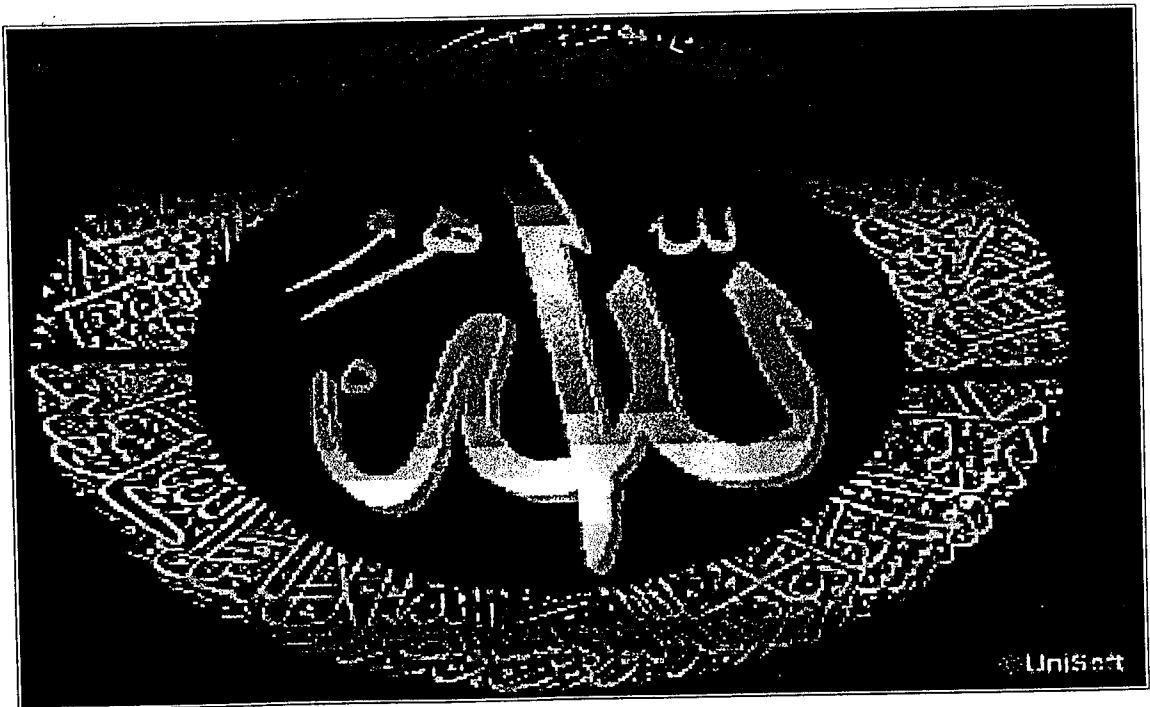


**CONSTITUTION  
OF  
ISLAMIC ASSOCIATION OF COLLIN COUNTY  
(IACC)**





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## PREAMBLE

Whereas, we the members of the Islamic Association of Collin County recognize Islam as a total way of life based on Qur'an and Sunnah of Prophet Mohammed, peace be upon him (pbuh) and have pledged to endeavor practicing it as such, do hereby adopt and give ourselves this constitution and pledge to abide by its provisions, Insha-Allah.

These By-laws (referred to as the "Constitution") govern the affairs of Islamic Association of Collin County, Texas, which shall be a nonprofit organization (referred to as the "IACC"), organized under the Texas Non-Profit Corporation Act, General Body (Majlis-E-Aam) is referred to as "Majlis", the Muslim residents of Collin County who are registered with IACC, Board of Directors (Majlis-E-Shura) referred to as "Shura" and President referred to as "Amir". Community is referred to as Muslim residents of Collin County and the surrounding area.

**NOTE: 1. NO PART OF THIS CONSTITUTION SHALL BE IN VIOLATION OF ARTICLE TWO (2).  
2. ARTICLE TWO (2) CANNOT BE AMENDED UNDER ANY CIRCUMSTANCES.**

## ARTICLE 1

### 1. Name and Address

- 1.1. The name of this organization shall be Islamic Association of Collin County (IACC), Texas.
- 1.2. The principal office of IACC shall be located in Collin County, Texas.
- 1.3. All real estate properties, when acquired shall be utilized to provide maximum benefit to the Muslims. All acquisition, utilization, maintenance, and operational aspects of these properties shall be determined by the Shura.

## ARTICLE 2

### 2. Purpose and Objectives

- 2.1. IACC has been formed exclusively for religious, charitable, and educational purposes. All of its activities shall be in accordance with the Qur'an and Sunnah of Prophet Mohammed (pbuh). Sunnah (traditions of prophet Mohammed, pbuh) as documented in the authentic books of Hadith and fiqh. IACC shall strive to strengthen and reinforce the faith of all Muslims in the Oneness of Allah Subhanahu Wa Ta'ala, the Holy Qur'an, and the Sunnah of the last Prophet, Prophet Mohammed (pbuh).
- 2.2. IACC shall be a non-profit organization which shall qualify as a tax-exempt entity under Section 501 (c) (3) of the Internal Revenue Service Code.
- 2.3. IACC shall conduct social and religious activities aimed at preserving Islamic values and traditions and shall strive to provide an environment for Muslims that shall strengthen their Islamic beliefs and engage in Islamic activities.
- 2.4. IACC shall promote Islamic education by establishing and maintaining mosques, libraries, Islamic centers, schools, institutions of higher learning. IACC shall also establish cemeteries, funeral facilities, community centers, child care centers and health centers and chapters pursuing similar objectives in adjacent communities.
- 2.5. IACC shall strive to promote good relations and understanding between Muslims and Non-Muslims and shall strive to propagate Islam and shall actively engage in Islamic Daw'ah work through all means of communication.



- 2.6. IACC shall work with other Islamic communities and organizations pursuing similar objectives and shall foster coordination, communication and cooperation among such organizations.
- 2.7. IACC shall collect and distribute Zakat (Al Mal and Al Fitr), Sadqah and donations in accordance with the Qur'an and Sunnah.

### ARTICLE 3

#### 3. Organization

- 3.1. IACC shall be governed by the following branches:
- 3.2. Majlis (General Body) : The Majlis shall consist of all registered members of IACC in accordance with Article 5. The Majlis is the final authority of IACC and its decisions are final, as long as they are within the Qur'an and Sunnah.
- 3.3. The Majlis-e-Shura (Board of Directors) shall be composed of seven (7) elected members including the Amir (President), who shall be responsible for all affairs of IACC. The Shura may appoint committees and subcommittees in order to accomplish the goals and objectives of IACC in accordance with Article 2.

### ARTICLE 4

#### 4. General Rules

- 4.1. The following general rules are applicable to both branches of IACC. They also apply to all committees, subcommittees, members, non-members, guests, employees, and contractors of IACC.
- 4.2. The Shura may accept on behalf of IACC any property, whether real and/or personal, by way of gift, bequest from any person, firm, trust, or corporation; such property is to be held, administered, and disposed of in accordance with and pursuant to the provisions of this document. However, no gift, bequest of any such property shall be received or accepted if it is conditioned or limited in such a manner as to require the disposition of the income or property for any purpose other than the purpose set forth in Article 2.0 hereof, or in violation of any local, state and federal laws.
- 4.3. No person may be elected to the same office for more than two(2) consecutive terms.
- 4.4. IACC shall carry liability insurance. Shura members are not individually or collectively liable for the actions of the Shura.
- 4.5. Shura members shall not receive salaries, remuneration, compensation, or wages for their services to IACC. To avoid any conflict of interest, Shura members shall not do business with or participate in any competitive bidding to render any paid services to IACC.
- 4.6. All original legal documents of IACC shall be kept in a safe deposit. The Amir and his designee shall have access to this box at all times. Copies of such documents be kept on the premises of the principle office of IACC. Such documents shall be available to the registered members for general viewing within a week of written request. The Shura may restrict disclosure of certain personal information.
- 4.7. IACC's official medium of communication shall be in English.
- 4.8. The relationship between IACC and other organizations pursuing similar objectives as specified in article 2 shall be governed by a Memorandum of Understanding (MOU). Such an MOU shall be signed by the authorized representatives of both organizations and implemented thereafter. The purpose of MOU is to allow the members of each organization to enjoy the benefits of other organization without becoming a member of that organization. However, such benefits shall not include the voting rights.
- 4.9. All members shall observe the Islamic code of conduct and ethics in all proceedings, meetings and activities of IACC.
- 4.10. Any legal action against IACC shall only be instituted in Collin County, Texas.



## ARTICLE 5

### 5. Membership

- 5.1. IACC membership is open to all Muslims who subscribe to the purpose and objectives set forth in Article 2.
- 5.2. Muslim residents of Collin County shall register with IACC. Only registered members are eligible to vote for electing the Amir and Shura members and participate in the proceedings of the Majlis. Dependents over eighteen (18) years of age must register separately.

## ARTICLE 6

### 6. Elections

- 6.1. An Election Commissioner shall be appointed by the Shura 60 days before the election day. Election Commissioner shall be a registered member of IACC outside of the Shura. Election Commissioner shall choose two members outside the Shura to serve on the commission.
- 6.2. Only members who are residents of Collin County and have registered with IACC for at least six (6) months prior to the election day shall be allowed to vote. Proof of Collin County residency shall be required.
- 6.3. Registered members shall be at least eighteen (18) years of age.
- 6.4. Elections shall be conducted at the end of the term on the last Sunday of November and newly elected officials shall take office effective after Zuhr prayer on the last Sunday in December.
- 6.5. Early voting or the Election day voting shall be conducted only in person.
- 6.6. Election committee shall adopt the following procedure:
  - 6.6.1. Seek nominations at least 45 days prior to the election day.
  - 6.6.2. Announce final list of candidates for respective offices at least 30 days prior to election.
  - 6.6.3. Provide an opportunity for early voting for those who may not be able to vote on election day. Early voting may begin right after final list is announced and may end one week before election day.
  - 6.6.4. Count the ballots (early votes and election day votes) in public, announce and document the election results.
  - 6.6.5. All election ballots and records shall be maintained by the Shura for a period of two (2) years.
  - 6.6.6. If the conditions on election day warrant postponing election due to reasons beyond control of the election committee (example, inclement weather, a community emergency), it may be postponed to the following Sunday. If the circumstances warrant again, it may be postponed to the following Sunday till the election is held.
- 6.7. **Serving Terms**
  - 6.7.1. The term of the Shura including Amir shall be two (2) years.
  - 6.7.2. Any vacancy of an elected office shall be filled in accordance with article 6.7.3. The term of the vacant position that was filled shall be for the unexpired term only.



- 6.7.3. The most recent election results shall be used to fill a vacancy. The person with the highest number of votes who was not elected shall be offered the vacant position. If such a person is not available or declines the position, then the individual with the next highest number of votes shall be offered the vacant position. The above procedure shall be repeated until the vacant position is filled. If the vacant position is not filled through this process, then the Shura in consultation with the Imam, if available, is authorized to fill the vacant position including the Amir within 30 days through an appointment provided that the remaining term is less than twelve(12) months.
- 6.8. Special Election**
- 6.8.1. Special election shall be held only if the unexpired term of the vacant office is more than twelve (12) months. The procedure outlined in article 6 shall be followed to fill the vacancy through special election.
- 6.8.2. If any position including the Amir cannot be filled through article 6.7.3, a special election shall be held. If the vacant position is that of the Amir, Imam shall serve as Amir until this position is filled through a special election. If Imam's position is vacant or the Imam is absent during this term, the Shura members shall elect the Amir among themselves until the special election is held.
- 6.9. In case the entire Shura including the Amir resign or terminated, the Imam shall take charge of the responsibilities of the Amir and carry out the affairs of IACC until a new Amir and Shura are elected in accordance with article 6.8. If the Imam's position is vacant, the last Election Commission shall take charge of the affairs of IACC until a new Amir and Shura are elected in accordance with article 6.8.

## ARTICLE 7

### 7. Qualifications

- 7.1. Candidates for the Majlis-e-Shura and Amir shall be practicing Muslims who frequent the Collin County Masjid for the daily jam'aa prayers. This condition shall apply to the nominator, the nominee and members of the Election Commission.
- 7.2. Candidates for the office of Amir must have lived in Collin County for two years consecutively.
- 7.3. Candidates for the office of Shura member must have lived in Collin County for at least one year.
- 7.4. The candidates running for Amir shall not hold or accept any position such as Chairman, Chairman-Elect, President, President-elect, Vice President or Treasurer in any other Islamic/Muslim organization during the term of office.

## ARTICLE 8

### 8. Responsibilities

#### 8.1. Majlis

- 8.1.1. The Majlis (General Body) of IACC is the final authority which shall determine the course of action of all issues presented. The Majlis elects the Amir and members of the Shura and authorizes them to administer affairs of IACC in accordance with this constitution.
- 8.1.2. Any no confidence vote against elected member must be approved by a simple majority of the Majlis present at the meeting after satisfying the quorum requirements as provided in article 10.
- 8.1.3. Liquidation of any assets in excess of \$100,000 (One Hundred Thousand) must be approved by the Majlis.

#### 8.2. Amir and Shura Members

- 8.2.1. The Shura shall be responsible for providing policy guidelines for programs and activities of IACC.



- 8.2.2. The Shura shall strive for all decisions through consensus, however majority vote of the Shura shall always prevail.
- 8.2.3. The Shura shall formulate long-term planning of IACC. An integrated four (4) year plan detailing the activities and the resource requirements shall be presented at the annual Majlis meeting.
- 8.2.4. The Shura shall meet at least once a month. Minutes of these meetings shall be maintained and be available to the registered members for review within 5 working days after the meeting.
- 8.2.5. The Shura must maintain all records and documents of IACC including but not limited to deeds of trust, leases, marriages, deaths, births, divorces, registered members list and financial records.
- 8.2.6. The Shura shall be responsible for all financial activities including but not limited to fund-raising, collection and disbursement of Zakat and fitra funds and other donations.
- 8.2.7. The Shura may hire or terminate employee(s) of IACC as required to efficiently run the operations of IACC on such terms and conditions as the Shura deem fit.
- 8.2.8. The Shura shall be authorized to obtain bids, execute and award contracts. Any contract work over Ten Thousand Dollars (\$10,000) shall require at least three bids.
- 8.2.9. The succeeding Shura shall implement the written commitments of the previous Shura as long as these commitments are within the framework of Article 2.
- 8.2.10. Any Shura member who is absent without prior notification to the chairperson for three consecutive meetings shall automatically lose the office and the vacancy so created shall be filled in accordance with article 6.7.3.

### **8.3. IMAM**

- 8.3.1. The office of Imam is to lead the community in religious and spiritual affairs. Imam is the custodian of the Mehrab and the prayer hall. All activities and programs in the prayer hall shall be carried out with his or his designee's consent.
- 8.3.2. The Imam shall possess strong knowledge of Qur'an and Sunnah. He shall preferably be a Hafiz-e-Qur'an and be fluent in Arabic and English and shall provide references for any previous experience and training.
- 8.3.3. No person, committee, or Shura may over-rule the Imam in religious affairs.
- 8.3.4. The Imam shall reside in Collin County and must lead all prayers on time.
- 8.3.5. The Imam shall perform by himself or through his designee all religious rituals, ceremonies, and duties, including but not limited to leading the daily prayers, jum'a prayer, taraweeh prayer in Ramadan, eid prayers, funeral prayers, marriages, or any other duties pertinent to the office of Imam. The Imam may give Fatwa, if qualified.

### **8.4. Selection of Imam**

- 8.4.1. Shura shall appoint a committee consisting of at least three (3) members for the selection of Imam who shall make a final recommendation to the Shura. This committee shall consist of people like ex-Amir, respected senior community members knowledgeable in Qur'an and Sunnah.
- 8.4.2. This committee shall seek applications for the full time Imam, make announcements, and may advertise for the position, contact Islamic organizations to invite applications; scrutinize the applications using the criteria established in article 8.3. The committee shall separately invite maximum of three (3) prospective candidates to provide interaction with the community in the Mosque by way of holding lectures, and jum'a khutba.
- 8.4.3. Shura shall seek an approval for the final candidate from the Majlis in a Majlis meeting or by referendum and offer the position under contract clearly defining the terms, for an initial period of three (3) years, renewable for the same period by approval of the review committee and Majlis. If this candidate does not accept the position, the process is repeated to obtain Majlis's approval for the next candidate from the list. If no candidate accepts, start the process again by assigning the



task to a special committee.

- 8.4.4. In the absence of a permanent Imam, the Amir shall seek advice on Islamic rulings from resident Imam of the neighboring mosque.

**8.5. Amir**

- 8.5.1. The Amir shall conduct and preside over all meetings of the Majlis and the Majlis-e-Shura.  
8.5.2. The Amir shall present an Annual Report to the Majlis.  
8.5.3. The Amir shall sign all documents on behalf of the Shura.  
8.5.4. The Amir shall implement all decisions made by the Shura.  
8.5.5. The Amir may execute any deeds, contracts, or other instruments that the Majlis has authorized.

**8.6. Treasurer**

- 8.6.1. The Amir shall appoint one of the Shura members as Treasurer.  
8.6.2. The Treasurer shall be responsible for financial transactions, including the annual budget and financial reports. Any transaction other than the fixed cost shall have endorsement of the Shura.  
8.6.3. The Treasurer shall receive and give receipts for moneys due and payable to IACC from any source provided the receipts and payments are consistent with article 2. Receipts issued for non-cash items shall not exceed the fair market value of the item donated.  
8.6.4. The Treasurer shall write checks, and distribute funds to discharge obligations of IACC. Funds greater than \$1000 (One Thousand) shall need the signature of the Treasurer and the Amir.  
8.6.5. The Treasurer shall maintain the financial books and records of IACC and keep separate ledgers for Sadqah, Zakat, Fitra, and donations for any special projects etc.  
8.6.6. The fiscal year of IACC shall begin on the first day of January and end on the last day of December in each year. At the end of the fiscal year, the Treasurer shall have IACC's accounts and financial statements showing income and expenses, assets, liabilities, and net worth and post this statement on IACC's bulletin board.  
8.6.7. Quarterly statement of income and expenses shall be prepared.  
8.6.8. The Treasurer shall hand over all the accounts and books of IACC in the presence of Shura members to the succeeding Treasurer at the end of the term or upon leaving the office.

**8.7. Committee and sub-Committees:**

Committees and sub-committees may be established or dissolved by the Shura in the respective areas. The responsibilities of all committees shall be within the frame work of this constitution. No Committee shall have authority to take any action outside the scope of authority delegated to it by the Shura. All committees shall be composed of at least three members including the chairperson. It is recommended that the chairperson be one of the Shura members. All members of committees and subcommittees shall be residents of Collin County. This condition may be waived by the Shura for Fund Raising Committee or special events benefiting Muslims of other areas.

**8.8 Member**

- 8.8.1. Individual Shura member, registered member and non-registered member shall safeguard IACC's assets and facilities.  
8.8.2. Each member shall observe the Islamic code of conduct in dealing with each other and respect the authorities. The sanctity of the Mehrab, prayer hall and other facilities shall be observed in accordance with the injunctions of Qur'an and Sunnah.  
8.8.3. For any member or group found in violation of Islamic rules of behavior or disturbing the peace and harmony in the Masjid or insulting IACC authorities, or abusing IACC's assets, the Shura in consultation with the Imam, may take an appropriate disciplinary action against such individual or group.





## ARTICLE 9

### 9. Finances

- 9.1. The Shura shall maintain a non-interest bearing account of IACC at a bank in Collin County, Texas. This account shall be operated under treasurer and Amir's signatures.
- 9.2. Separate ledgers shall be maintained for separate financial activities.
- 9.3. The Shura shall appoint a certified public accountant (CPA) to audit IACC's accounts annually.

## ARTICLE 10

### 10. Meetings and Quorum

- 10.1. All meetings shall start with a recitation from the Holy Qur'an and must end with a Du'a (prayer). The meetings shall be conducted in accordance with the Islamic code of conduct and ethics. All parties shall respect each other's rights and obligations and any dispute shall be resolved in accordance with the arbitration procedure outlined in article 13.3.
- 10.2. Annual Majlis meeting: There shall be an annual Majlis meeting of IACC at the mosque or at an appropriate place determined by the Shura to be held on the last Sunday of December each year. The purpose of this meeting is to disseminate information to the community. This meeting shall be held after Zuhr prayer and shall be chaired by the Amir of the Shura. In the absence of the Amir, a Shura member designated by the Amir shall conduct the meeting. The following activities shall be conducted at this meeting:
  - 10.2.1. The Annual Report including the financial status shall be presented by the Amir or his designee.
  - 10.2.2. Next year's budget shall be presented.
  - 10.2.3. Update on four year plan shall be provided.
  - 10.2.4. No quorum is required and no approval of any issue is required at this meeting.
  - 10.2.5. Non registered members may attend the Majlis meetings as observers.
  - 10.2.6. Notification of Meetings: Time, date and place of the meeting shall be notified to all registered members by the best communication possible: by phone, fax, letter, etc.
- 10.3. The Amir is authorized to call for a special Majlis meeting, if (a) requested by 20% signatures of registered members or (b) through a resolution passed in the Shura meeting.

#### 10.4. Quorum

- 10.4.1. Twenty (20%) of registered members shall constitute the quorum for Majlis meeting.
- 10.4.2. Meetings adjourned for lack of quorum must be reconvened within a reasonable time, not exceeding thirty (30) days.
- 10.4.3. - A reconvened meeting does not need a quorum. No written notification of such meeting is required. However, the time, date and place for the reconvened meeting shall be determined before adjournment and posted on the Masjid bulletin board.

## ARTICLE 11

### 11. Dissolution of IACC

- 11.1. At least 51% of the registered members of IACC shall request the Shura in writing to call for a meeting to dissolve IACC. The Shura shall call for a meeting within eight weeks from the requested date. At least seventy-five percent (75%) of the registered members must be present and two-third (2/3) votes of the members of the Majlis present are required to dissolve IACC.



11.2. Upon dissolution of the Islamic Association of Collin County, the Shura shall dispose off all assets of IACC after paying or making provisions for the payment of all liabilities of IACC. In order to keep all the remaining assets locally where the members at large may benefit, the disposal of assets shall first be made to a local approved tax exempt Islamic organization such as Islamic Association of North Texas (IANT) organized and operated exclusively for religious, charitable, and educational purpose.

## ARTICLE 12

### 12. Amendments

- 12.1. Article 2 of this constitution shall not be amended.
- 12.2. Other section(s) of this Constitution may be altered, changed, or amended at a special Majlis meeting specifically called for this purpose. Four (4) weeks written notice and an agenda including the text of the proposed constitutional provision as well as the text of any existing provisions proposed to be altered, amended, or repealed, must be made available to the registered members of IACC. The annual meeting of the Majlis may also be utilized for this purpose provided that the registered members are notified in advance as stated above.
- 12.3. Thirty percent (30%) of the registered members constitute the quorum for an amendment to the constitution. A two-thirds (2/3) majority vote of members is required to adopt any amendments to the Constitution of IACC.
- 12.4. The amendment process may be initiated by the signatures of twenty percent (20%) of the registered members.
- 12.5. The proposed written amendments shall be reviewed by a Constitution Committee appointed by the Shura. The recommendation of this committee shall be made to the Majlis in writing.
- 12.6. IACC Constitution must be reviewed every five (5) years by the Constitution Committee appointed by the Shura in order to adopt any changes if needed.
- 12.7. This Constitution shall not be altered with the adopted amendments and shall be left in its original form. All amendments adopted shall be attached to this original document. The adopted amendment shall reference the proper Article number or sub-section and shall be made part of this Constitution.
- 12.8. If the solution to any problem is not available in the Constitution, and if a permanent change in the Constitution as an amendment is not required, a rule may be adopted or passed by a simple majority vote of the Majlis, and business may be carried out as usual. Such rule may be adopted for a fixed period of time after which the rule shall be abolished automatically. The rule so adopted shall not be in conflict with the Constitution, particularly article 2.

## ARTICLE 13

### 13. Recommendations

- 13.1. For the purpose of Eid-ul-Fitr, Eid-ul-Adha and the declaration of Ramadan and to keep the unity of Muslims in the DFW metroplex, IACC shall coordinate with the Islamic Association of North Texas (IANT).
- 13.2. Shura may appoint a constitution committee to interpret the articles, sections and clauses of this constitution to further clarify the purpose and intent and may recommend necessary amendments required as the time demands. It is strongly recommended that at least one member of original Constitution Committee, if available, be involved in this committee because of prior knowledge and the purpose and intent of any clause.
- 13.3. Arbitration Procedure: In any dispute between persons concerning activities of IACC, all parties involved shall cooperate in good faith to resolve the dispute. If the parties cannot resolve the dispute between themselves, IACC members can bring the concern or complaint in writing to the Shura. Shura shall acknowledge such complaint, in



writing, within 15 days and try to resolve the dispute. If this dispute is not resolved by the Shura within 30 days to the satisfaction of the complainant, and the complaint is of religious in nature, it shall be automatically referred to a Grievance Committee, formed and headed by the Imam. Decision of this committee shall be binding upon all parties involved. For any other dispute, the complainant shall seek to redress it through a special Majlis meeting under article 10.3.

### CERTIFICATION

Praise be to ALLAH, the Most Gracious, the Most Merciful, O'ALLAH pardon us and forgive us, if we have transgressed our duty, guide us to the straight path, the path of those on whom You have bestowed the Grace. Aameen.

Through this article, we the presently appointed members of the Constitution Committee attest our signatures as witnesses and Allah (SWT) is the greatest of all witnesses, that this document (Constitution of IACC) which consists of thirteen (13) articles is presented to the Majlis for approval within the framework of present rules. The Majlis has blessed and approved this Constitution to govern the affairs of IACC on Safar 9, 1418 AH (Sunday, 15th day of June, 1997).

Anyone who willfully or knowingly or unknowingly or consciously or unconsciously violates the adopted rules of this constitution, such a person shall be responsible for his actions here and the Hereafter.

#### Signatures:

##### Constitution Committee

Syed Ali Akbar  
Masum Bakht  
Masum Bakht  
Syed K. Moosavinejad  
Masum Bakht  
Masum Bakht  
Masum Bakht

#### Witnesses:

Ali K.  
Masum Bakht  
Masum Bakht  
Masum Bakht  
Masum Bakht  
Masum Bakht