

Constitution

*of the
Muslim Community Association
of
San Francisco Bay Area*

Version 2.0.1

The text of this constitution is 28 pages. The formatting of the document, header and footer, and the table of contents are not part of the constitution and neither is this cover page

This is the updated text of the Constitution of the Muslim Community Association of San Francisco Bay Area, which includes the amendments passed by the General Body of the MCA on April 23rd, 1995 at Masjid Annoor.

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CONSTITUTION
OF THE
MUSLIM COMMUNITY ASSOCIATION
OF SAN FRANCISCO BAY AREA

Whereas we, the Muslims of the San Francisco Bay Area, recognize Islam as a complete way of life and have pledged to endeavor practicing it as such;

Whereas we understand that Islam as learned from the Quran and the sunnah of the Prophet Muhammad (peace and blessings be upon him) and have pledged to strive to live a middle path of spirituality and activism in harmony with the surrounding culture;

Whereas we believe that Islam celebrates the diversity of humanity, recognizes other creeds, encourages civic participation and cooperation, enjoins actions of benefit and dissuades from actions of harm, and have pledged to encourage and promote participation by all without prejudice, to build strong relations with all faiths and creeds, to fully engender the highest civic sense and responsibility in our community and to strive to work for the benefit of all;

We do hereby adopt and give ourselves this constitution, which is formulated in accordance with the Quran and the sunnah of Prophet Muhammad (peace and blessings be upon him), and pledge to abide by its provisions insha'Allah.

ARTICLE I NAME AND MANAGEMENT

Section 1

The organization shall be called the Muslim Community Association of San Francisco Bay Area (MCA), herein after called the Association.

An Executive Board (EB) and a Board of Trustees (BOT) shall manage the affairs of the Association. Certain matters will be decided in joint sessions of the Executive Board and Board of Trustees, hereafter referred to as Joint Sessions of the boards.

ARTICLE II AIMS AND PURPOSES

Section 1

The aims and purposes of the Association shall be to advance the cause of Islam and serve Muslims in the San Francisco Bay Area so as to enable them to adopt Islam as a complete way of life. Towards this end, it shall:

1. Arrange and hold congregational prayers
2. Promote unity and cooperation among Muslims
3. Provide Islamic services and develop institutions to meet the needs of Muslims
4. Endeavor to make Islamic teachings known to interested individuals

5. Conduct religious, educational, social, cultural, and other activities in the best traditions of Islam
6. Promote good relations between Muslims and people of other faiths

Section 2

The Association shall maintain place(s) of worship (Masjid).

Section 3

The Association shall maintain an office on one of the properties owned by the Association.

Section 4

The Association shall be a religious, non-profit, and non-political organization and shall comply with applicable local, state and federal laws. The fundamental purpose of the Association shall be to encourage and to enable Muslims to acquire knowledge of Islam in order to contribute individually and collectively towards meeting human needs in conformity with Islamic beliefs. It shall also be the purpose of the Association to create an environment of brotherhood and to avoid any wrong practices in Islam.

ARTICLE III AFFILIATION

Section 1

The Association, after a vote of the General Body, may enter into affiliation agreements with other organizations in order to further its aims and purposes so long as those organizations are in compliance with all local, state and federal laws. This affiliation can be entered into only after conducting satisfactory due diligence and insulating the Association from commingling of funds.

ARTICLE IV MEMBERSHIP

Section 1

The membership of the Association shall consist of members who agree to abide by this constitution, request to become a member, and satisfy the membership requirements specified in this article.

Section 2

An applicant or renewing member shall testify in the basic beliefs of Islamic faith specifically:

1. Belief in Allah (SWT)
2. Belief in Muhammad (PBUH) as the last of the prophets
3. Belief in the Books of Allah (SWT)
4. Belief in the angels
5. Belief in the Day of Judgment
6. Belief in Qadaa and Qadr

Section 3

A person who belongs to a group which has deviated from the specified Islamic beliefs, such as Quadianis, Druze, and Bahais shall not be a member of the Association.

Section 4

A member must be at least 16 years old.

Section 5

A member must be a resident of the San Francisco Bay Area, specifically a resident of San Francisco, Santa Clara, San Mateo, San Benito, Alameda, Contra Costa or Santa Cruz counties.

Section 6

The membership dues shall be set or reviewed annually by the Executive Board. The Executive Board can set different membership dues for individuals, families or youth. Membership dues can only be paid for by individuals for their own membership or for their dependent family members. Membership dues can be paid in advance for up to five years. Members can be eligible for certain benefits as may be determined by the Executive Board.

Section 7

The membership year is one Hijri year, from the first of Shawwal to the end of Ramadan of the following year. Unless otherwise specified, membership applications and dues collected in Ramadan will apply towards membership for the following membership year.

Section 8

Withdrawal from membership may be voluntary or may be decreed by a two-thirds majority vote of the Joint Session of the boards for failure to continue to meet the requirements stated in this article. Membership fees are non-refundable.

Section 9

A person whose membership has been revoked for failure to meet the requirements stated in Article IV Section 2 and Section 3 can only be reinstated by testifying to his/her beliefs in front of the Joint Session of the boards. A person whose membership has been terminated for failure to meet the requirements stated in Article IV Section 5 and Section 6 can be reinstated after meeting the criteria specified in the sections.

ARTICLE V EXECUTIVE BOARD

Section 1

The day-to-day activities and operations of the Association shall be managed by an Executive Board consisting of a President and seven members. The President and six of the members will be elected by the General Body of the Association, and one will be appointed at a Joint Session of the boards. These individuals will not receive any remuneration for their work on the board. The President shall be male.

Section 2

All the members of the Executive Board, individually and collectively, shall endeavor to implement the aims and purposes of the Association as specified in Article II Section 1. They are further

required to understand and uphold this Constitution and the Association's policies and procedures. Towards this end they shall:

1. Establish regular communal prayers and actively maintain policies and procedures which promote a clean and quiet environment during regular community prayers
2. Ensure that regular Islamic activities and educational services are held for the entire community
3. Develop quarterly and annual detailed implementation plans and an annual budget based on long-term strategic plans for the Association
4. Define operational policies and procedures for the Association in accordance with the generally accepted Islamic principles and this constitution
5. Determine day-to-day usage and manage the operational facilities of the Association, including their day-to-day maintenance
6. Manage the short-term rental of the operational facilities of the Association, in accordance with the aims and purposes of the Association
7. Raise funds for the routine and general maintenance (non-capital expenditures) of the Association activities and operational facilities
8. Assist in the preparation of any and all applicable sales, employer and other such tax returns
9. Appoint full time or part time staff and supervise their work
10. Provide Human Resource oversight for all employees of the Association by establishing policies and procedures. The respective service institution or Board retains the hiring and operational decision-making authority within the defined policies and procedures.
11. Provide Human Resource services for all employees of the Association and, if requested, for any service institutions
12. Appoint Functional or Ad hoc Committees for the Executive Board activities and decide on their recommendations
13. Maintain the office of the Association

Section 3

The seven members shall be assigned the position of Vice President, General Secretary, Treasurer, Da'wah Secretary, Communications Secretary, Youth Secretary and Social Secretary by the Executive Board.

Section 4

The term of office for each elected position on the Executive Board is two Hijri years starting on the first of Rabi-ul Awwal. The term of office for the appointed position is one Hijri year. The

President and three members at large are elected at the beginning of even Hijri years. The other three members at large are elected at the beginning of odd Hijri years.

Section 5

A member of the Executive Board must meet the following qualifications:

1. Be adult, practicing Muslim known for their Islamic manners and morals in their community and organization dealings
2. Be a regular attendee to the Masjid and regular participant in Masjid activities
3. Be committed to supporting the Association financially
4. Be a member of the Association for a minimum of one year
5. Not be an active position seeker
6. Be committed to avoiding kabair as defined in the following hadith:

The Prophet (PBUH) said "Avoid the deadly seven." The companions said "Oh Prophet of Allah, what are they?" He replied "Shirk (associating others with Allah), magic, killing without just cause, eating of ribah (interest), eating the money of orphans, desertion from the battlefield, and accusing innocent women of adultery."

Section 6

A member of the Executive Board must also satisfy the membership requirements as outlined in Article XII Section 5. By virtue of being a member of the Executive Board, each board member agrees to binding arbitration of the Judiciary Committee in the event they are a party to the proceedings.

Section 7

The President is the official head of the Association and shall provide leadership and inspiration to the association. The President shall be responsible for:

1. Providing the general management for all the activities of the Association
2. Directing and coordinating of all the activities so as to achieve the aims and purposes of the Association
3. Calling and presiding over meetings of the Executive Board, Joint Sessions and the General Body
4. Presenting reports on the state of the Association at the general body and communication meetings, in the Association's newsletter and its other publications
5. Representing the Association as the primary spokesperson

6. Establishing and maintaining relationships between the Association and other national and local Muslim organizations.

Section 8

The Vice President shall be responsible for:

1. Carrying out the duties of the President in the absence of the President
2. Monitoring, designating responsibilities to and communicating regularly with a Women's Committee and reporting back to the Executive Board on its needs
3. Assisting the President in accomplishing the aims and purposes of the Association
4. Managing the operational facilities of the Association
5. Managing the Human Resources functions of the Association
6. Performing any other responsibility assigned by the President or the Executive Board

Section 9

The General Secretary shall be responsible for:

1. Preparing and publishing the agenda for each Executive Board and General Body meeting
2. Preparing and publishing minutes of all Executive Board and General Body meetings. Recording all decisions in minutes and publishing them no later than two weeks after the meeting
3. Maintaining all official records, meeting minutes and documents of the Executive Board at the office of the Association
4. Presiding over the Executive Board meetings when both the President and the Vice President are absent
5. Presenting the minutes of previous Executive Board meetings for approval
6. Ensuring the Association is in compliance with applicable local, state and federal laws
7. Growing the Association's membership. Implementing and administering a membership program and maintaining the current and previous membership records of the Association
8. Performing any other responsibility assigned by the President or the Executive Board

Section 10

The Treasurer shall be responsible for:

1. Maintaining a record of all financial accounts and transactions of the Executive Board

2. Authorizing or signing all disbursements and transfers on behalf of the Executive Board in accordance with the Limits of Authority document defined in Article VII Section 1
3. Preparing the annual budget of the Executive Board and submitting for approval by the Joint Session of the boards meeting no later than thirty days from the day the new Executive Board takes charge
4. Presenting a monthly financial report to the Executive Board
5. Countersigning all withdrawal checks on behalf of the Executive Board in accordance with Article XIII
6. Assisting the Association's Financial Officer, as defined in Article VII Section 3, in all financial matters as requested
7. Assisting the Association's Financial Officer in the preparation and filing of any and all applicable sales, employer and other such tax returns
8. Performing any other responsibility assigned by the President or the Executive Board

Section 11

The Da'wah secretary shall be responsible for:

1. Promoting improvement in Islamic character and behavior of the community through the study of the Quran, the Sunnah and the Seerah of the Prophet
2. Implementing and delivering curricula and administering a program to increase Islamic knowledge of the community. Curricula should address the needs based on the various knowledge levels of the community
3. Organizing lectures, classes and seminars to introduce Islam to people of other faiths at the Association's facilities and various forums such as schools, colleges, universities, libraries, churches, etc.
4. Managing all the staff and volunteers that create, update and deliver the Islamic curricula and services
5. Chairing the Da'wah Committee
6. Coordinating with Youth Secretary to conduct additional da'wah activities specifically for the youth
7. Coordinating with Social Secretary to conduct activities that would attract Muslims that are unfamiliar with the activities of the Association
8. Performing any other responsibility assigned by the President or the Executive Board

Section 12

The Communications Secretary shall be responsible for:

1. Promoting the Aims and Purposes of the Association
2. Promoting the events and activities of the Association
3. Overseeing creation of all informational material
4. Publishing newsletter, other informational and educational material, and websites, including specific targeted content for the youth
5. Utilizing various media and other resources as may be necessary in order to best accomplish the dissemination of information
6. Collaborating with like-minded organizations when necessary
7. Performing any other responsibility assigned by the President or the Executive Board

Section 13

The Social Secretary shall be responsible for:

1. Directing and supervising all arrangements for celebration of religious festivals and social programs such as picnics, dinners, lectures, etc.
2. Informing members about the time, place, and details of the festivals and social events through the Communications Secretary
3. Establishing, monitoring, designating responsibilities to and communicating regularly with the Seniors Committee and reporting back to the Executive Board on its needs
4. Coordinating with Da'wah Secretary to conduct activities that would attract Muslims that are unfamiliar with the activities of the Association
5. Performing any other responsibility assigned by the President or the Executive Board

Section 14

The Youth Secretary shall be responsible for:

1. Organizing regular youth activities and study sessions
2. Organizing lectures, classes and seminars to increase Islamic awareness among Muslim youth
3. Helping youth develop leadership skills
4. Bringing youth related issues to the attention of the Executive Board
5. Involving youth in MCA activities with focus on volunteerism and contribution to the community at large
6. Coordinating activities with other youth at schools, colleges and universities in the San Francisco Bay Area

7. Coordinating with Da'wah Secretary to conduct additional da'wah activities specifically for the youth
8. Chairing the Youth Committee
9. Performing any other responsibility assigned by the President or the Executive Board

Section 15

In the event of a vacancy among the elected members other than the position of the President, a Joint Session of the boards shall fill the vacancy from among members of the Association. If the vacancy was for the position of the President, a Joint Session of the boards shall fill the vacancy from among the members of the Association including the then serving members of the Executive Board or Board of Trustees.

The replacement member shall serve until a new board is formed following the next election, at which time a new member shall be elected to complete the remainder of the term, if any.

In the event of a vacancy among the appointed members, a Joint Session of the boards shall fill the vacancy from among members of the Association for the remainder of the term.

All replacement members must meet the requirements set forth in Article V Section 5 and Article V Section 6.

Section 16

A member of the Executive Board may be immediately removed from the board by a vote of at least twelve members at a Joint Session of the boards. A special meeting must be called, with at least a week's notice, after the motion has been made and seconded in either board or in a Joint Session of the boards. The motion of removal must include reasons for dismissal. The member whose dismissal is being considered shall not chair or vote at this meeting.

Section 17

The Executive Board shall meet at least once every month at such a time and place as is most suitable to most of the board members. The President may call Executive Board meetings in addition to the regular monthly meeting whenever necessary. An emergency meeting of the Executive Board may be requested in writing by at least three of the Executive Board members. Such a meeting shall be held within one week after the written request is presented to the President or the member presiding in his absence.

Section 18

The presence of a majority of the members of the Executive Board shall constitute a quorum for an Executive Board meeting.

Section 19

The decision on each and every matter in the Executive Board meeting shall be reached in a parliamentary way with each member of the Executive Board present, except the President, voting on the matter. The members not attending the meeting shall not be able to vote on any issue that is voted on at that meeting. All decisions of the Executive Board require approval by at least four members.

In case of a tie, the President shall cast the tie-breaking vote. The President may veto a decision made by a simple majority. However a two-thirds majority of the members present, not counting the President can override any presidential veto. In the President's absence, the person assuming the President's duties cannot assume the veto power.

Section 20

All Executive Board meetings shall be open to the members of the Association as observers except when discussing confidential employee personnel matters.

Section 21

A copy of all meeting minutes, preliminary or approved, of the Executive Board shall be made publicly accessible to the members of the Association by such means as on a bulletin board in the facilities or an intranet within fifteen (15) days of the meeting for at least a period of one month. In the event that preliminary meeting minutes are made accessible, the approved meeting minutes shall also be made accessible within fifteen (15) days of the approval for at least a period of one month.

ARTICLE VI BOARD OF TRUSTEES

Section 1

The real estate property purchased and owned by the Association shall be entrusted with the North American Islamic Trust, (NAIT) and shall be maintained and managed by a Board of Trustees according to Islamic principles, the trust agreement between NAIT and the Association, and the Aims and Purposes of the Association.

Section 2

The Board of Trustees shall consist of seven members. Six of the members will be elected by the General Body of the Association, and one will be appointed at a Joint Session of the boards. These individuals will not receive any remuneration for their work on the board.

Section 3

All the members of the Board of Trustees, individually and collectively, shall endeavor to implement the acquisition and growth of the operational and investment facilities and capital assets to support the aims and purposes of the Association as set forth in Article II Section 1. The Board of Trustees shall further endeavor to assist any and all service institutions and boards with the initial establishment of Foundations and Endowments. They are further required to understand and uphold this Constitution and the Association's policies and procedures. Towards this end they shall be responsible for:

1. Developing quarterly and annual detailed implementation plans and an annual budget based on the long-term strategic plans for the Association
2. Growing the facilities for community use as follows:
 - a. Defining a long term plan for the Association's facilities, in compliance with the vision outlined by the Joint Sessions of the boards

- b. Acquiring, leasing, improving and expanding facilities for use by the community as Masjid, education and social service facilities
3. Investing the Board of Trustees funds for the benefit of the Association as follows:
 - a. Establishing and managing real estate portfolios for investment purposes
 - b. Establishing and managing financial portfolios for investment purposes
 - c. Establishing Foundations and Endowments to grow the financial assets of the Association including exercising the option to create subsidiary or affiliate corporate entities
4. Providing trustee services to and for the benefit of service institutions and other Boards such as:
 - a. Facilitating and providing financial, legal and administrative assistance to establish Foundations and Endowments for the benefit of service institutions and any other of the Association's entities
 - b. Providing management to grow the long term assets of the Association's service institutions and Boards, including, but not limited to, financial and real estate assets

These trustee services shall be provided as required by the Limit of Authority thresholds established by the Joint Session of the boards. The initiating service institution or Board shall retain the decision-making authority on the disbursement of funds.
5. Managing taxes, insurance, and legal matters pertaining to the Association
6. Providing tax, legal, insurance and financial oversight to and for the benefit of the service institutions and other Boards by establishing policies and procedures. The respective service institution or Board retains the hiring and operational decision-making authority within the defined policies and procedures.
7. Ensuring that all applicable sales, employer and other such tax returns are filed in a timely manner
8. Appointing Functional or Ad hoc Committees for Board of Trustees activities and deciding on their recommendations
9. Appointing full time or part time staff to carry out Board of Trustees activities and supervise their work
10. Raising funds for all Board of Trustees activities. Maintaining and operating financial accounts for the above purposes

Section 4

The term of office for each elected position on the Board of Trustees is three Hijri years starting on the first of Rabi-ul Awwal. The term of the office for the appointed member is one Hijri year. Two members at large are elected each Hijri year.

Section 5

The qualifications of the Board of Trustees members shall be the same as the qualifications of the Executive Board members described in Article V Section 5. A person cannot simultaneously be a member of the Executive Board and the Board of Trustees.

Section 6

A member of the Board of Trustees must also satisfy the membership requirements as outlined in Article XII Section 5. By virtue of being a member of the Board of Trustees, each board member agrees to binding arbitration of the Judiciary Committee in the event they are a party to the proceedings.

Section 7

Each year the Board of Trustees shall choose a Chairperson from among the six elected members. The remaining six members shall be assigned the positions of Board of Trustees Secretary, Board of Trustees Treasurer, Secretary of Facilities, Secretary of Endowments, Trusts and Investments, Secretary for Legal and Insurance Matters, and Communications and Special Projects Secretary by the Board of Trustees.

Section 8

The Chairperson shall be responsible for:

1. The general management for the acquisition and growth of the operational and investment facilities and capital assets to support the activities of the Association
2. Ensuring that all Board of Trustees activities are carried out as outlined in Article VI Section 3
3. Calling and presiding over meetings of the Board of Trustees
4. Presenting reports on the state of the Board of Trustees at the annual, General Body, and communication meetings, in the Association's newsletter and its other publications
5. Being a liaison between the Board of Trustees and other Boards

Section 9

The Treasurer shall be responsible for:

1. Maintaining the record of all the financial transactions of the Board of Trustees
2. Authorizing or signing all disbursements and transfers on behalf of the Board of Trustees in accordance with the Limits of Authority document defined in Article VII Section 1
3. Preparing the annual budget of the Board of Trustees and submitting for approval by the Joint Session of the boards meeting no later than thirty days from the day the new Board of Trustees takes charge
4. Countersigning all withdrawal checks on behalf of the Board of Trustees in accordance with Article XIII
5. Preparing the annual budget of the Board of Trustees for the following administrative year

6. Presenting before the Board of Trustees a monthly report on the status of the Board of Trustees financial affairs
7. Preparing and filing any and all applicable property tax returns
8. Performing any other responsibility assigned by the Chairperson or the Board of Trustees

Section 10

The Board of Trustees Secretary shall be responsible for:

1. Preparing and publishing the agenda for each Board of Trustees meeting
2. Preparing and publishing minutes of all Board of Trustees meetings. Recording all decisions in minutes and publishing them no later than two weeks after the meeting
3. Maintaining all official records, meeting minutes and documents of the Board of Trustees at the office of the Association
4. Presiding over the Board of Trustees meetings when the Chairperson is absent
5. Presenting the minutes of previous Board of Trustees meetings for approval
6. Performing any other responsibility assigned by the Chairperson or the Board of Trustees

Section 11

The Secretary of Facilities shall be responsible for growing and enhancing the Association's operational facilities as outlined in Article VI Section 3 including:

1. Liaising with any ad hoc committee appointed for the purpose of any construction, expansion or renovation of facilities
2. Insuring that the Association's facilities are in compliance with local, state and federal requirements
3. Liaising with other Boards to determine the needs of the facilities
4. Performing any other responsibility assigned by the Chairperson or the Board of Trustees

Section 12

The Secretary of Endowments, Trusts and Investments shall be responsible for the Association investment portfolios and trustee services as outlined in Article VI Section 3 including:

1. Facilitating the acquisition of investment real estate and other assets, as needed
2. Forming, monitoring and designating responsibilities to and communicating regularly with an Investment Committee and any other committees established to fulfill the trustee services and reporting back to the Board of Trustees on their needs
3. Performing any other responsibility assigned by the Chairperson or the Board of Trustees

Section 13

The Secretary for Legal and Insurance Matters shall be responsible for:

1. Managing the legal and insurance matters of the Association
2. Providing assistance and oversight on legal and insurance matters for other boards and service institutions
3. Performing any other responsibility assigned by the Chairperson or the Board of Trustees

Section 14

The Communications and Special Projects Secretary, in coordination with the Communication Secretary of the Executive Board, shall be responsible for:

1. Promoting and disseminating information about all projects of the Board of Trustees
2. Maintaining relationships with the Association's affiliates, if any
3. Managing any special projects as defined by the Board of Trustees
4. Performing any other responsibility assigned by the Chairperson or the Board of Trustees

Section 15

In the event of a vacancy among the elected members, a Joint Session of the boards shall fill the vacancy from among the members of the Association. The replacement member shall serve until a new board is formed following the next election. A new member shall be elected to complete the remainder of the term, if any.

In the event of a vacancy among the appointed members, a Joint Session of the boards shall fill the vacancy from among members of the Association for the remainder of the term.

All replacement members must meet the requirements set forth in Article VI Section 5.

Section 16

A member of the Board of Trustees may be immediately removed from the board by a vote of at least twelve members at a Joint Session of the boards. A special meeting must be called, with at least a week's notice, after the motion has been made and seconded in either board or in a Joint Session of the boards. The motion of removal must include the reason for dismissal. The member concerned shall not chair or vote at this meeting.

Section 17

The Board of Trustees shall meet at least once every month at such a time and place as is most suitable to most of the board members. The Chairperson may call Board of Trustees meetings in addition to the regular monthly meeting whenever necessary. An emergency meeting of the Board of Trustees may be requested in writing by at least three of the Board of Trustees members. Such a meeting shall be held within one week after the written request is presented to the Chairperson or the member presiding in his absence.

Section 18

The presence of a majority of the members of the Board of Trustees shall constitute a quorum for a Board of Trustees meeting.

Section 19

The decision on each and every matter in the Board of Trustees meeting shall be reached in a parliamentary way with each member of the Board of Trustees present, voting on the matter. The members not attending the meeting shall not be able to vote on any issue that arises during that meeting. All decisions of the Board of Trustees require approval by at least three members.

Section 20

All Board of Trustees meetings shall be open to the members of the Association as observers except when discussing confidential employee personnel matters.

Section 21

A copy of all meeting minutes, preliminary or approved, of the Board of Trustees shall be made publicly accessible to the members of the Association by such means as on a bulletin board in the facilities or an intranet within fifteen (15) days of the meeting for at least a period of one month. In the event that preliminary meeting minutes are made accessible, the approved meeting minutes shall also be made accessible within fifteen (15) days of the approval for at least a period of one month.

ARTICLE VII JOINT SESSIONS OF THE BOARDS

Section 1

To streamline the decision making process and provide for long-term planning, the Executive Board and the Board of Trustees shall meet at least once every three months. The agendas of these meetings shall be limited to the following:

1. Define, develop and consolidate the long-term strategic plans for the Association. Appoint a long-term planning committee as needed. Monitor the progress of these plans quarterly and take appropriate action to ensure realization of these plans
2. Review the implementation plans of each of the boards, both quarterly and annual; prioritize the plans based on the long-term vision; allocate and approve budgets; and approve the plans
3. Maintain annually the Limits of Authority document which will contain, at a minimum, guidelines and limits for purchasing, check signing authority, and entering into binding contracts of significant monetary and legal obligations
4. Obtain the approval of the General Body of the Association on any major expense. A major expense is defined as a purchase, lease, improvement, renovation, contract, employment agreement or any other item whose total expense over the years exceeds the average yearly expenses of the two boards for the last three years. The total expense includes the initial expense, yearly cost, maintenance, taxes and other ancillary expenses
5. Decide fundraising and income allocation based on current and long-term plans of the Association

6. Decide on acceptable sources of donations and contributions, and reject donations from an individual or an entity for any reason
7. Approve any major non-budgeted items that are more than ten percent of the boards' budget or above the amount specified in the Limits of Authority document, whichever is lower
8. Develop contingency plans for major financial, legal or operational challenges or emergencies
9. Ensure legal and financial compliance with all state and federal laws and regulations
10. Facilitate conflict resolution among boards
11. Interpret the constitution in case of ambiguities, and document the basis, reasons and decisions for future reference. Inform the General Body of the interpretation at the next regular meeting
12. Appoint members of the Executive Board and Board of Trustees as defined in Article V Section 1 and Article VI Section 2 at a meeting held within the first thirty days of the formation of the new boards. It is strongly recommended to use these appointed positions to supplement the expertise needed for the current year or to ensure that there is at least one male and one female on each of the two boards.
13. Appoint individuals to other boards and service institutions as specified in Article X Section 2
14. Vote on removing members of the Executive Board and Board of Trustees as defined in Article V Section 16 and Article VI Section 16. Modify if necessary and approve the finalized annual budget of each service institution at least thirty days prior to the commencement of the fiscal year of the service institution
15. Act upon other agenda items of major significance to the Association as proposed by the Executive Board or Board of Trustees.

Agendas for meetings of the Joint Sessions of the boards shall not include any items related to day-to-day activities of the Association or service institutions, or any agenda items directly from community members.

Section 2

Joint Sessions of the boards shall be conducted at least once a quarter. A special Joint Session of the boards can be called by the President, the Chairperson of the Board of Trustees, or by a majority vote of either the Executive Board, the Board of Trustees or the board of any service institution.

Section 3

Joint Sessions of the boards shall serve as the official meetings of the Association for all legal and financial reporting purposes. The officers of the Association shall be the President, the Chairperson of the Board of Trustees, and the Treasurer of the Board of Trustees. The President shall be the Chief Executive Officer of the Association. The Chairperson of the Board of

Trustees shall be the Secretary of the Association. The Treasurer of the Board of Trustees shall be the Chief Financial Officer of the Association.

Section 4

The President shall chair all meetings of the Joint Sessions of the boards. The Chairperson of the Board of Trustees shall chair the meeting in the absence of the President.

Section 5

The decisions made at the Joint Sessions of the boards will be binding on the Executive Board and the Board of Trustees. All members of the two boards, including the President, shall have a vote at these meetings.

Section 6

All meetings of the Joint Sessions of the boards shall be open to members of the Association as observers except when discussing confidential employee personnel matters.

Section 7

A copy of all meeting minutes, preliminary or approved, of the Joint Sessions of the boards shall be made publicly accessible to the members of the Association by such means as on a bulletin board in the facilities or an intranet within fifteen (15) days of the meeting for at least a period of one month. In the event that preliminary meeting minutes are made accessible, the approved meeting minutes shall also be made accessible within fifteen (15) days of the approval for at least a period of one month.

ARTICLE VIII FUNCTIONAL COMMITTEES

Section 1

The Executive Board or the Board of Trustees can form functional committees reporting to the respective boards as deemed necessary.

The Executive Board shall have the following functional committees to assist in the implementation of the Aims and Purposes of the Association:

- Women's Committee
- Youth Committee
- Seniors Committee
- Fiqh Committee
- Zakat and Relief Committee
- Da'wah Committee
- Membership Committee
- Publication Committee

Section 2

The Executive Board or the Board of Trustees shall appoint the chairpersons of their respective functional committees except the Da'wah, Publication and Youth Committees within thirty days of the annual elections. The Da'wah Secretary shall be the chairperson of the Da'wah Committee, Communications Secretary shall be the chairperson of the Publications Committee and the Youth Secretary shall be the chairperson of the Youth Committee. No person can be a chairperson of more than one committee.

Section 3

The committee members shall be appointed by the respective board with the concurrence of the appointed committee chairperson. The chairperson shall be a member of the Association. Committee membership is not limited to Association members. By virtue of accepting to serve on a committee, each member including the chairperson agrees to binding arbitration of the Judiciary Committee in the event they are a party to the proceedings.

Section 4

The sessions of the functional committees shall be called and presided over by the chairperson of the committee. A representative of the respective board may participate in the meetings as an observer.

Section 5

Each committee's term will last a maximum of one year until the end of the term of the current respective board. Each functional committee shall stay active until a new committee is formed by the newly elected respective board.

Section 6

Any appointed members or chairperson of any functional committee may be removed or replaced by the respective board at any time during their tenure. A reason for removal shall be documented in the board meeting minutes.

Section 7

The Publications Committee shall report to the Executive Board through the Communications Secretary. The Da'wah Committee shall report to the Executive Board through the Da'wah Secretary. The Youth Committee shall report to the Executive Board through the Youth Secretary. All other functional committees appointed by the Executive Board shall report through the Vice President of the Executive Board unless designated otherwise by the Executive Board. All functional committees appointed by the Board of Trustees shall report to the designated member of the board.

Section 8

The respective board shall provide goals and guidelines for all functional committees. The respective boards must decide on the recommendations of all the functional committees.

Section 9

The Fiqh Committee shall provide Fiqh opinions to the Association whenever needed. The Fiqh opinion shall be based on sound research and may be obtained from notable scholars. The recommendations of the Fiqh Committee will be accepted and implemented by the Executive Board and Board of Trustees without change. In case a majority of the Executive Board or Board

of Trustees disagrees with a decision or a recommendation of the Fiqh Committee, the committee will present the issue to the Joint Session of the boards for resolution. A two third majority vote by the Joint Session of the boards would be needed to decide the issue.

ARTICLE IX AD HOC COMMITTEES

Section 1

The Executive Board or the Board of Trustees may appoint an ad hoc committee to carry out a specific assignment. The General Body of the Association may appoint an ad hoc committee to investigate or study any issue it deems significant. The assignment of the committee shall be precisely defined through a memorandum of the appointing body as appropriate. The maximum tenure of all ad hoc committees shall be one year.

Section 2

The appointing body shall select the chairperson of the ad hoc committee. The chairperson must agree with the terms of the aforementioned memorandum. No person can be a chairperson of more than one ad hoc committee at a time.

Section 3

The appointing body shall appoint the committee members with the concurrence of the appointed committee chairperson. The chairperson shall be a member of the Association. Committee membership is not limited to Association members. By virtue of accepting to serve on a committee, each member including the chairperson agrees to binding arbitration of the Judiciary Committee in the event they are a party to the proceedings.

Section 4

Any appointed members or chairperson of any ad hoc committee may be removed or replaced by the respective board at any time during their tenure. A reason for removal shall be documented in the board meeting minutes.

Section 5

The meetings of the ad hoc committees shall be called and presided over by the chairperson of the committee. A representative of the appointing body may participate in the meetings as an observer.

Section 6

The committee chairperson shall present regular progress reports as directed by the appointing body.

Section 7

The committee shall submit its final report/recommendation to the appointing body upon completion of its assignment. The appointing body shall then dissolve the ad hoc committee.

Section 8

In case the ad hoc committee fails to meet its objectives within the specified time, the appointing body may extend its tenure or may dissolve it.

Section 9

The appointing body dissolves the ad hoc committee by issuing a memorandum to that effect to the ad hoc committee chairperson.

Section 10

The appointing body must decide on the recommendation of the ad hoc committee within one month of receiving it. The ad hoc committee report and the appointing body actions shall be announced to the Association membership.

ARTICLE X SERVICE INSTITUTIONS

Section 1

Service Institutions may be formed by members of the Association to efficiently meet specific needs of the community that are consistent with the Aims and Purposes of the Association.

Section 2

Service Institutions shall be managed by a board of directors. Sixty percent of the directors, to the nearest whole number, shall be elected by participants of the institution. The other directors shall be appointed by the Joint Session of the boards.

Section 3

Each service institution is officially formed when the by laws of the service institution are approved by simple majority vote of the Association membership and appended to this constitution. Changes to the institution by laws shall be made in accordance with the procedure for amending this constitution set forth in Article XVII .

Section 4

Disputes arising between a service institution and any board or between two service institutions shall be resolved by a Joint Session of the boards.

Section 5

All service institutions shall report to the Joint Session of the boards unless specified otherwise in the by laws of the service institution.

ARTICLE XI GENERAL BODY MEETINGS

Section 1

The Executive Board shall call a general body meeting every six months.

The Executive Board shall call a special General Body meeting upon receiving a written request signed by at least ten per cent of the members of the Association. Such a meeting will be held within five weeks of receipt of the written request.

Additional General Body meetings may be called at the discretion of the Executive Board or the Board of Trustees.

General Body meetings should be called at a time convenient to all members such as evenings or weekends.

Any items to be voted upon must be placed on the agenda. Written or printed notice of a General Body meeting, including the agenda for the meeting, shall be mailed to all members of the Association at least three weeks prior to the date of the meeting.

Section 2

A quorum of ten percent of the Association members is required for a General Body meeting to be held unless stated otherwise elsewhere in the constitution. Quorum should be taken within thirty minutes of the meeting's advertised starting time.

If no quorum is met then the meeting may continue to solicit informal feedback from the community about the agenda items. An informal poll may also be taken for those agenda items and may distinguish between the opinions of members and other attendees.

If no quorum is met, the Joint Session of the Boards can decide on any agenda items that were planned to be voted on during that meeting, except those requiring a special majority vote as stated elsewhere in the constitution, or add the agenda items to a subsequent or specially called General Body Meeting.

A majority of each board shall be present at each General Body meeting.

Section 3

A simple majority vote of members present is sufficient for decisions on all matters except those requiring a special majority vote as stated elsewhere in the constitution.

Section 4

The following agenda items are predetermined for each semi-annual General Body meeting.

1. The first semi-annual General Body meeting must be held in Jamadi-al Awwal. It must include a presentation and approval of the annual plan for the Association and Service Institutions for the upcoming year. The annual plan must be provided to the members along with the meeting notice and agenda
2. The second semi-annual General Body meeting must be held between the fifteenth of Dhul-Hijjah and the ninth of Muharram and serve as the annual General Body meeting. The Executive Board, the Board of Trustees, and each service institution shall present for approval by the General Body a written annual report and assessment of the performance compared to long-term plans of each Board and Service Institution.

Additional agenda items may be added by any Board or Service Institution.

Agenda items may be added by individual members of the Association by submitting items three weeks prior to the scheduled General Body meeting.

Agenda items for discussion may be added by individual members from the floor during the meeting, but may not be voted on at that meeting. If a vote is needed, the item shall be added to the agenda by the Executive Board for the following General Body meeting.

ARTICLE XII ELECTIONS

Section 1

Annual elections shall be held between the tenth and the end of Muharram in order to elect members of the Executive Board and the Board of Trustees in accordance with Article V and Article VI . The elections shall be held at a time and place that is convenient to most members.

Section 2

The Executive Board shall appoint the chairperson of the Elections Committee first and in consultation with the chairperson appoint four other members of the committee. All five members of the Elections Committee must be members of the Association for at least two years out of the last five years immediately prior to the current year and cannot be current members of the Executive Board or the Board of Trustees. The Elections Committee shall be formed no later than the first of Dhul Hijjah.

Section 3

The Elections Committee shall report only to the General Body and shall operate independently of any board or committee. The Elections Committee shall certify the election results in a timely manner. If any individual has a dispute with the Elections Committee, that cannot be resolved with direct communication with the Elections Committee, then they can initiate a Judiciary Proceeding in accordance with Article XIV . The Judiciary Committee, if invoked, should insure that at no time the Association is left without properly constituted governing boards.

Section 4

The decision on each and every matter of the Elections Committee shall be reached by a simple majority with each member of the Elections Committee present voting on the matter.

Section 5

In order to be eligible to be nominated for a position on any of the Boards, the following membership requirements shall apply:

President: Three years out of the last five years immediately prior to the current year

Board of Trustees: Three years out of the last five years immediately prior to the current year

Executive Board: Two years out of the last five years immediately prior to the current year

An individual shall be considered a member for the entire year if they are a member for at least 180 days of the year for the purpose of determining the eligibility.

No individual may serve on the same board for more than two consecutive terms (elected or appointed), whether or not that individual has served the complete term. The individual may serve on that same board after a one-year break. In the case of the President, their service on the Executive Board in a capacity other than President shall not be counted towards this term limit. In no case can a member serve continuously on the two boards or as President for a period of more than ten years.

Section 6

By virtue of being a candidate for election, each candidate agrees to binding arbitration of the Judiciary Committee in the event they are a party to the proceedings should they be elected to the boards.

Section 7

The nominations for the election must reach the Election Committee at least two weeks before the specified time for the election. The exact time of the elections shall be announced by the Election Committee at least four weeks before the election.

Section 8

The nominators as well as seconders of nominations shall be members of the Association. In order to be eligible to nominate, or to second a nomination, a member must have maintained his/her membership for an uninterrupted period of sixty days immediately preceding the filing of the nomination with the Election Committee. The names of the candidates and their nominators and seconders shall be published promptly after the close of the nomination deadline. The names of the nominators and seconders of each candidate shall be listed on the ballot.

Section 9

The nominee for each position shall be a member of the Association. All nominees must meet the requirements set forth in Article V Section 5. Elections Committee shall verify the eligibility of nominees. Members of Elections Committee cannot be nominees or nominators. Election Committee members may not resign from the Committee and run for a position in the upcoming election. Upon the vacancy of any seat on the Elections Committee, a replacement shall be appointed by the Elections Committee. If the Election Committee Chairperson resigns, a new Chairperson shall be elected from within themselves. In the event that an immediate relative (spouse, parent, child, sibling) of an Elections Committee member is nominated, the Elections Committee member must resign from the Committee.

Section 10

The Elections Committee members shall not campaign in favor of or against any candidate; however, they shall have the right to vote as members of the Association.

Section 11

The Election Committee shall post the list of nominees and update the list weekly.

The voting shall be held in person. All votes shall be cast on an official ballot that is uniquely numbered that cannot be cross-referenced to an individual voter. The official ballot shall be finalized one week prior to the election. Absentee balloting shall be permitted in limited circumstances such as illness, travel or other situations as defined by the Election Committee procedures. The absentee ballots may be requested once they are finalized. All ballots, including absentee ballots, shall be issued upon a signed request or a signature of the voter in the voter register. All ballots must be received by the close of the election.

Section 12

In order to be eligible to vote at a General Body meeting or at elections, a member must have maintained his/her membership for an uninterrupted period of sixty days immediately preceding the meeting.

Section 13

There is no minimum participation requirement for the election. In the event of a tie, a run-off election shall be conducted within seven days to decide between the tied candidates for the tied position(s). The Elections Committee shall publicly announce the results of the election in an expedited manner.

The Elections Committee shall submit a report within thirty days of the election and present this report at the next semi-annual General Body meeting.

Section 14

The newly elected and appointed board members shall assume the charge of the Association on the first of Rabi-ul Awwal after the election.

Section 15

The chairperson of the Election Committee shall seal all ballots and records and provide them to the General Secretary to be kept for at least two years at the Association's offices.

ARTICLE XIII FINANCE

Section 1

The Executive Board shall determine membership dues. Membership dues may be different for earning and non-earning members.

Section 2

Annual dues shall not be increased by more than twenty five per cent in any year without approval by the majority of the members of the Association.

Section 3

The Association may accept any contribution in any form from any source consistent with the purposes of the Association and with the principles of Islam.

Section 4

Funds collected for the specific purpose of expanding and maintaining the Masjid shall not be used for any other purpose. All other funds collected for a specific cause shall be used for that cause unless a two-thirds majority vote of the members of the Association authorizes its use for a different purpose within the goals and objectives of the Association.

Section 5

The Executive Board and Board of Trustees shall maintain separate accounts to facilitate and carry out their respective activities.

Section 6

Appropriate number of bank accounts may be maintained to manage Association's funds. All accounts shall be interest-free. All withdrawals from the Executive Board's accounts shall be co-signed by the Treasurer and the President, or the Vice President in the President's absence. Only in the absence of the Treasurer, withdrawals shall be co-signed by the President and the Vice President. All withdrawals from the Board of Trustees' accounts shall be co-signed by the Board of Trustees Treasurer and the Chairperson, or the Secretary of the Board of Trustees in the

Chairperson's absence. Only in the absence of the Board of Trustees Treasurer, withdrawals shall be co-signed by the Chairperson and the Secretary.

Section 7

All Executive Board expenditures must be approved by the Executive Board, with the exception of regular operating expenses, such as employee salaries, utilities, etc. An emergency fund shall be allocated annually at the beginning of each term. The President, or the Vice President in case of the President's absence, can authorize expenditures from this fund without prior approval of the Executive Board. Such expenditures must be reported in the next meeting of the Executive Board for review. The Executive Board may replenish this fund.

Section 8

All cash donations collected by the Association must be collected, counted and reported by more than one person and deposits reconciled with the collections.

Section 9

The Executive Board, the Board of Trustees and the Board of Directors of each service institution shall submit a financial report to the General Body at the annual General Body meeting. The Executive Board is responsible for completing the MCA annual financial report prior to the annual General Body meeting.

ARTICLE XIV JUDICIARY PROCEDURES

Section 1

Any member of the Association may bring charges of misconduct or violation of the constitution or bylaws against any board member, service institution board member, ex-board member who served within the previous one-year, or committee member. Such charges and evidence shall be given in writing to Executive Board and must include the relief sought. Judiciary proceedings shall not be invoked more than once within any twelve-month period by an individual member. Judiciary proceedings shall not be invoked against an individual or individuals for the same or similar charges ruled upon previously, unless new evidence is provided.

Section 2

Within three weeks of receipt of the written charges, the Executive Board shall form a panel to hear the charges. The panel shall consist of seven members, two selected by the accuser(s), two selected by the accused, and two more members and a chairperson selected by the first four members. Neither the accused nor the accuser shall be on the panel. Each panel member shall have been an Association member for at least one year. If either party refuses to exercise the right to select the names of two members for the panel, or provides names of members that are not qualified, the Executive Board shall select the names of members on their behalf. A copy of this Article of the Constitution shall be provided to both parties at the commencement of the proceedings.

Section 3

This panel shall act as a panel of mediators rather than advocates for either party. Decisions shall be made by a simple majority of the panel and a decision shall be reached within two months of formation.

Section 4

Upon the formation of the panel, all parties must agree in writing that the findings of the Judiciary Panel shall constitute binding arbitration.

Section 5

The chairperson of the panel shall fix the time for the first session of the panel within two weeks after the formation of the panel and shall notify, in writing, the panelists at least one week before the scheduled session. In this first meeting, the panel shall review the merits of the charges brought and issue a ruling on whether to continue with the proceedings or dismissing the charges.

Section 6

The panel shall hear the accusations as well as witnesses from both sides, examine all evidence and recommend corrective measures. The panel shall review its findings with the Association attorney, and then report its findings to the Executive Board, which is obligated to enforce the decision of the panel. If at any time during the proceedings, the panel uncovers evidence of criminal acts, these shall be immediately reported to the law enforcement authorities. Based on the findings of the panel, the Association reserves the right to pursue civil legal action.

All decisions of the judiciary panel are arrived at by a simple majority.

ARTICLE XV CONFLICT OF INTEREST

Section 1

During their term in office, members of the Executive Board or Board of Trustees cannot receive any monetary or non-monetary compensation, gifts or benefits from the Association or any third-party doing business with the Association, other than Zakat or direct reimbursement for approved expenses.

Section 2

Whenever a member of the Executive Board or Board of Trustees has a financial, personal or familial interest in any matter coming before the board, the member shall fully disclose the nature of the interest and withdraw from discussion, lobbying, and voting on the matter. The minutes of meetings at which such votes are taken shall record such disclosure, abstention and rationale for approval.

Section 3

Members of any ad hoc or functional committee cannot receive any monetary or non-monetary compensation, gifts or benefits for any of their work on the committee, other than Zakat or direct reimbursement for approved expenses.

Section 4

Whenever a member of an ad hoc or functional committee has a financial, personal or familial interest in any matter coming before the committee, the member shall fully disclose the nature of the interest and withdraw from discussion, lobbying, and voting on the matter. Minutes should be kept for meetings documenting such disclosure, abstention and rationale for approval and reported to the appointing board.

Section 5

Candidates in an election may only run for one position at a time. Before members of the Executive Board or Board of Trustees may run for other elected positions, they must first resign from their current position before accepting nominations for candidacy in the upcoming election unless this is for a re-election of the same position or if their term is naturally ending at the end of the current term.

ARTICLE XVI DISSOLUTION

Section 1

A decision to dissolve the Association can only be reached at a General Body meeting held for that purpose and requires approval by at least four fifths of the members of the Association.

Section 2

In the event of dissolution of the Association, the Board of Trustees shall call upon the Islamic Society of North America to handle the process of dissolution. Any assets which are left after meeting all liabilities shall be transferred to the Islamic Society of North America.

ARTICLE XVII AMENDMENTS

Section 1

This Constitution cannot be replaced in its entirety. Sections of this Constitution other than Article IV Section 2, Article IV Section 3, Article V Section 5, Article VI Section 5, Article XVI Section 1, Article XVI Section 2, and Article XVII Section 1 may be subject to amendment.

Section 2

A proposal for an amendment to the constitution shall be signed by at least ten per cent of the Association members and submitted to the General Secretary.

Section 3

The President shall call a General Body meeting to vote on the proposed amendment(s). This meeting shall be held at least thirty days and no more than sixty days after the proposal is submitted to the General Secretary. The General Secretary shall mail copies of the proposal with meeting agenda to all Association members at least two weeks before the General Body meeting.

Section 4

An affirmative vote by two thirds of the members present, providing the affirmative vote constitutes at least one third of the Association membership, shall be necessary for the adoption of all amendments.

ARTICLE XVIII CONSTITUTION ADOPTION AND INTERPRETATION

Section 1

This Constitution shall be adopted and in force effective immediately after it has been approved by two-thirds of the members present at a General Body meeting called for that purpose.

Section 2

In case of ambiguity regarding the interpretation of any sections of the constitution or possible conflict between two or more sections, the interpretation of the Joint Session of the boards to

clarify the ambiguity or to resolve the conflict shall be final. Any interpretation or re-interpretation and the reasoning should be documented, maintained in the Association's office records, and be readily available for future reference.

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