

In the name of Allah, most Gracious, most Merciful

Islamic Center of Topeka

CONSTITUTION

ARTICLE I. NAME AND LOCATION

The name of this organization is "The Islamic Center of Topeka," hereafter referred to as "the Center." The mailing address will 1117 E. 27th Street, Topeka, KS 66605. The Center shall be incorporated under laws of the state of Kansas.

ARTICLE II. NATURE

The Center shall be a nonprofit religious organization.

ARTICLE III. STATEMENT OF PURPOSE

The purpose of the Center shall be to serve the best interests of Islam and Muslims. Specifically, the goals and objectives of the Center are:

1. To help Muslims in the Topeka and surrounding areas to carry out activities in the pursuance of Islam.
2. To conduct religious, social, civic, literary, charitable and other Islamic activities in a manner befitting the teachings of Qur'an and according to the Sunnah of Prophet Mohammed (pbuh).
3. To educate Muslims, adults and children alike, in the areas of Qur'an, Hadith, and other aspects of Islam.

4. To establish a place of regular Salah (prayer).
5. To strengthen the bonds among all Muslims.
6. To promote better understanding between Muslims and non-Muslims, and to present the religion of Islam to people of other faiths.
7. To further cooperation with other Islamic organizations.

ARTICLE IV. DEFINITION OF A MUSLIM

A Muslim is one who believes in; Allah (the one true God); in His unaltered Books, the Angels, the five Pillars of Islam, the Day of Judgment, the life in the Hereafter, His Prophets including Prophet Mohammed pbuh to whom the Qur'an was revealed; in the Qur'an, and the Sunnah of Prophet Mohammed (peace be upon him) as the guiding light in all affairs.

ARTICLE V. MEMBERSHIP

The membership of the Center shall consist of General, Registered and Active members. Admittance to membership shall be in accordance with Article 1 of the by-laws.

ARTICLE VI. MANAGEMENT

The affairs of the Center shall be managed by:

1. The Shura Committee.
2. The Functional Committee, as formed by the Shura Committee.

The role of each department, its responsibilities, procedures, and processes of election are set forth in the by-laws.

ARTICLE VII. GENERAL BODY AND MEETINGS

Section 1. The total active membership of the Center shall be known as the General Body.

Section 2. The Center shall hold a meeting of the General Body in the last month of the calendar year to elect officers for the next year.

ARTICLE VIII. FINANCES

Section 1. The Center shall be financed through membership dues, contributions, donations, and other sources consistent with the aims and objectives of the Center.

Section 2. The finances of the Center shall be budgeted and approved as set forth in the By-Laws.

Section 3. Any account opened in the name of the Center shall be opened with prior knowledge and approval of the Treasurer and the Shura Committee.

Section 4. Membership dues: Dues for the Center will be determined by the Shura Committee and approved by a simple majority of the General Body.

ARTICLE IX. AMENDMENTS

The Constitution may be amended by Voting members (as set forth in the By-Laws), provided that: the proposed amendment is presented in writing to the Secretary at

least **sixty (60) days** before the General Body meeting; and it is approved **by the By-Laws Committee**, by a simple majority vote and approved by the Shura Committee. The proposed amendment shall then be presented to the eligible voting members, and shall be adopted if it receives an affirmative vote from $\frac{3}{4}$ of the voters.

ARTICLE X.

DISSOLUTION

In the unlikely event of the dissolution of the Center, the Shura Committee shall, after paying or making provisions for the payment of all liabilities of the Center, dispose of all the assets of the Center to some nonprofit Islamic organization as voted upon at that time.

In the name of Allah, most Gracious, most Merciful

Islamic Center of Topeka

BY-LAWS

ARTICLE I. MEMBERSHIP

Section 1. Application, acceptance, and membership

- a. Any Muslim age eighteen (18) years or above living in Topeka or the surrounding areas may become a registered members by filing a written application with the Secretary and paying membership dues for each fiscal year, beginning January 1.
- b. Any registered member may become an active member if he/she has filled out membership application and paid membership dues no later than the end of June of that year, and has been actively involved in the affairs of the Center.
- c. Any Muslim living in Topeka or the surrounding areas, but not fulfilling the requirements for active and/or registered membership, shall be considered a general member.

Section 2. Rights and Privileges

- a. All members shall have the privilege to participate in all the religious, social, and cultural activities of the Center.
- b. Only active members shall have the right to vote.
- c. Only active members have the right to hold offices

in the Shura Committee, or Functional Committees, if they have been active for six (6) months prior to such elections.

Section 3. Termination of Membership

- a. Termination shall occur when there is failure to comply with membership obligations (set forth in Article I of the By-Laws).
- b. Upon charges brought against any member, in writing and filed with the Secretary, and upon hearing by the Shura Committee constituting a quorum, a member may be either suspended or expelled.
- c. **Anyone so suspended or expelled shall have a right to a fair hearing before the Fair Hearing Committee as appointed by Shura Committee within thirty (30) days.**
- d. **The Fair Hearing Committee shall make it's written recommendations to the Shura Committee. Where upon the Shura Committee will make a final decision.**

ARTICLE II. MEETINGS

Section 1. Meetings

The meetings are the regular meeting of the members for Qur'anic and Islamic studies, for performing Congregational Prayers, and other organized activities of the Center.

Section 2. General Body Meeting

- a. The General Body Meeting shall take place at the Center, at a date and time designated by the Shura Committee.
- b. The General Body Meeting for election of Shura Committee shall be at the Center, in the month of December.

Section 3. Notice of Meetings

All active and registered members shall be informed of General Body meetings at least two (2) weeks prior to the meeting.

Section 4. Order of Business

The order of the General Body meeting shall be as follows:

- a. Roll call by the Secretary.
- b. Reading of the minutes of the last General Body meeting.
- c. **Treasurer's report.**
- d. **By-law Committee Chairman's report.**
- e. **President's report.**
- f. **Handling over the office by the out going President to the newly elected President (if a new one is elected).**
- g. New business.

Section 5. Voting by Proxy

- a. Every eligible voting member may authorize another to act for him or her, in all matters in which a member may participate, including voting. Every proxy shall be signed by the

member, and shall be revokable at the discretion of the member(s) executing it.

- b. The presiding office may appoint one (1) or more Inspectors to act at any meeting. Each appointed Inspector shall take an oath to faithfully execute the duties of Inspector with strict impartiality. The Inspector shall determine the number of members, absent or present, the voting power of each, the existence of the quorum, and the validity and effect of proxies. The inspector shall receive votes, determine all challenges, tabulate all votes and do what is proper to conduct the election. A written report shall be made by the Inspector.

Section 6. Quorum

A simple majority of the total eligible members shall constitute a quorum for the conduction of any business matters. When the vote of the members is required, such vote may be taken without a formal meeting, on the written and signed consent of all active members.

Section 7. Special Meetings

A special General Body Meeting may be called by the Shura Committee when: an emergency or extraordinary condition exists for the Center; or when a special meeting is requested by at least 20% of the total voting members of the Center.

ARTICLE III. ORGANIZATION

Section 1. Conduct of Affairs

Conduct of the affairs of the Center shall be done at the central level, by the Shura Committee.

Section 2. Functional Committees

The activities of the Center shall be classified into the following functional committees, when applicable and feasible:

- a. **The Nomination Committee**
- b. **The By-Laws Committee**
- c. **Activities Committee**

Other committees may be appointed by the President with approval of Shura Committee.

ARTICLE V. THE SHURA COMMITTEE

Section 1. Composition

The Shura Committee shall be comprised of the President, Secretary, Treasurer, and four (4) elected Shura members from the general body.

Section 2. Functions

The functions of the Shura Committee shall be:

- a. Be the principle officers of the Center.
- b. Oversee the activities of the Center and supervise the management of the Center.
- c. Ensure that all activities of the Center are in accordance to the Constitution and the By-Laws.

- d. Confirm the appointment and fixed salaries for the employees of the Center.
- e. To plan, manage, and execute the activities so as to accomplish the purpose of the Center.
- f. To carry out the policies and decision of the General Body.
- g. To establish procedures in routine matters, including use of the Center.
- h. To appropriate funds for committees.
- i. To determine membership.

Section 3. Meetings

See rules and regulations.

- a. The President shall call four (4) meetings per year of Shura Committee members.
- b. A special meeting may be called by at least three (3) members of the Shura Committee. Such a meeting shall be held within, but not more than one (1) month from receipt of the request, by the Secretary.
- c. The presence of 5 members of the Shura Committee shall equal a quorum.
- d. A majority of members present shall be the vote required for arriving at a decision.

Section 4. Suspension

Any member of the Shura Committee may be suspended or expelled from office by a majority vote of 2/3 of the Shura Committee members, except the member involved. Such a vote will take place, by secret ballot, only if charges of a direct violation of the Constitution, gross misuse of misappropriation of the funds, or obvious damage to the existence or interest of the Center are proven. The member shall be offered a fair hearing before suspension or expulsion.

Section 5. Terms of Office

- a. **The President will not serve in Office for more than four (4) consecutive years.**
- b. **The Secretary will not serve in Office for more than (4) consecutive years.**
- c. **The Treasurer will not serve more than four (4) consecutive years.**
- d. **The Shura Members will not serve for more than three (3) consecutive years.**
- e. Any member may resign and be replaced by a new member appointed by the Shura Committee to fulfill the remainder of the term.

ARTICLE V. DUTIES OF SHURA COMMITTEE

Section 1. President

- a. Shall be responsible for the general management of activities of the Center.
- b. Shall implement the Constitution of the Center.

- c. Call and preside over the meetings of the Shura Committee.
- d. Form various committees and appoint a respective chairman **in consultation with the Shura Committee.**
- e. Appropriate funds and control the expenses of the Center **in consultation with the Treasurer and Shura Committee.**
- f. Present the annual report to the General Body.
- g. Be the spokesperson, representative, and correspondent for the Center.
- h. Coordinate activities with all other Islamic organizations.
- I. Designate members or seek external help for any special tasks.

Section 2.

Secretary

- a. Prepare and circulate the minutes of all meetings of the Shura Committee and General Body.
- b. Maintain all records of the Center.
- c. Be responsible for the handling of all the mail of the Center.
- d. Prepare the agenda and notify the members of the Shura Committee, and General Body.
- e. Be responsible for maintaining a list of the

members and volunteers of various activities of the Center.

- f. Handle filing of legal documents, with the proper authorities.
- g. Temporarily assume the role of the President, if he/she has resigned, or became incapacitated, or been suspended or expelled **for not more than thirty (30) days after that time.** New President will be elected by Shura Committee and serve until election time.

Section 3.

Treasurer

- a. Maintaining a record of all financial transactions of the Center.
- b. Collecting and depositing all funds received on behalf of the Center, in the appropriate accounts.
- c. Preparing the annual budget of the Center, in consultation with the members of the Shura Committee.
- d. Preparing the financial report of the Center and presenting it to the General Body at the Annual Meeting.
- e. Coordinate all fundraising activities of the Center.
- f. Handle the filing of all fiscal documents with the proper authorities.
- g. Any expenses over \$250 must have prior approval by President and Shura Committee.

Section 5. Shura Members

- a. Attend the Shura Committee meetings.
- b. Participate in the activities of the Functional Committees.

ARTICLE VI. SUCCESSION AND HAND OVER

Section 1. Hand over

Within thirty (30) days of election, all outgoing office members shall hand over to the respective incoming officers:

- a. All documents, records, files, etc.
- b. Financial records, including cash, check books, and appropriate cards.
- c. The keys to the Center.
- d. Keys to the mailbox at the P.O.
- e. Lists stating all unfinished business, outstanding accounts, and all other pertinent matters.

Section 2. Checklist

Both the outgoing and incoming officers should develop a checklist for the purpose as stated above in Section 1.

ARTICLE VII FINANCES

The fiscal year of the Center shall begin on the first day of January and shall end on the last day of December. All

expenditures of the Center shall be budgeted yearly, and shall be approved by the Shura Committee within thirty (30) days of the start of the fiscal year.

ARTICLE VIII

ELECTIONS

Section 1.

The Nominating Committee

- a. Nominating Committee shall consist of immediate past President, elected President, two (2) active members who will be elected from the General Body meeting at the time of the previous election.
- b. The Nominating Committee shall solicit the candidates for various offices of the Shura Committee. The Committee shall finalize a list of nominees at least two (2) weeks prior to the election date. This list will be made available to the eligible voters two (2) weeks prior to election day. Additional names will be put on the list, if they are submitted no later than one (1) week from election day.
- c. Floor nominations, on election day, will be accepted only if the Nominating Committee fails to propose the names for any office, or if the nominee declines to run for office.

Section 2.

Election Day

The exact date of election shall be determined by the Shura Committee. This day will be in the month of December.

Section 3.

Voting Procedure

Election shall be carried out by secret ballot, cast by the Active Membership. The election of a candidate to any office shall be decided by simple majority vote.

ARTICLE IX

ISLAMIC CENTER RULES

See rules and regulations

1. All activities at the Center shall be in accordance with Islamic Shari'ah.
2. All Muslims will have equal right to pray in the Mosque.
3. Other rules regarding the use of the Center shall be laid out by the Shura Committee and posted separately from this document.

ARTICLE X

MISCELLANEOUS

Section 1.

Main Office Contents

The Center shall keep at its principal office complete and correct records and books of accounts, official seal, and minutes of all the meetings, as well as, a record containing the name and addresses of all members.

Section 2.

Seal of the Center

The Secretary shall affix and attest the seal of the Center to documents duly authorized by the Shura Committee. He/she shall serve all notices before the Center which shall have been authorized by the Shura Committee and shall have charge of all books and records of the Center.

Section 3.

Annual Report

At each annual meeting of members, the Shura Committee shall present an annual report. Such report shall be filed with the records of the Center.

Section 4.

No one will sponsor an **activity within or outside of facility** in the name of the Islamic Center of Topeka **without prior authorization of the Shura Committee.**

Section 5.

1. Two members, who are spouses to each other shall not serve on the Shura Committee concurrently.

ARTICLE XI

IMAM

1. Shura Committee shall approve Imam each year. He shall be well qualified for the job. He shall be knowledgeable in religious matters, honest, well-respected, amicable, and sincere.
2. Imam's Duties:
 - a. To lead Congregational prayers.
 - b. To be responsible for Friday Khutba.
 - c. To be available for speaking engagements on Islamic topics.
 - d. To direct Dawah activities.
 - e. Will be an advisor to Shura Committee on Religious affairs.

These items were deleted from the previous By-Laws.

ARTICLE II. Section 7. Record Date

The Executive Committee of the Center shall fix a record date for the purpose of determining members entitled to notice of, to voting, to express consent or dissent, to determine members entitled to receive distribution or allotment of right or any other proper purpose. Such record date shall not be more than fifty (50) days or less than ten (10) day prior to the date of such meeting.

ARTICLE VII. Section 1. Succession

Upon resignation or suspension of all executive from his position, the order of succession shall be as follows:

- a. Secretary shall succeed the President - refer to **Article VI, section 2, h.**
- b. Position of the Secretary shall be filled by calling a by-election.
- c. Other vacancies shall be filled by new election.

Approved and voted upon by By-law Committee Members on Oct 10, 1999.

By-law Committee Members

- 1. Omar Hazim - Chairperson**
- 2. Abdulrahman Saleem**
- 3. Dawar Saeed**
- 4. Akhtar Hossain**
- 5. Ashraf Sufi**