
Bylaws of
The Northern Durham Islamic Association (NDIA)
Durham, NC

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Article I. NAME

The name of the organization shall be the Northern Durham Islamic Association, Incorporated (NDIA), a non-profit organization, operating as North Durham Masjid.

Article II. REGISTERED OFFICE AND REGISTERED AGENT

The principal office of NDIA shall be located in the City of Durham, County of Durham, North Carolina. The corporation may have such other offices, either within or outside of the State of North Carolina, as the Board of Directors may determine or as affairs of the corporation may require from time to time.

NDIA shall have and maintain a registered office in the State of North Carolina. This shall include a registered agent whose office is identical with the registered office, as required by the North Carolina Non-Profit Corporation Act. The address of the registered office may be changed by the Board of Directors. tie

Article III. MISSION STATEMENT & PURPOSE

Consistent with the provisions of our Articles of Incorporation of record with the North Carolina Secretary of State, Northern Durham Islamic Association is organized exclusively for charitable, religious, educational, and scientific purposes under section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal code, and is a charitable or religious corporation as defined in NC General Statutes NCGS 55A-1-40(4).

The mission and purpose of the organization is to please Allah (SWT) by obeying His commands. Specifically, the mission of NDIA is to establish a masjid for the purposes of community prayers, provide educational opportunities in the Islamic sciences and conduct a variety of religiously-mandated activities. As such, our goal is to invite to all that is good, enjoin what is right and forbid what is wrong according to Qur'an and Sunnah. The specific objectives are elaborated in Article IV.

Article IV. OBJECTIVES

1. Provide a place for all Muslims in Durham and the surrounding areas to pray, learn and coordinate their religiously mandated affairs;
2. Engage in the religious beliefs and practices of Islam through the moral, educational, cultural, and economic development of all members of the North Durham Masjid, Muslims in general, and the nearby community in particular;
3. Provide members with the needed services, accommodations, and guidance in matters of marriage, divorce, inheritance, Islamic funerals, the collection and dispensing of Zakaah, (charity), resolution of disputes in accordance with Qur'an and Sunnah, and any other services deemed necessary by members of the North Durham Masjid, Muslims in general, and the nearby community in particular;

4. Establish an open and fair environment where Muslims are free to pray, think, research, discuss and analyze the Holy Qur'an, and the Sunnah;
5. Develop Da'wah (invitation) programs to propagate the message of Al-Islam. As such, the organization is intended to serve as a source of educational programs designed to increase the knowledge and awareness of Islam within the community of Muslims and non-Muslims;
6. Enter into contracts, agreements, leases and other transactions necessary to attain the purposes enumerated above;
7. Do everything necessary, suitable or proper for the accomplishment of any purpose, or the attainment of any one or more of the above enumerated purposes, provided that all such actions performed by or on behalf of the organization shall be of, or in furtherance of, one or more of the purposes outlined in Article III of these Bylaws;
8. The organization's assets must be dedicated to an exempt purpose within IRC 501(c)(3). NDIA forbids the transfer of its income or assets, directly or indirectly, from NDIA to or for the benefit of a person closely associated with, or with a significant relationship to, NDIA, for such person's economic benefit and without regard to accomplishing NDIA's exempt (charitable) purposes. This is known as the private inurement prohibition, and it serves to prevent anyone in a position to do so from using any of the nonprofit's income or assets for personal use. Despite this private inurement prohibition, NDIA can make ordinary and necessary expenditures in furtherance of its operations, including the payment of reasonable compensation for services rendered and the reimbursement of expenses (whether to a director or officer in the form of a fee; to an employee in the form of a salary, wage, bonus, commission, or other benefits; or to a vendor, consultant, or other independent contractor).
9. NDIA shall operate exclusively for the exempt (charitable) purposes outlined in Article III of these Bylaws. If NDIA provides any benefit to persons in their private capacity as a result of its charitable operations, such benefit must be "incidental," both "quantitatively" and "qualitatively," in relation to the furthering of the nonprofit's exempt (charitable) purposes.

An "incidental" benefit occurs (1) when the general reputation or prestige of a person is enhanced by public acknowledgment of some specific donation to the nonprofit by such person, (2) when a person receives some other relatively minor benefit of an indirect nature, or (3) when a person merely participates to a wholly incidental degree in the fruits of some charitable program that is of broad public interest to the community. To be "quantitatively" incidental, the private benefit must be insubstantial; this shall be measured in the context of the overall tax-exempt benefit conferred by the activity.

To be "qualitatively" incidental, the private benefit must be a necessary bringing together (concomitant) of the exempt (charitable) activity; for example, the exempt (charitable) objective cannot be achieved without necessarily benefiting certain individuals privately.

10. NDIA shall not provide an economic benefit, directly or indirectly, to or for the use of any "disqualified person" in such a way that the value of the economic benefit provided by NDIA exceeds the value of the consideration (benefit) received by NDIA. The term "disqualified

person" means (1) any person who was in a position to exercise substantial influence over the affairs of NDIA at any time during the five-year period ending on the date of the transaction involved, (2) a family member of any person described in the preceding category, and (3) any entity in which persons described in either of the preceding two categories own more than a thirty-five percent (35%) interest.

11. NDIA's activities shall not include attempts to influence legislation. The term "influence legislation" means (1) any attempt to influence legislation through a lobbying communication (any communication with any member or employee of a legislative body or any other government official or employee who may participate in the formulation of the legislation), and (2) all activities, such as research, preparation, planning, and coordination, including deciding whether to make a lobbying communication, engaged in for a purpose of making or supporting a lobbying communication, even if not yet made.
12. NDIA's activities shall not include participating or intervening in any political campaign on behalf of (or in opposition to) any candidate for public office. This includes not publishing or distributing any statements on behalf of (or in opposition to) any candidate.
13. The directors and officers of NDIA shall not engage in any act of self-dealing as defined in Section 4941(d) of the Internal Revenue Code (generally, such acts could include: the sale, exchange, or leasing of property between NDIA and a disqualified person; the lending of money or other extensions of credit between NDIA and a disqualified person without proper terms and documentation; the furnishing of goods, services, or facilities by NDIA to a disqualified person; the payment of compensation by NDIA to a disqualified person (except for the payment of reasonable compensation where the compensation is for personal services actually rendered to NDIA, and those services are reasonable and necessary to the accomplishment of NDIA's exempt purposes); and, the transfer to, or use by or for the benefit of, a disqualified person of the income or assets of NDIA). The directors and officers shall scrutinize all potential acts of self-dealing in such manner to avoid subjecting NDIA to the taxes and penalties imposed by Section 4941 of the Code.
14. NDIA shall not retain any excess business holding as defined in Section 4943(c) of the Internal Revenue Code (generally, a nonprofit and all disqualified persons are permitted to owning no more than twenty percent (20%) of a corporation's voting stock or other interest in a business enterprise). NDIA shall review all business holdings at such times and in such a manner to avoid subjecting itself to the taxes and penalties imposed by Section 4943 of the Internal Revenue Code.
15. NDIA shall not make any investment in any amount or in such a manner that would "jeopardize" the performance of its charitable purposes. An investment may be jeopardizing if NDIA, in making the investment, failed to exercise ordinary business care and prudence, under the facts and circumstances prevailing at the time of the investment, in providing for the long- term and short-term financial needs of NDIA to perform its charitable activities. Diversification of NDIA's portfolio as a whole shall be a requisite, and NDIA shall monitor and review all investments in such manner to avoid subjecting NDIA to the taxes imposed by Section 4944 of the Internal Revenue Code.

16. In furtherance of the operational guidelines set forth in these Bylaws, NDIA shall adopt a Conflict-of-interest Policy which shall be attached to and made a part of these Bylaws.

Article V. BASIC LAW

The following items constitute the BASIC LAW which is unchangeable partially or completely.

Section 1. Any religious issue or matter in NDIA, which contradicts the Qur'an and Sunnah (according to Section 2 of this article), is not subject to a vote. It is to be referred exclusively to the Imam Council for a verdict.

Section 2. All decisions and recommendations of the organization should be within the framework of Qur'an and Sunnah according to the methodology of the people of the Sunnah and Jama'ah (*i.e.* the four main *Mathaahib* - Hanafi, Maliki, Shaffi'y, Hanbaly and other Muslims who base their understanding exclusively on Qur'an and Sunnah of the Prophet Muhammad [SAW] and the Sunnah of the four rightly guided Caliphs, *i.e.* Abu-Bakr, Umar, Uthman and Ali, May Allah [SWT] be pleased with them all).

Article VI. MEMBERS & MEETING OF MEMBERS

VI.1. Members

Section 1. Membership Criteria:

1. a. Any Muslim whose belief is based on the Qur'an and Sunnah according to the methodology of the people of the Sunnah and Jama'ah as described in the Basic Law. Furthermore, any Muslim who endeavors to practice Islam as a total way of life is eligible for membership in NDIA and the North Durham Masjid. Any Muslim interested in membership shall submit an application and pay the membership dues if applicable. Approval of membership shall be by majority vote of the Executive Committee.

1. b. Members should be practicing Muslims.

1. c. Members must accept the provisions of the NDIA Bylaws.

1. d. Members must be 18 years old or more.

1. e. Members must be a resident of Durham, NC, or the surrounding areas.

1.1. Membership shall be immediately revoked by the Executive Committee (EC) if a member does not comply with the criteria mentioned herein.

Section 2. Voting Rights.

Each member shall be entitled to one vote on each matter submitted to a vote of the members. However, the member cannot vote on any matter pertaining to the affairs of NDIA until ninety (90) days following his or her membership approval by the Executive Committee and payment of the annual membership dues.

Section 3. Resignation.

Any member may resign by filing a written resignation with the Secretary of the Executive Committee. The Executive Committee may subsequently reinstate such former member upon such terms as the Executive Committee deems appropriate.

Section 4. Transfer of Membership.

Membership in NDIA is not transferable.

VI.2. Meeting

Section 1. Annual Meeting

An annual meeting of members shall be held in the month of February each year for the purpose of presenting an annual financial summary report of previous years' activity to the General Body. The Board of Directors shall have the authority to decide the exact date and time in the month. The Board can also hold a special meeting if the above timing for the annual meeting cannot be accommodated.

Section 2. Special Meetings

Special meetings of the General Body may be called by the Chairman, the Board of Directors, or not less than one-third of the General Body membership having voting rights.

Section 3. Place of Meetings

The Board of Directors may designate any place within the County of Durham as the place of meeting called by the Board of Directors. If no designation is made or if a special meeting is otherwise called, the place of meeting shall be the registered office of NDIA in the State of North Carolina. However, if the majority of the members are able to meet at any time and place within the State of North Carolina, and consent to the holding of a meeting, such meeting shall be valid without call or notice, and at such meeting any corporate action may be taken.

Section 4. Notice of Meeting

Written notice stating the place, day and hours of any meeting of members shall be sent by the Secretary of NDIA to each member entitled to vote at such a meeting, not less than ten (10) days before the date of such meeting, by or at the direction of the Chairman, Secretary, officers or persons calling the meeting. In case of a special meeting or when required by statute or by these bylaws, the purpose or purposes for which the meeting is called shall be briefly stated in the notice. If mailed, the notice of a meeting shall be deemed to be delivered when deposited in the United States mail with postage thereon prepaid, addressed to the member at the address as it appears on the membership roster of NDIA. If electronically mailed, the notice of a meeting shall be deemed to be delivered when the sent email is addressed to the member at the electronic address as it appears on the membership roster of NDIA.

Section 5. Quorum.

The members holding one-third (1/3rd) of the votes which may be cast at any meeting shall constitute a quorum at such meeting. If a quorum is not present during the first meeting called, the meeting will be cancelled, and the Chairman shall call for another future meeting. In such a

meeting, a quorum is not necessary, and adoption of a matter can be determined by a majority vote.

Section 6. Manner of Acting.

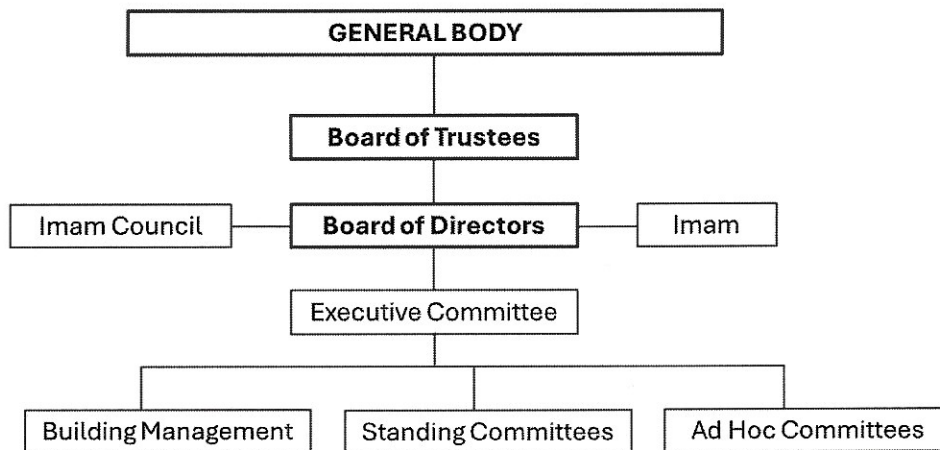
A majority of the votes entitled to be cast on a matter by the members present at a meeting at which a quorum is present shall be necessary for the adoption of the matter under consideration.

Article VII. ORGANIZATIONAL STRUCTURE

The following units shall constitute the organizational structure of the NDIA:

1. Board of Directors
2. Executive Committee
3. Imam Council
4. Standing Committees
5. Ad Hoc Committees
6. General Body
7. Board of Trustees

The above units are organized in the following organogram chart to illustrate the structure of NDIA but not necessarily for hierarchy or reporting structure:



Article VIII. GENERAL BODY

Section 1. Composition.

The General Body shall consist of all members whose application of membership has been approved by the Executive Committee.

Section 2. Functions of the General Body.

- a. To participate in NDIA activities and function as foci of Islamic education and conduct.
- b. To elect the Board of Directors by NDIA members
- c. To adopt resolution(s) to promote the aims and purposes of NDIA. Such resolution(s) are to be implemented by the Board of Directors.
- d. To approve or disapprove amendments to the NDIA Bylaws (see Article XXIV (Bylaws Amendment(s)) after these have been approved by the Board of Directors and the Board Trustees.

Article IX. IMAM COUNCIL

Section 1. Composition

- a. The Imam Council shall consist of three Islamic scholars and will be formed by the Board of Directors in consultation with the Imam and the Board of Trustees.
- b. The Imam Council is chaired by the Imam
- c. A Board member can be assigned by the Board of Directors as an ex-officio (non-voting) member of the Imam Council
- d. The Imam Council deals with all religious disputes.

Commented [JC1]: This results in having only two voting members (out of three), which may often lead to tie among two voting members. This is not good. The solution is to have four total members if you allow one non-voting member.

Article X. BOARD OF DIRECTORS

Section 1. Composition.

- a. The Board of Directors shall consist of seven (7) voting members. The Imam will be an ex-officio (non-voting) member of the board.
- b. The Imam may be invited to attend the Board of Directors meetings in case of discussing any religious matters.

Section 2. Qualification for Board of Directors Members.

- a. Any Muslim at least eighteen (18) years or older, by the first day of February, and has been a member of the NDIA for at least one calendar year, is eligible to become a member of the Board of Directors.
- b. Any paid NDIA employee is not eligible to be a candidate for the Board of Directors.
- c. Members of the Board of Trustees are not eligible to be candidates for the Board of Directors.
- d. The Board of Directors shall be elected for a period of four years by the General Body. Elections will be held every two years.
- e. The initial Board and subsequent election cycles will be established in the following way:
 - Initial Board Appointment: The first members of the NDIA Board will be appointed by an Executive Committee, which is established by the General Body.
 - Two-Year Review: After two years, a review will be conducted assessing all board members based on their attendance, activity, participation, and support. From this review, three members will be replaced.
 - Four-Year Terms: The new members who replace the three will serve a four-year term.

- Subsequent Changes: Four years after the initial appointment, the remaining four board members will also be replaced. These new members will also serve for four years.
- Election Process: After this initial cycle, three of the members who have completed their four-year term will be replaced through an election, following the process outlined in Article XIV. Two years after this, the other four members will be replaced in the subsequent election year. This cyclical, staggered pattern of replacement by elections will ensure that there is significant overlap between Board of Directors members in any one year while still creating opportunities for new members to join the Board of Directors.

Section 3. Functions of the Board of Directors.

- a. To appoint the Executive Committee and any number of other committees it deems necessary to perform its functions.
- b. To approve guidelines for the Executive Committee and bylaws of the standing committees.
- c. To resolve issues referred to it by the Executive Committee.
- d. To approve annual budget proposal submitted by the Finance Committee.
- e. To oversee the general activities of the Executive Committee and other committees.
- f. To approve proposed amendment(s) to the bylaws before being presented to the Board of Trustees and the General Body.
- g. To select an Imam for the NDIA and decide on his compensation (See Article XV (The Imam)).
- h. To determine the annual-membership dues.
- i. To resolve the transitions involved in applying any amended bylaws.

Section 4. Procedures:

- a. The Board of Directors shall elect its own Chairman, Vice-Chairman, Secretary and Treasurer.
- b. A Director seat shall be considered vacant if the membership of a Director in NDIA is suspended or revoked or if a Director:
 - i) Formally resigns,
 - ii) Leaves the area continuously for six months or more,
 - iii) Fails to attend three consecutive meetings of the Board of Directors without being excused,
 - iv) Fails to attend at least 50% of the scheduled meetings in a calendar year.
- c. The Board of Directors retains the right to vote to maintain the Director whose seat has become vacant. The remaining members of the Board of Directors will vote on who will replace the vacant seat.
- d. A Director can submit an appeal to the Board of Directors if his/her seat becomes vacant due to non-attendance. For appeal, the Director should formally request the Chairman to place the case to the Board within 30 days after the board meeting date when the seat became vacant.
- e. The Board of Directors shall meet at least once each month.
- f. The meeting shall be called by the Chairman of the Board of Directors.

- g. A special meeting shall be called within four weeks by the Chairman of the Board of Directors whenever formally requested by one-third (minimum three) of its members.
- h. The members of the Board of Directors shall be notified about the time and place of a meeting at least five days in advance of the meeting, excluding Ad-hoc meetings.
- i. The Chairman of the Board of Directors shall preside over the meeting.
- j. The presence of two-thirds (2/3rd) of the total members in the first meeting and available members (minimum of five) shall constitute a quorum.
- k. Unless specifically required by the bylaws, the decisions in a Board of Directors meeting are to be made by a simple majority of members present.
- l. Two-thirds majority of the total membership of the Board of Directors is required to register a vote of no confidence against the Chairman, the Vice-Chairman, Secretary, or the Treasurer of the Board of Directors.

Section 5. Chairman.

The Chairman shall be the principal Executive Officer of NDIA and shall, in general, supervise and control all of the business affairs of the corporation. He signs, or co-signs with the Treasurer, any deeds, mortgages, bonds, contracts, or other instruments which the Board of Directors has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board of Directors or by these bylaws to some other officer or agent of the corporation, or shall be required by law to be otherwise signed or executed. He shall, in general, perform all duties incidental to the office of the Chairman and such other duties as may be prescribed by the Board of Directors from time to time.

The Chairman is the executive officer of the Executive Committee, and an ex-officio member of all committees established by the Board of Directors and these bylaws. The Chairman can authorize expenditures up to \$500 per project or through a period of two months from the last unauthorized expenditure, without authorization of the Board of Directors.

The Chairman is the main spokesman, representative and correspondent for NDIA in external affairs.

Section 6. Vice Chairman

The Vice Chairman, in the absence of the Chairman or in the event of his inability to act, shall perform the duties of the Chairman, and when so acting, shall have all the powers of and be subject to all restrictions upon the Chairman. The Vice Chairman is a member of the Board of Directors and shall perform such other duties as from time to time may be assigned to him by the Chairman or by the Board of Directors.

The Vice-Chairman shall be responsible for:

- a. Assisting the Chairman in directing and coordinating activities of all committees so as to achieve the mission, purposes, and objectives of NDIA

Section 7. Secretary

The Secretary shall perform all duties incidental to the office of the Secretary and such other duties as from time to time may be assigned to him by the Chairman or by the Board of Directors.

The Secretary shall be responsible for:

- a. Preparing the agenda for the Board of Directors, EC, and General Body meeting(s).
- b. Keeping the minutes of the Board of Directors, EC and General Body meeting(s) and presenting the minutes of previous meeting(s) for approval.
- c. Notifying the members about the time and place of a meeting.
- d. Keeping the NDIA registered and in compliance with state laws.
- e. Keeping the organization records and the seal of the corporation.
- f. Keeping a directory of names, current phone numbers and postal and e-mail addresses of all NDIA members according to the membership committee's records.

Section 8. Treasurer

The Treasurer shall have charge and custody of and be responsible for all funds and securities of the Northern Durham Islamic Association, Non-profit org., receive and give receipts for moneys due and payable to the corporation from any source whatsoever, and deposit all such moneys in the name of NDIA in such banks, trust companies or other depositories as shall be selected in accordance with the provisions of Article XVI (Contracts, Checks, Deposits, and Funds) of these bylaws; and, in general, perform all duties incidental to the office of Treasurer and such other duties as from time to time may be assigned to him by the Chairman or by the Board of Directors.

The Treasurer shall be responsible for:

- a. Maintaining the records of all financial transactions, systematically maintaining the account books, checks, and receipts, writing disbursements, and performing banking reconciliation.
- b. Assisting the Finance Committee in collecting and depositing all funds.
- c. Assisting the Finance Committee to prepare the annual budget of NDIA.
- d. Preparing and presenting a quarterly report on finances to the EC.
- e. Matters related to the Internal Revenue Service (IRS) and other tax agencies.

Section 8. Assistant Treasurers and Assistant Secretaries.

NDIA will have the option to appoint Assistant Treasurers and Assistant Secretaries to work under the Treasurer and Secretary, respectively. The Assistant Treasurers and Assistant Secretaries, in general, shall perform such duties as assigned to them by the Treasurer or the Secretary, or by the Chairman or the Board of Directors.

Article XI. BOARD OF TRUSTEES

Section 1. Composition

- a. The Board of Trustees (BOT) shall consist of six (6) senior members of the NDIA community including the Imam as an ex-officio non-voting member.
- b. The five (5) voting members shall initially be selected by the Board of Directors. Once formed, the Board of Trustees cannot be dissolved by the Board of Directors or the General Body. It will be a self-sustaining body, meaning that any vacant seat will be filled in by the selection made by the BOT.

- c. The Trustees shall serve a term of ten (10) years.
- d. The BOT shall elect its own President to lead meetings and other relevant affairs.
- e. A Trustee seat shall be considered vacant/revoked if the Trustee:
 - i) formally resigns with a written notification to BOT and BOD (Board of Directors)
 - ii) discontinue employment with NDIA (applicable in case of Imam only).
 - iii) chooses to retire from BOT or is, otherwise, no longer able to discharge the duties
 - iv) carries out any action that is contradictory to NDIA Bylaws
 - v) demise, etc.
- f. The selection or removal of a member-trustee will be determined by a 2/3rd majority of the BOT. The President will preside over BOT meetings and initiate the selection or removal process of a trustee.

Section 2. Qualifications

To be eligible to serve on the Board of Trustees, a person shall meet the following criteria:

- a. A Muslim aged forty (40) years or more, who has been a resident of Durham or surrounding area and served NDIA community for at least five (5) years.
- b. Legally permitted to reside in the U.S. by the laws of this land and is not an active follower of any group with a known ideology that is contradictory to the Basic Law (Article V).

Section 3. Functions

The Board of Trustees shall function autonomously with no external interference and shall:

- a. Ensure appropriate functioning of the NDIA in general compliance with the bylaws.
- b. Interpret the bylaws in case of ambiguity or conflict pertaining to the bylaws.
- c. Resolve conflict(s) by discussing with the Board of Directors and the Board of Trustees and vote on it.
- d. Choose any course of action it deems necessary to protect the sanctity, structure, and functions of NDIA according to its bylaws; however, it shall not be involved in day-to-day affairs of NDIA and the functioning of the Executive Committee or any other committee.
- e. In the case of conflicts affecting NDIA structure and functions, the decisions made by the BOT on any NDIA matter for resolution will be final and binding to all including the BOD and the general body (members).

Article XII. EXECUTIVE COMMITTEE

Section 1. Composition

- a. The Executive Committee (EC) shall consist of the Executive Officers and Chairpersons of all standing committees.
- b. The Chairman, Vice-Chairman, Secretary and Treasurer of the Board of Directors shall be the Executive Officers.
- c. The EC shall be appointed by the Board of Directors.

Section 2. Functions

- a. Conducts the affairs of the NDIA within the guidelines of the Board of Directors.
- b. Implements decisions of the Board of Directors
- c. Coordinates activities of different committees.
- d. Processes membership applications
- e. Appropriates funds for various committees, activities and project(s) approved by the Board of Directors.

Section 3. Procedures

- a. The EC shall meet on a monthly basis to conduct the affairs of the NDIA.
- b. The decisions of EC require approval by a simple majority of its total members.
- c. An EC seat shall be considered vacant if the membership of an EC member is suspended or revoked or a member
 - i) formally resigns,
 - ii) leaves the area continuously for four months or more, or,
 - iii) fails to attend three consecutive meetings of the EC without being excused by the Chairman.
- d. A vacancy in EC shall be filled by a new member appointed by the Board of Directors.

Article XIII. STANDING AND AD HOC COMMITTEES

Section 1. Standing Committees

NDIA shall have the following standing committees:

- a. **Weekend School:** shall be responsible for planning and managing affairs related to the weekend Islamic school.
- b. **Outreach (Dawah):** shall be responsible for Dawah among Muslims as well as non-Muslims.
- c. **Education:** shall be responsible for providing educational programs and conducting classes for the community members in both religious and non-religious areas.
- d. **Finance:** shall be responsible for financial affairs of NDIA, including the preparation of the annual budget. It shall review and certify the financial statement of the treasurer. It shall review investment prospective and make recommendation(s) to the EC.
- e. **Funeral:** shall be responsible for handling funerals (Janaa'iz) and managing an NDIA cemetery.
- f. **Membership:** shall be responsible for recruiting new members and keeping an updated list of members. It shall coordinate with the election committee (an ad hoc committee) and finalize the list of eligible members during the election year. It shall suggest membership dues to the EC.
- g. **Planning and Project Management:** shall be responsible for planning and managing NDIA development and construction projects and other special-purpose projects.
- h. **Property Management:** shall be responsible for day-to-day management and maintenance of the Masjid premises. It shall coordinate and schedule different activities within the North Durham Masjid.

- i. **Welfare/Sadaqah (including Zakaah):** shall be responsible for keeping records of needy families under NDIA support, determining eligibility of individuals to receive Sadaqah or Zakaah, and dispensing collected sadaqah and Zakaah according to the Qur'an and Sunnah.
- j. **Social:** shall be responsible for coordinating social activities of NDIA and arranging and coordinating Eid celebrations and other Islamic occasions according to the Islamic calendar.
- k. **Women's:** shall be responsible for coordinating group activities which are of particular interest and relevance to Muslim women.
- l. **Youth:** shall be responsible for coordinating group activities which are of interest and relevance to the Muslim youth.

Section 2. Ad Hoc Committees

Ad hoc committee(s) may be appointed by the Board of Directors whenever it deems necessary. The task and the duration shall be outlined by the Board of Directors.

Article XIV. ELECTIONS

Elections shall be initiated by the Board of Directors at least four months in advance of the election date and held every two years in the month of March or later but not beyond the last day of June. The criterion for voting eligibility in NDIA elections has been previously outlined in these Bylaws. The following guideline will be followed to conduct elections by an Ad-Hoc Elections Committee:

- a. A 3-5 member Elections Committee shall be appointed, consisting of members from the General Body who have waived their election eligibility for the upcoming elections and one existing Director whose term is not expiring in the upcoming year. Executive Officers are not eligible for the Elections Committee.
- b. The Elections Committee shall coordinate with the membership Committee to finalize and publish the membership list three months in advance of the election day, and then call for nominations that can be submitted to the Committee in writing by any NDIA member or by candidates themselves.
- c. The Elections Committee shall publish the list of final nominees at least one month in advance of the election day and prepare all arrangements including the ballot that includes the name of final candidates for voting. To be included on the ballot, a candidate must verbally express his/her willingness to serve on the Board of Directors.
- d. The election can be held using a paper or digital ballot on a single day or over three days from a Friday to maximize participation in voting.
- e. Eligible members shall vote for candidates of their choice but any ballot containing more votes than the vacant seats is invalid.
- f. Candidates receiving the most votes shall become Directors; in case of a tie, the older person shall become the Director.
- g. The Election Committee shall submit the list of elected Directors for vacant seats promptly in writing to the NDIA Chairman. The list shall include the names of a maximum of five (5) runners-up in the order of the received votes for filling any vacancies until the next elections.

Article XV. THE IMAM

Section 1. Qualifications

- a. Muslim adult male with knowledge and training in Islamic sciences.
- b. Memorization of at least ten (10) Juzz (Sections) of the Qur'an and ability to recite properly.
- c. Knowledge and practice of the obligations and prohibitions of Islam.
- d. Personal conduct appropriate to this position.
- e. Islamic training either formal or otherwise such that he is capable in the terminology and reference books of the basic Islamic sciences in their original Arabic.
- f. Residency at the Triangle area during the term of the contract.
- g. Ability to communicate (verbally and in writing) with congregation - proficiency in English.
- h. If not found: If the above qualifications cannot be fully satisfied, then a temporary Imam will be chosen from among those available who come closest to the above qualifications in their order.

Section 2. Functions

- a. Accountability to the Board of Directors: The Imam must work strictly within the guidelines, policies and priorities stated in the contract and the bylaws.
- b. Leading Salaah (Prayer): The Imam shall be the one who leads the prayer at the Masjid (mosque) including the Friday sermon and prayer, Eid prayers, special occasion prayers and Janaazah (funeral) prayer.
- c. Education & Dawah: The Imam shall be a member of the Education and Dawah committees and shall give classes and courses deemed necessary by the Education Committee.
- d. Committees Support: The Imam shall participate and support as much as possible the various standing and ad hoc committees of the Masjid.
- e. Performing Marriage Contracts: The Imam shall perform all marriage contracts and necessary documents, provide pre-marriage and marriage counseling.
- f. Consultation and Counseling: The Imam shall make recommendations to the Board of Directors for all matters related to Islamic activities. The Imam shall also provide scheduled time (office hours) for the community to answer their questions, provide informed Islamic insights on any matter, or direct them to the appropriate resources.
- g. Office Hours: The Imam shall maintain office hours as a reasonable access for members of the Muslim community in general and General Body in particular.

Section 3. Areas of Authority

- a. The Imam is the chairman of the Imam Council that has the final say in all religious matters.
- b. Delegation: The Imam may appoint someone else from the Council to fulfill his duties and responsibilities when needed. These appointments must be based on the individuals' qualifications for the post.
- c. Musalla (Prayer Hall): The Imam shall have the authority to conduct, authorize or limit any activity in the Musalla within his line of duties.
- d. Office: The Imam shall be assigned an office where he maintains his office hours and performs some of his duties.
- e. Zakaah: The Imam is a permanent member of the Welfare committee.

- f. The Imam is a permanent non-voting member of the Board of Directors and the Board of Trustees.

Section 4. Term of Office

The probationary period for the office of Imam is six (6) months. After satisfactory performance (reviewed by the Board of Directors or if selected by an Ad Hoc imam committee) the term of office shall be a total of three (3) years. The Imam will be given a performance evaluation annually by the Board of Directors with input from the Executive Committee and General Body membership.

Section 5. Dismissal

The Imam shall be dismissed from office if he becomes unacceptable for the position on Islamic grounds, such as 1) proven, repetitive, and unrepentant commission of immoral acts, 2) unsatisfactory performance of his duties as Imam, 3) irresponsible behavior and/or misconduct. Dismissal of the Imam is the responsibility of the Board of Directors and must be according to the above principles after a hearing. Any formal complaints must be fully investigated for a resolution and respectfully communicated.

Section 6. Procedure for Imam Search Committee

The Board of Directors shall form an Imam Search committee (an ad hoc committee) as soon as the Imam position is vacant. The Imam Search Committee should follow the following procedures:

- a. Develop job description according to Imam Qualifications needed (refer to Article XV (The Imam)).
- b. Post on community bulletin board, website, announce after Jumu'ah, etc for comments of general body (seek feedback from community).
- c. Advertise in Islamic and public publications.
- d. Choose the 3 most qualified applicants. The short-listed applicants should give a presentation either in person or through electronic media (tape, teleconference, etc.).
- e. Submit recommendations to the Board of Directors to appoint/hire Imam including a salary range to consider.

Article XVI. CONTRACTS, CHECKS, DEPOSITS, AND FUNDS

Section 1. Contracts

The Board of Directors may authorize any officer or officers, agent or agents of the corporation, in addition to the officers so authorized by these bylaws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the corporation, and such authority may be general or confined to specific instances.

Section 2. Checks, Drafts, etc.

All checks, drafts or orders for payment of money, notes or other evidence of indebtedness issued in the name of the corporation, shall be signed by such officer or officers, agent or agents of the corporation and in such manner as shall time to time be determined by resolution of the Board of

Directors, such instruments shall be signed by the Treasurer or an Assistant Treasurer and cosigned by the Chairman or a Vice Chairman of NDIA.

Section 3. Deposits

All funds of the corporation shall be deposited from time to time to the credit of the corporation in such banks, trust companies or other depositories as the Board of Directors may select.

Section 4. Gifts

The Board of Directors may accept on behalf of NDIA any contribution, gift, bequest, or device for the general purposes or for any special purpose of the corporation.

Article XVII. CERTIFICATES OF MEMBERSHIP

Section 1. Certificates of Membership

The Board of Directors may provide for the issuance of certificates evidencing membership in the Northern Durham Islamic Association, which shall be in such form as may be determined by the Board of Directors. Such certificates shall be signed by the Chairman or a Vice Chairman and by the Secretary or an Assistant Secretary and shall be sealed with the seal of the corporation. All certificates evidencing membership and the date of issuance of the certificate shall be entered on the records of the corporation. If any certificates shall become lost, mutilated or destroyed, a new certificate may be issued therefore upon such terms and conditions as the Board of Directors may determine.

Section 2. Issuance of Certificates

When a member has been elected to membership and has paid any dues that may be required, a certificate of membership shall be issued in his or her name and delivered to him or her by the Secretary, if the Board of Directors shall have provided for the issuance of certificates of membership under the provisions of Section 1 of this Article.

Article XVIII. BOOKS AND RECORDS

NDIA shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its members, Board of Directors and committees having any of the authority of the Board of Directors and shall keep at its registered or principal office a record giving the names and addresses of the members entitled to vote.

Article XIX. FISCAL YEAR

The fiscal year of the Northern Durham Islamic Association shall begin on the first day of January and end on the last day of December of each year.

Article XX. DUES

Section 1. Annual Dues

The Board of Directors may determine from time to time the amount of annual dues payable to the corporation by members. Annual dues can consist of a value of zero for a given year if determined by the Board of Directors.

Section 2. Payment of Dues

Dues shall be paid on or before the first day of February in each year. Dues of a new member shall be reduced to one half of regular dues for membership elected on or after July 1.

Section 3. Default and Termination of Membership

When any member shall default in the payment of dues for a period of three (3) months from the beginning of the fiscal year or period for which dues become payable, such membership may thereupon be terminated by the Executive Committee in the manner provided in Article VI (Members and Meeting of Members) of these bylaws.

Article XXI. SEAL

The Board of Directors shall provide a corporate seal which shall be in the form of a circle and shall have inscribed the name of NDIA and the words "Official Seal."

Article XXII. WAIVER OF NOTICE

Whenever any notice is required to be given under the provisions of the North Carolina Non-Profit Corporation Act or under the provisions of the Article of Incorporation or the Bylaws of the corporation, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

Article XXIII. DISSOLUTION

If, as determined by the Board of Directors and the Board of Trustees, dissolution of NDIA becomes inevitable, the Board of Directors shall handle the process of dissolution. It shall make arrangements to meet all liabilities and then transfer remaining assets to North America Islamic Trust (NAIT). If, for any reason NAIT no longer is in existence, or does exist but no longer is recognized as a tax-exempt entity by the Internal Revenue Service, then all remaining assets shall be disposed of according to the provisions of the Articles of Incorporation filed with the North Carolina Secretary of State.

Article XXIV. AMENDMENTS TO THE BYLAWS

Section 1. The Basic Law shall not be amended.

Section 2. To initiate, proposed amendment(s) shall be signed by at least ten (10) members or ten percent (10%) of the General Body, whichever is greater, and submitted in writing to the Chairman or the Secretary of the Board of Directors.

Section 3. After receipt of proposed amendment(s), the Chairman shall call a meeting of the Board of Directors within four (4) weeks to appoint (an) ad hoc committee(s) to study the proposed amendment(s). The Board of Directors may initiate the process of amendment(s) by appointing (an) ad hoc committee(s).

Section 4. The ad hoc committee(s) shall study the proposal and report its findings to the Board of Directors. After the ad hoc committee(s) reports the findings, the Board of Directors shall discuss and vote on the proposal. An affirmative vote of at least two-thirds (2/3) of the total membership of the Board of Directors is required for approval of any amendment(s).

Section 5. After any amendment has been approved by the Board of Directors it shall be presented to the Board of Trustees. Upon approval by the Board of Trustees, it shall be presented to the General Body within two (2) months. If at least two thirds (2/3rd) of eligible voters in the General Body vote in favor, the amendment(s) shall be adopted and become effective.

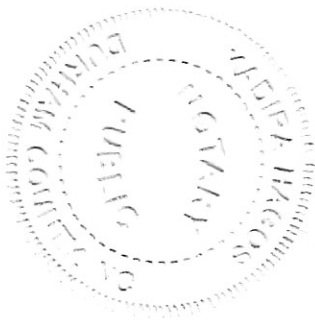
Section 6. The implementation procedure of the amendment(s) shall be decided by the Board of Directors.

The forgoing bylaws, as amended, were approved by the General Body effective 12/10 (date) 2024.

Chairman



Secretary



Kadira Hagos
Kadira Hagos
04/25