

CONSTITUTION
OF
FOUNTAIN OF LIFE EVANGELICAL
LUTHERAN CHURCH

Amended _____, 2021

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FOUNTAIN OF LIFE EVANGELICAL LUTHERAN CHURCH

CONSTITUTION

PREAMBLE

Since it is the will of our Lord, Jesus Christ, that the gospel be preached to all people, we, a congregation of Lutherans worshiping in the area of Tucson, Pima County, Arizona (the “Congregation”), herein set forth the principles and regulations (this “Constitution”) according to which the Congregation shall conduct the spiritual and temporal affairs of the Congregation.

1.0 NAME

The name of the Congregation shall be: FOUNTAIN OF LIFE EVANGELICAL LUTHERAN CHURCH.

2.0 CONFSSIONAL BASIS

2.1 The Congregation Accepts Without Reservation:

2.1.1 The Scriptures of the Old and New Testament contained in the Canonical Books as the written Word of God and the only rule and norm of faith and of practice.

2.1.2 All the Symbolical Books of the Evangelical Lutheran Church as a true and unadulterated statement and exposition of the Word of God, to wit: the three Ecumenical Creeds (the Apostles' Creed, the Nicene Creed, the Athanasian Creed), the Unaltered Augsburg Confession, the Apology of the Augsburg Confession, the Smalcald Articles, the Large Catechism of Luther, the Small Catechism of Luther and the Formula of Concord.

2.2 No doctrine shall be taught or tolerated within the Congregation which is at variance with the Symbolical Books of the Evangelical Lutheran Church. All hymnals, textbooks, and literature used by or in the Congregation shall be normative to the above standard.

2.3 Matters of Doctrine will be decided only on the basis of the Word of God.

2.4 All persons called to serve the Congregation shall be required to vow acceptance of and adherence to the confessional standard set forth in this article.

3.0 PURPOSE

We shall establish the Congregation as a Christian congregation, a body of God's people who believe in the Triune God: God the Father, God the Son, and God the Holy Spirit. We shall gather to worship, praise and teach in obedience to the Great Commission. To carry out this purpose we join together for the building up of each other's faith (edification) and for growing both internally and externally (evangelizing). We will call and employ staff and lay-servants who will lead and coordinate this work. We shall acquire, own, and hold real estate and other property and establish endowment funds necessary to attain this purpose.

4.0 SYNODICAL MEMBERSHIP

The Congregation shall be a member of The Lutheran Church - Missouri Synod ("LCMS") as long as LCMS conforms to the Congregation's confessional standards set forth in this Constitution as determined by a two-thirds majority vote of the Congregation at a meeting called for that purpose.

5.0 MEMBERS OF CONGREGATION

5.1 Member Classifications. There shall be four classifications of "Members" in the Congregation: "Baptized", "Confirmed", "Associate", and "Voting". The Congregation shall not deny membership or other privileges to any Christian because of race or ethnic origin. Each classification of Members shall be as defined in the by-Laws of the Congregation.

5.2 Member Privileges.

5.2.1 Any Member may attend meetings of the Congregation or of any smaller body of the Congregation with the exception of any special session where personal and sensitive matters must be discussed. However, the privilege of voting at any meeting is granted only to Voting Members.

5.2.2 Members are encouraged to attend all Congregational meetings.

5.2.3 Voting Members may hold any elected or appointed office for which they are otherwise qualified. To avoid conflict of interest, no Member may sit on a board (elected or appointed) which directly oversees that person's family member. Family members are defined as a spouse, child, parent, sibling, or in-law.

5.3 Member Responsibilities.

5.3.1 To strive to lead lives that will be pleasing to our Lord by attendance to prayer, regular study of God's Word and attendance at worship and Holy Communion.

5.3.2 To support the Congregation through God-pleasing stewardship practices acknowledging God's gifts of faith, time, skills, talents and financial treasures.

5.3.3 To participate actively in various ministries of the Congregation through lay-servant effort promoting the Word of God and the teachings of Jesus Christ, our Savior.

5.4 Termination Of Members. A Member remains a part of the Congregation until:

5.4.1 That Member becomes a part of the Church in Glory.

5.4.2 That Member transfers membership to another Christian congregation.

5.4.3 That Member is removed as a Member of the Congregation by:

5.4.3.1 Becoming a member of a non-Christian religious organization.

5.4.3.2 Failing to keep the Congregation aware of the Member's current address.

5.4.3.3 Failing to continue in the relationship which Christ has established by not attending worship services, failing to partake in the Holy Sacrament of Communion, and not being a part of the Christian fellowship as provided by the Congregation if at all physically possible. And after a good faith effort to reach out to the Member has resulted in a negative response or no response at all.

5.4.4 Members who conduct themselves in an unchristian manner shall be admonished according to Matthew 18: 15-20; if they remain impenitent after proper admonition, they shall be excommunicated in accordance with the procedures set forth in the By-Laws.

5.4.5 When the circumstances that have led to the excommunication have been removed and the individual desires reinstatement as a Member, the Pastor and Board (as hereinafter defined) shall approve reinstatement.

6.0 ORGANIZATION

6.1 Congregation.

6.1.1 The Congregation, as represented by the Voting Members (the "Voter's Assembly") and guided by the Word of God, shall be the final authority in all affairs of the Congregation. Any grievance after being considered by the Board may be presented to the Voter's Assembly for a decision by a majority vote.

6.1.2 The Congregation acting through the Voter's Assembly shall be responsible for and never delegate to any person or subordinate body the following:

6.1.2.1 Calling and removing Called Staff.

6.1.2.2 Electing at least seven (7) persons to serve as the Board.

6.1.2.3 Affirming officers as presented by the Board.

6.1.2.4 Approving the annual budget, and major revisions thereto as provided under the By-laws.

6.1.3. If at any time a division of the Congregation should take place on account of doctrine, the property of the Congregation and all benefits connected therewith shall remain with the Congregation and the Confirmed Members who continue to adhere to the confessional basis of Article II of this Constitution, as determined by the Dispute Resolution resources of the District of LCMS in which the Congregation is a member. If a division of the Congregation takes place for any other reason, the property shall remain with the Congregation and the majority of the Confirmed Members who continue to adhere in confessional basis of Article II of this Constitution, as determined by the dispute Resolution resources of the District in which the Congregation is a member.

6.2 Staff Personnel.

6.2.1 Called Staff. In accordance with the By-Laws of the LCMS, the Congregation acting through the Voter's Assembly may call such staff as may be required ("Called Staff").

6.2.1.1 Called Staff shall consist of pastors, teachers or other ministries as may be determined in the future by the Congregation.

6.2.1.2 Called Staff shall have been admitted to the ministry of the LCMS in the position for which they will be employed. Called Staff will be required to affirm their faith by accepting and signing the confessions of faith as outlined in Article II of this Constitution and by becoming a Member of the Congregation.

6.2.1.3 The duties of each Called Staff member shall be generally in accordance with the call extended. This may be modified at the time of employment or subsequently by mutual agreement and consent of the Called Staff member and the Congregation. Called Staff will be expected to work in a Christian spirit of cooperation with the Congregation and officers. Administrative roles of Called Staff will be limited to those specific duties and responsibilities clearly defined in the calling, this Constitution and By-Laws, or by the Board.

6.2.1.4 Called Staff may be removed for sufficient cause as outlined in the By-Laws of the LCMS.

6.2.2 Other Staff. Duties for other staff personnel shall be outlined in the By-Laws or policies of the Congregation as approved by the Board from time to time. The Congregation will not hire a member or non-member to work under the direct supervision of that person's direct family member. A family member is defined as a spouse, child, parent, sibling or in-law.

6.3 Officers. Officers shall be selected in accordance with the By-Laws.

6.4 Dissolution. In the event the Congregation should dissolve, the property and all rights connected therewith shall be transferred to the district of LCMS in which the Congregation is a member at the time of dissolution.

7.0 BOARD OF DIRECTORS

7.1 Purpose. The Board of Directors (the “Board”) is authorized to administer all matters except those reserved to the Voter’s Assembly as described in Article VI of this Constitution. The Board represents and is responsible to the Congregation in matters of governance of the Congregation in accordance with the Constitution and By-Laws.

7.2 Composition. The make-up and selection of the Board shall be in accordance with the By-Laws.

7.3 Duties. Subject to the provisions and limitations of its Articles, Constitution, and Arizona Law, the activities, long-term planning and business affairs of the Congregation shall be conducted and all corporate powers shall be exercised by or under the direction of the Board. Specifically, the Board is responsible for the following:

7.3.1 The establishment of the long-term vision of the Congregation.

7.3.2 Ensure the fulfillment of the Congregation's mission and purpose statements.

7.3.3 Present an annual budget and annual financial review to the Voter’s Assembly.

7.3.4 Review staff policies and procedures for their appropriateness as presented at the direction Business Manager.

7.3.5 Provide support, insight and input to the Pastor with respect to the plans, policies and procedures presented by the Pastor or those under the supervision of the Pastor with respect to the Ministry efforts of the Congregation.

7.3.6 Appoint committees, task forces, teams, or other groups, as necessary for the operation of the Board and the Congregation.

7.3.7 Approve the calling process for Called Staff in accordance with the Bylaws.

7.3.8 Approve the removal process of a commissioned or ordained minister.

7.3.9 Confirm the appointment of any person to a position (Senior Staff) as recommended by the Pastor or Business Manager.

7.3.10 Appoint a circuit representative to attend circuit forums, meetings, and other events, as a representative of the Congregation

8.0 MEETINGS

8.1 Types, How Called, Frequency. The Congregation shall hold a meeting of the Voter's Assembly each year to approve the annual budget and to affirm the Church officers as presented by the Board. Notice must be given at least one week prior to meeting. Additional meetings of the Voter's Assembly may be called as provided in the Bylaws. In addition, the Congregation may hold periodic meetings of the Members as provided in the Bylaws. The Board should meet at least once each month.

8.2 Conduct Of The Meetings.

8.2.1 All meetings shall begin and end with prayer.

8.2.2 Christian love and charity are expected in the conduct of all meetings.

8.2.3 In case of disputes on parliamentary procedures not covered in this Constitution or the Bylaws, the current edition of ROBERT'S RULE OF ORDER shall govern.

8.3 Special Meetings. The manner by which a special Voter's Assembly meeting may be called shall be described in the By-Laws.

8.4 Quorum.

8.4.1 Twenty percent (20%) of the voting membership present at a properly called Voter's Assembly meeting shall constitute a quorum.

8.4.2 The quorum for the Board meeting is specified in the By-Laws.

9.0 IRREVOCABLE DEDICATION

The property of the Congregation is irrevocably dedicated to religious and charitable purposes and no part of net income or assets of this organization shall ever inure to the benefit of any director, officer or member thereof or to the benefit of any private individual.

10.0 AMENDMENTS TO THE CONSTITUTION

Amendments to the Constitution must be presented in writing to the Voting Members at least two weeks prior to the first meeting of the Voter's Assembly called to discuss the proposed amendment. Publication of such proposed amendment in the bulletin, newsletter or electronic communication shall be considered sufficient written notice. Passage of any proposed amendment requires a two-thirds (2/3) vote at two (2) consecutive meetings at least one week apart.

11.0 BY-LAWS

The Voting Members may adopt or change By-Laws at any meeting of the Voter's Assembly. A proposed By-Law or change to an existing By-Law must be presented in writing to the Voting Members prior to the meeting of the Voter's Assembly. Any such adoption or change shall require a majority vote for passage. Publication of such proposed adoption or change in the bulletin, newsletter or electronic communication shall be considered sufficient written notice.

APPENDIX TO THE CONSTITUTION

The following words and phrases used in the foregoing Constitution and this Appendix are defined as follows:

Apology of the Augsburg Confession. Not an apology for, but an explanation of the Augsburg Confession. Written by Melancthon, the Apology is an in-depth theology study of the same teachings as the Augsburg Confession dated May 1531.

Apostles' Creed: The confession of faith taught by (but not written by) the early Apostles. It follows the outline given by Jesus in Matthew 28: 19. Early traces of the Apostles' Creed are found in the New Testament writings. It appeared in many forms and still has a few variations.

Athanasian Creed: Accepted by the church in the Sixth Century in honor of, but not written by, Athanasius. He had spent much of his life in prison because of his stand that Jesus was both true God and true man.

Unaltered Augsburg Confession: The first confession of the reformation presented in Augsburg by princes and cities to Charles V in 1530. The purpose was not to show the reasons for division from the Roman Catholic Church, but to define basic Christian doctrine.

Book of Concord: All of the above confessions (starting with the Apostles' Creed) were published together in the Book of Concord in June 1580.

By-Laws: The fine points of the Constitution. They apply the details of the Constitution to the everyday life of the congregation.

Canonical Books: The 66 books included in our Bible. We use the 39 books accepted in the Jewish Canon, and the 27 books accepted by the early Christian church.

Constitution: We need a constitution (a way for constituting ourselves as a group of people who work together) for the institutional part of the church. It is necessary because of the human need to have guidelines to work together. However, the power and direction of the congregation come from the Gospel of Christ in the relationship church. The constitution should not limit us, but free us to use the Gospel.

Evangelical: Greek word spelled in English — see the word "angel" in the word. Angel is a messenger or a message. To be evangelical is to share the message of Christ. The English translation is "Gospel" which means Good News. It is the Good News that Jesus Christ is our Savior.

Formula of Concord: As the Reformation split between Lutheran and Reformed, and the Roman church continued the Counter Reformation, other issues came into dispute. Luther died in 1546. Other articles and statements of faith were written. Material was collected to make the Formula of Concord which includes the Solid Declaration in 1577. In three years, 8,188 theologians, ministers and teachers signed the statement.

Great Commission: The marching orders for the church given by Jesus before His Ascension (Matthew 28:19).

Luther's Small Catechism: Luther was eager to provide educational material to teach the Christian faith. He wrote the Small Catechism for pastors (the Latin version) and parents (the German version). Catechism means questions and answers. First published in May 1529.

Luther's Large Catechism: Luther's first effort to write a book to teach Christian doctrine. He interrupted his work to do the Small Catechism. Parts of it were published over several years. The final form came out in 1538.

Nicene Creed: The Nicene Creed was first adopted by church leaders in 325 at the First Council of Nicaea. Later that century, at the Council of Constantinople (381) some minor changes were made and it was again reaffirmed at the Council of Chalcedon (451). This ecumenical creed is the most widely accepted creed in the Christian faith and it is an essential part of the doctrine and liturgy of Lutheran churches.

Smalcald Articles: As the Reformation continued and the Roman Catholic Church published reactions to the Lutheran confessions, other issues came to the foreground. Therefore Lutheran (and others) prepared another statement which was presented to the Smalcald League in February 1537. By usage it became a part of the Book of Concord.

Symbolical Books: The book of our symbols — the signs of our faith. They are all in the Book of Concord.

CERTIFICATION OF SECRETARY

The foregoing Constitution of Fountain of Life Evangelical Lutheran Church was duly adopted by meetings of the Voter's Assembly in accordance with the Constitution then in effect and completed on _____, 2021.

Secretary