

*In The Name of Allah, Most Gracious, Most Merciful*

**CONSTITUTION AND BY LAWS**

**OF**

**ISLAMIC COMMUNITY CENTER OF SOUTH CHARLOTTE**

**ARTICLE I: NAME**

The name of the organization shall be ISLAMIC COMMUNITY CENTER OF SOUTH CHARLOTTE, referenced herein as (ICCSC)

**ARTICLE II: AIMS AND PURPOSES**

The purpose of the organization is to please ALLAH (SWT) by obeying His commands. It shall invite to all that is good, enjoin what is right and forbid what is wrong according to Qur'an and Sunnah. Toward this end the ICCSC shall;

- a. Help Muslims to understand and practice Islam based on Qur'an and Sunnah.
- b. Conduct religious, educational, social and other activities according to Islam.
- c. Promote unity and joint action among Muslims.
- d. Endeavor to make Islam known to non-Muslims.
- e. Conduct the affairs of the Islamic Center (IC).

**ARTICLE III: BASIC LAW**

The following items constitute the BASIC LAW which is unchangeable partially or completely.

**SECTION 1. CRITERIA FOR THE ORGANIZATION MEMBERS**

- 1.a. Their belief should be based on Quran and Sunnah according to the methodology of the people of Sunnah and Jama'h i.e. the four main Mathahib; Hanafy, Maliky, Shaffi'y, Hanbaly and other Muslims who base their understanding exclusively on Quran and Sunnah of the prophet Muhammad (SAW) and the Sunnah of four rightly guided Caliphs i.e. Abu-Bakr, Omar, Othman and Ali (may Allah (SWT) be pleased with all of them).
- 1.b. They should be of good Islamic conduct.
- 1.c. The membership shall be immediately revoked if a member does not comply with the criteria mentioned in 1.a and 1.b.

**SECTION 2.**

Any Shar'i issue or matter in the ICCSC is not a subject to be voted upon. It is to be referred exclusively to the Head Imam and/or the Shari' Council of Charlotte for a verdict. If the Head Imam and/or the Shari' Council of Charlotte is absent, it is to be referred for a verdict to Islamic Society of North America (ISNA) Fiqh committee or any number of Fiqh scholars who fit the criteria mentioned in 1.a and 1.b. above. This number is to be agreed upon by the organization (see Art.VIII Sec.3).

### **SECTION 3.**

All decisions and recommendations of the organization should be within the framework of Quran and Sunnah according to the methodology of the people of Sunnah and Jamma'h.

## **ARTICLE IV: NATURE & AFFILIATION**

### **SECTION 1. NATURE**

The Islamic Community Center of South Charlotte shall be a non-profit organization. No profit shall be made by any individual connected with the organization except in consideration for services rendered.

### **SECTION 2. AFFILIATION(S)**

The ICCSC may be affiliated with other organization(s), which have similar objectives, e.g. Islamic Center of Charlotte (ICC), Islamic Center of South Carolina (ICSC), Islamic Society of North America (ISNA), Islamic Circle of North America (ICNA), the Carolina Islamic Council (CIC), etc.; in as much as state, local and federal statutes allow under general incorporation rules.

The ICCSC shall not carry out, allow or perform any activities that are not permitted by law for an organization which is exempt from Federal Income Tax under Section 501 (C)(3) of the Internal Revenue Code of 1954 and whose contributions are deductible under Section 170 (C)(2) of the Internal Revenue Code of 1954 as now enforced or afterwards amended.

### **SECTION 3. ESTATE**

The Islamic Center estate will be under the control of South Charlotte Community Trust.

## **ARTICLE V: MEMBERSHIP**

### **SECTION 1. ELIGIBILITY**

Any Muslim aged 18 years or more, whose belief is according to Qur'an and Sunnah as stated in the Basic Law, who lives in the Greater Charlotte area and endeavors to practice Islam as a total way of life is eligible for membership after acceptance of the Constitution and Bylaws of ICCSC.

### **SECTION 2. PROCEDURE**

Any Muslim interested in membership shall submit an application. The application shall be reviewed by the Executive Committee (E.C.). Approved applicant shall become a member upon payment of annual membership dues (see Art. VIII Sec. 3).

### **SECTION 3. APPEAL**

An applicant whose application has been disapproved can request a hearing by the Shura (see Art. VIII Sec. 3).

## **SECTION 4. SUSPENSION**

The Shura may suspend or expel a member after an appropriate hearing or reinstate a former member on such terms and conditions deemed appropriate by it. The membership shall be revoked by the Shura if at any time a member is found to be in noncompliance with the Basic Law.

## **ARTICLE VI: ORGANIZATION**

### **SECTION 1. GENERAL BODY**

It shall consist of all members who have paid their annual membership dues. It has the power to approve amendment(s) to the Constitution (see Art. XIV) and elect the Shura.

### **SECTION 2. SHURA**

The Shura shall be an elected body. It shall appoint, oversee, guide and direct the work of the Executive Committee and other committees.

### **SECTION 3. EXECUTIVE COMMITTEE**

It shall consist of the Chairperson, Vice-Chairperson and the Secretary of the Shura, Treasurer and Chairpersons of all standing committees. It shall implement the decisions of the Shura and coordinate the work of different committees.

### **SECTION 4. BOARD OF DIRECTORS**

It shall consist of five members elected by the Shura. The Board shall ensure appropriate functioning of the ICCSC in general compliance with the Constitution.

## **ARTICLE VII: GENERAL BODY**

### **SECTION 1. COMPOSITION**

It shall consist of all members who have paid their annual membership dues.

### **SECTION 2. FUNCTIONS**

- a. To participate in ICCSC activities and function as a nucleus of Islamic education and conduct.
- b. To elect the Shura.
- c. It may adopt resolution(s) to promote the aims and purposes of the ICCSC. Such resolution(s) are to be implemented by the Shura.
- d. It may approve or disapprove Constitution and Bylaws amendment(s) (see Article XIV) after these have been duly approved by the Shura and the Board of Directors.

### **SECTION 3. MEETINGS**

- a. The General Body shall meet at least once a year.
- b. The meeting shall be called by the Chairperson of the Shura.
- c. A special meeting shall be called within two months by the Chairperson of the Shura when formally requested by one third of the General Body members.
- d. The meeting shall be presided by the Chairperson of the Shura.
- e. The members shall be informed about the time and place of a meeting at least 30 days in advance.
- f. The presence of 40% of members in the first meeting and 30% in an adjourned meeting shall constitute a quorum.
- g. Unless specifically required otherwise by the Constitution and Bylaws, the decisions in a quorum meeting are to be made by simple majority of members present and proxies.

### **SECTION 4. ELIGIBILITY TO VOTE**

Members (see Art. V, Sec. 1) are eligible to vote upon payment of their annual membership dues by March 01.

## **ARTICLE VIII: MAJLIS ASH-SHURA**

### **SECTION 1. COMPOSITION**

- a. Majlis Ash-Shura (Shura) shall consist of 20% of total membership of ICCSC but at any time the minimum number of its elected members shall be 8 and the maximum number shall be 20.
- b. The Shura shall be elected for a period of three years by the General Body.
- c. The Imam shall be a permanent member of the Shura.

### **SECTION 2. QUALIFICATIONS FOR SHURA MEMBERS**

Any Muslim aged 20 years or more, who, by March 01 of the election year, has been a member of ICCSC for at least one year, is eligible to become a member of the Shura. Members of the Board of Directors are not eligible to be candidates for the Shura.

### **SECTION 3. FUNCTIONS**

The Shura shall:

- a. Appoint the Executive Committee (E.C.) and any number of other committees it deems necessary to perform its functions.
- b. Approve guidelines for the Executive Committee and bylaws of the standing committees.
- c. Resolve issues referred to it by the Executive Committee.
- d. Approve annual budget proposal submitted by Finance Committee.
- e. Oversee the general activities of the Executive Committee and other committees.
- f. Approve proposed Constitution and Bylaws amendment(s) (see Art. XIV) before being presented to the Board of Directors and the General Body.
- g. Select the number and names of Fiqh scholars whenever required (see Art. III, Sec.2).
- h. Resolve conflict(s) related to the membership.
- i. Select an Imam for the Islamic Center and decide on his compensation.

- j. Determine annual membership dues.

#### **SECTION 4. PROCEDURES**

- a. The Shura shall elect its own Chairperson, Vice-Chairperson and Secretary.
- b. A Shura seat shall be considered vacant if the membership of a Shura member in ICCSC is suspended or revoked or a member: i) formally resigns ii) leaves the area continuously for six months or more iii) fails to attend three consecutive meetings of the Shura without being excused iv) fails to attend at least 50% of the scheduled meetings in a calendar year.
- c. A list of runners-up for Shura membership shall be made at each election. In case of a vacancy the next runner-up shall become the Shura member for the remainder of the term.
- d. The Shura shall meet at least twice a year.
- e. The meeting shall be called by the Chairperson of the Shura.
- f. A special meeting shall be called within four weeks by the Chairperson of the Shura whenever formally requested by one third of its members.
- g. The members shall be notified about the time and place of a meeting at least three days in advance.
- h. The meeting shall be presided by the Chairperson of the Shura.
- i. The presence of two thirds of members in the first meeting and one half in an adjourned meeting shall constitute a quorum.
- j. Unless specifically required otherwise by the Constitution and Bylaws, the decisions in a Shura meeting are to be made by a simple majority of members present and proxies.
- k. Approval of at least two thirds of total membership of the Shura is required to amend the Constitution and Bylaws and to register a vote of no confidence against the Chairperson, the Vice-Chairperson or the Secretary of the Shura.

#### **ARTICLE IX: EXECUTIVE COMMITTEE**

##### **SECTION 1. COMPOSITION**

- a. The Executive Committee (E.C.) shall consist of i) Chairperson ii) Vice-Chairperson iii) Secretary iv) Treasurer and v) Chairpersons of all standing committees.
- b. The Chairperson, Vice-Chairperson, and Secretary of the Shura shall be the Chairperson, Vice-Chairperson, and Secretary of the E.C.
- c. The E.C. shall be appointed by the Shura.

##### **SECTION 2. FUNCTIONS**

- a. Conduct the affairs of the ICCSC within the guidelines of the Shura.
- b. Implement decisions of the Shura.
- c. Coordinate activities of different committees.
- d. Process membership application(s).
- e. Appropriate funds for various committees, activities and project(s) approved by the Shura.

##### **SECTION 3. PROCEDURES**

- a. The E.C. shall meet as often as necessary to conduct the affairs of the ICCSC.
- b. The decisions of E.C. require approval by at least majority of its total members.
- c. An Executive Committee seat shall be considered vacant if the membership of an E.C. officer in ICCSC is suspended or revoked or an officer i) formally resigns ii) leaves the area

continuously for four months or more iii) fails to attend three consecutive meetings of the E.C. without being excused by the Chairperson.

- d. A vacancy in E.C. shall be filled by a new officer appointed by the Shura.

#### **SECTION 4. CHAIRPERSON**

The Chairperson shall be the chief executive officer and responsible for:

- a. Directing and coordinating activities of all committees so as to achieve the aims and purposes of the ICCSC.
- b. Calling and presiding over the meetings of the Shura, the E.C. and the General Body.
- c. Reporting on the status of the ICCSC at least annually.
- d. Being the main spokesman, representative and correspondent for the ICCSC in external affairs.
- e. Preparing an agenda of the ICCSC activities and presenting it to the Shura.

#### **SECTION 5. VICE-CHAIRPERSON**

The Vice-Chairperson shall be responsible for:

- a. Assisting the Chairperson in directing and coordinating activities of all committees so as to achieve the aims and purposes of the ICCSC.
- b. Assuming the responsibilities of the Chairperson in his or her absence.
- c. Preparing circulars, bulletins and newsletter, and presenting these to the E.C. for approval before distribution.
- d. Editing and publishing literature on behalf of the ICCSC after consultation and approval by the E.C.
- e. Being a liaison between the ICCSC and external media under the guidelines approved by the Shura.

#### **SECTION 6. SECRETARY**

The Secretary shall be responsible for:

- a. Preparing the agenda for the Shura, E.C. and General Body meeting(s).
- b. Keeping the minutes of the Shura, E.C. and General Body meeting(s) and presenting the minutes of previous meeting(s) for approval.
- c. Notifying the members about the time and place of a meeting.
- d. Keeping the ICCSC registered and in compliance with state laws.
- e. Keeping a directory of names, current phone numbers and addresses of all ICCSC members.

#### **SECTION 7. TREASURER**

The Treasurer shall be responsible for:

- a. Maintaining the records of all financial transactions, systematically maintaining the account books, checks, and receipts, writing disbursements and performing banking reconciliation.
- b. Assisting the Finance Committee in collecting and depositing all funds.
- c. Assisting the Finance Committee to prepare the annual budget of ICCSC.
- d. Preparing and presenting a quarterly report on finances to the E.C.
- e. Being responsible for matters related to the Internal Revenue Service (IRS) and other tax agencies.

### **ARTICLE X: BOARD OF DIRECTORS**

#### **SECTION 1. COMPOSITION**

The Board of Directors (B.O.D.) shall consist of 5 members elected by the Shura. The members shall continue to serve until they are no longer able to perform the duties of the Board as determined unanimously by the rest of the Board or by at least 75% of the eligible voters of the General Body, or a formal resignation is submitted.

## **SECTION 2. QUALIFICATIONS**

Any Muslim aged 35 years or more, who has been a member of ICCSC for at least three consecutive years, a resident of the Greater Charlotte and immediate surrounding counties for at least 5 years and has a Permanent Resident Status is eligible to serve on the Board of Directors.

## **SECTION 3. FUNCTIONS**

The Board of Directors shall :

- a. Assure appropriate functioning of the ICCSC in general compliance with the Constitution.
- b. Interpret the Constitution in case of ambiguity or conflict pertaining to the Constitution.
- c. Resolve conflict(s) in the functioning of the Shura.
- d. Choose any course of action it deems necessary to perform its functions, however it shall not be involved in day-to-day affairs of the ICCSC and the functioning of the Executive Committee or any other committee. The decision(s) of the Board can be appealed to the Board for reconsideration.

## **ARTICLE XI: STANDING & AD HOC COMMITTEES**

### **SECTION 1. STANDING COMMITTEES**

The ICCSC shall have the following standing committees:

- a. **MANAGEMENT COMMITTEE.** It shall be responsible for day-to-day management and maintenance of the Islamic Center (IC) premises. It shall coordinate and schedule different activities within Islamic Center premises.
- b. **FINANCE COMMITTEE.** It shall be responsible for financial affairs of the ICCSC, including the preparation of the annual budget.
- c. **SCHOOL COMMITTEE.** It shall be responsible for planning and managing affairs related to the Islamic weekend school.
- d. **PLANNING AND CONSTRUCTION COMMITTEE.** It shall be responsible for planning and managing ICCSC development and construction projects and other special-purpose projects.
- e. **DAWAH COMMITTEE.** It shall be responsible for dawah among Muslims as well as non-Muslims.
- f. **SOCIAL AND WELFARE COMMITTEE.** It shall co-ordinate social activities of ICCSC. It shall arrange for collection and distribution of Zakat. It shall also be responsible for helping the poor, the needy, and the disabled by organizing community resources and efforts.
- g. **WOMEN COMMITTEE.** It shall co-ordinate group activities which are of interest to Muslim women.

- h. YOUTH COMMITTEE.** It shall co-ordinate group activities which are of interest to the Muslim youth.
- i. OTHER STANDING COMMITTEES** may be appointed by the Shura whenever it deems necessary.

## **SECTION 2. AD HOC COMMITTEES**

Ad hoc committee(s) may be appointed by the Shura whenever it deems necessary. The task and the duration shall be outlined by the Shura.

## **SECTION 3. PROCEDURES**

- a.** The E.C. and all other committees shall work within the guidelines and supervision of the Shura.
- b.** A person shall not serve as Chairperson of more than one standing committee at the same time.

## **ARTICLE XII: FINANCES**

### **SECTION 1. REVENUES**

The ICCSC shall be financed by membership dues, income, donations and contributions. The E.C. may accept any donation or contribution in any form and from any source as long as it is consistent with the principles of Islam and purposes of the ICCSC. All funds collected or donated for a specific cause or project shall be used only for that cause or project unless specifically released by the donor(s).

### **SECTION 2. ACCOUNTS**

All accounts shall be interest free. If approved by the Shura money may be utilized in investment(s) which satisfy Islamic criteria.

### **SECTION 3. ACCOUNTING SYSTEM**

The Accounting system shall be in compliance with the rules and regulations of the Internal Revenue Service (IRS) and the guidelines of the State of South Carolina. Any changes in the Accounting system shall be approved by the Shura.

### **SECTION 4. FISCAL YEAR**

Fiscal year shall be Jan. 01 to Dec. 31 of each calendar year.

### **SECTION 5. AUDIT**

The ICCSC accounts shall be audited once a year. The results of the audit shall be reported by the Finance Committee to the Shura by March 01 and made public after a review by the Shura.



## **ARTICLE XIII: ELECTIONS**

### **SECTION 1. DATE OF ELECTIONS**

The elections shall be held on the third Sunday of the month of November. The time and alternate date (if absolutely necessary) shall be decided by the Shura.

### **SECTION 2. ELIGIBILITY TO VOTE**

Refer to Art. VII, Sec. 4.

### **SECTION 3. ELECTION COMMITTEE**

An Election Committee shall be appointed by the Shura by March 01 of the election year. The Chairperson, Vice-Chairperson and Secretary of the Shura shall not be members of the Election Committee.

### **SECTION 4. DUTIES OF ELECTION COMMITTEE**

The Election Committee shall:

- a. Prepare and post on the bulletin board of Islamic Center a list of members eligible to vote. The list shall be posted by October 01 of the election year.
- b. Determine number of Shura seats (see Art. VIII Sec.1).
- c. Make public a preliminary list of members eligible to be on the Shura by October 01 of the election year. Individuals qualified to be Shura members should contact the election committee to express their willingness to serve as Shura members. Make public a final list of members eligible and willing to serve on the Shura by November 01 of the election year.

### **SECTION 5. ELECTION PROCEDURE**

The Election Committee shall conduct elections as follows:

- a. There shall be no nominee for election to the Shura.
- b. Members eligible to vote shall be provided a ballot containing names of all persons qualified and willing to serve on the Shura. The final list (see Article XIII, Sec. 4c) shall be the ballot.
- c. Members shall vote for candidates of their choice.
- d. Candidates (8-20) receiving the most votes shall become Shura members.
- e. In case of a tie, the older person shall become the Shura member.
- f. A list of the elected Shura members shall be prepared. A list of no more than 5 runners-up shall be prepared for filling any vacancies until the next elections.

## **ARTICLE XIV: CONSTITUTION AND BYLAWS AMENDMENT(S)**

### **SECTION 1.**

The Basic Law shall not be amended.

### **SECTION 2.**

Proposed amendment(s) shall be signed by at least ten members or 10% of the General Body, whichever is greater, and submitted in writing to the Chairperson or the Secretary of the Shura.

### **SECTION 3.**

After receipt of proposed amendment(s), the Chairperson shall call a meeting of the Shura within four weeks to appoint an ad hoc committee(s) to study the proposed amendment(s). The Shura may initiate the process of amendment(s) by appointing an ad hoc committee(s).

### **SECTION 4.**

The ad hoc committee(s) shall study pros and cons of the proposal and report its findings to the Shura. After the ad hoc committee(s) reports its finding(s), the Shura shall discuss and vote on the proposal. An affirmative vote by at least two thirds of the total membership of the Shura is required for approval of any amendment(s).

### **SECTION 5.**

After an amendment(s) has been approved by the Shura it shall be presented to the Board of Directors. Upon approval by the Board of Directors, it shall be presented to the General Body within two months. If at least 75% of the eligible voters in the General Body vote in favor, the amendment(s) shall be adopted.

## **ARTICLE XV: DISSOLUTION**

If, as determined by the Board of Directors, dissolution of ICCSC becomes inevitable, the Shura shall handle the process of dissolution. It shall make arrangements to meet all liabilities and transfer remaining assets to NAIT.

## **ARTICLE XVI: MISCELLANEOUS**

### **SECTION 1. INTERPRETATION OF CONSTITUTION AND BYLAWS**

- a. In case of ambiguity or conflict between different sections of the Constitution and Bylaws, the interpretation of the Board of Directors shall prevail.
- b. In case of conflict between the Constitution & Bylaws and the Articles of Incorporation the former shall supersede.

### **SECTION 2. ADOPTION OF CONSTITUTION AND BYLAWS**

The amendment(s) to the Constitution shall become effective upon the approval by the General Body. The implementation procedure of the amendment(s) shall be decided by the Shura.

## **ARTICLE XVII: IMAM**

Imam referred to in Article III Sec. 2 shall be formally educated in Fiqh or recognized as Fiqh scholar by Fiqh committee of ISNA. Otherwise, he does not have the powers of Imam.

### **History Note:**

Constitution first adopted : January 2008  
Amendments adopted : TBD

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of  
Islamic Community Center of South Charlotte

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