

# **The Islamic Foundation of Peoria**

## **THE BY-LAWS**

VERSION 5: August, 2006

# THE BY-LAWS OF THE ISLAMIC FOUNDATION OF PEORIA

*Bismillah ir Rahman ir Rahim*

“In the name of Allah, the Beneficent, the Merciful”

## Article I: Membership

### Section I: Types

The Foundation shall have two (2) types of membership:

#### A. Members

Any Muslim individual above eighteen (18) years of age may become a Member upon filing an application with the Secretary of the Shura and upon payment of dues as determined by the Shura, unless unanimously rejected by the Shura.

#### B. Honorary Members

The Shura may admit selected individuals to Honorary Membership on the basis of their outstanding services and contributions to the Foundation and its purposes.

#### C. Any family that registers their children in the IFP Sunday School is automatically registered as a member of IFP.

### Section II: Rights and Privileges

#### A. A Member in good standing shall have full voting rights.

#### B. Good standing shall be defined as follows:

i. Member shall have attended IFP regularly over the previous six (6) months. This may be through participation in the Sunday School as a teacher or family member with registered children, pot-lucks, salah, General Business meetings, etc.”

ii. The IFP Shura reserves the right to review all memberships for eligibility under the above description at the time of voting on any particular issue.

- C. A Member shall be eligible to seek and hold any office in the Foundation provided he/she fulfills the requirements of that office.
- D. All types of membership shall be eligible to receive the literature of the Foundation except those documents deemed to be of a confidential nature as defined later in these By-Laws.

Section III: Termination of Membership

- A. Upon written and signed charges brought against any Member, and upon filing such charges with any Shura Council Member and upon a hearing by the Shura called for such purposes, a Member may be expelled or suspended from the Foundation in the following manner:
  - i. The Shura is required to hold a hearing within one (1) month to look into said charges with Member(s) of the accusing party and the accused being present to face his/her accuser.
  - ii. The hearing will be conducted on the principle of “innocent until proven guilty” as mandated Islamically.
  - iii. The hearing shall be a closed hearing of at least five (5) Shura Members, including all three (3) office holders and the above mentioned parties.
  - iv. All minutes of this meeting are to be considered of a confidential and private nature. The Shura will work assiduously to reconcile the parties involved in an Islamic manner if possible.
  - v. In the event that the parties are irreconcilable, the Shura will vote among themselves in private based only upon the evidence provided.
  - vi. If the Shura find reasonable grounds for expulsion then the Member(s) found guilty shall be immediately expelled from the Foundation and shall lose all rights and privileges of a Member of the IFP.
  - vii. The Member(s), upon a finding for expulsion, may petition for a General Business Meeting where the same evidence will be presented by the Shura only. The petitioner’s right to address the the Members on his/her own behalf will be respected. A vote will then be conducted and a simple majority of a quorum of Members may vote to retain the petitioner as a Member.

## **Article II: Meetings**

### Section I: Types of Meetings

There will be three types of meetings of the membership of the IFP.

- A. General Business Meetings shall be held at least twice a year as outlined in the Constitution.
- B. General Election Meetings shall be held once a year in December as outlined in the Constitution.

### Section II: Voting

- A. Regardless of the type of meeting being held, only Members in good standing, as defined in the By-Laws above, may vote on any given issue.
- B. A simple majority of a quorum of Members is required to win a vote.
- C. Voting shall be conducted by the Shura by balloting in the following manner:
  - i. A separate room or area shall be set aside for balloting the membership.
  - ii. A list of eligible Members will be provided by the Secretary of the Shura.
  - iii. Each Member will sign by his/her name and receive a ballot and proceed to an area designated for voting in private. The Member will not be required to sign his/her name on the ballot itself. In other words, voting will be by secret ballot.
  - iv. A ballot box will be provided and the Member shall deposit his/her ballot in said box upon exiting. A Member of the Shura, with an identical list of eligible voters as provided by the Secretary of the Shura, shall check his/her name off as having voted and exited the designated area.
  - v. Absentee ballots shall be provided to those who know that they will not be present at any given meeting that they wish to cast a vote in, provided they are eligible. These ballots must be hand delivered by the Member casting

the ballot, or by his immediate family member, to the Secretary of the Shura. The Secretary of the Shura will then duly note the Member as having voted and shall then deposit the ballot in the ballot box. The ballots must be received by the Secretary no later than the day prior to voting. These ballots, unlike other ballots, must be signed in order to verify authenticity. The absentee ballots will be opened in the presence of at least three (3) Members of the Shura. Any pre-opened ballots shall be considered void for the purposes of voting and the voter whose ballot had been opened shall be contacted as soon as possible to verify his/her vote. In the event that this vote would be a tie-breaking vote the question at hand shall be considered a draw pending verification of authenticity.

- vi. Upon completion of voting, at least three (3) Members of the Shura shall be present as the ballots are tallied in private and the results shall then be announced by the President of the Shura or his designated representative.
- vii. Any irregularities in voting should be reported immediately to a Member of the Shura. As in all things, the membership should remember that if no human is watching, Allah (swt) is.

### Section III: Debate

Conduct of the meetings shall be according to the Islamic spirit and Robert's Rules of Order (please see attached Appendix to the By-Laws). The President, or his designated representative(s) from the Shura, is required to conduct the meetings.

## **Article III: Elections**

All elections shall be by nomination and secret ballot and according to the majority vote. The Shura Council shall temporarily fill any vacancies during the year.

- A. The Shura will prepare a list of eligible Members who may sit on the Shura. This list will be provided to the general membership by whatever means of communication the Shura deems appropriate and posted in the IFP headquarters in November. The definition of "eligible Member" shall be as defined in the By-Laws and provided he/she meets the qualifications as defined in the Constitution.
- B. The membership shall then have fourteen (14) days to nominate individuals to the Shura. Only the President of the Shura may receive nominations. These nominations may be by any means of communication provided the nominator provides his/her name in order that membership may be validated. The President is required to keep of a log of nominations.

- C. The Shura will then have one (1) week to meet and determine the final list of candidates who will sit for election to the Shura. Determination of this list shall be as follows:
- i. The Shura will contact each Member nominated and verify their willingness and ability to sit for election. Only if the Member agrees to sit for election will his/her name be listed.
  - ii. The Shura will take the number of vacant seats and multiply by two (2). This will be the maximum number of ranks that will be considered from the list of nominations.
  - iii. The individual with the most nominations will be placed on the first rank. This will be followed by the second most nominations on the second rank and so on until the maximum number as defined above is reached. For example, if two seats are up for election, then the top four receivers of nominations shall sit for election.
  - iv. In the event that more than one individual has the same number of nominations within the predetermined maximum number of ranks to be considered, then each individual at that rank shall sit for election. For example, if two people tie for the most nominations and three for the sixth most, then, a total of nine individuals will sit for election.
  - v. This list will then be posted in the headquarters of the IFP and given to all Members by whatever means of communication the Shura deems appropriate.
- D. The President will then convene a General Election Meeting in December and allow each nominee the opportunity to address the Membership if they desire to do so. This will not be a forum for debate. The nominees are simply being afforded an opportunity to introduce themselves to the community and for the community to familiarize itself with the various nominees and their vision(s) for the IFP.
- E. Voting shall be conducted as outlined in the By-Laws with the following exceptions:
- i. Voters shall be presented with a ballot listing the names of all nominees.
  - ii. Each voter is allowed to check off as many names as the number of offices up for election that year. In other words, if three (3) Shura positions are available, the voter checks off three names.
  - iii. The voter may not cast all votes for one name or cast more votes than allowed. If this discrepancy is noted, the voter's ballot shall be considered null and void.

- iv. The nominee receiving the most votes is immediately seated and so on until all positions are filled.

#### **Article IV: Duties of the Shura Council**

##### Section I: Shura Council

##### A. Function

- i. To implement the Constitution
- ii. To plan, manage and execute the activities of the IFP so as to conform to Islamic and local laws and to accomplish the goals of the Foundation as outlined in the Constitution
- iii. To obtain/procure a building for use as a Headquarters and to house activities.
- iv. To establish Jamaat (congregational) prayers.
- v. To establish Dars and Zikr meetings (religious teaching groups).
- vi. To carry out fund raising and the overall financial planning of the Foundation and its investments with the goal of achieving financial self-sufficiency.
- vii. To appropriate funds for various committee Chairpersons.
- viii. To establish a system for collection and distribution of funds for Zakat (alms-levy), Sadqa (charities) and Qurbani (sacrifice).
- ix. To establish committees from within the membership to address administrative and religious needs as they arise.
- x. To appoint personnel as necessary, define their duties and fix their salaries.
- xi. To carry out the policies and decisions of the membership.
- xii. To conduct needs assessment surveys of regional Muslims and strive to fulfill them.
- xiii. To coordinate activities with other regional organizations of similar nature.

- xiv. To procure legal counsel or public relations consultation as needed for the Foundation.
- xv. To review the Constitution and the By-laws every year with the goal of assessing applicability to community needs.
- xvi. To establish procedures in routine matters.
- xvii. To promote tolerance within the Ummah (community)

B. Meetings

- i. The Shura will meet at least monthly.
- ii. The President or any two members of the Shura may call a special meeting, in case of need, outside of the regularly scheduled monthly meetings.
- iii. The presence of at least four (4) members of the Shura shall constitute a quorum.
- iv. A simple majority of the Shura members present at any given meeting shall be required for arriving at a decision.

C. Suspension

Any member of the Shura may be suspended from office by a majority of the Shura at any of their meetings by a secret ballot if charges of a direct violation of the Constitution or gross misuse or misappropriation of funds or obvious damage to the existence or interest of the Foundation by the actions of the individual are proven to be true. The accused will have a hearing as outlined in the By-Laws. A verdict of guilty shall result in immediate expulsion from the Shura and consideration of termination of membership.

D. Term of the Shura

- i. The members of the Shura will be elected for a period of three (3) years after the initial elections/establishment of the Foundation.
- ii. No member of the Shura shall be elected for more than two (2) terms or six years. After completing two (2) terms the member must sit out at least two (2) years before being eligible again.
- iii. The President, Secretary and Treasurer shall be elected by the



Shura from among themselves each year for one (1) year terms.  
There are no term limits on these offices except as limited by  
Shura eligibility.

Section II: Duties of the President

- A. To be responsible for the general management of all the activities of the Shura.
- B. To implement the Constitution of the IFP by formulating overall plans and organizing the efforts and resources of the Shura.
- C. To direct and coordinate all the activities of the Shura so as to achieve the goals of the Foundation as outlined in the Constitution.
- D. The sole authority to form committees and designate committee chairpersons resides with the President. The sole exception to this rule is the situation in which a General Assembly Proposal for Action has been successfully passed as outlined in the Constitution. In this case, the Shura will meet and appoint a committee to carry out the mandate of the Proposal. The committee so formed will consist of a majority of those Members (not necessarily of the Shura) who were in favor of the Proposal and at least one Member of the Shura. The chairperson of this committee will be elected by the committee itself. This committee will then act as any other committee and submit its findings/recommendations to the Shura.
- E. To designate members or seek outside help to carry out any special task(s).
- F. To present an annual report to the membership at the conclusion of his term or designate another Shura Member to do so on his behalf.
- G. To be the spokesperson, representative and correspondent for the Foundation in external activities or designate any Member of the community to do so on the Foundation's behalf.
- H. To coordinate the activities of the Foundation with other Muslim organizations, be they local, national or international.

Section III: Duties of the Secretary

- A. To prepare the agenda of the General Business Meetings and post it in the Foundation's headquarters.
- B. To be responsible for the internal correspondence of the Foundation including the minutes of all General Business Meetings and Shura Council meetings. The Secretary will be required to produce the minutes of any given meeting to any member upon request within two (2) weeks of said request
- C. To be responsible for maintaining an accurate list of Members. This includes addresses and e-mail, etc.
- D. To assist the President in accomplishing the goals of the Shura.

Section IV: Duties of the Treasurer

- A. To maintain a record of all financial transactions of the Foundation.
- B. To collect and deposit all funds received on behalf of the Foundation under appropriate accounts in a bank. To sign all withdrawal checks on behalf of the Foundation. No account shall be opened in the name of the Foundation without the prior knowledge and permission of the Shura Council
- C. To prepare a financial report of the Foundation annually for the Shura.
- D. To be responsible for documenting donations made to the IFP and any services performed for the IFP by its Members or by any Non-members. He/she shall also be responsible for distributing receipts to document said services or donations to these individuals in a timely manner for tax purposes.
- E. To assist the President in accomplishing the goals of the Shura.

Section V: Advisors

- A. The remaining non-office holding Members of the Shura shall be designated Advisors of the Shura and will assist the President, Secretary and Treasurer in accomplishing the goals of the Shura.
- B. Will chair various committees as designated by the President.

**Article V: Succession and Handover**

Section I: Succession

Upon resignation or suspension of a Shura Member from his/her position or in case of becoming incapacitated:

- A. The Shura shall appoint a Member from the membership to complete the vacated Shura position provided the Member is eligible to hold that position.
- B. In the event the vacated position is that of an office holder, then the Shura will fill the seat as mentioned above, but shall also select from among the remaining Members an individual to complete the office holder's term.
- C. In the event the entire Shura resigns or becomes incapacitated new elections must be conducted within two (2) months in the method outlined in the By-Laws.
- D. Any other positions falling vacant shall be filled by the Shura as it sees fit.

Section II: Handover

- A. The outgoing office-holders shall handover all files, documents and any property of the Foundation at their disposal to the incoming holders within thirty (30) days of the election.
- B. A list containing unfinished business, outstanding accounts, and any other pertinent material shall be given to the respective holders.

**Article VI: Finances**

Section I: Fiscal Planning

- A. The fiscal year of the Foundation shall begin on the 1<sup>st</sup> day of January and shall end on the 31<sup>st</sup> day of December of the same year.
- B. All expenditures of the Foundation shall be budgeted yearly and shall be approved by the Shura

Section II: Dues

The Shura Council shall determine if any membership dues will be assessed.

## **Article VII: Headquarters**

Section I: Location of Headquarters

- A. The headquarters may be located anywhere in the Peoria area upon the decision of the Shura Council and approval by the membership in a General Business Meeting by a simple majority.

## **Article VIII: GRIEVANCE AND ARBITRATION**

Scope: It is a condition of membership that all grievances (disputes) between a Foundation member and Foundation management will be decided through an arbitration process as described in this article.

Section I: All grievances must be submitted in writing within ten (10) days of alleged occurrence.

The President shall assign the grievance to an arbitration process within fourteen (14) days of written receipt of the alleged incidence.

Section II: The grieved member and the accused member of the management will select a panel of three from the arbitrators panel of seven (7) by alternately striking from the list until three (3) remain, who shall be arbitrators to hear the grievance. The winning party in a coin toss flip shall be the first to strike a name from the list.

Section III: The arbitrators' decision shall be final and binding.