

CONSTITUTION

ISLAMIC CENTER OF THE CAPITAL DISTRICT

ARTICLE I: NAME

The organization shall be called “Islamic Center of the Capital District” hereafter referred to as the “Center”, or the “ICCD”.

ARTICLE II: NATURE

The Center shall be a non-profit Islamic religious and cultural organization in accordance with the teachings of the Quran and Sunnah.

ARTICLE III: HEADQUARTERS

The headquarters for the Center is the Islamic Center located at 21 Lansing Road North, Colonie, NY 12304.

ARTICLE IV: PURPOSES

The purposes of the Center shall be consistent with the principles of the Quran and Sunnah and shall include, but not be limited to the following:

1. To help Muslims residing in the tri-cities and surrounding communities of northeastern New York to carry out Islamic activities in pursuance of Islam as a complete way of life.
2. To establish and run a community center for religious, social, civic, charitable, research and other Islamic activities.
3. To strengthen fraternal bonds and understanding between Muslims from various parts of the world.
4. To promote understanding and friendly relations between Muslims and non-Muslims.
5. To arrange for continuing Islamic education and personal development of its members.
6. To help arrange for the education of Muslim youth about faith and practice of Islam.
7. To make Islamic Daawa.
8. To maintain and operate a Muslim cemetery, An-Nur School, MCC (Muslim Community Center) & the Weekend School.

ARTICLE V: MEMBERSHIP

1. Any Muslim living in the Capital District (Albany, NY) or in the 60-mile surrounding areas will be considered a member of the Center and will be entitled to all the services of the Center, except the privileges to vote or hold the offices of the Center.
2. Any Muslim member 18 years or older, upon payment of the membership dues, shall be eligible to vote on matters that come before the general body and be eligible to hold an elected office, upon meeting the qualifications noted in Article VIII, item 11. A general member is not eligible for voting membership or nomination for election if they draw financial compensation from the ICCD. The Board of Trustees shall determine the membership dues by a vote of at least 7 members of the BOT.
3.
 - a. Membership dues for the new year shall become payable on January 1 of each year and existing members shall be eligible to vote in general body meetings after full payment of annual dues, except as noted below in 3c.
 - b. Individuals whose membership has lapsed (were not eligible to vote in the previous annual election) and new members shall become eligible to vote in general body meetings 90 days after full payment of membership dues, except as noted in 3c.
 - c. Existing members, new members, and individuals whose membership has lapsed as defined in 3a and 3b above, shall become eligible to vote in the annual election in November after full payment of membership dues by July 31 of the current year.
 - d. For the first 90 days of the year, the previous year membership list shall be used.
 - e. The membership list of all eligible voters for the annual election in November shall be posted by the ICCD secretary by August 31.

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4. Lifetime membership shall be an option offered in addition to the annual membership. Lifetime membership will lapse upon the member:
 - a. Taking up residence outside the Capital District of Albany, NY or its 60-mile surrounding areas for a minimum of 3 months.
 - b. Nonattendance in three consecutive general body meetings, upon which a show-cause notice will be issued to the member to explain their position within 21 days. The BOT may decide to refer the matter to the General Body meeting to remove such member by 2/3rd majority.

Upon the lapse of lifetime membership, the lifetime member will not be eligible to vote and will not be considered for establishing quorum. Lifetime membership may be reinstated upon the lifetime member attending a general body meeting, at the discretion of the General Body, which may vote on reinstatement by 2/3rd majority.

ARTICLE VI: ADMINISTRATION

1. The general body elects the board of trustees to manage all affairs of the Center.
2. The management of all affairs of the Center shall be the responsibility of the board of trustees.
3. The board of trustees may seek religious, educative, administrative and other help from individuals, or committee of individuals on voluntary or compensatory basis.
4. There shall be no financial compensation to any trustee or office-bearer of the Center.

ARTICLE VII: GENERAL BODY

1. Definition

All voting members, who have paid the membership dues in accordance with Article V of the constitution and agree to follow the constitution and by-laws of the Center, shall constitute the general body of the Center and shall be eligible to vote on the issues of the ICCD. Any non-voting member of the community, however, shall be allowed to participate in discussion of the Center issues without the right to vote.
2. Meetings
 - a. There shall be an annual meeting of the general body in the month of November, in order to elect the trustees and officers and to conduct any other necessary business of the Center.
 - b. A general body meeting can be called by the board of trustees on their discretion or at the request of 30 voting members of the Center. Such a request shall be submitted in writing to the Secretary. A general body meeting shall be called within 30 days after the request is received.
 - c. A written notice of the agenda, date, time and place of a general body meeting shall be mailed or emailed to all members at least two weeks prior to the meeting date. Members will be notified by email unless an email for the member is not available.
 - d. Emergency meetings of the general body may be called by the board of trustees as and when necessary upon a minimum of two days notice to the general body.
3. Quorum for general body meetings shall be more than 50% of the total voting members. If a second consecutive general body meeting fails to achieve a quorum, the quorum requirement shall be reduced to 33% of the total voting members for the third and subsequent consecutive general body meetings.
4. Matters brought to the general body, except the constitutional amendments and other matters described herein, shall be decided by a simple majority vote of the general body voting members.

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ARTICLE VIII: BOARD OF TRUSTEES

1. There shall be nine (9) trustees to be elected by the general body.
2. At the first annual meeting, members of the board of trustee shall be elected in the following manner:
 - a. 3 trustees for one year term.
 - b. 3 trustees for two year term.
 - c. 3 trustees for three year term.Thereafter, trustees shall be elected at the regular annual meeting to fill the trusteeship that fall vacant at that meeting. Each trustee so elected shall serve a three-year term. Only a voting member who meets the qualifications noted in Article VIII, item 11 can be nominated for election to the position of a trustee.
 - d. All members of the BOT shall maintain membership during their term.
3. The functions of the board of trustees shall be:
 - a. to implement the constitution;
 - b. to plan, manage and execute the activities so as to accomplish the purposes of the Center.
4. Upon resignation, suspension or removal of a trustee, or in case of his becoming incapacitated, the vacated trusteeship shall be filled by the general body for the unexpired portion of his term.
5. The Board of Trustees shall refer a trustee for removal based on evidence of wrongdoing, to the General Body for further proceedings. A trustee may be removed from trusteeship by a two-third majority vote of the voting members in a general body meeting.
6. The board of trustees shall meet at least twelve times a year to conduct the Center's affairs. A minimum of five trustees shall provide the necessary quorum on the condition that either the president or the vice-president is present to conduct the meeting.
7. Any member of the community, drawing financial compensation from the Center, shall not be eligible to be a trustee.
8. Nominations for the position of a trustee must be made in writing to the Secretary of the Election Committee by 7:00 PM on September 30. Nominations must be signed by the candidate and two other ICCD members. Candidates may withdraw their nominations in writing no later than October 14th. Nominations from the floor on the day of the annual elections in November shall be permitted only if prior nominations fall short of the vacancies on the BOT. The Election Committee shall be formed in accordance with the Election Guidelines to be reviewed and approved by the BOT.
9. The Election Committee shall arrange a "Meet the Candidates" meeting during October. Candidates for the position of trustee shall be given five minutes to articulate their agenda, to be followed by a question/answer session.
10. The term of the Board of Trustees ("BOT") shall be the calendar year from January 1 to December 31. New trustees and officers shall start their term on January 1 following the annual election in November.
11. Requirements to be on the Board of Trustees of the Islamic Center of Capital District
 - a. He/she shall be a member in good standing.
 - b. He/she shall be a citizen or permanent resident {Green card holder} of the United States of America.
 - c. He/she cannot be a member of the board of any other mosque in the capital region.
 - d. He/she must have participated and helped in the execution of activities at the Islamic Center of Capital District in the past two years.

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ARTICLE IX: OFFICE BEARERS

1. The President, Vice-President, Secretary and Treasurer will be the office-bearers of the Center. All office-bearers will be the current members of the board of trustees.
2. The following office-bearers shall be elected by the general body from among the trustees to hold the office position for one year term. Trustee-elects will also be eligible to be nominated and elected if they have been a trustee of the ICCD in the past 10 years:
 - a. The President.
 - b. The Vice-president
3. The following office-bearers shall be elected by the board of trustees from among the trustees to hold office position for one year term:
 - a. The Secretary
 - b. The Treasurer
4. Upon resignation or removal of an office-bearer or in case of his becoming incapacitated, the order of succession shall be as follows:
 - a. The Vice-President shall succeed the President.
 - b. Any other office vacant shall be filled by the board of trustees for the unexpired portion of one-year term.
5. An office-bearer may be removed from office by two-third majority vote of the voting members in a general body meeting.

ARTICLE X: DUTIES OF THE OFFICE BEARERS

1. The President shall:
 - a. Be responsible for the general management of all activities of the Center.
 - b. Direct and coordinate all the activities so as to achieve the purposes of the Center.
 - c. Call and preside over the meetings of the board of trustees.
 - d. Preside over the general body meeting.
 - e. Appropriate funds and control the expenses of the Center, up to amounts not in excess of one Thousand (\$1000.00) per occurrence. All appropriations and expenditures in excess thereof, shall be subject to the approval of the board of trustees, in accordance with the approved budget.
 - f. Sign checks and other instruments of withdrawing funds for and on behalf of the Center in the absence of the Treasurer
 - g. Present the annual report to the general body.
 - h. Be the spokesman, representative and correspondent of the Center where external activities are concerned.
 - i. Be responsible for the coordination of activities with other Muslim and non-Muslim organizations.
2. The Vice-President shall:
 - a. Assist the President.
 - b. Assume the functions of the President, when requested to do so by him, or if the President is incapacitated or has resigned.
 - c. Sign the checks in the absence of the President
3. The Secretary shall:
 - a. Keep members of the Center informed of various activities of the Center.
 - b. Inform members of the Center of the general body meetings as per Article VII.
 - c. In consultation with the President call the meeting of the board of trustees.
 - d. Prepare and maintain minutes of the general body and board of trustees meetings.
 - e. Maintain a list of all voting members.

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4. The Treasurer shall:

- a. Be responsible for maintaining a record of all financial transactions of the Center.
- b. The BOT will appoint the person responsible for collecting and depositing funds of the center into the appropriate bank accounts. This person shall be a member of the BOT. The appointment shall occur from time to time as needed.
- c. All financial transactions made by the Treasurer or the President {in the absence of the Treasurer} or the Vice President {in the absence of the President} on behalf of the ICCD must be documented and approved by the President or the Vice President {in the absence of the President}. Fixed and recurring expenses {as approved by the President} requiring either electronic or paper transaction must be approved once a year in January.
- d. Sign all checks and other instruments of withdrawing funds on behalf of the Center.
- e. Present written financial reports to the board of trustees quarterly.
- f. Prepare financial reports of income, expenditure and balances of the Center and present them at the annual general body meeting.
- g. Prepare annual budget of the Center and present it to the board of trustees for adoption and to the general body for approval at the annual meeting.
- h. All Office-Bearers shall observe the following handover procedures:
- i. The outgoing office-bearers shall handover all the files, documents, and any other property of the Center at their disposal to the incoming office-bearer within 2 weeks of their term end.
- j. A list containing unfinished business, outstanding accounts and any other pertinent matters shall be given to the respective incoming office-bearers.
- k. All office-bearers should keep files of their activities and handover to their successors.

ARTICLE XI: FINANCES

1. Finances, budgeting, business management, accounting and reporting will be the overall responsibility of the board of trustees through the Treasurer.
2. The sources of income shall be annual dues, donations and from other sources, consistent with the purposes of the Center.
3. The BOT shall assign financial committees from time to time as needed to assist in the finances.
4. Endowment
 - a. ICCD will set up an endowment for long term sustainability of ICCD.
 - b. Donors of the endowment will not receive any personal benefits from their donations.
 - c. BOT will actively seek and solicit contributions to the endowment fund.
 - d. BOT will deposit a minimum of 5% of funds raised during the year to the endowment fund.
 - e. BOT will assign three to five members responsible for managing the endowment fund.
 - f. Endowment funds can NOT be withdrawn for the purposes other than those described at the time of endowment establishment.
 - g. Withdrawals for operating expenses will NOT be made from the endowment exceeding 50% of the earnings during the calendar year.
 - h. Endowment managers will invest in Sharia-compliant stocks including real estate while minimizing risks.
 - i. Withdrawals above \$100,000.00 (one hundred thousand dollars) will be approved by 7 members of the BOT and forwarded to the general body for approval.
 - j. Detailed endowment records will be published/shared with the community.
 - k. Endowment cannot be terminated without the approval of two third of the general body members.

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ARTICLE XII: AMENDMENTS IN THE CONSTITUTION

1. Any proposed amendment must be presented in writing to the Secretary six weeks prior to a general body meeting. The board of trustees, after approving the proposed amendment by at least six votes, shall present it to the members of the general body.
2. At the written request of 25% of the voting members to the Secretary, the proposed amendment shall be presented to the members of the general body without the approval of the trustees.
3. All proposed amendments to be voted upon shall be mailed to the members at least two weeks prior to the general body meeting.
4. An affirmative vote by two-third of the voting members voting on the issue shall be necessary for adoption for all amendments.

ARTICLE XIII: BY-LAWS

From time to time the board of trustees by a 2/3 majority, may adopt by-laws, rules and regulations to regulate its functioning and decision-making, to conduct the Center's affairs, and to carry out the wishes of the general body in accordance with the constitution. The by-laws shall become effective when ratified by a simple majority vote of the members voting on the issue. These by-laws in no way shall violate the letter and spirit of the constitution.

ARTICLE XIV: DISSOLUTION

Upon the dissolution of the Center all assets and property of the Center shall be transferred to the North American Islamic Trust. If this Trust does not exist at that time, then assets and property of the Center shall be transferred to a tax-exempt Islamic religious organization of similar nature.

ARTICLE XV: AFFILIATION

The Center is affiliated with the Islamic Society of North America and is an integral component of it. Any real estate shall be held under the North American Islamic Trust.

ARTICLE XVI: ARBITRATION

If a need arises for an outside arbitration in the community, request for such arbitration shall be made to the Islamic Society of North America (ISNA) or North American Islamic Trust (NAIT) or both depending upon the nature of the dispute. The request shall be made by the 2/3 majority of the board of trustees or 50% of the voting members upon signing of a petition. Such arbitration shall be binding.