

In the name of Allah, the Most Compassionate, the Most Merciful

**Constitution of the
North Austin Muslim Community Center, Inc., Austin, Texas**
(A NON-PROFIT CORPORATION)

Governance:

1. These Bylaws shall be recognized as the official governing document of the North Austin Muslim Community Center (NAMCC), and shall be available to existing, and to new, members at the time of joining, either online or in the form of a printed copy. Most current, updated Bylaws shall always reside on the official website of NAMCC.
2. No member shall be absolved from the effects of the Bylaws by any excuse of not having received it, or of ignorance of its contents.
3. Each member is obliged to comply with the Bylaws of NAMCC as if he/she has inscribed his/her name and affixed his/her signature thereto.
4. All governing bodies of the NAMCC (including all committees and sub-committees) shall be held accountable to discharge their duties in strict compliance of the Bylaws.

Vision:

1. To be a model Islamic Center that provides all possible Islamic services to a vibrant Muslim community in the Central Texas area, with trust and confidence of its membership
2. To practice and propagate the message of Islam as a peace loving and law abiding faith
3. To foster and nurture positive relationships with the community at large

Mission:

1. To assist Muslims in the Central Texas area to preserve and improve their religious identity
2. To create a sense of community amongst Muslims by providing quality religious, educational, community, and charitable services
3. To take a leading role in developing unity and enhancing support and cooperation with other Islamic organizations in the area, sharing similar goals
4. To contribute peacefully and democratically to the diversity and pluralism of the American society

Strategy Elements:

1. Exercise *shura* at all levels in all major decisions, within and without, with peaceful and Islamic means to attain goals/objectives
2. Effectively manage the NAMCC facilities, financially and administratively
3. Strive to achieve financial self-sufficiency
4. Mobilize community resources (financial and human) to provide various activities, projects, services, and programs to promote harmony and goodwill
5. Establish an effective *Da'wa* and community outreach program to maximize the contribution of the NAMCC to the community
6. Increase participation and effective/efficient delivery of services to the community

The Fundamental Statutes:

The loyalty of the North Austin Muslim Community Center (NAMCC) is to Allah the Almighty, and its objective is to please Him. In all its activities, the center is guided by the *Quran* and *Sunnah* of Prophet Muhammad, peace be upon him, and practices of the rightly-guided caliphs (Ahl-e-Sunnah-wal-Jama'at). The sources and stipulations of its constitution and by-laws shall not disagree with the stipulations of the Holy *Quran* and the established *Sunnah* of the Prophet Muhammad, peace be upon him.

ARTICLE 1: NAME AND AFFILIATION

1. The name of this corporation is North Austin Muslim Community Center (NAMCC), Inc. The principal office of the corporation shall be located in the City of Austin, Texas.
2. This corporation is neither affiliated with, nor supports, any sect or political ideology that overtly or covertly deviates from the Fundamental Statutes of this organization, or attempts to destroy the Constitutional fabric of the American society.
3. NAMCC will not carry out, perform, or allow any activities that do not comply with the requirements of Internal Revenue Service code 501 C(3).

ARTICLE 2: PURPOSES OF THE CORPORATION

The corporation is primarily organized and shall be operated exclusively for the practice, promotion and advancement of the Islamic faith as established by the Holy *Quran* and the *Sunnah* of the Prophet Mohammed, peace be upon him, as practiced by the rightly-guided caliphs, through religious, educational, charitable and cultural efforts.

- 2.1 To provide a suitable place and atmosphere for Muslims to perform the five daily prayers, the Friday (*Jumu'a*) prayer, Ramadan *Taraveeh*, and the two *Eid* prayers.
- 2.2 To promote better understanding of Islam as a belief, a source of legislation, and a comprehensive mode of life among Muslims.
- 2.3 To enhance interfaith interaction, and offer *Da'wah* programs (outreach to others).
- 2.4 To provide an atmosphere in which Muslims can abide by and act according to Islam.
- 2.5 To strengthen the Islamic brotherly ties among all Muslims and to promote greater participation of the Muslim community by organizing social and cultural events within the Islamic creed.
- 2.6 To perform the religious rites necessary for Muslims in the Central Texas Area.
- 2.7 To meet the needs of Muslims in Central Texas, and help them in solving family, social, financial, and other problems, within the available resources of the center.
- 2.8 To maintain the investments for sole use of the Center, to provide a stable and sound income, to keep the center financially solvent.
- 2.9 To provide Muslim children an Islamic environment in which they can pursue age appropriate activities for learning and recreation.
- 2.10 To promote greater participation of Muslim community by organizing social and cultural events within the Islamic creed.

ARTICLE 3: THE GENERAL ASSEMBLY

The General Assembly (GA) consists of all voting members.

ARTICLE 4: MEMBERSHIP

4.1. Eligibility:

- a. Lives in the Central Texas area
- b. Agrees to abide by the Constitution and Bylaws of NAMCC
- c. Must be a legal resident or U.S. Citizen
- d. Must not have a felony record, and be willing to subject for a background check if necessary.
- e. An adult Muslim 18 years of age and over
- f. Believes in and endeavors to practice Islam as a way of life and honestly follows moral code of conduct as defined in the *Quran* and *Sunnah*
- g. Must be current with the payment of annual membership dues, as defined in the Bylaws of the NAMCC.

4.2. Classes of Membership:

- a. There are two classes of memberships – Voting and Non-voting.
- b. A voting member must meet all the criteria defined in 4.1 above.
- c. A non-voting member is exempt from criteria e-g, and may be a non-Muslim who is interested in learning about Islam.
- d. Membership is by individual, not by family or group or organization, and not transferable. It is for each fiscal year.

ARTICLE 5: Administrative Structure of the Organization

The Organization will consist of three (3) bodies:

1. Arbitration Council (AC)
2. Executive Committee (EC)
3. Board of Administration (BA)

5.1 Eligibility:

- 5.1.1** A voting member, aspiring to join any office, of the three bodies must agree to a background check, and must declare that he/she does not have any felony record.
- 5.1.2** A voting member, aspiring to join any office, will not have been banned, expelled, or suspended at the time from an office or membership of any Islamic organization in the Central Texas area.
- 5.1.3** Only one (1) member of a family can run for, or hold, an office in a given term.
- 5.1.4** No voting member who has a tenant-landlord, customer-vendor, or employer-employee relationship with NAMCC is eligible to run for, or hold, an office. This also applies if a family member is in this relationship. An elected office bearer will be required to resign if his/her family member starts this relationship with NAMCC.
- 5.1.5** No voting member can run for office, who is affiliated with any enterprise that is in conflict with this organization's Fundamental Statute and/or vision/mission/goals.
- 5.1.6** One member can run for, and hold, only one (1) office, in any given term. More than one position may temporarily be held, in case of a vacancy arising for any reason, for not more than 90 days within which an appointment must be made to fill the vacancy.

- 5.1.7** EC/BA members must declare to be legal residents of the US. They are expected to act as *Da'ie*, display the highest Islamic moral code in their personal and public life. They must also declare that they do not have any felony charges by the legal system at local or federal level, nor any cases are pending in the courts against them.
- 5.1.8** No member shall serve more than two (2) consecutive terms. If a member fills a partial term, as in the case of filling a vacancy or resignation, that partial term will be deemed as a full term (regardless of length). The member whose term is filled will also be deemed to have completed his/her term.
- 5.1.9** One must be a voting member, for at least one (1) year, before being eligible to hold an office.
- 5.1.10** A member aspiring to run/hold an office at NAMCC must **not** be an officer concurrently in another Islamic organization in the Central Texas area.

5.2 Resignations and Vacancies

- 5.2.1** A vacancy may arise because of relocation, death, resignation, expulsion, or suspension.
- 5.2.2** An office bearer may resign effective immediately, or effective a later date, upon giving written notice to the Chairman of respective entity. If a vacancy occurs at a future date, a successor may be appointed before the effective date, but will not take office until the vacancy is effective.
- 5.2.3** Only a sister can fill the vacancy of another sister, subject to eligibility requirements.
- 5.2.4** If a family member is already serving an office in an entity, another family member will not be eligible to fill any vacancy.
- 5.2.5** The resignation of any member must be submitted in writing to the Chairman of respective entity. If that is accepted, the vacancy will be filled with an appointment for the remainder of the term. (If a sister resigns, she will be replaced by another sister).
- 5.2.6** Any member of the EC/BA can be recalled for a gross infraction, as charged and proved, by a two-thirds vote of the total number of voting members. The vacancy is filled according to Article 5.2.2.

5.3: Organizational Structure

- 5.3.1 Arbitration Council (AC)** AC consists of 5 members – one from Executive Committee, one from Board of Administration, and three (3) from GA, and the Imam as a non-voting advisory member. The members, from GA, are selected by EC based on their long term (at least for 3 years) continuous membership of NAMCC and selfless contribution and service to the local Muslim community, their neutrality and trust in their sound judgment. AC will not interfere in the normal operations of EC or BA. It will only be called upon when adjudication is required in any operational matter of NAMCC, or conflicts, among members in the EC/BA or between EC/BA and the community, jeopardize the Center's very existence. AC will monitor and assure that EC/BA comply with the Constitution and Bylaws. AC will be the final arbiter in such matters of conflict. To avoid a conflict of interest, an AC member must not be the one who is alleged to be the subject of conflict. All GA members, EC members, and paid employees must sign the Binding Arbitration Form prior to becoming one. No exceptions.

5.3.1.1 If a vacancy arises, it will be filled from the respective entity (EC/BA/GA), for the remainder of the term.

5.3.1.2 If AC's decision is not followed by EC or BA, AC has power to call a special GA *shura* meeting to declare immediate recall of the offending member(s) and will make interim appointment(s) for the remainder of the term.

5.3.2: Executive Committee (EC): EC is elected for three (3) years, and consists of seven (7) members. Four are President, Vice President, Secretary and Treasurer, and three (3) Trustees. EC is responsible for developing policies, procedures, long term plans, strategies, EC/BA transition plans, and developing the annual budget. EC makes sure that BA develops, and maintains currency of an Operating Procedures Manual of its operations. To be eligible for EC, a person must have been a member of NAMCC for at least three (3) years and must have previously served in any BA Committee for at least one (1) year with a successful track record (fulfilled duties and obligations, accomplished all targets, and made improvements).

5.3.2.1: The Terms and conditions of EC:

5.3.2.1.1: Special provision: In the year this change is approved, incumbent members of the EC will forfeit their remaining term, after the new members (AC/EC/BA) are elected and the transition is complete. However, they can be nominated and elected for any office in the new organizational structure.

5.3.2.2: Objectives and Responsibilities of EC:

5.3.2.2.1 EC delegates all day-to-day operations to BA.

5.3.2.2.2 EC is responsible to:

- make all long term plans for NAMCC
- develop strategies to achieve long term plans
- prepare and present annual budgets
- present quarterly financial and operational reports, to GA
- watch progress on projects, and report to GA.

5.3.2.2.3 EC is responsible to:

- set targets and performance criteria of each committee
- periodically (at least each six months) report the performance of each committee to the GA
- receive budgetary recommendations from each committee

5.3.2.2.4 EC will appoint an Imam to plan, lead, and co-ordinate all Islamic religious and interfaith activities.

5.3.2.2.5 EC obtains consent from the GA before making any non-budgeted major financial transaction (above \$100K) such as buying/selling of properties, construction/remodeling of buildings, investments, and signing of any deeds or contracts.

5.3.2.2.6 EC shall defend, uphold, and promote NAMCC's vision, mission, and goals

5.3.2.2.7 EC Members shall have the right of access, at any reasonable time, to the records, data, documents, and physical properties of NAMCC. Improper use or dissemination of the information so accessed shall result in a reprimand including, but not limited to, removal from EC.

5.3.2.2.8 The new members take charge on January 1 of the calendar year. Newly elected EC shall hold its first meeting with the outgoing EC, within two weeks after election, to chart out a plan for smooth transition of documents, authorization signatures, records, data, passwords, pending issues needing attention, and current committees/members and their progress. The transition period is a maximum of two (2) months, and must be completed by end of February.

5.3.2.2.9 EC shall form all committees and select respective chairman, after election, to set their goals and priorities. This duration must not exceed 30 days for existing committees, and 60 days for newly formed committees (if any).

5.3.2.2.10 EC must strive to resolve all conflicts among its own members and between GA and EC on its own. AC will be involved only under the circumstances stated in 5.3.1. AC's decision will be final and binding.

5.3.3: Board of Administration

- a. Consists of nine (9) members, appointed by EC
- b. Each one of them serves as the Chairman of a Committee (Standing and Ad hoc).
- c. One of these members is elected as Chairman of the Board, in their first meeting.
- d. The BA serves a term of three (3) years, coinciding with term of EC.
- e. BA members are responsible for day-to-day operations of NAMCC.
- f. The term of an Ad hoc Committee is determined and defined by the nature of its assignment, and declared at the time of its creation.

5.3.3.1 Duties and Responsibilities:

Each Committee Chairman is responsible, to:

1. Prepare and present an annual budget and operational plan to the EC
2. Monthly report its progress and activities to the EC
3. Strive to reach its defined targets without cost overruns
4. Help define and maintain currency of its charter
5. Develop and maintain a Standard Operating Procedures (SOP) Manual
6. Develop and maintain a transition plan

ARTICLE 6: FINANCING:

6.1: Resources of the organization will include the following sources:

6.1.1 Donations, and dues from membership (to be spent on operations).

6.1.2 *Zakat* and *Sadaqah* funds (to be spent on charitable work, and not to be spent on operations)

6.1.3 Any income gained from the NAMCC activities, Islamic investments, and Waqf.

6.1.4 Any conditional donations

6.1.5 Any bequeath by a deceased person's will

6.2 Regulation of the Center's finances:

6.2.1 The Center's funds are to be deposited in account(s) under the name of the NAMCC. If possible, the account should be in an Islamic financial institution.

6.2.2 No part of the income or property of the NAMCC shall be used for the benefit of, or be distributed to its members, directors, officers or other private persons, except as charity to needy people or organizations approved by EC, except for operational expenses.

6.2.3 All accounts of the organization shall be audited as stated in the by-laws.

ARTICLE 7: BANKRUPTCY AND DISSOLUTION

If a case arises when NAMCC is not able to meet its financial obligations, make payments to its creditors (employees, service providers, tax authorities, etc.), the EC shall call a meeting of the voting members of the GA, and present a plan to mitigate the financial difficulties. The GA may either offer a financial plan to avoid bankruptcy, or may approve dissolution. If the GA agrees to dissolve the organization, by a simple majority of the members present and voting:

1. A final financial audit is made to assess assets and liabilities.
2. the EC will dissolve NAMCC, after making all payments or provisions for the payment of all liabilities of the NAMCC.
3. dispose of all the assets of the NAMCC
4. GA will approve a non-profit Islamic organization in central Texas, or if no organization exists in central Texas then any in the State of Texas, or if none exists in Texas, then any national Islamic organization. This approved organization will receive all proceeds from the disposal.
5. All appropriate authorities (Secretary of State of Texas, IRS) shall be notified of the dissolution.

ARTICLE 8: RULES OF PROCEDURE

The NAMCC will be governed by this constitution and its by-laws, and by the rules of procedures, the latter of which will be formulated by the EC.

ARTICLE 9: DATE OF EFFECT

The constitution and its by-laws are effective as of September 25, 1994 (initial original version).

Updated version: April 2, 2011 (revised).

Updated version: September 27, 2013.

ARTICLE 10: AMENDMENTS TO THE CONSTITUTION

10.1 The Fundamental Statutes are not subject to amendments.

10.2 With the exception of Article 2 of this constitution, any voting member can recommend amendments in the constitution for the approval of the EC. Similarly; the EC can recommend amendments for the approval of GA.

10.3 Any amendment recommendation(s) must be submitted in writing, at least two weeks prior to discussion in a specially called meeting to discuss and approve the amendments. The amendment is carried into effect by a quorum as defined in Article 2.5 of the by-laws.

10.4 A summary of the changes in the NAMCC constitution and/or Bylaws will always be recorded with this document.

10.5 Final approved copy of the Constitution and Bylaws shall be posted on NAMCC web site for public reference and review at all times, within one (1) week of approval by GA.

THE BYLAWS

ARTICLE 1: MEMBERSHIP

- 1.1. Voting Member: A voting member is one who fulfills the eligibility requirements defined in Article 4.1 of the Constitution.
- 1.2. Eligibility for voting: The following requirements shall be satisfied before a natural member may be eligible to vote in GA *shura* and election:
 - a. File an Application for Voting Membership (if one has not been filed before).
 - b. The application has been approved by EC.
 - c. A voting member becomes eligible to vote, in an election, three (3) months after a membership application is accepted.
- 1.3. Annual Dues
 - a. NAMCC membership dues are \$50 per fiscal year, per individual applicant, separately paid from any *Sadaqah* or *Zakat*. These dues can only be used on Masjid operations.
 - b. EC must maintain an accurate record, and produce if requested, of the status of dues payment for each voting member in each fiscal year.
 - c. Dues must be paid in full in one single payment.
- 1.4. Loss of Voting Rights: A member, who resigns or who is suspended/expelled, loses voting or nomination rights, until the membership is reinstated. A member may be suspended/expelled if one ceases to not meet eligibility criteria, or found to have committed a gross ethical infraction by the EC. The member has a right to appeal suspension/expulsion, with relevant appropriate evidence to refute the charges, before the Arbitration Council. Arbitration Council's decision will be final.
- 1.5. Reinstatement of Membership Rights: Any member who loses his membership rights can be reinstated:
 - a. If he/she had resigned, files a new application, and the application is accepted.
 - b. If suspended/expelled, the suspension/expulsion period is over.
 - c. The member appeals suspension/expulsion to the AC, and the AC reinstates.

ARTICLE 2: THE GENERAL ASSEMBLY

The collection of all voting members constitutes General Assembly (GA).

- 2.1. The EC (or their designee) prepares and publishes a list of the voting members. The EC reviews this list and maintains its currency and accuracy, all the time.
- 2.2. The voting members may review the list, and request update, in writing, if it is found to be inaccurate. A request for update shall be processed within one calendar week of the date of the request.
- 2.3. The EC holds at least one annual GA meeting, to discuss planned projects and to propose budget and operational/financial activities.
- 2.4. A special GA *shura* meeting can be held at the request of the EC, or by a written request from at least one-third of the voting members. The request must include the reasons for the meeting, the names and signatures of those who are making the request. The EC is required to schedule this meeting within one week of the request. GA is notified via email, bulletin board and Website.

- 2.5. The required quorum for any GA *shura* meeting, to approve amendments to the Constitution and Bylaws, is two-thirds of the voting membership. For all other meetings, there is no quorum, and the decisions are made by a simple majority of those present and voting.
- 2.6. Decisions at the GA *shura* meeting are made and carried into effect if approved by a quorum as defined in Article 2.5 above.
- 2.7. All meetings of the GA will be conducted in English.
- 2.8. All votes are cast in person, at the designated venue, and no proxies are accepted.

ARTICLE 3: ARBITRATION COUNCIL (AC)

- 3.1 All members of AC must acknowledge and affirm their neutrality in all matters of adjudication. A member recuses self, if there is any issue of conflict of interest.
- 3.2 Depending on the subject matter, the members shall hear the charge(s) as well as witnesses from both sides, examine all evidence, pass a verdict, and determine corrective and/or punitive measures including but not limited to censuring, probation, and dismissal.
- 3.4 Petition Process:
 - a. The matter shall first be directed to the BA.
 - b. If it is not resolved at the BA level, then it will be directed to EC.
 - c. If it is not resolved at the EC level, then it will be directed to AC. AC decision will be final and acceptable to all parties.
 - d. Allegations of misdemeanor, misappropriation of funds, fraud, corruption, violation of the Bylaws, cover-up, or simply unresolvable conflicts, may be brought against a member (or EC/BA member) by another member in a written petition supported by objective, documented, and relevant evidence along with complainant's contact information.
 - e. AC shall meet within two (2) weeks of receipt of the petition, review the complaint and supporting evidence, and make a determination to go further or not. In either case, the decision shall be communicated to the complainant.
 - f. AC decides on a corrective or punitive measure.

ARTICLE 4: THE EXECUTIVE COMMITTEE (EC)

- 4.1. The EC is responsible for the organization and coordination of activities of the NAMCC and has an obligation to appoint a Board of Administration (consisting of Committees) to assist them in these endeavors.
- 4.2. The EC meets at least once a month. The President has the right to call a special meeting if necessary.
- 4.3. The EC decisions are taken by a simple majority vote of the present members. In the event of a tie vote, the decision is deferred to the next EC meeting, which must be held within two weeks. If there is still a tie, the matter could be referred to the AC for final arbitration, under the rules defined in Article 5.3.1 of the Constitution.
- 4.4. All EC meeting proceedings are to be recorded in writing. The records of the EC meetings are to be accessible to any of the GA members, upon request.
- 4.5. All proposals and requests concerning general affairs are to be submitted in writing to the EC. The person(s) who submit(s) the proposal should be invited to the EC's meeting to discuss the proposal. Each proposal must be discussed within one calendar month from the date of its submission. The requester must be informed of the result after the decision of the EC, with an explanation of the decision.

- 4.6. Conducts an internal financial audit every year, and an external audit at the end of the term
- 4.7. The EC is expected to continue with its duties past the expiry of its term, only if transition is not complete.
- 4.8. The EC must call for a GA *shura* meeting in December of each year to present the annual report. This meeting has to be in accordance with Article 2 of the Bylaws. In this meeting, the EC presents the annual report concerning its activities for the completing fiscal year. This is to be printed and posted on the Center's Bulletin board, and Website. The EC must also call for a GA *shura* meeting in February of each year to present the budget and plans for the new year, target timelines of the ongoing or new projects.
- 4.9. EC members shall disclose their connections with groups doing business with NAMCC. This information shall be provided, when running for office, and annually from then on.
- 4.10. EC members, who have an actual or potential conflict of interest, shall not participate in discussions or vote on matters affecting transactions between NAMCC and the other group(s).
- 4.11. Any elected office holder of NAMCC shall be removed from office for:
 - a. A violation of the code of ethics
 - b. Embezzlement of funds that belong to NAMCC, or any other non-profit charitable organization
 - c. Conviction of a felony by any local, State, or federal court
 - d. Gross neglect of duty
 - e. Severe physical or mental incapacity, if certified by a medical professional
 - f. Absence from five (5) consecutive scheduled meetings without just cause or prior notification

A petition for removal of an NAMCC officer may be filed by any NAMCC member, with details and proof of the allegations. A special meeting of the EC shall be convened within ten (10) days of the filing of such a petition. The person(s) filing the petition shall detail the grounds for removal, before the EC. The subject person shall have an opportunity to respond to the grounds for removal alleged in the petition. If validity of charges is proven, the EC may vote to remove, or place the subject individual on a probation status for up to six months. Removal/probation of an individual can be sustained by a two-thirds vote of the EC in attendance. At the end of the probation period, the EC shall conduct a subsequent meeting to determine whether to reinstate the individual or to remove him/her. Any vacancy resulting from removal of an individual shall be filled by appointment by the EC in accordance with Article 5.2 of the Constitution.

- 4.12. When the personal or professional considerations of an EC member affect his/her ability to put his/her personal benefit ahead of the welfare of NAMCC, conflict of interest exists. EC shall develop, and maintain, policies to avoid, manage, or minimize such conflicts.
- 4.13. All EC members enjoy personal indemnity, when misappropriation of funds and/or conflict of interest is not involved.
- 4.14. Any misappropriation of NAMCC funds, or tampering of any official records, by any EC member, is subject to be reported to external legal authorities.

ARTICLE 5: DUTIES OF EC MEMBERS

5.1. The President:

- 5.1.1. Serves as the spokesperson for NAMCC and is responsible for the general administration of all the activities, in accordance with the constitution and its bylaws.
- 5.1.2. Represents, or designates another officer, to represent, NAMCC in conferences or meetings.
- 5.1.3. Can call a *shura* meeting of the GA if necessary.
- 5.1.4. In case of any dispute, the matter is turned over to AC.
- 5.1.5. Ensures that Policies and Procedures Manual is current and is abided by, budgets are prepared and followed, projects are completed within their target time lines and without cost over-runs. Any exceptions are justifiable and approved by EC and GA.
- 5.1.6. Acts as a focal person when NAMCC is involved in a legal suit (suing or being sued)

5.2. The Vice President:

- 5.2.1. Has the full authority and responsibility of the President in his/her absence.
- 5.2.2. Shall assume the office of the President in case of a vacancy for any cause in that office.
- 5.2.3. Shall assist the President in the execution of the duties of his/her office.

5.3. The General Secretary:

- 5.3.1. Maintains records of the proceedings of every meeting of the EC and GA.
- 5.3.2. After consultation with the President prepares an agenda for all EC and GA meetings.
- 5.3.3. Presents, at the beginning of each EC meeting, the minutes of the preceding meeting for their approval.
- 5.3.4. Maintains all paper and electronic records regarding NAMCC, including but not limited to, operations and meetings, and protects them from any tampering.

5.4. The Treasurer:

- 5.4.1. Will be fully responsible for all financial activities of the NAMCC.
- 5.4.2. Manages all bank accounts, financial records of the NAMCC, remittance of payment for operational and incidental bills, and deposits incoming funds in appropriate account(s). No money from the NAMCC's accounts can be spent with the exception of the utility bills and day-to-day operational expenses of NAMCC, without the approval of the EC. Ensures that funds are not diverted from one account to another.
- 5.4.3. Initiates plans for and maintains all fund raising efforts for the Center.
- 5.4.4. Prepares annual budget and financial statements and presents them to the EC.
- 5.4.5. All check payments from an NAMCC account require the signature of an additional member of the EC in addition to the Treasurer.
- 5.4.6. May open sub-accounts for special projects by designated EC members. All checks of the sub-account must be signed by designated EC member(s).
- 5.4.7. Ensures that the receipts of donations are mailed to the donors during the month of January (for the previous year's donation)
- 5.4.8. Publishes a monthly income and expense report of all accounts

5.5. The Trustees:

- 5.5.1. Responsible for guiding day-to-day operations and activities of the NAMCC
- 5.5.2. Can lead efforts to promote and educate Islamic culture inside and out of the mosque.

ARTICLE 6: BOARD OF ADMINISTRATION (BA)

Board of Administration is the collective body of all committees and sub-committees that perform various day-to-day functions and operations. The Board of Trustees may consider the appointment of a paid Director of Operations (or Chairman of BA), if and when financial situation allows (or until then, an unpaid volunteer), to coordinate these committees and act as a liaison between GA and BA, and BA and EC. The Director of Operations shall be responsible to:

- a. Be available, on all working days (M-F, 9-5) at the Masjid office
- b. 'Get the job done', from operational point of view
- c. Guide, coordinate among, all BA Committees and sub-committees; monitor progress
- d. Either fill the gaps, or bring the gaps to EC's attention, in operational shortcomings
- e. Conduct surveys to keep GA satisfaction level high
- f. Provide advice and make recommendations to EC, to help them develop strategies for long term planning and future needs

6.1 Board of Administration consists of some core committees (more permanent in nature), and some ad hoc committees (less permanent in nature), each chaired by a Chairperson.

6.2 All committee chairpersons elect a Chairperson for the entire BA, from among themselves by a secret ballot, for the entire term of the Board (in case there is no Director of Operations).

6.3 Number of members in each committee depends on the scope of work expected and needed.

6.4 Some committees may have sub-committees depending on the scope of work

6.5 Each chairperson shall prepare an annual budget, and submit to EC President.

6.6 Each committee shall have a Charter that describes:

- a. Name of the Committee
- b. Vision, mission, goals
- c. Scope of work assigned
- d. Current status, targets to be achieved for the year
- e. Tentative Budget
- f. Reporting requirements

6.7 Some suggested core committees are as follows:

- a. Communication (Web site, newsletter, email announcements, verbal announcements, Press Releases, other internal and external communication)
- b. Property Management
 - o Construction (new court yard, new Masjid, parking)
 - o Maintenance (water, electricity, heat, a/c, phone, PA system, IT services, ground care, lawn mowing, trees and shrubs, landscaping, cleaning)
- c. Finance (fund raisers, annual budgets, membership dues, tax receipts, tax payment if any, audits, financial reporting to membership and to IRS, insurance)
- d. Youth activities (games, lectures, sleep-overs, camping, speech competition, essay competition, academic awards)
- e. Sisters' activities (sisters' Halaqa, family issues, parenting skills, recipe exchange)
- f. Religious Affairs, Community Outreach, Interfaith relations, JH/High/College student visits, new Muslim education/relations, Friday *Khutba* scheduling and coordination, Imam lectures and scheduling of his activities
- g. Membership (DB maintenance, tracking dues payment, new membership drives)
- h. Community services (Hilal sightings, Eid prayer arrangement, funeral and burial services, refugee relief, *Sadaqa* and *Zakat* distribution, health clinic)

6.8 Some suggested ad hoc committees are as follows:

- a. Elections (verification of valid membership, verification of valid nominations, election schedule development, announcement of schedule, announcement of results, transition coordination)
- b. Constitutional and Bylaws Amendments

ARTICLE 7: ELECTION SUPERVISORY COMMITTEE (ESC)

In the first 2 weeks of October of the election year, the EC will solicit and appoint a 3-member Election Supervisory Committee (ESC) to conduct the elections.

- 7.1.** ESC is an independent, ad hoc committee that dissolves when the election and transition is complete. Once elected, EC does not exercise any control over the ESC, except to see that it completes its work according to given charter, within the timeline prescribed. .
- 7.2** EC will provide a complete list of voting members to ESC no later than November 1 of the election year. All updates must be completed before this date, and the list must be frozen.
- 7.3** ESC solicits nominations from voting members, assure eligibility, and conducts elections by December 1 of the election year. The results should be announced by the ESC after *Maghrib* prayers on December 1 by email, posting on the bulletin board and NAMCC website.
- 7.4** ESC participates in developing a transition plan, with the incoming and outgoing EC members, and assists in implementing and completing it. The plan must include a checklist of documents, authorization signatures, records, data, passwords, pending issues needing attention, and current committees/members and their progress. The transition must be complete by December 31.
- 7.5** ESC assures that the new EC members take charge on January 1 of the ensuing year.
- 7.6** Dates may be adjusted to accommodate *Ramadan*.
- 7.7** Election Process:
 - 7.7.1** The ESC, upon its formation, shall
 - a. Receive final and frozen membership list from EC
 - b. Review voting membership, and office bearer eligibility requirements
 - c. Announce the start of the nomination process to the GA, by means of email, bulletin board and website.
 - 7.7.2** The ESC shall solicit nominations from the GA. The nomination period shall not exceed two weeks from the first announcement date. There will be no self-nomination, however the nominee must give his acceptance, including specific qualifications, vision, concrete goals and plans, and a specific reason for running (does not use generic phrase ‘to serve the community’) that may uniquely qualify him/her for the job.
 - 7.7.3** ESC verifies that:
 - a. All nominators are valid voting members
 - b. All nominees meet eligibility requirements
 - 7.7.4** ESC prepares a final list of nominees, and announces to the GA via email, bulletin board, and website.
 - 7.7.5** One week after the above announcement, ESC calls a GA meeting in which the nominees shall be available to present themselves to GA and available for questions from the floor.

- 7.7.6** ESC prepares ballots – one for each voting member, and announces election opening and closing dates.
- 7.7.7** Two weeks after the above meeting, ESC conducts the elections, spanning over two (2) weeks. All voting members must cast their vote, in person, and produce an NAMCC issued membership ID card (or Government issued photo ID). There will be no proxy.
- 7.7.8** After *Maghrib*, on the closing day of election, the votes are counted. Results are announced after counting is completed.
- 7.7.9** ESC receives transition checklist from the outgoing EC, sometime during this period. ESC sets up a meeting with the outgoing and incoming EC members to review this checklist, make adjustments by mutual agreement between the two, and sets up a time line for transition according to the adjusted checklist. This process shall not be more than a month and preferably be completed before December 31.

7.8. Sample Election Schedule (summary):

Date	What Happens
10/1	<ol style="list-style-type: none"> 1. EC starts finalizing voting membership list 2. EC makes GA announcement regarding membership verification 3. EC receives and updates the list, if the challenges are valid. (One must be a voting member for at least 3 months to participate in the election.) 4. EC starts considering formation of, and evaluating names for, ESC
11/1	<ol style="list-style-type: none"> 1. EC forms and announces ESC 2. EC freezes voting members list (of those eligible to participate in the election), and hands over to ESC (once frozen, the list is neither updated by EC nor by ESC. No exceptions.) 3. ESC seeks nominations from eligible voting members 4. ESC makes nominations forms available to voting members 5. ESC requests current EC to start working on transition checklist
11/15	<ol style="list-style-type: none"> 1. ESC receives nominations from voting members 2. ESC verifies eligibility of the nominators and nominees, and any candidate withdrawals 3. ESC finalizes nominees list 4. ESC announces nominee list to GA 5. ESC requests the nominees to present themselves to GA on 11/22 6. ESC announces nominee presentation date (11/22) to GA
11/22	<ol style="list-style-type: none"> 1. Nominees make presentation of their qualifications to GA 2. ESC announces start (12/1) and end (12/15) of elections 3. ESC prepares ballot forms for all eligible voting members
12/1	ESC starts making ballot forms available to eligible voting members, to cast their vote individually (no proxy) with membership card (or a photo ID)
12/15	<ol style="list-style-type: none"> 1. ESC closes elections by <i>Maghrib</i> 2. ESC conducts counting of votes, after <i>Maghrib</i> 3. ESC makes announcement of elected EC members 4. ESC schedules a meeting, on 12/22, of outgoing and incoming EC members to review transition checklist
12/22	<ol style="list-style-type: none"> 1. ESC conducts transition review checklist with both outgoing and incoming EC members 2. New EC starts transition
1/31	New EC completes transition

Note: Date adjustments are made, when Ramadan falls during this period.

ARTICLE 8: MEETINGS

Any scheduled annual or semi-annual meeting in conflict with *Ramadan* may be postponed for a period of one month in observance of *Ramadan*.

- 8.1. Annual GA meeting:** The EC shall hold a regular GA *shura* meeting of its members in 1st quarter of each year. A notice of this meeting shall be given to the members (voting and non-voting) of the NAMCC two (2) weeks prior to such meeting via email, bulletin board, and website. At the meeting, an annual progress report shall be presented to the membership.
- 8.2. Meetings of the EC:** There shall be a regular meeting of the EC at least once each month. At all meetings of the EC, decisions will be made by a simple majority of all EC members present.
- 8.3. Special Meetings of GA:** Special meetings may be called at any time by the President, three (3) or more members of the EC, or one third of the voting members of the NAMCC. Meetings will occur no earlier than two weeks after calling.
- 8.4. Quorum:** Two third of the eligible voting members shall constitute a quorum at any GA meeting. If the required quorum is not reached, the meeting is to be called after seven (7) calendar days in which any number of voting members form the quorum. In EC *shura* meetings, majority of elected office holders shall constitute a quorum.

ARTICLE 9: IMAM

- 9.1. Selection:** The Imam for NAMCC will be selected by the EC, based on a well-defined job description in the contract, and will serve in this capacity, as long as he meets his contractual obligations and performance criteria. A due process shall be followed, when he is perceived to have fallen short.
- 9.2. Relation with the EC:** The Imam may attend the EC meetings by invitation of the EC in an advisory capacity as non-voting participant.

ARTICLE 10: FISCAL YEAR

The accounting period, or Fiscal Year (FY), shall be the calendar year January 1 through December 31.

ARTICLE 11: CONTRACTS AND CONVEYANCES

No sale, conveyance, assignment, lease of real or personal property, must be approved by the GA and/or EC, if it violates the fundamental statute of the Constitution, financially harms and adversely affects the interests of NAMCC. All required documents must be signed by the President and attested by the General Secretary, to be legally binding.

ARTICLE 12: AMENDING THE BY-LAWS

Bylaws of the NAMCC may be considered for amendment (addition, deletion, or change) when:

1. The amendment is submitted, in writing, to the EC, with contact name(s), phone number(s) and/or email, Article(s) of the Bylaws to be amended, text of the suggested revision, reason(s) for the amendment(s), and any supporting document(s).
2. A preliminary review of the suggested revision is made by the EC within thirty (30) days of submission; possibly a meeting is held with the submitter(s) to fully understand the rationale and impact; and a decision is made to proceed or not.

If the decision is to 'proceed', EC will bring the suggested amendment before the GA within sixty (60) days of the decision. If the two-thirds of the GA, or a quorum defined in Article 2.5 of the Bylaws, approve the amendment, it is incorporated in the Bylaws and shall be communicated via email, bulletin board, and on the NAMCC website.

End of Document

Summary of Changes:

Date	Changes	Comments/approval process
9/25/1994		Original first version
4/2/2011	<ul style="list-style-type: none"> - Number of EC members reduced from 7 to 5 - EC Term changed from 2 years to 5 	
9/27/2013	<p>Major re-write of the Constitution & Bylaws:</p> <ul style="list-style-type: none"> - Voting member age changed from 16 years to 18 years. - Membership extends to <u>all</u> legal residents. - Membership dues are \$50 per individual per fiscal year. No family membership. - Organizational structure changes from 5 EC members to 7 members. EC role is now changed to develop long term strategies. EC term changed from 5 to 3 years. - Day-to-day operations are now managed by a Board of Administration, consisting of various committees. - Arbitration Council (AC) is created to help resolve conflict issues. - Increased accountability and transparency, and GA involvement in major decisions. - Election process more clearly defined 	