

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

*In the Name of Allah, The Most Beneficent, the Most Merciful*

**Constitution / Bylaws of  
DAR AL-TAQWA Incorporated  
Registered August 13, 1992**

**Name: Dar Al-Taqwa Incorporated, hereafter "DAT"**

**Address: 10740 Route 108, Ellicott City, MD 21042**

**February 5<sup>th</sup>, 2012**

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## **SECTION I: MISSION**

### **SECTION I-1: GOALS AND OBJECTIVES:**

1. To uphold and apply the principles and practices of Islam as revealed to Prophet Muhammad, may the peace and blessings of Allah be upon him (PBUH).
2. To establish, maintain and operate DAT facilities for religious, educational and community services.
3. To organize religious, educational and charitable activities for the benefit of Muslims, with particular emphasis on the residents of Howard County, Maryland.
4. DAT is a 501 (c) (3) religious/charitable organization, registered in the state of Maryland. DAT's objective is to establish a multipurpose Islamic center that will address the needs of local Muslims of all ages.

### **SECTION I-2: GOVERNING PRINCIPLES:**

1. Al-Quran (The holy book of Al Islam) and As-Sunnah (the practices and teachings of Prophet Muhammad, peace be upon him), shall constitute the governing principles of DAT.
2. RELIGIOUS SOURCES (in descending order of authority):
  - a) The Quran
  - b) The Sunnah of Prophet Mohammed (PBUH)
  - c) The Ijmaa' (Total consensus of the Sahaba)
  - d) The legacy of the pure Islamic doctrines and practice of Ahlus-Sunna Wa Al-Jama'ah
  - e) The legacy of the four renowned scholars of Fiqh (Islamic Jurisprudence – Imam Abu Hanifa, Imam Shafi'I, Imam Malik, and Imam Ahmed ibn Hanbal)).

### **SECTION I-3: LIMITATIONS ON ACTIVITIES:**

No activities within DAT facility that violate the Principles and the Rules and Regulations of DAT shall be permitted by any member, employee, and/or visitor of DAT.

### **SECTION I-4: ORGANIZATIONAL STRUCTURE & GOVERNANCE:**

1. DAT governance is based on the Articles of Incorporation and a two-tiered administrative structure consisting of a Board of Trustees (BOT) and the Board of Directors (BOD).
2. The BOT performs primarily oversight and strategic functions.
3. The BOD will be in charge of the day-to-day management of the institution.
4. If any conflict arises from between DAT Bylaws and the Articles of Incorporation, the Articles of Incorporation takes precedence.

### **SECTION I-5: FISCAL YEAR:**

DAT Fiscal year shall coincide with the Calendar year for accounting and membership purposes. It shall be from January 1<sup>st</sup> to December 31<sup>st</sup>.

## **SECTION I-6: EVALUATIONS**

There is an evaluation procedure to evaluate all employees, contractors and the committee chairpersons. The evaluation shall be conducted by the BOD.

## **SECTION II: MEMBERSHIP**

### **SECTION II-1: LIMITATIONS:**

1. Membership is for the entire fiscal year starting January 1<sup>st</sup> to December 31<sup>st</sup> and such memberships can be renewed annually upon payment of fees as set by BOD. A renewing Member does not need to complete the application.
2. Membership is non-transferable.
3. Applicants must be Sunni Muslims of at least eighteen years of age.
4. Applicants must fill out a membership application form with the required membership fee. Applicants may check a box on their applications requesting a portion of their donation (equal to only one year of DAT membership dues) to be applied towards their membership dues (within the calendar year).
5. By signing membership applications, the applicants agree to all rules and regulation of DAT including, but not limited to, its bylaws.
6. An Applicant must reside in the Unites States of America.
7. Membership applications are subject to the BOD approval. If rejected by the BOD, the applicant may appeal in writing within thirty days after the rejection to the BOT. After the review, the decision of the BOT shall be final and binding.
8. Applicant may check the “membership fee waived” box on their application if they are unable to pay the membership fee due to financial hardship. All financial hardship applications shall be reviewed for approval by BOD.
9. An Applicant must not be a member of any outlawed organization by the US Laws.

### **SECTION II-2: VOTING RIGHTS:**

1. A new applicant shall pay the entire membership dues on or before January 31<sup>st</sup> in order to vote in that fiscal year fall election. A new member is not eligible to vote for the first eight months of becoming a new member.
2. Existing members shall pay the entire membership dues on or before May 31<sup>st</sup> in order to vote for that fiscal year.
3. In addition to the above-mentioned DAT membership requirements, voting members must reside in Howard County.
4. The voting privilege is revoked immediately upon the suspension or cancellation of membership.

### **SECTION II-3: TERMINATION/SUSPENSION:**

If a member violates the constitution of DAT including but not limited to its Bylaws & Rules &

Regulations, BOD may suspend or terminate a person's membership in DAT.

#### **SECTION II-4: FEES:**

The DAT BOD reserves the right to change the membership fees as it deems necessary.

#### **SECTION III: MEETINGS:**

##### **SECTION III-1: ASSEMBLY MEETING:**

An Assembly meeting shall be held each fiscal year at the DAT facility. The meetings shall be held on weekend during the fall season (before December 20). The notice of a General Assembly meeting shall be emailed or mailed to all paid members (at the email/postal address provided in the membership form) not more than thirty days prior to the date of the meeting and not less than ten days prior to the date of the meeting. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail, with postage prepaid, addressed to the member at his/her address as it appears on the records of DAT. Each Member shall be responsible for informing DAT promptly of any change of his/her address. The notice shall be posted on the DAT Bulletin Board and on the DAT website. The following topics shall be addressed in these meetings:

1. Annual report prepared by the Resident Scholar. The report shall be available to General Assembly at least fifteen (15) days before the said meeting.
2. Annual report of established committees (education, Zakat, etc.) about their plans and achievements, and how members can participate and fill these committees' opening whenever available.
3. Annual financial report (Income statement & Balance Sheet) by the Treasurer.
4. Election for the open seats in the BOD.
5. Any other pertinent business, with the permission of the President of the BOD.
6. The minutes of General Assembly meetings shall be taken and maintained by the General Secretary, and published on DAT's bulletin board and website within seven days of the meeting.

##### **SECTION III-2 SPECIAL ASSEMBLY MEETING:**

Special assembly meetings may be convened for any one of the following reasons:

1. A request made by majority of the BOD.
2. A request made by majority of the BOT
3. Upon written request, signed by at least 25% of the voting members. In response to such a request, the BOD shall call for a special assembly meeting within 45 days. The schedule and agenda of such meetings shall be announced or distributed to voting members at least 15 days in advance.

### **SECTION III-3: QUORUM REQUIRED FOR MEETINGS:**

A quorum is necessary for the transaction of any business. The quorum is reached with the presence of 25% of the voting members at the first call. If a quorum is not achieved at the first call, a majority vote the BOD and BOT together shall determine whether meeting shall continue. If the meeting continues, the attending voting members shall constitute a quorum to conduct any necessary business. If the BOD & BOT vote to terminate the General Assembly meeting, it shall be reset within thirty (30) days.

### **SECTION III-5: WAIVER OF NOTICE**

Whenever any notice is required to be given to any Member under any provision of law, the Articles of Incorporation or these Bylaws, a waiver thereof in writing signed by the Member entitled to such notice, whether before or after the time stated therein, shall be the equivalent to the giving of such notice. The presence of any Member at a meeting shall waive any objection to lack of notice.

## **SECTION IV: SPECIAL ISSUES**

### **SECTION IV-1: LOANS**

DAT shall not make any loans to any sitting Trustee, BOD, and/or employees of DAT.

### **SECTION IV-2: RESTRICTIONS ON ELECTIVE OFFICERS**

No one shall be eligible for election or to hold elective office if he/she is immediately (Brother, Sister, Mother, Father, Son, daughter, and/or spouse) related to two (2) or more members of DAT's BOT and/or BOD.

## **SECTION V: RESIDENT SCHOLAR & COMMITTEES:**

### **SECTION V-1: RESIDENT SCHOLAR**

1. The Resident Scholar is the religious leader. The primary role is to guide according to the laws of the Quran and Sunnah. In addition, he should perform the following duties:
  - a. Deliver khutba for Jumu'ah and Eid except when there is a guest Khateeb.
  - b. Leading daily congregational prayers, Jumu'ah prayers, Eid prayers, Janaza prayer, etc.
  - c. Conduct and/or be available as a resource for educational, Daawah, and youth programs organized by DAT.
  - d. Organize lectures for both adults & youth about Quran, Arabic, and general religious issues but shall not be involved in any private tutoring business of these subjects while employed by DAT.
  - e. Provide regular lectures during weekdays and weekends.

- f. Organize enrichment program through invited speakers.
  - g. Perform both pre-marital and marital counseling. Provide matrimonial services.
  - h. Provide counseling and guidance services as needed
  - i. In the event of conflicts within the community, assist with conflict resolution. Help with reconciliation efforts as needed.
  - j. Conduct funeral services and guide with Sharia preparation and burial as needed.
2. Prepare the annual report for the Assembly meeting about his DAT achievements and future plans.
  3. Attend continuing religious education courses and/or seminars.
  4. Shall participate in programs sponsored by DAT.
  5. Shall report to BOD on all issues.

## **SECTION V – 2: COMMITTEES**

The BOD shall form committees as deemed necessary to conduct special activities. Each committee shall consist of at least three members. The BOD will nominate a chairperson for each committee. The nomination will be publicized to the community. The nominee will be appointed if no serious concern is voiced by the community members after two weeks.

The chairperson shall be a voting member of DAT or have paid membership for the current and previous year; however, the other committee members do not have to be a member of DAT.

Committees shall be empowered to make decisions and operate autonomously as much as possible. Budget is to be allocated by the BOD as applicable in order to enable the committee to succeed in performing its duties. Each committee will have a BOD member assigned as a liaison to the said committee. Each committee chairperson shall report to BOD and shall attend the BOD meetings when requested by BOD. The responsibilities of the chairperson of each committee includes, but not limited to budget management, organizing the committee meetings and activities, reporting to BOD, and etc. Each committee will be accountable for its tasks. The performance of the committees will be assessed and reviewed periodically based on achievements and quantitative measures.

There would be no remuneration for committee members and a committee member cannot be a paid employee/contractor of DAT.

All committees shall conduct their affairs through mutual consultation. If any committee fails to perform its assigned duty, the committee must refer the matter to the BOD.

**Zakat Committee:** This committee oversees the distribution of Zakat money that the community members entrusted DAT for its distribution.

1. Compile a list of needy individuals and families in the community and follow up on their financial situations and urgent funding needs.
2. Manage and distribute the Zakat fund entrusted to DAT by the community. This applies to Zakat Ul-Mal and Zakat Ul-Fitr.
3. Coordinate with nearby charity organizations in order to ensure a fair share for all needy and that no one is receiving more support than others by applying for Zakat fund at multiple organizations.

4. Raise Zakat fund to cope with emergent financial difficulties by some community members and which current Zakat resources would not suffice to fulfill. The Treasurer shall be the liaison for this committee.

**Daawah:** The V.P. shall be the liaison of the Daawah committee. This committee will be responsible for inviting and educating individuals about Islam; communicating with other religious organizations; organizing and participating in interfaith dialogues and meetings.

**Education:** This committee is responsible for organizing Islamic education for children and adults within DAT. This committee is responsible for both Saturday and Sunday school. The BOD President shall be the liaison for this committee.

**Community Relations:** The Community Relations committee is responsible for organizing periodic religious events, conducting Ramadan and Eid activities, and inviting scholars and guest speakers. The PR Secretary shall be the liaison for this committee.

**Fundraising:** The Treasurer shall be the liaison of the Fundraising committee.

**Construction & Maintenance:** The Construction & Maintenance Committee is responsible for the planning and supervision of new construction and future expansion of existing DAT facilities. It is also responsible for inspecting the facilities and planning maintenance activities of DAT properties, including repairs, cleaning, landscaping, and snow removal. The BOD Property Manager shall be the liaison for this committee.

**Youth:** The Youth Committee will be striving to meet the great challenges of keeping our Muslim Youth united, and establishing their Muslim identities here in this Western society. The Youth Committee will try to meet those demands by organizing regular activities that young people can attend, enjoy, and participate in while developing Taqwa and strength in their hearts for practicing Islam. The IT/Publication Secretary shall be the liaison for this committee.

## **SECTION V-2: AD-HOC COMMITTEES**

**Shari'a Committee:** This committee is responsible for mitigating the Sharia related disputes within DAT. The Resident Scholar shall be the chairperson of this committee. The General Secretary shall be the liaison for this committee.

**Election Committee:** This committee is charged with overseeing the entire election process. The General Secretary shall be the liaison for this committee.

- a) The BOD shall appoint an election commissioner who in turn shall select at least two persons to serve on the committee. All members of the Election Committee shall be members of DAT in good standing.
- b) The members of the Election Committee must not be members of the BOD. They should not contest for a position for which they will be conducting the election.
- c) The Election Committee shall conduct the elections for incoming members of the BOD during the General Assembly meeting.
- d) Shall not nominate any candidate(s) for that election.

## **IT Committee:**

The DAT Information Technology (IT) Committee has been charged with facilitating the development of strategies that will continue to improve the DAT's delivery of information technology (IT) services for administrative and academic purposes. The committee reviews current implementation of information technology and recommends appropriate computing and communication infrastructure upgrade in order to keep up with the state of the art. The IT Officer shall be the chairperson of this committee.

## **Advertising Committee:**

This committee shall be responsible for DAT publicity in all aspects of the media, i.e. local newspapers, local radio stations, TV, posters, and fliers. They will liaise with all DAT committees and assist and support these committees in the promotion of their activities if requested. The IT Officer shall be the liaison of this committee

## **Membership Committee:**

The Membership Committee recommends policies, procedures, and strategies for enhancing the membership in DAT both numerically and qualitatively. The Committee recommends policies, procedures, and initiatives to assure a growing and vital membership organization. The BOT shall play a pivotal part in accomplishing goals of Membership Committee. They should help this committee from start to the end during this drive. The General Secretary shall be the liaison of this committee

## **SECTION VI: FUNDS:**

### **SECTION VI-1: SOURCES OF FUNDS:**

1. The main sources of funds shall include collected membership fees, donations, Zakat, Sadaqah, money acquired through the renting/leasing of DAT facilities, and any other legal and Islamically legitimate sources.
2. DAT shall maintain two accounts designated as: (i) Reserve Fund (R.F.) Account, (ii) Operating Account.
3. All contributions and donations received by the Organization shall be deposited in the R.F. Account.

### **SECTION VI-2: DISBURSEMENT OF FUNDS:**

1. Authorization from the BOT shall be required to transfer funds from the R.F. Account to the Operating Account.
2. Disbursement of funds from the R.F to operations account can only be transferred electronically by BOT after BOT's approval.

3. If the budget prepared by BOD, is approved by BOT, the money will then transfer into the operating Account for day to day expenses. The money shall only be transferred quarterly. If more funds are needed besides the approved annual budget in a particular year, the treasurer first prepare the request for “additional funds” and present it to BOT’S approval and then money shall be transferred from “R.F. Account into the Operating Account.
4. Disbursement of funds from the Operating Account shall require the joint signatures of the Treasurer and also either the President of the BOD or the General Secretary of the BOD.
5. DAT funds will be managed by the Treasurer and dispensed at the discretion of the BOD in accordance with the charter of DAT.
6. Treasurer along with either the President or the General Secretary can write checks less than \$10,000. Any financial transactions, greater than \$10,000 but less than \$100,000.00 will require approval by simple majority of the BOD. Any transaction greater than \$100,000.00 will require the approval from BOT. All expenses above \$500.00 shall be approved by the BOD and a written document must be signed for an amount of \$1,000.00 or above.
7. All petty expenses above \$500.00 shall be approved by the BOD. A written document must be signed or an invoice obtained for amounts under \$500.00.
8. In case of an emergency BOD can request additional funds from BOT. Once BOT approves the funds, they can transfer the amount to the operations account.

## **SECTION VII: CONFLICT OF INTEREST**

The purpose of the conflict of interest section of DAT is to prevent the personal interest of staff members, BOD members, and Trustees members from interfering with the performance of their duties to DAT, or result in personal financial, professional, or political gain on the part of such persons at the expense of DAT, its Members, supporters, or stakeholders.

### **SECTION VII -1: Definitions:**

**Conflict of Interest** (also Conflict) means a conflict, or the appearance of a conflict, between the private interests and official responsibilities of a person in a position of trust. Persons in a position of trust include but not limited to staff members, officers, and BOD members of DAT.

- i. BOD member means a person who is elected in the general election or appointed to the BOD Council (also known as Board of Directors). Staff Member means a person who receives compensation for services and/or expertise from DAT. Trustees members mean a person who is appointed to the Tier one group (also known as Board of Trustees).
- ii. Volunteer means a person -- other than a BOD and/or Trustee member -- who does not receive compensation for services and expertise provided to DAT and retains a significant independent decision-making authority to commit resources of the organization.
- iii. Member means a Member of DAT.

- iv. Supporter means corporations, foundations, individuals, 501 (c) (3) nonprofits, and other nonprofit organizations who contribute to DAT.
- v. Committee member is an individual who sits on a committee of DAT.
- vi. Contractor means an individual, entity, and/or a corporation which performs work for DAT and receives compensation.

## **SECTION VII -2: Types of conflicts of interests**

Possible conflicts of interests include but not limited to:

- I. Direct Conflict, where the BOD and/or Trustee members, their immediate family, and/or a company owned by the BOD members or their immediate family are providing goods and/or services to DAT.
- II. Indirect Conflict, where BOD a member's other close relatives, friends, or their companies are providing goods and/or services to DAT.
- III. Self-dealing in which a BOD member causes DAT to enter into a transaction with himself, another BOD member, or another organization that benefits the dealing BOD member. The BOD member is on both sides of the "deal."
- IV. Outside employment, in which the interests of the job contradicts with DAT's .
- V. Family interests, include a spouse, child, or other close relative. Who is employed (or applies for employment) or where goods or services are purchased from such a relative or a firm controlled by a relative.
- VI. Gifts from friends who also do business with DAT.

## **SECTION VII -3: POLICY AND PRACTICES**

- 1. Full disclosure, by notice in writing, shall be made by the interested parties to the BOD member in all conflicts of interest, including but not limited to the following:
  - a) A BOD and/or Trustee member is related to another BOD and/or Trustee member and/or staff member by blood and/or marriage.
  - b) A staff member in a supervisory capacity is related to another staff member whom she/he supervises.
  - c) A BOD and/or Trustee member or their organization stands to benefit from an transaction or staff member of such organization receives payment from for any subcontract, goods, or services other than as part of her/his regular job responsibilities or as reimbursement for reasonable expenses incurred as provided in the bylaws and BOD policy.
  - d) A BOD and/or Trustee member's organization receives grant funding from DAT.
  - e) A BOD member, Trustee member, or staff member is a member of the governing body of a contributor to DAT and/or he/she sits on another organization's committee and/or part of their elected BOD.

- f) A BOD and/or BOT member's company, a company where the BOD/BOT member and/or their immediate family member has interest, cannot be compensated by DAT.
  - g) A volunteer working on behalf of someone who meets any of the situations or criteria listed above.
  - h) BOD, Trustee, and Staff members shall disclose any and all conflicts of interest.
2. Following full disclosure of a possible conflict of interest or any condition listed above, the BOD and/or Trustee member shall not be present in any meetings regarding the possible conflict matter and shall not have the right to vote on the said matter. If the BOD and/or Trustee member fails to disclose the possible conflict, then the vote is null and void and the BOD and/or Trustee shall vote again on the issue.
  3. Following full disclosure of a possible conflict of interest or any other condition that is not listed above, the BOD and/or Trustee shall determine whether a conflict of interest exists and, if so the BOD and/or Trustee shall vote to authorize or reject the transaction or take any other action deemed necessary to address the conflict and protect DAT's best interests. Both votes shall be by a majority vote without counting the vote of any interested BOD and/or Trustee member, even if the disinterested BOD and/or Trustee members are less than a quorum provided that at least one consenting BOD member is disinterested. If there is a tie vote then the president will have the final say.
  4. An elected BOD member, Trustee member, or Committee member who is formally considering employment must not be part of DAT BOD, Trustee, and/or any committee within six months of the position becomes available.
  5. An interested BOD member, Trustee member, officer, or staff member shall not
  6. participate in any discussion or debate of the BOD, Trustee, or of any committee or subcommittee thereof in which the subject of discussion is a contract, transaction, or situation in which there may be a perceived or actual conflict of interest. However, they may be present to provide clarifying information in such a discussion or debate unless another BOD and/or Trustee member objected to their presence in the meeting. If that exist, then the party of conflict may write a letter to provide clarification.
  7. Anyone in a position to make decisions about spending DAT's resources (i.e., transactions such as purchases contracts) – who also stands to benefit from that decision – has a duty to disclose that conflict as soon as it arises (or becomes apparent); he/she shall not participate in any final decisions.
  8. A copy of this policy shall be available to all BOD members, staff members, volunteers or other key personnel upon a written request by any member of DAT and/or contractor.
  9. DAT shall not employ immediate family members(s) of BOD or BOT members.

## **SECTION VIII: BY-LAWS ENFORCEABILITY AND AMENDMENTS**

### **SECTION VIII -1: AMENDMENTS:**

1. The precepts of the Preamble of these Bylaws are not subject to amendment.
2. No amendment contrary to the teachings of the Quran and the Sunnah shall be entertained.
3. A proposal for amendment(s) to the Bylaws may be initiated only by the BOT or by a petition 25% of voting membership after BOT approves the petition.
4. The petition for amendment(s) from the voting members must be presented to the BOD in writing at least 120 days prior to the General Assembly Meeting.
5. The BOD shall provide in writing all amendments to the Bylaws to its Secretary at least 90 days prior to the General Assembly meeting.
6. The General Secretary shall make available the proposed amendment(s) to the voting members at least 30 days prior to the General Assembly meeting.
7. An affirmative vote by two-thirds majority of the voting members present shall be necessary for the adoption of any amendment to the Bylaws.
8. If it is decided in the General Assembly Meeting to revise the amendments before final vote, such revision and subsequent voting shall take place expeditiously during the same meeting.

### **SECTION VIII -2: DAT PROPERTY**

1. BOD shall submit to the BOT a proposal in writing to purchase a property after a majority approval within the BOD. The BOT shall vote and after a majority vote, can authorize BOD to begin purchasing procedure including but not limited to the funds requirement.
2. BOD shall submit to the BOT a proposal in writing to sell a property after a 2/3 majority approval within BOD. The BOT will require a 2/3 majority vote within BOT to proceed to the final step. The final step shall be to get a majority vote of the voting member within the General Assembly meeting, the BOD to proceed with the sale.
3. BOD shall submit to the BOT a proposal in writing to move all or part of DAT property to an Islamic Trust like North American Islamic Trust (NAIT) after a majority approval within the BOD. The BOT shall vote and after a majority vote, BOT can authorize BOD to begin transfer the property to the Trust. None of the BOD and/or BOT can be a part of the said trust.

### **SECTION VIII -3: ENFORCEABILITY**

If any provision of these Bylaws shall be held invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions of these Bylaws shall not be impaired thereby, nor shall the validity, legality or enforceability of any such defective provision be in any way affected or impaired.

**These Bylaws were approved by the General Assembly on March 10<sup>th</sup> 2012**

Current Bylaws Committee members (arranged in alphabetical order according to first names):

**Adnan Khan**  
**Ahmed Siddiqui**  
**Althaf Lohani**  
**Ayub Hira**  
**Mohammed J. Labban**  
**Mohammed Sharieff**

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