

In the name of Allah, the Beneficent, the Merciful

MUSLIM CENTER ELEMENTARY SCHOOL

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Invite with wisdom and beautiful preaching to the way of your Lord and convince them the best way: (Al-Qur'an: 16:125)

Constitution & By-Laws

ARTICLE I: NAME & LOCATION

The Center shall be called "The Muslim Center of New York", hereafter referred to as "The Center". The permanent location of The Center shall be in Flushing, County of Queens, New York. The Center may also have other offices within the state as and if needed.

ARTICLE II: NATURE

The Center shall be a religious, educational, non-profit organization.

ARTICLE III: OBJECTIVES

The objectives of The Center shall be:

1. To establish Islam as an individual and collective way of life.
2. To organize and establish all activities consistent with Islamic Shariah in order to achieve objective stated in item I, such as mosques, comprehensive religious and educational facilities, Islamic library, funeral and matrimonial services arrangements which will bring the Muslim communities to a deeper understanding of the above objective.
3. To establish relations and cooperate with other organizations having similar objectives.
4. To develop closer cooperation and understanding among people of different faiths in general and Muslims in particular.

ARTICLE IV: MEMBERSHIP

1. All Muslims shall be eligible to participate in The Center's activities even without being a paying member. A Muslim is a person who believes in () that there is no one who is to be worshipped except Allah and that Muhammad bin Abdullah Al-Hashmi of Arabia is His last and final messenger and prophet.
2. Any Muslim accepting purposes and objectives of The Center and the Provisions of this constitution and by-laws and belonging to Ahle-e-Sunnat wal Jamaat (Sunnite Muslims), shall be eligible to become a member of The Center after filing an application and paying prescribed membership dues with right to vote and to seek office, hereafter called "The Member".
3. The membership dues shall be determined by the executive Committee every year after the new election.
4. The Executive Committee shall have a right to reject an application for membership and to expel any member if it believes that acceptance of such an application or the continuation of such a member is against the interest of Islam and The Center.

ARTICLE V: STRUCTURE

The Center shall be organized and shall operate through the following bodies:

- a. General Assembly
- b. Executive Committee
- c. Board of Trustees
- d. The Director

ARTICLE VI: GENERAL ASSEMBLY

1. All paying members of The Center shall constitute the General Assembly.
2. The General Assembly shall elect the Executive Committee of The Center for a staggered period of six years.
3. The General Assembly meeting shall be held annually during the month of October to consider the annual report of the President, financial report of the treasurer, and elect the members or replace the outgoing members of the Executive Committee every two years
4. The General Assembly shall elect the Executive Committee as per the following schedule:

4 members – 1st election

5 members – 2nd election

4 members – 3rd election

The names will be picked in an Executive Committee meeting by draw.

5. A simple majority vote of the members present at any of the meetings shall be required for arriving at a decision, except for amendment of the Constitution as provided herein.
6. Special General Assembly meetings shall be called by the Executive Committee, under emergency or extra-ordinary conditions, or when requested by at least one fourth of the paying members.

ARTICLE VII: EXECUTIVE COMMITTEE

Section 1: General

The Executive Committee shall be governed by both the Constitution and By-Laws. The By-Laws shall be formulated by the President in consultation with the officers and approved by a simple majority of the Executive Committee members present in duly formed meeting. These By-Laws shall remain valid until the Executive Committee feels the need for a change in part or whole of the By-Laws, or two years, whichever comes later. In no case any clause of the By-Laws shall contradict and/or supersede the constitution in letter or in spirit.

Section 2: Function

- 1.
2. The functions of the executive Committee shall be:
 - a. To plan and execute appropriate programs and activities to accomplish the objectives of The Center.
 - b. To appoint the members of the Board of Trustees.

Section 3: Organization

1. The Executive Committee shall consist of four officers namely – a president, a Vice-President, a Secretary, a Treasurer, and nine Executive members
2. The Director of The Center when appointed shall be an ex-officio, non-voting member of the Committee.

Section 4: Requirements

All members of the executive Committee shall have to fulfill the following requirements:

- a. They shall be good Muslim, making all possible efforts to observe their daily life according to the teaching of Islam and are not involved in any un-Islamic activity which could defame the Center.
- b. They shall be from among the voting members of The Center who have a membership standing of at least six months and have paid a minimum donation of two hundred dollars in the last three years to The Center. The above amount of donation will be reviewed and adjusted by the Executive Committee every two years.
- c. They shall endorse the objectives and the constitution of The Center.

Section 5: Term of Office

1. All members of the Executive Committee shall have a staggered term of six years.
2. All the officers shall be eligible for re-election but not more than three consecutive terms to the same office

Section 6: Meeting

1. The Committee meeting shall be held at least once every month and shall maintain proper minutes of all its meetings. At any meeting of the Executive Committee three officers and six Executive members shall constitute the quorum
2. Every member will have one vote. All decisions shall have to be arrived at by a simple majority vote. In case of tie, the President shall have an extra vote.

Section 7: Termination

1. An officer or an Executive member of the Committee who fails to attend three consecutive meetings of the Committee without prior notification of special reason of absence shall cease to be a member of the Committee and the vacancy shall be filled according to rules provided herein.
2. Any officer or an Executive member of the Committee who acts contrary to the aims and objectives of The Center, or if found guilty of any misconduct, or commits any unlawful act resulting in defaming The Center, shall be liable to suspension, dismissal and legal prosecution by a majority of 9/13 of Committee members. Such a member shall not be eligible for membership of Executive Committee for a period decided by the Executive Committee.

Section 8: Duties

A – President

The duties of the President shall be:

1. To work for the promotion and advancement of The Center, and for the implementation of its Constitution.
2. To plan and execute appropriate programs for accomplishing the objectives of The Center, and to assume responsibilities for the overall management of The Center.
3. To represent or arrange for its representation in outside activities and in its relation with outside persons or organizations in consultation with the Executive Committee.
4. To convene and preside over all meetings of the Executive Committee and of General Assembly.
5. To set up functional Committees, to appoint Committee chairmen, and to assign special duties and responsibilities to individual Committee members with the approval of the Executive Committee. Also, to coordinate the work of all the Committees and to attend their meetings.
6. To present Annual Report of The Center to the General Assembly at its annual meeting.
7. To cosign with the Treasurer all the checks of The Center.
8. To represent or arrange for his representation in the Board of Trustees meeting when he is unable to attend.

B – Vice-President:

The duties of the Vice-President shall be:

1. To assist the President in the performance of his duties.
2. To assume the functions of the President when latter is absent.
3. He shall be the Chairman of at least one functional Committee.

4. To cosign checks with the Treasurer.

C – Secretary:

The duties of the Secretary shall be:

1. To prepare and maintain the minutes of all meetings.
2. To prepare the agenda and notify the members of the Executive Committee and the General Assembly.
3. To keep and maintain all records and documents of The Center except those specifically assigned to others.
4. To take over duties of the Vice-President in his absence.
5. To carry out day-to-day activities of The Center.
6. To cosign with the Treasurer all the checks of The Center.
7. To maintain a current list of all members and volunteers for various functions of The Center.

D – Treasurer:

The duties of the Treasurer shall be:

1. To maintain the account books of The Center and to have them audited by an auditor appointed by the Executive Committee at the end of the fiscal year.
2. To collect, receive and deposit all amounts payable to The Center including membership dues, contributions, and any special donations, in the bank account of the Center.
3. To sign all withdrawal checks on behalf of The Center.
4. To present the annual Financial Report of The Center to the General Assembly. The report shall also include the Board of Trustees' annual financial report.

E – Executive Members:

The duties of the Executive Members shall be to participate in the meetings of the Executive Committee, to serve on Functional Committees and to assist in the overall operation of The Center in accordance with the Constitution and the By-Laws.

Section 9: Elections

A – Executive Committee

1. The election will be held in the month of October every two years to elect members of the executive Committee per article VI, 4.
2. The secretary shall inform all members of the date, time and place of elections 30 (thirty days in advance).
3. The Executive Committee shall set up an Election to conduct the election procedure.
4. The executive Committee Members shall not be eligible to serve on the election Committee.

5. The election Committee shall prepare a list of eligible board members based upon individual capability satisfying the criteria set up in Section 3 of Article VII
6. The Election Committee shall present the approved list of the nominees to the General assembly for election.
7. Simple majority vote will decide the election.
8. No member shall be elected to the Executive Committee in absentia.
9. All members have to take oath of office in a duly formed meeting.
10. The election Committee shall conduct the election as per Constitution and the By-Laws.

B – Officers:

The officers of the executive Committee shall be elected by simple majority vote of the members of the Executive Committee. Election of Officers shall be held every two years.

Section 10: Succession and Handover

1 – Succession:

Upon resignation or suspension of a member of the Executive Committee from his position, or in case of becoming incapacitated, the order of succession shall be as follows:

- a – The Vice-President shall succeed the President.
- b – The position of the Vice-President shall be filled through the Executive Committee by election from among the members of the Executive Committee.
- c – Other positions falling vacant shall be filled by the President from among the active members associated with The Center. These members shall have to be approved by the Executive Committee.

2 – Hand over:

The outgoing office-holder shall hand over all files, documents and any property on The Center at their disposal to the incoming office-holder.

Section 11: Finance

1. The source of finance for The Center shall be:
 - a. Membership dues as determined by the Board.
 - b. Voluntary individual and organizational contributions.
2. All expenses of The Center shall be budgeted yearly and after approval by the Executive Committee shall be submitted to the Board of Trustees. All excess balance shall be kept in The Trust Fund of The Center.
3. The bank account of The Center shall be maintained in an interest free checking account.
4. All expenses exceeding fifty dollars shall be made with the approval of the President All expenditures over two hundred and fifty dollars have to be approved by the Executive

Committee. However, all expense vouchers have to be approved by the President or vice President. All expenditures shall be in accordance with the requirements of the Constitution and By-Laws and the priorities set beforehand.

5. All checks shall have to be signed by the Treasurer and either by the President, Secretary, or the Vice-President.
6. The fiscal year of The Center shall be from July 1st to the end of the following 30th of June.
7. The accounts of The Center shall be audited once every year by an auditor and the auditor's report shall be presented in the annual meeting of the General Assembly.

ARTICLE VIII: BOARD OF TRUSTEES

Section 1: Function

The function of the Board shall be:

- a. To hold in trust and serve as a custodian of all the capital assets, of The Center and to maintain, use and liquidate them in accordance with the principles of Islamic jurisprudence and to the intent of this Constitution.
- b. To engage in businesses such as Islamic Services, professional services, Interest Free Banking and other like services which may be needed for the development of the community. Before undertaking these programs they shall be approved by the Executive Committee.
- c. To appoint and terminate the Director of The Center with the approval of the Executive Committee.
- d. To present the Annual Report in the last Executive Committee meeting before the Annual General Assembly meeting.
- e. To appoint and if necessary to terminate the appointment of employees of The Center.

Section 2: Organization

1. There shall be five members in the Board.
2. There shall be a chairman and a Treasurer of the Board
3. The President of the Executive Committee shall be a member of the Board of Trustees and shall be ineligible for Chairmanship of the Board.
4. The Treasurer of the Executive Committee shall be ex-officio member of the Board without any voting right.
5. The Chairman shall be the spokesman for the Board and shall sign all documents on behalf of the Board.

Section 3: Requirements

All members of the Board of Trustees shall fulfill the following requirements:

1. Satisfy clause 4a and 4c of Article VII

2. They shall be from among the voting members of The Center who have a membership standing of at least 2 years and have paid a minimum donation of five hundred dollars to The Center and must have served on any well formed committee for at least six months.

Section 4: Term of Office

1. The four Board members shall be appointed for a staggered term of 10 (Ten) years.
2. After every five years, two members will resign whose names will be selected by draws and new members shall be appointed in their places.

Section 5: Meeting

1. He Board shall meet at least once in three months. The Chairman will convene the meeting.
2. Special meeting can be called by the Chairman as and when needed.
3. Three voting members and President of Executive Committee (or one of his representatives) shall constitute the quorum.
4. The decision shall be arrived by a consensus of at least three voting members.

Section 6: Finance

1. The Board shall establish a Trust Fund and other Funds as it deems necessary.
2. The source of Finance for Funds shall be:
 - a. Surplus from the Centers General Fund and Building Fund Account.
 - b. Any gain from The Centers businesses or services.
3. A separate account for each project must be carried out.
4. The Account Books shall be maintained by the Treasurer of the Board of Trustees in consultation with the Treasurer of The Center.
5. All checks shall be signed by the Chairman and the Treasurer of the Board.
6. The Fiscal Year shall be from July 1st to the end of the following 30th of June.
7. The account shall be audited every year and presented at the General Assembly meeting.

ARTICLE IX: DIRECTOR

Section 1: Function

1. To help the Executive Committee in the planning and execution of programs and activities of The Center, as outlined by Executive Committee in its meetings.
2. To act as Chairman of Religious Affairs committee.
3. He shall be a permanent member of the Education committee.
4. He shall perform as Imam of The Center.
5. He shall carry out all the job assignments as per contract

Section 2: Requirement

1. Satisfy clause 4a of Article VII.
2. He shall be a man of outstanding character in Islamic knowledge and practice, and shall have the qualification to be the Imam of The Center.

Section 3: Appointment

1. The Board of Trustees shall devise a mechanism for the search, and appointment also removal if ever needed.
2. The appointment or removal shall have to be approved by the Executive Committee.

ARTICLE X: AMENDMENTS

1. Amendments of this Constitution shall be submitted in writing to the President of The Center not less than ninety days prior to the General Assembly meeting.
2. The President with the approval of the Executive Committee shall form a Constitution Committee consisting of at least five members who are known to be knowledgeable in Constitution. The signatories of the proposed amendment cannot serve in the Constitution Committee.
3. A simple majority of the Constitution Committee shall decide on any amendment from among the proposals.
4. The proposed amendment shall be presented to the Executive Committee for approval.
5. The Executive Committee after approving the proposed amendment by a three-fourth-majority vote, shall present it to the General Assembly during its next meeting.
6. All amendments shall require the approval of three-fourth majority of a duly held General Assembly.

ARTICLE XI: DISSOLUTION

Upon the dissolution of The Center, the Board of Trustees shall, after paying or making provision for the payment of all liabilities of The Center, dispose of all the assets to Muslim Organization in the United States as are already exempt of Federal Income Tax as described in Section (501) 9C0 (3) of the Internal Revenue Code of 1954.

First Amendment

(Unanimously approved by the General Assembly on October 26, 1986)

Article VII, Section 4-b of the Constitution has been amended to read as follows:

“They Shall be from among the members of the Center who have a membership standing of at least One Year and have paid a minimum donation of two hundred fifty dollars during the last two years to the center or the amount as decided by the Executive Committee.”

Second Amendments

- 1) Article VII, Section 11, Clause 7
Be amended to read as follows:
“The account of The Center shall be audited once every five (5) years by an auditor, and the auditor’s report shall be presented in the annual meeting of the General Assembly.”
- 2) Article VIII, Section 6, Clause 7
Be amended to read as follows:
“The account shall be audited once every five (5) years and presented at the annual meeting of the General Assembly.”

Third Amendments

Unanimously approved by the General Assembly (GA) on October 26, 2016:

- 1) Article VIII, Section 4 Clause 1
Be amended to read as follows:
“The terms of Board of Trustees (BOT) members to be reduced from 10 years to 6 years”.