

**THE MUSLIM COMMUNITY OF WESTERN SUBURBS OF
DETROIT**

CONSTITUTION

AND

BYLAWS

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THE MUSLIM COMMUNITY OF WESTERN SUBURBS OF DETROIT

CONSTITUTION PREAMBLE

The purpose of this Constitution and Bylaws is to set forth the basis of the Muslim Community of Western Suburbs of Detroit, Michigan (MCWS). And to set forth its function on the basis of faith that there is no god but Allah and Muhammad is the last messenger of Allah (Seal of prophet hood).

CONSTITUTION

In the name of Allah, the merciful, the compassionate

Article I: Name

The organization shall be called The Muslim Community of Western Suburbs of Detroit, hereinafter called **MCWS**. It shall be a not-for-profit organization.

Article II: Aims and Purpose

The aims and objectives of the MCWS shall be:

- A) To represent and serve the interests of the Muslims of Detroit and vicinity;
- B) To propagate Islam according to the teachings of the Quran and Sunnah.
- C) To present Islam to Muslims and non-Muslims and to promote friendly relations and understanding between them.
- D) To carry out religious, social and scholarly activities.
- E) To develop service institutions to serve Islam and Muslims in cooperation with other communities in this area.

Article III: Membership

Any individual residing in Detroit and vicinity, who attests that there is no god but Allah and Muhammad is the last messenger of Allah (Seal of the prophet hood) is eligible for membership.

Article IV: General Body

Section 1: Composition

The members of MCWS as defined in **Article III** constitute the General Body.

Section 2: Function

- A) The general body shall elect the **Board of Directors** (Majlis-e-Shura) as defined in **Article V**.
- B) The General Body may adopt resolutions, amend the constitution, bylaws, and in general exercise all power necessary to promote the aims and purpose of **MCWS**.

Section 3: Meeting

The General Body will meet at least once a year to discuss various community affairs, MCWS committee reports including financial statement.

Article V: Board of Directors (Majlis-e-Shura)

There shall be a body of elected members and it shall be called the **Board of Directors** (Majlis-e-Shura).

Section I: Composition

The **Board of Directors** (Majlis-e-Shura) shall consist of nine (9) voting members who are qualified to serve, and who have been duly elected by the General Body of the MCWS. The term of office for Board of Directors (Majlis-e-Shura) shall be four (4) years. There shall be no compensation for services rendered by the **Board of Directors** (Majlis-e-Shura).

Section II: Function

In general, the Shura shall be tending to the religious, educational, social, and cultural needs of the Muslim Community of Western Suburbs of Detroit (**MCWS**).

Section III: Meeting

The Shura shall meet at least once a month to discuss and plan the various community affairs and financial status.

Section 4: Officers

Out of nine (9) members elected for the Board of Directors (Majlis-e-Shura), the Board of Directors (Majlis-e-Shura) will elect four (4) members for two (2) years as the officers as follows:

1. President
2. Vice-President
3. Secretary
4. Treasurer

The officers shall be responsible for the execution of the policies of MCWS as formulated by the **Board of Directors** (Majlis-e-Shura).

Article VI: Board of Trustees

Section 1: Composition

A. The **Board of Trustees** shall consist of three (3) regular members of **MCWS**, and have been duly elected by the **Board of Directors** (Majlis-e-Shura), who meets the following requirements to qualify to be nominated for trusteeship.

1. One must be a regular member of **MCWS** in good standing for at least three (3) consecutive years prior to election.
2. One shall be bona-fide citizen or permanent resident of United States and a resident of the state of Michigan.

B. The term of the **Board of Trustee** shall be five (5) years.

C. There shall be no compensation for services rendered by the **Board of Trustees**.

Section II: Function

A. The **Board of Trustees** shall act a guardian of **MCWS** properties, including all funds of the community, and any other business ventures.

B. They shall review and approve or disapprove any transaction of real estate including selling, buying, financing, and construction when properly prepared and submitted by the **Board of Directors** (Majlis-e-Shura).

C. They shall audit time to time the treasurer's record and any other documents, authorize corrections and ask for remedial actions.

Section III: Meeting

The trustees shall meet at least once in 6 months or as deem necessary to review the affair of **MCWS**.

Section IV: Officers

The **Board of Trustees** shall elect a chairman and a secretary within themselves. The chairman shall conduct the meeting and the secretary shall keep the record of proceedings.

Article VII: Headquarters

The **MCWS** shall have a permanent place of activities at 40440 Palmer, Canton, Michigan in compliance with agreement between **MCWS** and Michigan Education Council (**MEC**).

Article VIII: Finances

The sources of financial support for the **MCWS** shall be:

- A. Membership dues to be periodically assessed by the Shura.
- B. Donations from members and friends of the **MCWS**;
- C. Fees assessed on services rendered by the **MCWS**; and
- D. Investments

Article IX: Moral Code

The **MCWS** shall not accept office holding from persons who are in deliberate violation of the Islamic law (Sharia).

Article X: Amendments And Interpretation

- A. An affirmative vote by a two-thirds majority of the members present in the **General Body** meeting shall be necessary for the adoption of any amendment to this Constitution.
- B. Any amendment proposed which is clearly against the spirit of the Quran and Sunnah shall never be adopted.
- C. Any dispute to amendment shall be resolved by ethic committee (Ad-hoc committee).
- D. Any dispute that may arise in the interpretation, application or implementation of any article in this Constitution shall be settled peacefully through mutual consultation and approval of two third (6) Shura members. Any failure to such consensus will be settled at a **General Body** meeting.

Article XI: By-Laws

- A. The Shura shall make all bylaws from time to time on any matter concerning the procedures and working of the **MCWS**.
- B. The bylaws made by the Shura shall be in the full spirit of this Constitution.
- C. The Shura shall notify all the members of the new or amended bylaws, and provisions shall be made for discussing these bylaws at the next General Body meeting. These bylaws shall be considered approved after the meeting at which they are made available for discussion and adopted by the **General Body**.

Article XII: Youth Group

There may be a **Youth Group of MCWS** established by the youth of this community. The Board of Directors (Majlis-e-Shura) shall provide guidance to carry out their activities. They may establish their own bylaws within the confinement of this constitution. The youth group will conduct their own activities and generate their own fund to support it. They may have their own bank account under the name "MCWS-Youth Group". MCWS Treasurer shall audit their account at least once a year.

Article XIII: Adoption Of The Constitution

The Constitution shall be adopted when it is approved by a simple majority of the first General Body meeting called for this purpose.

Article XIV: Dissolution

In the event of dissolution, the funds and other assets of the Muslim Community of Western Suburbs of Detroit (**MCWS**), after defraying all outstanding debts and liabilities shall be held in a escrow account with North American Islamic Trust (**NAIT**) for a period of five (5) years with specific instructions from the **Board of Trustees** for further disposal of the assets.

Article XV: Sister's Group

There may be a Sisters' Group established by the sisters of this community. The sisters' group will conduct their own activities and generate their own funds to support it. They may have their own bank account under the name "MCWS - Sisters' Group ". MCWS Treasurer shall audit their account at least once a year.

End of Constitution

BYLAWS AND POLICIES

In the name of Allah, the merciful, the compassionate

Clause I. Name

The name of this organization shall be the Muslim Community of Western Suburbs of Detroit (MCWS).

Clause II. Aims And Objectives

The objectives of the MCWS shall be:

- A) To represent and serve the interests of the Muslims of Detroit and vicinity,
- B) To propagate Islam according to the teachings of the Quran and Sunnah,
- C) To present Islam to Muslims and non-Muslims and to promote friendly relations and understanding between them,
- D) To carry out religious, social and scholarly activities,
- E) To develop service institutions to serve Islam and Muslims in this area.

Clause III. Organizational Structure

The organizational structure of the Muslim Community of Western Suburbs of Detroit (MCWS) shall consist of the following components: General Body, Board of Trustees, Board of Directors (Majlis-e-Shura), Officers (Amila), Committees, Youth Group, and Sisters' Group.

Clause IV. General Body

A) MEMBERSHIP

1. Regular Members:

- a) All individuals residing in Detroit & vicinity who believe in the religion of Islam and subscribe to the declared aims and objectives of the Muslim Community of Western Suburbs of Detroit (MCWS), as stated in *Clause II* of these Bylaws, are eligible for membership in this organization.
- b) Membership to the MCWS shall be open throughout the calendar year, and shall be renewable on a yearly basis with payment of the membership dues.
- c) Membership shall run from January 1st. until December 31st of the same year. New members joining during December shall continue until December 31st of the following year.

2. Associate Members:

Any individual sympathizer may become an associate member upon submitting membership application.

B) MEETINGS

1. Annual General Body Meeting:

The **Board of Directors** (Majlis-e-Shura) shall be required to hold at least one (1) general body meeting each year in January, to discuss the regular activities, progress, and financial statement.

- a) Specific quorum is not required to conduct annual general body meeting.

2. Special General Body Meeting:

- a) General Body meeting shall be called at any time upon request of at least 50% of the official regular membership, or the simple majority of the Shura to discuss special issues.
 - b) At least two third (2/3) of the current official regular membership shall be present to constitute a quorum for convening a special general body meeting and conducting business therein.
 - c) A special meeting is defined as a meeting to discuss any issues other than those listed in **clause IV B.1** of annual general body meeting.
3. Meeting Announcement:
- a) The date of an annual general body meeting shall be announced with time, at least fifteen (15) days in advance.
 - b) For Annual General Body meeting the announcement shall be made on community bulletin board and through newsletter or by mail.
 - c) For Special General Body meeting the announcement shall be made in writing by mail, and it will be mailed at least 3 weeks before the meeting.
4. Decisions of the general Body shall be taken by a simple majority of the members present, except for constitution amendment and removal of a member of Board of Directors (Majlis-e-Shura), (See **Clauses V.G.1.e.ii and IX.C**)
5. Decisions of the General Body shall be final.
6. A Special General Body meeting may be held at the time of Annual General Body meeting provided all requirements of a Special General Body meeting are met.

Clause V. Board of Directors (Majlis-e-Shura)

A. ROLE

- 1. The primary responsibility of the Shura is to crystallize the values and objectives of the local Muslim community into concepts of policy, and to ensure these values and objectives are translated into actual practice by the committees under its supervision.
- 2. It is the responsibility of the Shura also to engage in a process of evaluation vis-à-vis the general operation of the **MCWS** and its properties, in order to ensure that the general policies, which it has established, are being effectively carried out.

B. DUTIES AND POWERS

The Shura shall have the following duties and responsibilities:

- 1. To approve all transactions involving matters of the **MCWS**;
- 2. To make such rules, policies, and bylaws as may be necessary for the effective operation of the **MCWS** and the preservation of its property;
- 3. To establish standing, advisory and ad-hoc committees;
- 4. To collect and distribute dues and charitable donations on behalf of the **MCWS** and its activities, both nationally and internationally
- 5. To determine the allocation and expenditure of **MCWS** funds for the operation of Community activities;
 - a) The disposal or sale of **MCWS** property and holdings exceeding \$5,000 shall require the formal approval of the **Board of Trustees**.

6. To do whatever necessary (within the confines of Islamic Sharia and the laws of the land) to fulfill the duties of the Shura and to achieve the stated objectives of the Organization;
7. To enter into no relationship and accept no funds or donations that would restrict the operation of the **MCWS** and the authority of its Shura;
8. No Shura member shall have the power to make a commitment in the name of the **MCWS** or its Shura outside of a regular meeting unless so specified in writing or granted at a regular meeting.

C. NUMBER AND COMPOSITION

1. The Shura shall consist of nine (9) members who are qualified to serve and have been duly elected by the General Body of the **MCWS**.
2. The elected officers of the Shura shall be President, Vice-President, Secretary, and Treasurer.

D. TERM OF OFFICE

1. The term of office for elected Board of Directors (Majlis-e-Shura) shall be four (4) years.
2. The term of office for elected officers shall be two (2) years.

E. ELIGIBILITY FOR OFFICE

Any person, twenty-one (21) years or older, who is a practicing Muslim in good standing. This person has been residing in the Detroit vicinity at least one year prior to election, and who is a dues-paying member at least six months prior to the elections. This person is also active in the activities of the Muslim Community of Western Suburbs of Detroit. These requirements establish eligibility for election to the **MCWS** Shura.

F. ELECTION OF BOARD OF DIRECTORS (Majlis-e-Shura)

1. Date

An election shall be completed before end of the calendar year.

2. Election Committee

a) An ad-hoc committee shall be appointed by the board of directors (Majlis-e-Shura) to coordinate and supervise election proceeding of **MCWS**.

b) The Election Committee shall consist of 3 members; these members shall not be current Board Directors (Majlis-e-Shura) or board of trustees nor shall they be candidate for election.

- c) Function and Duties

1. To gather and collect the names of nominees for the **Board of Directors** (Majlis-e-Shura); the deadline for nominations shall be established by the election committee.

- a) For lack of nominations received by the dead line, the **Board of Trustees** and board of directors (Majlis-e-Shura) except outgoing member of the board shall nominate the remaining vacant seats within ten (10) days after the dead line.

2. To examine the eligibility of the nominees according to the Constitution and Bylaws of the **MCWS**;

3. To obtain the consent of each candidate;

4. To confirm membership records and validate voter registration;

5. To collect and tally the ballots cast by mail or otherwise for election at the end of a specified time and day. Two Shura members whose term has not expired shall validate the results.

a) In case of conflict or question raised by general members, the **Board of Trustees** shall validate the results.

3. Voting

a) Each person who is a member of the **MCWS** at least three months prior to the time of balloting shall have a right to vote.

b) In the event that candidates receive equal number of votes, the winner shall be determined with toss of coin by process of elimination.

c) Those elected shall assume the responsibilities of office in January of the following year.

G. VACANCIES OF OFFICE

1. An office of the board of director (Majlis-e-Shura) shall be deemed vacant immediately upon the following conditions:

a) Death or insanity;

b) Resignation;

c) Election being declared void by the board of trustees, or two-thirds majority of the general body with presentation of sufficient reasons.

d) Ceasing to possess the required qualifications as enumerated in clause **V.E** of this by laws for eligibility for office;

e) Neglect or failure to fulfill his duties as **Board of Director** (Majlis-e-Shura), as determined by a majority of the **Board of Directors** (Majlis-e-Shura) or recall by the General Body;

I. This shall include missing three (3) regular consecutive board meetings, unless alternate arrangements are made with any officer of the board.

II. Upon petition of 50% regular members, a general body meeting shall be called to consider recall of any board member. Upon a vote of two-thirds majority of the members present, the officer in question shall be removed.

III. A director being removed by the board of trustees may present his case to the general body. The body may overrule the decision of the board of trustees consisting of two-thirds majority of general body.

2. Any vacancy of the **Board of Directors** (Majlis-e-Shura) shall be filled within thirty (30) days by the remaining members of the board of directors (Majlis-e-Shura) and is to be confirmed by the simple majority the board of trustees.

H. OFFICERS

1. The officers of the Shura shall be President, Vice-President, Secretary, Treasurer,

2. President cannot hold the same position for more than three (3) consecutive terms.

3. President: **Duties:** The President shall have the following duties and responsibilities:

a) to act as the presiding officer at all meetings of the Shura;

- b) to co-ordinate common activities/interest with other communities;
 - c) to act, or designate a Shura member to act, as the representatives of the Shura at all meetings and public functions and ceremonies when such representation is necessary and appropriate, provided however that the President does not obligate the Shura to any agreement without prior authorization by the Shura;
 - d) to propose to the Shura the formation and membership of all committees, for approval by the Shura;
 - e) to review, and adopt in consultation with Shura, the agenda for all meetings of the Shura;
 - f) to execute, authenticate and countersign such instruments and documents as prescribed by the Shura;
 - g) to perform such other duties and carry on such other responsibilities as may be prescribed by the Shura.
4. Vice-President: **Duties:** The Vice-President shall have the following duties and responsibilities:
- a) to officiate as President when for any reason the President is unable to perform his duties and responsibilities;
 - b) to receive and review all requests for financial support from within the community;
 - c) to undertake such special assignments as may be assigned by the President and by the Shura.
5. Secretary: **Duties:** The Secretary shall have the following duties and responsibilities:
- a) to record the minutes of all General Body meetings, Shura proceedings and to maintain and distribute copies thereof as required by the Shura;
 - b) to prepare and distribute the prescribed notice of all meetings.
 - c) to maintain an updated list of current **MCWS** members.
 - d) to keep and maintain all records and documents of **MCWS**.
 - e) to issue the annual report of the **MCWS** and such other reports as may be required by the **Board of Directors** (Majlis-e-Shura).
 - f) to perform such other duties as may be required by the board.
6. Treasurer: **Duties:** The Treasurer shall have the following duties responsibilities:
- A. to maintain the funds of the **MCWS**;
 - B. to keep proper books of account of **MCWS** money and issue receipts for collection of money;
 - C. to pay out funds belonging to **MCWS** for the purposes specified by the Shura on a proper order signed by the president. The disbursement of the funds shall required treasure and any other officer's signature.
 - D. to deposit the funds of the **MCWS** in a financial institution as selected by the Shura. Such deposits will be made in the name of the **MCWS**;

- E. to submit the Shura annually, or more frequently if the Shura so requires, a financial report of the **MCWS**, such report will be reviewed by an independent accountant;
- F. to prepare the annual budget for following fiscal year (January-December);
- G. to explore and propose various means of developing the financial basis of the Organization;
- H. to perform such other duties as may be required by the Shura.
 - 1. As an elected official, the Treasurer bears a special responsibility to the Muslim community for the expenditure and accounting of **MCWS** funds.

I. MEETINGS

1. A meeting is a convening of the board at which a quorum is present for the purpose of deliberating toward or rendering a decision on **MCWS** policy or transacting business on behalf of the **MCWS**.
2. Any meetings of the Board shall be open to all current dues-paying members of the **MCWS**, and invitees, except closed meeting where moral and ethical issues of any individual are discussed. In such a meeting general membership will be restrained from attending.
3. Notice of Regular Meetings
 - a) Every year the Secretary shall post tentative schedule of Shura meetings for the following year. This notice will include the dates, times, and places of meetings.
 - b) If there is a change in the schedule of meeting, the change shall be posted on **MCWS** bulletin board.
 - c) Any meeting of the board may be adjourned or recessed to another time or place by a majority vote of those present.
 - d) Emergency meeting may be called any time if so required.
 - e) The Board shall meet once a month.
4. Agenda

The agenda and accompanying documents for meetings shall be prepared by the Secretary and submitted to the President for his review prior to distribution.
5. Voting
 - a. When a question is put to the Shura for voting, a member may vote affirmatively by answering, “yes”, negatively by answering “no”, or may abstain from voting.
 - b. The “yes”, “no” and abstentions shall be recorded unless all members are present and the vote is unanimous. The record of voting shall be entered into the minutes by the Secretary.
 - i) Any member absent may give his vote in writing provided the proposal being voted is drafted in advance and is clearly understood by absent member.
 - c. A Shura member shall abstain from voting on any matter in which his personal or professional gain is in conflict with the best interest of the **MCWS** or on any

question involving conduct of the Shura member. A conflict of interest shall include but not be limited to financial matters.

- i) The eligibility of any Shura member to vote on any conflict of interest shall be finally determined by a majority of Shura members present, including the vote of the Shura member involved.
 - d. Any proposal/resolution put to the Shura for voting shall be considered approved only if voted “yes” by at least five (5) members of the Shura.
6. Quorum
- Five (5) members of the Shura shall constitute a quorum for the purpose of transacting business. In the event that a quorum is not present, the meeting shall be rescheduled by the President.
7. Minutes
- a. The Secretary shall maintain official minutes of all Shura meetings. These minutes shall indicate the date, time, place, members present, members absent, and all decisions made at the meeting. The minutes shall include a record of all action taken by the Shura and a record of all votes taken at the meeting.
 - b. Approved Minutes of meeting shall be community records open to regular member inspection.

Clause VI.

Deleted

Clause VII. Committees

The president shall form various committees as necessary to carry out community activities

Clause VIII. Finances

The sources of financial support for the MCWS shall be:

- A) Membership dues to be periodically assessed by the Shura;
- B) Donation from members and/or friends of the MCWS;
- C) Fees assessed on services rendered by the MCWS; and
- D) Investments

Clause IX. Amendments

- A) Any proposed amendment to the **MCWS** Constitution and Bylaws shall be in writing and mailed to the regular membership at least thirty (30) days prior to the meeting at which the proposed amendments are to be voted on.
- B) Proposed amendments from any regular member of the General Body shall be submitted in writing to the Shura at least two (2) months before the General Body meeting in which they are to be presented. Proposed amendments shall not be taken from the floor.
- C) Amendments to the **MCWS** Constitution shall require the approval of a two-thirds majority of the General Body present.
- D) Records of these amendments are to be maintained by the Secretary.

Clause X. Dissolution

In the event of dissolution, the funds and other assets of the Muslim Community of Western Suburbs of Detroit (MCWS), after defraying all outstanding debts and liabilities, shall be held in a escrow account with North American Islamic Trust (NAIT) for a period of five (5) years with specific instruction from the **Board of Trustees** for further disposal of the assets.

Clause X. Special Mandate

After approval of these amendments on Friday, May 17, 1996, the present Shura and Amila will continue till December 31' 1996. A new election will be held before December 31' 1996 per amended constitution and by-laws. During this election the term of Board of Directors (Majlis-e-Shura) will be determined as follows:

1. All nine (9) members will be elected without designating the term of each member.
2. The Board of Directors (Majlis-e-Shura) will then elect their officers (4 members).
3. The four (4) elected officers (Amila) will have the term of 4 years, and the remaining 5 members will have the term of 2 years.
4. In future election (every 2 years) each member will be elected for 4 years thereafter.

END OF BYLAWS

These Bylaws, Constitution are approved by the General Body of the Muslim Community of Western Suburbs of Detroit (MCWS) on this the 26-day of June 1987, to be affective immediately.

These Bylaws, Constitution are amended by the General Body of the Muslim Community of Western Suburbs of Detroit (MCWS) on this the 17-day of May 1996, to be affective immediately.