



# **Constitution of Ascension Lutheran Church and School Tucson, Arizona**

Approved 12/10/16  
ALCS Voters' Assembly Meeting

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## **Preamble**

It is the will of our Lord Jesus Christ that His disciples shall preach the Gospel to the whole world (Mark 16:16, Matthew 28:18-20, Acts 1:8). That Christ's mission for His church might be carried out according to His will, He has commanded that Christians:

- A. Unite in worship (Hebrews 10:24-25),
- B. Practice fellowship with one another (Acts 2:42),
- C. Witness to all people (Acts 1:8),
- D. Help each other grow in the Word (Ephesians 4:7-16, Mark 10:42-44, John 13:35, Galatians 6:10),
- E. Administer the Office of the Keys as His church (John 20:21-23, Matthew 18:15-20), and
- F. Maintain decency and order in the church (I Corinthians 14:10).

Therefore we, a number of Lutheran Christians living in and near Tucson, Arizona, accept and subscribe to the following constitution and bylaws, in accordance with which all spiritual and material affairs of our congregation shall be governed.

## **Article I Name**

The name of this congregation shall be Ascension Lutheran Church and School.

## **Article II Mission**

The mission of Ascension Lutheran Church and School is to share the Word of God and the love of Christ as we display His grace by connecting people with Jesus. *"Therefore go and make disciples of all nations, baptizing them in the name of the Father and of the Son and of the Holy Spirit, and teaching them to obey everything I have commanded you. And surely I am with you always, to the very end of the age."* (Matthew 28: 19-20)

## **Article III Confession of Faith**

This congregation and all its members accept without reservation the canonical books of the Old and New Testament as the inspired and inerrant Word of God and the only rule and norm of faith and practice. It accepts all of the Symbolic Books of the Evangelical Lutheran Church, contained in *The Book of Concord* of the year 1580, to be the true and genuine expositions of the doctrines of the Word of God. These confessional writings are:

- A. The three Ecumenical Creeds: The Apostolic, the Nicene, and Athanasian;
- B. The Unaltered Augsburg Confession;
- C. The Apology of the Unaltered Augsburg Confession;
- D. The Smalcald Articles;
- E. Luther's Small Catechism and Luther's Large Catechism;
- F. The Formula of Concord.

**Article IV**  
**Denominational Affiliation**

This congregation shall be affiliated with The Lutheran Church-Missouri Synod as long as the confessions and constitution of the Lutheran Church-Missouri Synod are in accord with the confessions and constitution of this congregation as laid down in Article III.

**Article V**  
**Membership**

The membership of this congregation includes the Baptized Members, Confirmed Members, and Voting Members as defined in the bylaws.

**Article VI**  
**Organization**

A. Voters' Assembly

The Voters' Assembly shall consist of all voting members present at a regular or special meeting of the congregation. The congregation, through the Voters' Assembly, shall have final authority in managing its internal and external affairs.

B. Mission and Ministry Group

The Mission and Ministry Group shall be the governing body of the congregation and is responsible to administer all the congregation's affairs except the following matters for action only by the Voters' Assembly:

1. Call or remove a called worker or remove an elected official.
2. Purchase or sell church property, buildings or any related financial transactions (mortgage, refinance, etc.) valued over 5% of the annual expense budget.
3. Incur a non-budgeted emergency expense valued over 5% of the annual expense budget.
4. Adopt the Annual Financial Plan.
5. Election of Officers and Mission & Ministry Group members.
6. Approval of amendments to Constitution and ByLaws.
7. Election of members of the Board of Elders

C. Officers and Boards

The officers of this congregation shall be such officers as the bylaws of this constitution prescribe. The officers and boards prescribed in the bylaws shall have no authority beyond that which has been conferred upon them in the constitution or bylaws.

**Article VII**  
**Property Rights**

A. Division within the congregation

If, at any time, a separation shall take place within this congregation, the advice of the officials of The Lutheran Church-Missouri Synod shall be sought. If, despite all efforts to resolve differences in peace and love, a division into factions of the congregation shall occur, the property of the congregation and all benefits connected shall remain with the faction selected by The Lutheran Church-Missouri Synod.

B. Dissolution of the congregation

If the congregation shall dissolve, the remaining assets, after settling all debts, shall be transferred to the District of The Lutheran Church-Missouri Synod of which it is a member.

**Article VIII  
Decisions**

All congregational matters decided by the Voters' Assembly shall be decided by a simple majority of the voting members present and voting at a properly convened meeting of the Voters' Assembly, except as otherwise provided in this constitution and bylaws.

**Article IX  
Amendments**

This constitution may be amended by a two-thirds majority of the votes cast in a meeting of the Voters' Assembly. The wording of the amended constitution and bylaws shall be distributed to all members in a mailing (regular or electronic) as far in advance as possible, but no fewer than two Sundays in advance. In addition, the revisions will be distributed to the congregation assembled for worship on two different Sundays prior to the date upon which the amendment is presented for action.

**Bylaws of  
Ascension Lutheran Church and School  
Tucson, Arizona**

**ByLaw 1  
Baptized Membership**

Baptized members are all persons within the congregation who have been baptized in the name of the Triune God and come under the pastoral care of this congregation. It is expected that all baptized members will:

- A. Attend worship services faithfully and regularly.
- B. Lead a Christian life as taught in Galatians 5:19-26.
- C. Out of Christian love, submit to brotherly admonition, according to Matthew 18, when having erred or offended.
- D. Contribute, as God has blessed them, of their time, talents and treasure toward the maintenance of the congregation and the extension of the church at large.
- E. In due time, take a course of instruction in preparation for confirmed membership in this congregation.

**ByLaw 2  
Confirmed Membership**

Confirmed members are all baptized persons within the congregation who have completed a course of instruction in Christian doctrine that meets with the approval of the Board of Elders.

Persons seeking to attain confirmed membership shall make that fact known to the Senior Pastor or any other delegated pastor. The pastor shall ascertain the understanding and commitment to the purpose and theological commitment contained in Article III. He will determine if additional training is needed and the appropriate method for that training. The pastor is authorized to extend confirmed membership to the transferring person and shall announce that in a public service.

In addition to the duties of baptized members, it is expected of all confirmed members that they:

- A. Accept the confessions of faith listed in Article III of the Constitution.
- B. Familiarize themselves with the doctrines of the Lutheran Church Missouri Synod.
- C. Partake of the Lord's Supper.
- D. Participate in continuing Christian education.
- E. Provide for the Christian training of their children by making use of the educational agencies of the congregation.

### **ByLaw 3 Voting Membership**

#### A. Normal Issues – Voting Membership

Voting membership shall be confirmed members who have attained the age of 18 years. All voting members are encouraged to:

- 1. Attend all meetings of the Voters' Assembly faithfully;
- 2. Serve faithfully, according to their God-given talents, in any capacity in which they may be called upon to serve.

#### B. Special Issues – Voting Membership

Only those voting members who have attended a Voters' Assembly meeting in the past twelve months or who have attended an information meeting on the topics listed below may vote on these issues:

- 1. Amending the Articles of Incorporation.
- 2. Purchase, sale, or lease of land in excess of 5% of the annual expense budget.
- 3. Erection of a building costing in excess of 5% of the annual expense budget.
- 4. Removal from office of a called worker or elected official.

### **ByLaw 4 Termination of Membership**

#### A. Transfers

A member desiring transfer to another congregation shall make that fact known to the Senior Pastor. The Senior Pastor shall cause the creating and mailing of a letter of transfer to the receiving congregation.

#### B. Whereabouts unknown or moved

The names of people whose whereabouts are unknown or who have moved from the area after a period of one year may be removed from membership.

#### C. Discipline

All discipline in this congregation shall be administered in accordance with Matthew 18:15-20. The purpose of any disciplinary action is to renew a member's relationship with the Lord and with the church. A member shall be considered self-excluded when unresponsive to the witness and ministry of the church.

#### D. Excommunication

Excommunication is to be applied to any member who conducts himself or herself in an unchristian manner, such as openly adhering to false doctrine, giving evidence of an immoral and offensive life, or willfully despising the preaching of the gospel and the Lord's Supper. The Board of Elders, or their designee, shall administer church discipline on behalf of the congregation.

**ByLaw 5**  
**Voters' Assembly**

- A. The Voters' Assembly shall meet at least once a year. The day and hour of the annual meeting shall be set by the Mission and Ministry Group and publicized at least two weeks in advance. The notification shall contain an agenda of items to be considered as well as the slate of nominees for election.
- B. The Voters' Assembly may meet at other times of the year subject to a call by the Mission and Ministry Group or at the written request of any ten voting members of the congregation. Notice of any such special meeting shall be publicized as far in advance as possible but no less than one week in advance. The notice shall contain an agenda of items to be considered. No agenda items may be added once notification of any meeting is publicized. The President, Vice President, or their designated Mission and Ministry Group member shall preside at all Voters' Assembly meetings.
- C. Quorum
  - 1. For meetings at which only normal issues will be decided, the quorum is 50 voting members.
  - 2. For meetings at which the special issues listed in Bylaws 3.B will be decided, the quorum shall be two-thirds of voters eligible to vote at special issues meetings.
  - 3. If a quorum is not achieved at either type of meeting, that meeting will be suspended for a period of no fewer than seven days, as determined by the Mission and Ministry Group. When the meeting is resumed, the quorum shall be all of those in attendance at the meeting.

**ByLaw 6**  
**Called Workers**

- A. Called Workers

The Mission and Ministry Group shall appoint a Call Committee. All Pastors will be ex officio members of the committee. The Call Committee shall involve the District President or his representative from the appropriate District of The Lutheran Church-Missouri Synod and the leaders of the affected ministry in the congregation. The Call Committee will present a final list of candidates to the Voters' Assembly for their selection and issuance of the Call.
- B. Removal from Office of Called Workers

The Voters' Assembly may remove any Called Worker from office by a three-fourths majority secret ballot vote because of persistent adherence to false doctrine, scandalous life, neglect of duties, or inability to perform the duties of the office. The District President, or his representative, from the appropriate District of The Lutheran Church-Missouri Synod shall be involved in the removal process.

**ByLaw 7**  
**Officers**

- A. President:
  - 1. Preside at all meetings of the Voters' Assembly and the Mission and Ministry Group.
  - 2. Enforce the constitution and bylaws.
  - 3. Perform the general duties as are common for the office, including such additional duties as may be directed by the Mission & Ministry Group or Voters' Assembly from time to time.
- B. Vice President:
  - 1. Perform all of the duties of the President in the latter's absence and such other additional duties which may be directed by the Voters' Assembly or by the President from time to time.
  - 2. Chair and appoint a Nominating Committee with the advice and consent of the Mission and Ministry Group.

C. Secretary:

1. The duties shall be those commonly required of that office, especially the keeping and preserving of accurate records of all Voters' Assembly meetings, and handling such correspondence as the congregation may require.
2. Keep and make available minutes of all Mission and Ministry Group meetings.

D. Treasurer:

1. Keep and preserve the accurate records of all receipts and disbursements, and submit a written report of them at all regular meetings of the Voters' Assembly.
2. Assure accuracy and propriety of all financial transactions of the congregation.

E. Term of Office

Each officer shall serve for a term of two years and shall serve no more than one additional successive term in that position without a break of at least two years.

**ByLaw 8**  
**Mission and Ministry Group**

A. Membership

The Mission and Ministry Group shall consist of nine voting members, five elected at large by the Voters' Assembly plus the four congregation officers listed in ByLaw 7. Members of the Mission and Ministry Group may not receive compensation from the congregation, and may not serve on any group that reports directly to the Mission and Ministry Group, except a Call Committee or the Nominations Committee. The Senior Pastor is a nonvoting member.

B. Term of Office

The term of office shall be two years, with approximately one-half of the Mission and Ministry Group being elected each year. Group members shall serve no more than one additional successive term in that position without a break of at least two years.

C. Meetings

The Mission and Ministry Group shall meet at least quarterly at a time and place determined by the President. The Senior Pastor or President of the Congregation may call special meetings of the Mission and Ministry Group by informing members of the time and place of such meetings at least twenty-four (24) hours in advance. At least one elected officer shall be present. The quorum is five members of the Mission and Ministry Group, of which one must be an officer of the congregation. Notice of each meeting shall be posted. The minutes shall fully disclose all actions taken and be signed by the President and Secretary. Minutes of the meetings shall be available to voting members upon request.

**ByLaw 9**  
**Powers of the Mission and Ministry Group**

The Mission and Ministry Group's responsibility is generally confined to establishing topmost policies, leaving implementation and subsidiary policy development to the Senior Pastor. All board authority delegated to staff is delegated through the Senior Pastor. The Senior Pastor is to provide regular reports to the Mission and Ministry Group on the status of all operations. As authorized by the Mission and Ministry Group, the ministry staff shall conduct the day-to-day business of the congregation.

**ByLaw 10**  
**Duties of the Mission and Ministry Group**

- A. The Mission and Ministry Group, as the chief governing Council of the congregation, shall act in all matters pertaining to the legal and general welfare of the congregation, except those reserved for the Voters' Assembly in Article VI.B. of the constitution.
- B. The Mission and Ministry Group shall see to it that all activities of the church reflect the purpose and faith of the congregation.
- C. It shall concern itself with establishing all policies governing the activities of the congregation and with the implementation of the mission, vision, budget, and plans adopted by the Voters' Assembly.
- D. The Mission and Ministry Group may appoint any entity needed. It shall oversee and have authority over all other boards, committees, task forces, action teams, or other entities of the congregation, except those reserved for the Board of Elders in ByLaw 11.B.

**ByLaw 11**  
**Board of Elders: A Ministry of Spiritual Care**

The Board of Elders shall consist of at least 12 male, confirmed members 30 years of age or older. Members will be elected by the Voters' Assembly, with additional members elected by the Voters' Assembly as determined by the Board of Elders.

- A. The Board shall concern itself with the spiritual health of the congregation and its members. It shall:
  - 1. Nurture and encourage the spiritual growth of members.
  - 2. Serve as congregational representatives monitoring and advocating for the spiritual and emotional well being of the professional leadership of the congregation.
- B. The members of the Board of Elders shall supervise:
  - 1. The pastoral staff.
  - 2. The administration of the sacraments.
  - 3. Congregational church discipline.
- C. The Board of Elders shall:
  - 1. Elect its own Chairman and Secretary from its membership,
  - 2. Submit a written report to the Mission and Ministry Group at least on a quarterly basis, and
  - 3. Submit a written report at the annual meeting of the congregation.

**ByLaw 12**  
**Election, Removal from Office, and Vacancies**

- A. Nomination  
The Vice President of the Mission and Ministry Group shall annually appoint a Nominating Committee whose responsibility will be to develop a slate of candidates for all positions to be elected each year. The committee shall contain a majority who are not on the Mission and Ministry Group, shall function for one year only, and shall report their nominations to the annual Voters' Assembly. The Senior Pastor shall be a nonvoting member of the Nominating Committee.

All nominees shall be voting members noted for their Christian knowledge, zeal, and experience in the spiritual work in the Kingdom. Officers may not receive compensation from the congregation. Specific criteria for elected officers shall be outlined by the Nominating Committee prior to accepting any nominations. In addition to the Nominating Committee's slate of candidates, any voting member may nominate candidates.

Such nominations shall be called for in the annual Voters' Assembly meeting prior to the time that nominations are closed.

All candidates shall have given prior consent before being nominated.

B. Election

Nominees who receive a majority of the ballots cast at the Voters' Assembly shall be elected. All persons elected shall assume their position on the first Sunday of the month following the election.

C. Removal from Office of Elected Officials

12/10/16

Any elected official, who is unable or is willfully neglectful in the performance of the official duties, may be removed from office by two-thirds secret ballot vote of the Voters' Assembly. The Mission and Ministry Group shall initiate such action.

D. Vacancy

The Mission and Ministry Group shall be authorized to appoint a person to fill an unexpired term of an elected official.

**ByLaw 13  
Amendments**

The Bylaws may be amended by a two-thirds majority of the votes cast in a meeting of the Voters' Assembly. The wording of the amended constitution and bylaws shall be distributed to all members in a mailing (regular or electronic) as far in advance as possible, but no fewer than two Sundays in advance. In addition, the revisions will be distributed to the congregation assembled for worship on two different Sundays prior to the date upon which the amendment is presented for action.