



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Hamzah Islamic Center

1350 Union Hill Rd, Suite B
Alpharetta, GA 30004



CONSTITUTION



March 10, 2006
Total pages including cover: 22



We the Members of the Hamzah Islamic Center, Inc. (HIC) recognize Islam as a total way of life, based on the Quran and Sunnah of Prophet Muhammad (pbuh) and have pledged to endeavor practicing Islam.

We do hereby adopt and give ourselves these by-laws to govern the affairs of HIC and run the day-to-day operations of HIC and pledge to abide by its provisions.

TERMINOLOGY

Hamzah Islamic Center (HIC)

HIC consists of Masjid and The Weekend Islamic School located at 1350 Union Hill Rd, Suite B Alpharetta, GA 30004

- The Masjid is the Prayer Hall and its operation located on the First Floor
- The Sunday School is the School and its operation located on the Second Floor

General Body Definition

General body members are:

1. Founding members who have paid their annual membership dues in full prior to any general elections or have paid their monthly premium up to date.
2. New members may be recommended through a unanimous vote of EC and a two third majority vote of the General Body members. New members must also maintain their membership by paying their membership dues in full. Newly added members will not obtain the right to vote until they have been a General Body member for at least one year.

All General Body members must be Muslims who subscribe to the purpose and objectives set forth in **ARTICLE 2**. Members will also agree to abide by the constitution of HIC.

Executive Committee (EC)

Elected annually, this body comprises of seven (7) HIC members, who are registered, have paid their annual membership dues in full and are eligible to vote. The EC includes the Chairman, Vice-Chairman, General Secretary, Treasurer, Facility Management Officer, Youth Education Officer, and Social Events Officer.



ARTICLE 1

Name and Address

- 1.1 The name of this organization shall be Hamzah Islamic Center, Inc (HIC). HIC is also known as Hamzah Masjid, Masjid Hamzah and Hamzah Center.
- 1.2 Presently the principal office of HIC is located in Forsyth County, Georgia.
- 1.3 All real estate properties, when acquired by HIC will be utilized to provide the maximum benefit to the Muslims. The "EC" shall determine all acquisitions, utilization, maintenance and operational aspects of these properties.



**NOTE: NO PART OF THIS CONSTITUTION WILL BE IN VIOLATION OF ARTICLE 2.
ARTICLE 2 CANNOT BE AMENDED UNDER ANY CIRCUMSTANCES**

ARTICLE 2

Purpose and Objectives

- 2.1 HIC has been formed with the overall objective of practicing Islam as a total way of life (Iqamat Ad-deen).
- 2.2 HIC has been formed for religious, charitable and educational/social purposes. All of its activities will be in accordance with the Quran and Sunnah of Prophet Muhammad, (pbuh), as documented in the authentic books of hadith and fiqh to provide guidance to Muslims in the Islamic way of life. This includes acceptance and tolerance of all four (4) main schools of fiqh (Shafii, Hanafi, Malki, and Hanbali) indiscriminately.
- 2.3 HIC shall strive to strengthen and reinforce the faith of all Muslims in the Oneness of Allah, the Holy Quran and the Sunnah of Prophet Muhammad, (pbuh).
- 2.4 HIC 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.
- 2.5 HIC shall promote Islamic environment by collaborating, establishing and/or maintaining Masjids, schools, libraries, community centers, and funeral facilities and other activities considered in the promotion of Islam according to Quran and Sunnah.
- 2.6 HIC shall strive to promote good relations and understanding between Muslims and non-Muslims and shall strive to propagate Islam by Dawah (invitation).
- 2.7 HIC shall work with other Islamic organizations and communities to foster coordination, communication and cooperation among, the Muslim Ummah.
- 2.8 HIC shall collect and distribute Zakat, Sadakat and donations in accordance with Quran and Sunnah.



ARTICLE 3

Organization and Affiliation

3.1 HIC shall be governed by its Executive Committee (EC):

Executive Committee (EC)

EC members shall be responsible for the day-to-day operations of the HIC and for strategic and long-term planning, any decisions on the purchase and remodeling of building(s) and/or other movable or immovable assets/properties, fund-raising, signing of all deeds and mortgages.

3.2 The EC may appoint temporary committees and subcommittees in order to accomplish the goals and objectives of HIC in accordance with **ARTICLE 2**.

3.3 No member shall undertake any activity that violates the provisions of the constitution of HIC.

3.4 HIC shall not participate in or intervene in any political campaign/activity on behalf of any candidate running for public office.

3.5 Sale of any HIC real estate property shall be by approval of two-thirds of the General Body members. A meeting shall be announced for such purpose and explained. Two-thirds (2/3rd) members attending this meeting shall decide the approval or disapproval of such sale. The EC shall approve sale of small items like old furniture, computers etc.

3.6 EC shall provide solutions or settle any disputes regarding interpretation of the constitution between EC members, School members and/or general body.



ARTICLE 4

General Rules

These general rules are applicable to all branches, General Body members, EC of HIC. They also apply to all committees, sub-committees, non-members, guests, employees and contractors of HIC.

4.1 The official medium of communication of HIC shall be English. All lectures and Khutbas shall be in English. If other languages are used, lectures must be translated to English.

4.2 The EC are authorized to accept on behalf of HIC any property, real estate or personal property, by way of gift, bequest from any person, firm, trust or corporation; such property

shall be subject to approval by majority of EC members and shall be held, administered, and disposed of in accordance with and pursuant to the provisions of this constitution.

- 4.3 No gift, bequest of any such property shall be received or accepted if it is conditional or limited in such a manner so as to require disposition of the income or property for any purpose(s) other than the purpose(s) set forth in **ARTICLE 2** or in violation of any local, state or federal law(s).
- 4.4 No employee or member of HIC, including the EC including their immediate family member(s) shall attempt to sell any personal or real estate property to HIC without first disclosing it to the General Body. All sale proceedings must be made public to the General Body.
- 4.5 EC members shall not receive salaries, remuneration, compensation, or wages for their services to HIC and its affiliates.
- 4.6 To avoid conflict of interest, EC members, HIC employees or any immediate family member(s) of these groups, shall not do business with or participate in any competitive bidding to render any paid services to HIC and its affiliates. If a situation ever does occur, then it shall be fully disclosed with all the terms and conditions to the EC members. Approval from majority of the EC members shall be required before any such transaction takes place. However volunteer and free service(s) to HIC may be provided but also with the prior approval of EC.
- 4.7 All legal documents of HIC shall be kept with the Chairman of EC and Secretary. The members of EC and their designee shall have access to these documents at all times. Such documents shall be made available to the registered members of HIC for general viewing within a reasonable time of a written request and disclosing the purpose for which it is required.
- 4.8 All members shall observe the Islamic code of conduct and ethics in all proceedings, meetings and activities of HIC.
- 4.9 A Memorandum of Understanding (MOU) shall govern the relationship between HIC and other organizations pursuing similar objectives as specified in **ARTICLE 2**. The authorized representatives of both organizations shall sign the MOU and implement it thereafter. The purpose of the MOU is to allow the members of each organization to enjoy the benefits of the other organization without becoming a member of that organization. Such benefits shall NOT include voting rights or being part of the Executive Committee, or any other committees.
- 4.10 The Chairman of the EC who has served more than two (2) consecutive terms shall not be eligible for that position for a period of one (1) year.
- 4.11 HIC shall carry liability insurance. The Executive committee members are not individually or collectively liable for the actions of the General Body.
- 4.12 Any legal action against HIC shall be first handled and resolved with arbitration and after which, if needed, shall only be instituted in Forsyth County, Georgia.
- 4.13 The EC shall follow the decisions of the Alfarooq masjid of Atlanta regarding moon sighting for Ramadan and Eid-Al-Fitr.
- 4.14 The official hours of operation of Masjid shall be from Fajr to Isha salat (thirty minutes before Fajr and thirty minutes after Isha).

- 4.15 No employee(s) or member(s) of HIC shall use the HIC premises to conduct personal business.
- 4.16 Only the EC shall authorize the use of the Masjid premises for any functions and/or meetings to individual(s) or organization(s).
- 4.17 Only the EC shall authorize the use of School premises for any functions and/or meetings to individual(s) or organization(s).
- 4.18 Unauthorized use of mailing addresses, email addresses of HIC members by any member, employee, or individual may lead to legal action against such individual(s).



ARTICLE 5

Membership, Dues and Finances

- 5.1 Membership rules are explained in the General Body Definition section of this document.
- 5.2 The EC shall propose to the General Body members any increase/decrease in membership dues. The General Body members who are registered, have paid their annual membership dues in full and are eligible to vote shall decide on increase or decrease of membership dues for HIC, during any of the two (2) main general body meetings. **(See Article 10.2)**
- 5.3 Membership and voting rights shall be automatically cancelled if the member has not paid his/her membership dues for one year. In case of financial hardship a formal letter from the member has to be approved by the majority of EC members.
- 5.4 Annual HIC membership dues shall be paid in full 45 days before annual election.
- 5.5 HIC and its affiliates shall maintain its finances in a local financial institution. Two signatures are required for withdrawals. The Chairman and Treasurer of the EC shall be the authorized signatories. In the absence of any one of the above-mentioned signatories the Vice-Chairman shall be the other signatory.



ARTICLE 6

Elections

Eligibility Criteria

- 6.1 Registered members shall be at least eighteen (18) years of age.

- 6.2 No candidate shall be eligible for office if they have not paid their current annual HIC membership dues in full 45 days prior to the election and also fulfilled the criteria set in **Articles 6.9- 6.11**
- 6.3 No member shall acquire voting rights or be eligible to vote if annual HIC membership dues are not paid in full, 45 days before the election.
- 6.4 Only members who are registered with HIC for at least nine (9) months and have paid their annual HIC membership dues shall be eligible to vote in the election.
- 6.5 If a member holds a position in any other Islamic organization or Board, that can have a conflict of interest with HIC, they shall not be eligible to be nominated for any position on the EC unless they give up that position, as evidenced in a written letter to the existing EC.
- 6.6 Member(s) of another organization are NOT eligible to have voting rights in HIC, if they are not registered and paying full annual HIC membership dues of HIC.
- 6.7 No member shall declare his/her own candidacy for any office. The nominations for the EC must be proposed by a registered member eligible to vote and seconded by another member also registered and eligible to vote.
- 6.8 A list of eligible voters shall be made available or posted thirty (30) days before the elections by the EC Treasurer and duly approved by the EC members. Members who have paid their full annual membership dues 45 days before election will be included in the voting list.
- 6.9 The individual(s) nominated for the EC shall be registered and have paid in full, their annual membership dues of HIC, for three (3) years.
- 6.10 Full time students shall be NOT eligible to run for any positions in EC.
- 6.11 Members paying reduced membership dues are NOT eligible to vote or run for any office at HIC.

Election Process

- 6.12 Elections shall be held in December (2nd Saturday) every year. The results shall be announced within two (2) days of completion of ballot and shall be posted. Votes shall be cast thirty minutes before and after Asar, Maghrib and Isha Salat (prayers). The newly elected Executive committee shall take over in January (2nd Saturday).
- 6.13 The EC shall appoint an Election Committee two (2) months prior to election schedule.
- 6.14 The Election Committee shall be comprised of five (5) HIC members that are registered, have paid their annual membership dues and are eligible to vote in HIC elections. They may be EC members if not running for office that year. Two (2) of the five members must be women to conduct the election on the sisters' section.
- 6.15 The members of the Election Committee shall not be eligible to run for any office during that election year.
- 6.16 The Election Committee shall be given the final list of nominated candidates two (2) weeks before the election. The reason(s) for ineligible candidate(s) shall be given to the Election Committee. The final voters list shall also be posted on the HIC bulletin board at the same time.

- 6.17 The only role of the Election Committee is to ensure free, fair and impartial elections and counting of votes.
- 6.18 The Election Committee shall not make any decision(s) or recommendation(s) regarding the newly elected member(s) of the EC.
- 6.19 Within two (2) weeks of the election results, a meeting with the previous and newly elected EC must be held to hand over all relevant papers, information and inform about issues regarding HIC.
- 6.20 Any employee(s) including Imam or contractor(s) of HIC are ineligible to declare candidacy or be nominated in an election.
- 6.21 Any employee(s) or contractor(s) whose contract has been terminated for any reason shall be ineligible to declare candidacy/nomination in an election for a minimum of three (3) years.
- 6.22 Absentee ballot is only allowed if a registered member eligible to vote has a genuine and reasonable excuse for not being able to vote on Election Day. The reason should be given in writing to the Election Committee. The Election Committee may then allow the person to cast the vote in the presence of at least one Election Committee Member. In case of sickness or being out of town, they can cast their vote by proxy ballot.
- 6.23 Any registered member who is eligible to vote must bring at least one form of picture identification (e.g. driving license, state ID, School ID, etc.) on Election Day.
- 6.24 The election results announced, declared and posted by the Election Committee shall be final. The Election Committee shall cease to exist after the announcement of election results.
- 6.25 In case of a dispute regarding election result, the incumbent EC shall resolve the issue within two (2) weeks period.
- 6.26 The EC shall maintain all election ballots and records for a period of two (2) years.
- 6.27 If the election is postponed, due to unforeseeable conditions (inclement weather, community emergency, unforeseeable events) that are beyond the control of the Election Committee, then it shall be postponed for the next week. If circumstances warrant that the election be postponed once again, then the election shall be held the week after. Under no condition shall the elections be postponed for more than four (4) weeks from its original date.
- 6.28 In case of a vacancy for any position in the EC: If there is less than six (6) months left for the annual elections, the respective elected body with mushawara (Consensus) among themselves shall decide whether to refill the position or not. The position may stay vacant and shall be filled during the annual election. If there are more than six (6) months left for the annual elections, then vacant position shall be filled *“temporarily”* by appointing a general body member through mushawara (Consensus) from the respective body. The vacant position must then be filled during the annual election.
- 6.29 If an HIC member who is registered and eligible to vote has been disciplined in writing by a majority of the members of the EC, then that member shall not be eligible to run for a position in elections or be a member of the EC or any committee or sub-committee for a one-year period. The one-year period starts from the day of the disciplinary action.

- 6.30 If any elected member of HIC (EC) is convicted of a felony or any other crime, then that member shall not be eligible to run or hold a position and shall have to resign immediately and shall be automatically terminated from the elected position.



ARTICLE 7

Qualifications, Structure and Terms of Executive Committee Members

General Rules

- 7.1 All candidates for the EC shall be practicing Muslims for at least three (3) years. They must be fully committed to work with the other members of EC.
- 7.2 The candidates for the EC shall not hold or accept any position in other Islamic Center(s) during their term of office.
- 7.3 The EC members shall be registered members of HIC, paying their membership dues in full and eligible to vote in HIC elections.
- 7.4 No EC member shall be an employee of HIC.
- 7.5 The General Body shall elect the EC for a period of one (1) year.
- 7.6 The EC, any other committee, sub-committee or any affiliate of HIC shall only charge each other the actual cost of usage of these facilities that is above their normal cost for the operation of these facilities.
- 7.7 No member(s) of any elected body of HIC (EC) shall make an individual decision(s) that represents the elected body without mushawara (consensus) and having a simple majority among its respective members. All elected members shall respect the decision of the majority.

Executive Committee

- 7.8 The General Body shall annually elect the members of the EC. The candidate with the most votes for the position of Chairman shall be elected to that position. The same process will be repeated for the Vice-Chairman as well as for the rest of the EC positions.
- 7.9 The EC reserves the right to recall the "Chairman and/or Vice-Chairman" through a two third majority vote of the EC, if a "vote of no-confidence" is called by them.
- 7.11 The Chairman or Vice Chairman whom has served two (2) consecutive years shall not be eligible for that position for a period of one (1) year.



ARTICLE 8

Responsibilities

8.1 General Body

- 8.1.1 General Body membership guidelines have been established in the General Body definition section of this document.
- 8.1.2 The General Body shall elect the EC and authorize them to administer the affairs of HIC on their behalf in accordance with Islamic principles and provisions of this constitution, including but not limited to contractual negotiation of prospective employees including the Imam, hiring and firing decisions of any employees of HIC including the Imam.
- 8.1.3 All General Body members and EC shall be responsible for the safeguard of HIC and its affiliates.
- 8.1.4 Each member shall observe the Islamic code of conduct in dealing with each other; respect the sanctity of Mamber (platform), prayer hall, other facilities of HIC and the authority of elected members in accordance with the teachings of Quran and Sunnah.
- 8.1.5 Only member(s) that are registered, have paid their annual membership dues in full and are eligible to vote in HIC can initiate a “*vote of no confidence*” or a “*petition*” against any EC member(s), including the Chairman and Vice-Chairman, based on solid religious grounds with evidence against that member(s).
- 8.1.6 For a “*vote of no-confidence*”, or a “*petition*” a special General Body meeting shall be called if (a) requested by 51% signatures of registered HIC members, who have paid their annual membership dues in full and are eligible to vote or (b) through a resolution passed by a two third majority of EC members. The Chairman of the EC shall be responsible for announcing the time, date and place of the meeting within four (4) weeks of receiving such a notice.
- 8.1.7 The “*vote of no-confidence*” or “*petition*” for removal of any EC member(s) shall contain reason(s) for the motion and each member who signs the petition shall have the opportunity to read, understand and sign the petition without coercion, threat, force or fear of repercussions.
- 8.1.8 Any “*vote of no-confidence*” against an elected EC member(s) must be approved by a two third majority of HIC members who are registered, have paid their annual membership dues in full and are eligible to vote.
- 8.1.9 If any member informs the EC members that the above requirements were not met, the EC shall review the entire petition. The petition or motion may become invalid. The EC shall make the final decision within four (4) weeks about the validity of the petition or motion.
- 8.1.10 All HIC members shall be responsible for the actions of their children. They must teach their children the Islamic etiquettes and encourage them to pray with/beside them at prayer times and minimize disturbances especially during prayers.

- 8.1.11 No member(s) of the general body shall give an interview with the media representing the views of HIC without prior permission from the EC. If any such interview is given, then the EC reserves the right to deny that as the official response or stand of HIC on the issue(s). The member(s) may also face disciplinary action. **(Article 8.2.7)**

8.2 Executive Committee

General Rules

- 8.2.1 The EC members shall make all decisions by mushawara (consensus). However, a majority vote in the EC shall always prevail.
- 8.2.2 No member of the EC who disagrees with a majority decision or has a different opinion of said decision has the right to unilaterally affect the decision of the majority. The member(s) may face disciplinary actions by the other majority members including removal from EC.
- 8.2.3 All EC members are responsible for maintaining records and documentations of HIC including but not limited to financial records, deeds of trust, leases and marriage of registered members. They may however designate a person responsible amongst themselves.
- 8.2.4 The succeeding EC members shall implement the written commitments of the previous EC members.
- 8.2.5 Any EC member who is absent without prior notification for three (3) consecutive meetings without a valid reason, shall be considered for removal by the elected body. If majority of the members in the respective body agree then the concerned member shall cease to be a member of that elected body and shall lose the office. The vacancy created shall be filled in accordance with rules set in **ARTICLE 6.29**.
- 8.2.6 The EC members shall be authorized to obtain bids, execute and award contracts. Any contract work over \$8,000 shall require at least three (3) bids. If there is only one bid then that contract or award shall be given to that party by the respective elected body. The respective elected body reserves the right to reject all bids. However if a project is being done without cost to HIC, then bids or contract do not apply. **(Also see Articles 4.4- 4.6)**
- 8.2.7 If any HIC member(s) found to be violating the Islamic code of conduct or behavior, like disturbing the peace and harmony of HIC, insulting HIC authorities, abusing HIC assets; the EC, has the right to disapprove, deny, expel the member(s) from HIC or can have restraining order against the member(s). This decision shall be made by mushawara (consensus) by a majority of the EC and based on sound judgment to preserve the aim, integrity and security of HIC.
- 8.2.8 The EC members shall have the right to determine the length of expulsion of member(s) and whether the membership should be reinstated.
- 8.2.9 Expelled member(s) shall not be eligible to be nominated for EC or any other committee position for a period of three (3) years.
- 8.2.10 The expelled member has the right to appeal to the EC in writing and the situation shall be discussed in a special meeting called by the EC within two (2) weeks. The decision of the majority of the members shall be final.
- 8.2.11 The General Body members of HIC may also discuss and recommend in writing to the EC members, further course of action or provide alternatives regarding the expelled

- member. The EC reserve the right to follow or reject these recommendations, keeping the interests and security of HIC in mind.
- 8.2.12 The EC shall be composed of Seven (7) trustworthy, knowledgeable Muslims, who are registered, have paid annual membership dues in full and eligible to vote in HIC elections. Their term of office shall be one (1) year. The EC is the highest policy making body, and conducts its affairs through mushawara (consensus). The Chairman, Vice-Chairman, and other Board members have equal voting rights and equal authority.
- 8.2.13 The main function of the EC is to govern and protect the interests of HIC.
- 8.2.14 The EC shall have the final approval for any major decision concerning buildings and properties, e.g. remodeling existing properties, purchasing or construction of new buildings etc. **(See Article 3.1 A)**
- 8.2.15 The EC shall formulate strategic and long-term plans for HIC (Masjid, School, and other affiliates). An integrated two (2) year plan detailing the activities and resource requirements shall be presented annually during the monthly meeting on the 2nd Saturday of November.
- 8.2.16 The EC shall meet every month or more if necessary. Minutes of all meetings shall be recorded by the Secretary or a designee, and shall be available electronically within a reasonable amount of time of the conducted meeting and before the next meeting.
- 8.2.17 The secretary or the chairman may announce the date, time and place of the meeting to all EC members at least a week in advance.
- 8.2.18 EC shall conduct fund-raising for HIC (Masjid, School, and other affiliates), make strategic and long-term plans and policy making. At least One (1) fund raising event shall be in the month of Ramadan.
- 8.2.19 The EC members shall consider and adopt strategic and long-term recommendation plans of the EC after mushawara (consensus) and having a two third majority among its respective members. The decision of the majority of the members of the elected bodies shall prevail.
- 8.2.20 The EC shall adopt administrative procedures proposed by the EC if agreed upon by the majority of EC members.
- 8.2.21 The EC shall serve as a guardian of the HIC constitution and settle any dispute regarding the interpretation of any article. Such interpretations or resolutions shall be in writing and approved by the EC.
- 8.2.22 The EC shall provide solutions to challenges or issues arising between members of the EC of HIC (Masjid, Weekend Islamic School and other affiliates).
- 8.2.23 The Treasurer of EC shall provide all financial statements to the EC every month and also report a brief summary to the community in monthly meetings. These financial reports shall also be posted monthly electronically. This financial report may not disclose confidential information.
- 8.2.24 The EC members shall have an open forum in an organized manner in the monthly meetings with general body to discuss any concern(s).

Executive Committee (EC)

The following are the responsibilities of the elected EC members

- 8.2.25 The Chairman shall:
- Conduct and preside over all meetings of the General Body.
 - Sign, with the Secretary, necessary documents on behalf of the EC.
 - Implement all decisions of the EC.
 - Assign sub-committees including the women sub-committee.
 - Work with community leaders.
- 8.2.26 The Vice-Chairman shall:
- All duties of the Chairman if absent.
 - All legal affairs of HIC.
 - Disbursement of all charity funds.
 - Communication with other Islamic Centers and organizations.
 - Promotion of Interfaith Dialogue.
 - Public and Media Relations after consultation with EC.
- 8.2.27 The Treasurer shall:
- Maintain all financial aspects of Masjid (deposits, receipts, payroll, monthly and annual budget).
 - Make available the funds for Zakat and Sadakah after identifying the needy.
 - Responsible for HIC store and inventory control.
 - Check Donation boxes and turning deposits in the designated financial institution.
 - Inventory control of Masjid.
 - Receiving mail and update mailing list with email addresses.
 - Receive and give receipts for monies due and payable to HIC from any source provided they are consistent with **ARTICLE 2** and local state and federal laws. Receipts issued for non-cash items shall not exceed the fair market value of the item(s) donated.
 - Write checks and distribute funds to discharge obligations of Masjid.
 - Monthly financial statements shall be available electronically and provide to the EC members.
 - Be responsible for filing fiscal year tax returns (January 1-December 31).
- 8.2.28 The General Secretary shall:
- Prepare agenda and notifying EC members of meeting schedule.
 - Take minutes, typing and mailing letters.
 - Ensuring bulletin boards & library material with approved HIC material.
 - Ensure only HIC stamped material will be posted on boards.
 - Coordinate the monthly and any emergency meetings.
- 8.2.29 The Social Events Officer shall:
- Oversee all HIC social events.
 - Promote, encourage and improve membership.
 - Develop a quarterly newsletter.
 - Social gatherings and monthly potluck, Ramadhan, Iftar and both Eid functions.
 - Assist Chairman with Media.
- 8.2.30 The Youth Education Officer shall:
- Oversee all HIC School functions.
 - Ensure that curriculum of the School is at par with other schools.
 - Identify, and recommend to the EC a qualified Principal for the school.
 - Responsible to present the treasurer with school reports.

- Shall be open to feedback from all parents to improve the school academically and environmentally.
 - Maintain website, answering machine, and fax.
 - Work with treasurer to keep updated email list of members.
- 8.2.31 The Facility Management Officer shall:
- Maintain, oversee HIC and its properties, and its entry and exit points.
 - Post notices regarding illegal parking & mark fire lanes.
 - Ensure the physical properties of HIC are in good condition.
 - Ensure kitchen and restrooms are well stocked and clean.
 - Inventory supplies and inform the EC and Treasurer of what is needed.
- 8.2.32 The EC shall meet at least once a month and plan out the day-to-day operations of HIC. Also discuss present and future plans.
- 8.2.33 The Chairman of the EC may call a meeting of all Boards (if necessary) to discuss an issue affecting HIC, giving one (1) weeks notice.
- 8.2.34 The EC may request a meeting if it feels that in the interest of time; a decision may be reached quickly by mushawara (consensus), e.g. amendments or changes in constitution, development of by-laws or contracts. A majority decision shall prevail.
- 8.2.35 The EC, with mushawara (consensus), is responsible for negotiating, writing the contract for the Imam.



ARTICLE 9

Selection, Role, Responsibilities and Duties of Imam and other HIC employees

- 9.1 The Imam position is optional and is not required for the operation of HIC.
- 9.2 The office of the Imam is to lead the community in religious and spiritual affairs. All religious activities and programs in the prayer hall shall be carried out according to Quran and Sunnah. Having an Imam is optional at the discretion of EC.
- 9.3 Imam shall possess strong knowledge of Quran and Sunnah. He shall preferably be a Hafiz, fluent in Arabic and English and shall provide two written references for any previous experience and training.
- 9.4 The Imam shall perform all religious rituals, ceremonies and duties including but not limited to leading the five daily prayers, Jummah (Friday) prayer, Taraweeh prayers, Eid Prayers, fund raising, funeral prayers, marriages and any other duties pertinent to the office of the Imam or designated by the EC.
- 9.5 The EC shall appoint an "Imam" search committee of at least three (3) registered voting community members who shall make final recommendations to the EC. This committee shall comprise of HIC members who are registered, have paid their annual membership dues in full and are eligible to vote, like Chairman, Board or ex-Board members or senior community members knowledgeable in Quran and Sunnah.

- 9.6 The Imam search committee shall seek applicants, make announcements, advertise, interview applicants, and check references and credentials of applicants and short list at least three (3) prospective candidates.
- 9.7 The EC shall invite at least three (3) candidate(s) separately to interact with the community by hosting lectures and/or Jummah (Friday) khutbas. The General Body shall be informed and the candidate shall be introduced to the General Body at the lecture or khutba.
- 9.8 Within a week of the lecture or khutba from the last candidate(s), the EC members shall meet and select the best candidate through mushawara (consensus). A decision regarding the best candidate shall be reached through agreement of two third majority of the EC.
- 9.9 The Imam shall be punctual and lead the prayers on time.
- 9.10 The Imam shall be supervised by the EC and shall not interfere in the administration and operations of HIC.
- 9.11 The EC shall provide the Imam, an alternate list of khateeb in case the Imam is absent due to an emergency.
- 9.12 The Imam shall be present and interface with the community at monthly meetings and any other events like fund raising and school graduations hosted by HIC.
- 9.13 The Imam shall not attempt to create grouping and ethnicity among the community and shall remain neutral in all conflicts and matters pertaining to HIC. The Imam may provide guidance to the EC to arrive at a solution if so desired by the EC. Infraction of this article shall lead to immediate termination of his contract.
- 9.14 The Imam shall not improperly use HIC platform (Mimber) to further his own personal interest(s) or to use it against community member(s) with whom he may have personal or religious disagreements. The Imam shall not disclose any personal matters of individuals who have sought counseling from him. Infraction of this article shall lead to immediate termination of his contract.
- 9.15 The Imam shall decide the times for Athan and Iqamah after mushawara with the community members.
- 9.16 If someone other than the Imam wishes to give the khutba, it shall be the week following the request and the following criteria shall be fulfilled:
- EC members should be informed about the Khateeb.
 - Topic of the khutba shall be announced a week before.
 - Khutba shall start and finish on time.
 - Khutba must be in English.
 - Khutba must be void of any political references.
- 9.17 In case of an issue affecting HIC or its affiliates e.g. fund raising, the EC can inform the Imam, that an invited guest can give the khutba in his place on short notice.
- 9.18 If any employee of HIC including the Imam violates or fails to execute any of his/her duties, he/she shall be given a warning letter, citing the lapses. If those are not rectified the EC reserves the right to put him/her on probation. If the situation is not resolved then a simple majority vote of the EC members can recommend termination of services. The

process of probation may be omitted for serious infractions and termination may be effective immediately.

- 9.19 HIC may terminate the contract of an employee including the Imam, if a simple majority of the EC agrees and give their recommendation to this effect. A notice of two (2) weeks shall be given.
- 9.20 HIC reserves the right to terminate any employee's contract including the Imam's contract immediately if majority of EC considers that his/her action(s) have put HIC and its interests at risk.
- 9.21 Any employee including the Imam can terminate his/her contract with a thirty (30) day notice.
- 9.22 If anyone has a complaint against the Imam or any employee of HIC, it must be put in writing and addressed to preferably the Chairman of the EC. The Chairman shall invite the Imam or the employee to resolve the complaint before the EC recommends a solution.
- 9.23 No member of the EC shall make an offer or a contract with any employee of HIC including the Imam, without formal meeting *mushawara* (consensus) with the rest of the EC members. If such an offer is made, it shall be null and void. In case of the Imam approval is required from EC. Similarly no member of any respective body alone shall decide on pay increases for any employee(s). Job description criteria shall be developed and pay increases shall only be given by consensus of the majority of the respective elected body members keeping the financial situation of HIC and job performance in mind. In the case of the Imam any change in contract shall also be approved by the EC. If there are no changes in the renewal of contract, then formal approval of EC is not required. However a copy of the contract or any changes in the contract shall be given to the EC **(See also Articles: 9.6)**
- 9.24 No employee including the Imam shall interfere in the meetings of the EC. If a religious opinion is needed, the Imam shall be consulted. Consultation does not mean approval or permission.
- 9.25 The Imam does not have a voting right for any decisions made in HIC.
- 9.26 The Imam or any employee of HIC shall not be eligible to run for election for any office of HIC.
- 9.27 All employees of HIC including Imam shall strive to work to promote HIC and its affiliates and maintain the Islamic code of etiquettes.
- 9.28 Contract of any employee including the Imam shall not extend a period of one (1) year, renewable for the same period by the EC. In case of any changes in the contract including but not limited to salaries, pay raises etc. for the Imam, approval from EC is required.
- 9.29 The Imam shall obtain a state marriage license to perform marriages according to Islamic Law and state and federal regulations. To issue a certificate of marriage from HIC the bride and groom must register in the County Courthouse. No certificate shall be given if registration papers are not submitted.
- 9.30 If the Imam issues a certificate of marriage, a copy shall also be given to the Secretary of HIC. A proper register and record will be kept by both the Imam and the Chairman.

- 9.31 Before and after negotiating any offer with other HIC affiliate(s), the Imam and the relevant HIC shall inform the EC of the working relationship. The EC shall approve any financial arrangements between the affiliates.
- 9.32 The Imam shall teach a class in Weekend Islamic School. Details shall be communicated and provided by the Principal of Weekend Islamic School to the EC.
- 9.33 No employee(s)/contractor(s) of HIC or its affiliates including Imam shall meet or give interviews with the media alone representing HIC or any of its affiliates. The Chairman of the EC or a member designated by the Chairman shall be present during the meeting with the media. HIC reserves the right to deny the views expressed if the majority of members of the respective elected body feel that the comments have put HIC or its affiliates at risk. The employee(s) including the Imam may face disciplinary action, including termination, if the majority of the EC members feel that the views expressed have put the HIC or its affiliates at risk.



ARTICLE 10

Meetings and Quorum

- 10.1 All meetings shall start with the recitation from the Holy Quran and must end with Du'a. The meeting shall be conducted in accordance with the Islamic code of conduct, ethics and etiquettes. All members shall conduct themselves professionally; respect each other's opinion(s), right(s) and obligation(s).
- 10.2 In addition to the regular EC monthly meetings, the General Body shall meet at least once each year preferably on the 2nd Saturday of Ramadan to discuss special needs or issues of HIC. No special speaker or guests shall be invited during these meetings.
- 10.3 The Secretary of EC shall be responsible for announcing the date, time and place of all relevant HIC meeting(s) verbally or by mail, fax, e-mail etc. at least a week in advance. Any EC member may request the EC Chairman to call a meeting in case a need arises.
- 10.4 Non-Registered members can attend these meeting only as observers by invitation and/or permission of the Chairman of EC.
- 10.5 The Chairman of the EC is authorized to call for a special general body meeting if (a) requested in writing by 51% of registered HIC members who have paid their annual membership dues in full and are eligible to vote or (b) requested in writing by a majority of EC members.
- 10.6 This shall be separate from the "vote-of-no-confidence" or "petition" meeting as delineated in **ARTICLE 8.1.6**
- 10.7 The date, time and place for this meeting shall be announced by the Secretary of the EC and put on the HIC notice board or web page.

- 10.8 Fifty One percent (51%) of HIC members, who are registered, have paid their annual membership dues in full and are eligible to vote in HIC election shall constitute a quorum for the General Body meeting.
- 10.9 If a quorum is not present, then the meeting shall be adjourned and NO decision shall be made that affects HIC or its affiliates.
- 10.10 Any meeting adjourned because of lack of quorum must be reconvened within thirty (30) days. However if a quorum is still not present, then the issue(s) shall be resolved and a decision reached by mushawara (consensus) between majority of the members of the EC.
- 10.11 All regularly scheduled meetings of the EC are closed meetings unless otherwise specified. There shall be no interference from general body member(s). The presence of simple majority of elected members from the EC shall constitute a quorum. Any decisions made when quorum is present are binding and shall be reflected in the minutes.
- 10.12 Only member(s) who are registered, have paid their annual membership dues and are eligible to vote have the right to attend a meeting if invited. If a member of EC invites general body member(s), then the rest of the EC members shall be informed prior to the meeting and the reason(s) for the person being invited. The EC shall conduct mushawara (consensus) and decide to allow the person to attend the meeting as an observer.
- 10.13 The invited member(s) shall not interfere in the proceedings of the meeting and do not have the right to vote during the meeting.
- 10.14 The approved minutes of all meetings including minutes of committees, sub-committees, of EC shall be posted within a reasonable amount of time, preferably before the next scheduled meeting on the respective bulletin board or electronically to keep the community informed, as long as the minutes do not contain confidential information.
- 10.15 To keep the community informed, during each monthly meeting and General Body meetings, the agenda shall contain a minimum of the following:
- Summary Treasurer's Report of HIC and Sunday School
 - EC Report
 - Questions and Answers



ARTICLE 11

Committees and Sub-Committees of HIC

- 11.1 No committee, sub-committee of HIC affiliates (Masjid, and School) shall have the authority to take any action outside the scope of authority delegated to it by the EC.
- 11.2 Each committee, sub-committee shall be comprised of a minimum of three (3) community members.

- 11.3 The designated members of these committees or sub-committees shall communicate, inform, educate, and update the respective elected body of their activities e.g. new construction efforts of school, issues, challenges of school, Masjid etc.
- 11.4 If there are any criteria for selection or recruitment of members for these committee(s) or sub-committee(s), it shall be announced during the regular monthly meeting.
- 11.5 The terms of these sub-committees shall coincide with the terms of the respective elected body (EC). No one shall arbitrarily decide membership or terms of these members.
- 11.6 Before a new member is added to the committee or sub-committee, the new member shall be introduced to the EC for approval. After approval the elected body shall inform the member of his/her acceptance in the committee or sub-committee in writing.



ARTICLE 12

Amendments

- 12.1 This constitution may be amended by two-thirds of HIC General Body members who are registered, have paid their annual membership dues in full and are eligible to vote in HIC's elections. Members who do not provide their ballots in time forfeit their voting right for the issues recorded on the ballot.
- 12.2 The proposed amendment(s) shall be given in writing to the Chairman of the EC, signed by (1) at least fifty one percent (51%) of HIC members who are registered, have paid annual membership dues in full and are eligible to vote in HIC's election or (2) by a two third majority of the EC members. Amendments may also be proposed by a majority of EC members
- 12.3 The EC after mushawara (consensus) amongst them shall have the right to approve or reject the amendment(s) by simple majority of their members.
- 12.4 If the majority of the EC members agree with the amendment(s), the General Body shall then vote on the amendment(s) during a scheduled meeting or by a proxy vote (mail, email). The amendment(s) must be approved by a two third majority of General Body members.
- 12.5 The result of the vote for the amendment(s) shall be posted within a week. Only those votes of members, who have registered with HIC, have paid their annual membership dues in full for the previous year and are up to date for the current year's membership dues will be counted.
- 12.6 If Quorum (51%) is not present then the **ARTICLE 10.9 - 10.10** shall be followed.
- 12.7 The Secretary of the EC, and person designated by the Chairman of the EC shall be responsible for the minutes of these meeting which shall also be posted electronically within a reasonable number of days of conducting the meeting, preferably before the next regularly scheduled meeting.

- 12.8 With the approval from EC, by-laws may be made by the EC without changing the intent of any article(s) in this constitution and only if a majority of the members of the EC agrees.



ARTICLE 13

The Weekend Islamic School (WIS)

The mission of the Weekend Islamic School of the Hamzah Islamic Center is to provide Islamic education to the Muslim children of Alpharetta and its surroundings areas. A defined curriculum based upon the learning of Quran and Islamic teachings shall be used. WIS is established exclusively for non-profit, religious and educational purposes.

- 13.1 The Weekend Islamic School (WIS) shall be primarily housed in The Masjid building and utilize its facilities on weekends or whenever needed.
- 13.2 The WIS shall be open to all children.
- 13.3 The EC shall appoint the Principal of the WIS. WIS Principal shall report to the Youth Education Officer of the EC and provide update to the community during monthly meetings. He/She shall supervise the weekend school activities.
- 13.4 The Principal of the WIS in concert with the Youth Education Officer shall prepare and annual budget for approval by the EC
- 13.5 The School shall observe all the articles of the HIC's constitution.
- 13.6 No part of the earnings of The WIS shall benefit or be distributable to its members, trustees, officers or any private persons including family members of the elected representatives, except to pay reasonable compensation for services rendered or to make payments and distributions to further the purposes of the organization
- 13.7 The School shall not participate in or intervene in any political campaign/activity on behalf of any candidate running for public office.
- 13.8 The EC has the following responsibilities:
- Make decisions about the operations of WIS.
 - Set general policies, strategic and long term.
 - Delegate discretionary powers to the Principal and appoint committees as necessary to conduct the day-to-day business of the Academy
 - Confirm selection of principal and other relevant employees like teachers etc. and approve budget and fund-raising activities.



ARTICLE 14

Religious Advisory Committee (RAC)

HIC is a religious organization and as such RAC plays a significant role in setting the Islamic direction of the Center.

- 14.1 RAC shall consist of a hired Imam, if available, and/or one or more religious scholars/knowledgeable people.
- 14.2 RAC is responsible for all religious rulings (FATWA). Their FATWA(s), if reached through majority consensus of RAC members, will be considered final. All HIC members must abide by such RAC rulings.
- 14.3 Questions by HIC members related to RAC rulings must be submitted formally to the Chairman and a meeting with RAC members may be scheduled at a convenient time.
- 14.4 RAC is responsible for initiation/establishing all religious programs. EC approval is required at all times, however.
- 14.5 RAC is responsible for managing daily prayers, Eid prayers and Friday Khutba.
- 14.6 RAC members shall not serve on the EC at the same time. Some RAC members may be invited to EC meetings as the needs arise.
- 14.7 The EC chairman shall serve on the RAC committee and shall have an active role in the management of events.
- 14.8 RAC must not communicate to the general public upcoming events until the EC has approved these events.
- 14.9 RAC must submit its plans for any event to the EC no later than a week prior to event taking place.
- 14.10 The EC must approve all electronic and printed media originating from the RAC in name of the Center.



ARTICLE 15

General Body (Founding Members)

1. Abubaker, Amer
2. Agha, Amir
3. Alam, Maqbool
4. Alawamleh, Mohammad
5. Alhonaiti, Ziad
6. Alvi, Wasif
7. Alyafi, Nasir
8. Barqawi, Khalid
9. Budeir, Mouhannad
10. Carter, Abdul Wali
11. Chahimi, Khalid
12. Chami, Walid
13. Chaudhry, Rashid
14. Dalloul, Issam
15. Diab, Waddah
16. Ebid, Fady
17. Eid, Majid
18. Elchahal, Nazih
19. Fakhori, Abraham
20. Fakhori, Bilal
21. Hamdoun, Moataz
22. Hammad, Muhammad
23. Hossain, Shafiq
24. Ibrahim, Abdul Raheem
25. Kayali, Emad
26. Khan, Anwar
27. Khani, Anis
28. Khasawneh, Salam
29. Machhour, Mohamed
30. Mahayni, Jihad
31. Malak, Mohamad Muataz
32. Mohamed, Mohamed
33. Mohsin, Mohammad
34. Mrani, Abdellatif
35. Naal, Hussein
36. Naqib, Basem
37. Ninowy, Muhammad Yahya
38. Rabbat, Mohammed H
39. Riaz, Kashif
40. Rustom, Khalid
41. Sabbagh, Imad
42. Saeb, Tareef
43. Samad, Ismail
44. Sheikh, Yusuf
45. Uddin, Zaheer
46. Ullah, Mohammed Inam
47. Zbib, Oussama

