lutheran School. The School Board of Danville Lutheran School shall have the authority to contract professional staff that are not called and any other necessary staff.

CALLING PROCEDURE

The procedures set forth herein shall apply to professional staff called after the approval of this agreement by both member congregations.

I. PRINCIPAL

The designated member congregation for calling the Principal shall alternate between Trinity and Immanuel.

II. TEACHERS

The designated member congregation for calling teachers shall be determined in such a manner as to result in an equal number of called professional staff from each member congregation. Staff that could be called, i.e. synodically trained, but are not called shall count toward the total. It is the desire and preference of the congregations that the professional staff will be called.

III. CALLING COMMITTEE FOR DANVILLE LUTHERAN SCHOOL

The calling committee for Danville Lutheran School shall consist of the following:

- A. Two members of the School Board, one from each congregation, appointed by the School Board President.
- B. The Principal of the day school.
- C. Depending on the calling congregation, the Vice-President of Immanuel or Chairman of Trinity. This person shall be call committee leader..
- D. One pastor of the designated member congregation.
- E. Any person(s) that is deemed vital for the call by the presiding call committee leader.

IV. CALLING PROCEDURE

- A. The calling committee shall solicit possible candidates for a called position from both member congregations and the Central Illinois District Office.
- B. The calling committee shall submit to the School Board one or more candidates for the called position.

- C. The School Board shall choose by majority vote one of the candidates and shall recommend that candidate to the designated member congregation.
- D. The designated member congregation shall hold a voters' meeting as soon as possible after the School Board has recommended a candidate for a call, but in no event later than 21 days. The voters' assembly of the designated member congregation shall vote on whether to issue the call to the candidate on behalf of Danville Lutheran School. The decision of the designated member congregation shall be immediately communicated to the School Board President.
- E. In the event that a recommended candidate is not called by the designated member congregation or the candidate declines the call, the School Board shall **(as soon as possible)**, from the remaining list of candidates or new candidates submitted by the call committee, choose by majority vote another candidate and may recommend that candidate to the designated member congregation.

V. RESCINDING A CALL

- A. The School Board shall have the authority to recommend the rescission of the call of any professional staff to the designated member congregation.

VI. DIVISION OF AUTHORITY OVER CALLED AND CONTRACTED PROFESSIONAL STAFF

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The Office of the Public Ministry is the office established by God within the church to publicly preach the Gospel and administer and Sacraments.

In order to assist the pastor in the Ministry of Word and Sacrament, the church has established Auxiliary (Helping) Offices to perform certain tasks. To this end, the Trinity and Immanuel congregations have established Danville Lutheran School and called professional workers to assist in teaching the Word of God to children from Immanuel and Trinity congregations and the larger community. The principal and teachers are called by the congregations to carry out this school ministry. The school also contracts other professional workers.

- A. The called Pastors of Trinity and Immanuel are ex officio members of the School Board. They are to advise the School Board in the carrying out of their duties and with the School Board exercise oversight over the religious life and religious teaching of Danville Lutheran School.
- B. The called professional staff is under the supervision of the Principal, School Board, and the Pastor(s) and appropriate elected boards of the congregation that called them.

1. The School Board, as elected representatives of the congregations, and Principal are to supervise and have full authority over all aspects of the professional duties and responsibilities of all called professional staff, including but not limited to those as specified in the call documents. This includes teaching assignment, assignment of other duties and responsibilities for the school and work assignments and their duration outside of the established school calendar, especially expectations before and after the beginning and end of the school year. Disciplinary actions will be followed in accordance with the policies and procedures established by the School Board.
 2. The calling congregation has full authority to exercise doctrinal supervision and supervision of the spiritual life of the called worker, including church discipline. This is to be done through the pastor(s), appropriate elected boards, and the congregational voters' assembly.
 3. Called workers may be assigned congregational responsibilities under the supervision of the pastor(s) and appropriate board(s) by mutual agreement of the calling congregation and the worker, in consultation with the Principal and the School Board.
- C. The School Board shall have full authority over all aspects of the duties and responsibilities of all contracted staff, including but not limited to those as specified in the contract. Disciplinary actions will be followed in accordance with the policies and procedures established by the School Board.

FINANCE

I. FISCAL YEAR

The fiscal year of Danville Lutheran School shall be from August 1 through July 31.

II. STATEMENT OF COOPERATION

The financial administration of Danville Lutheran School is to be a cooperative effort of the School Board and its member congregations.

III. BUDGET PROCESS

- A. Not later than November 1 of the year prior to the presentation of the school budget to the member congregations, representatives of the School Board shall meet, jointly, with the finance and evangelism representatives of both member congregations. They will review the needs of the school and the resources available to determine the budget.

- B. After the joint meeting specified above, the School Board, along with the school principal and development director, shall develop the budget and submit it to the governing bodies of the respective member congregations.

IV. ANNUAL BUDGET PROPOSAL

No later than March 1, the School Board shall present the school budget for the upcoming year to its member congregations for approval.

V. DIVISION OF FINANCIAL RESPONSIBILITY

- A. Danville Lutheran School shall be responsible for all operational costs of the day school, exclusive of the cost of providing and maintaining the buildings that house Danville Lutheran School. The school shall investigate grant(s) that enhance the properties at both campuses.

VI. ASSESSMENT FOR OPERATIONAL EXPENSES

- B. Each member congregation will contribute to Danville Lutheran School a proportionate share of the annual operating budget.

1. The proportionate share for each member congregation will be set by agreement of the member congregations as approved with the annual school budget.
2. One-twelfth of such proportionate share shall be due and payable each month. The appropriate day(s) of payment will be determined by the school principal and the financial boards of each church.
3. The School Board is responsible for tracking and reporting actual costs to budget costs and reporting this to the respective church governing boards.
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VII. All member students must enroll through their member congregation.

VIII. AUDIT

An audit of all books of the Treasurer of the School Board is required to ensure orderly operation of the Danville Lutheran School. An audit of the financial records of Danville Lutheran School shall be consistent with the following:

- A. An auditing committee shall consist of one member from each congregation.
- B. The auditing committee member shall be appointed by the congregational governing body.
- C. The auditing committee shall make an audit of all books of the Treasurer of the School Board after the close of the fiscal year.
 - 1. The committee shall submit a written report to the School Board and to the congregational governing body before the end of October of each year. Any delay is to be reported to the president or chairman of each congregational governing body.

SCHOOL ADMINISTRATION

Danville Lutheran School shall be responsible for the total operation of the day school, including administration, personnel, curriculum, finance, hot lunch program, and extra-curricular activities. The following responsibilities are reserved to the member congregations:

Maintenance and improvement of congregation-owned property.

Call and rescission of called professional staff.

Election and/or appointment of members to the School Board.

I. SCHOOL BOARD COMPOSITION

A. The School Board shall consist of five (5) members from each member congregation. Each member congregation shall select its representatives in the manner prescribed by its constitution.

B. ELIGIBILITY

- 1. Any person elected or appointed to the School Board must comply with the following requirements:
 - a. Be a voting member in good standing with his/her congregation.

- b. Attend the School Board training program sponsored by the Central Illinois District of the Lutheran Church Missouri Synod.
 - c. Attend regular and special meetings of the School Board with regularity.
2. The following shall be ineligible for election to the School Board:
- a. Spouses of Pastors.
 - b. Danville Lutheran School teachers and staff.
 - c. Spouse, parents, or adult children of Danville Lutheran School staff.
 - d. Members of church governing bodies.
 - e. Any paid employee, full or part-time, of the school.

C. TERMS OF OFFICE

- 1. The term of office of each elected School Board member shall begin with the first day of April following his/her election.
 - 2. The term of office of each School Board member shall be two (2) years.
 - 3. A School Board member shall not serve more than three (3) consecutive terms.
 - 4. Two (2) School Board members from each member congregation shall be elected in even numbered years and three (3) Board members from each member congregation shall be elected in odd numbered years.
 - 5. In case of a vacancy on the School Board, the president or chairman of the member congregation shall appoint a person to fulfill the unexpired term.
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6. Outgoing Board members' terms will end on 31 July. They will act as mentors to the incoming board members.

7. New members will not vote until after 1 August.

D. ELECTION OF OFFICERS

1. The School Board shall elect annually from its members the following officers:
 - a. President
 - b. Vice-President
 - c. Secretary
 - d. Treasurer
2. All officers shall have the right to vote all issues brought before the School Board. If a vote on a motion is a tie, the motion will be considered defeated.
3. The following shall be ex-officio members of the School Board:
 - a. Pastors of the member congregations
 - b. Principal of the day school
 - c. Development Director

II. DIVISION OF AUTHORITY AND RESPONSIBILITY

A. SCHOOL BOARD

The School Board shall have the following authorities and responsibilities:

1. Supervise, discipline, and evaluate the Principal annually in order to assure that the duties and responsibilities of that office are fulfilled.
2. Indirectly supervise all school staff through the Principal.
3. Set compensation.
4. Raise funds to supplement the contributions of the member congregations.

5. Maintain accreditation with Lutheran Church Missouri Synod school accreditation program.
6. Approve the Danville Lutheran School Curriculum.
7. Provide educational materials, equipment, and supplies for operation of Danville Lutheran School.
8. Prepare school budget.
9. Approve the job descriptions of all professional staff.
10. Appoint all committees deemed necessary for the School Board to conduct its work.
11. Provide monthly reports to the member congregations, including but not limited to financial reports.

B. PRINCIPAL

The Principal of the day school shall have the following authorities and responsibilities:

1. Directly supervise, discipline, and evaluate the professional staff annually.
2. Develop curriculum in cooperation with the faculty.
3. Monitor the budget, collect income (tuition and other sources), and oversee the receipts and disbursements from the school.
4. Manage school office(s).
5. Directly supervise all support staff, including but not limited to cooks, teachers' aides and assistants (before and after care personnel), and any volunteers providing services for the school.
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6. Oversee the accreditation process for Danville Lutheran School.
7. Works with Development Director on all advertising, promotion, and fundraising activities for the school.

C. TEACHING STAFF

The teaching staff will have the following responsibilities:

1. Educate the students of Danville Lutheran School.
2. Maintain discipline in the classroom.
3. Report directly to the Principal.

D. DEVELOPMENT DIRECTOR

1. Market and publicize Danville Lutheran School to the member congregations and the general public.
2. Coordinate all fund-raising efforts with the School Board.
3. Train and organize volunteer base for fund raisers.
4. Works with principal on all aspect of job.

WITHDRAWAL

Notice of withdrawal from the Agreement must be made by the individual congregation at least two (2) calendar years prior to the start of the following school year.

REVIEW

This Agreement shall be reviewed upon the written request of either member congregation to the other member congregation. Upon such request, the Agreement shall be reviewed within six (6) months by a joint committee, consisting of an equal number of members of the congregations and a representative of the School Board. Any changes suggested by the joint committee shall be presented to each congregation for approval at the next annual voters' meeting.

HISTORY OF REVISIONS

Wording changes to Assessment For Operational Expenses were approved by the Voter's Meetings at Immanuel and Trinity in November, 2006.

Wording changes to Organization were approved at the March 1, 2009 Voter's Meeting at Immanuel and the March 15, 2009 Voter's Meeting at Trinity.

Multiple changes to update agreement were approved at the September 9, 2012 Voter's Meeting at Immanuel.