

MAS National Bylaws

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MAS
Muslim
American
Society

MAS NATIONAL BYLAWS

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PREAMBLE

The Muslim American Society (MAS) traces its roots back to the call of Prophet Muhammad (Peace Be Upon Him). Its more recent roots could be traced to the Islamic movement of the early twentieth century. This movement influenced Islamic activities, trends, and intellectual discourse throughout the Muslim world. The movement's focus is to help Muslims establish Islam as a comprehensive way of life, for the individual, the family, and the society. It helped the Muslim World achieve its independence, understand its role, and develop a balanced and moderate view of self and the "other." While MAS works in the same direction, MAS is an independent American organization that works in conformity and consistency with both Islamic principles and the laws of our country.

Millions of Muslims, immigrants, and indigenous, have enjoyed practicing their religion in the prevalent atmosphere of freedom of expression, religion, and civil liberties in the United States. MAS established many Islamic institutions to help develop the Muslim community, promote its interest, educate others about the Islamic faith, and spread the word of Allah. MAS, therefore, evolved as a leading organization that reflects the principles of Islam, as embodied in the Qur'an, and the traditions of the Prophet Muhammad (Peace Be Upon Him.)

MAS believes in and teaches Islam with its basic nature of tolerance, moderation, and comprehensiveness that encompasses all spheres of human endeavors. The members of MAS are required to be engaged in community development activities and programs throughout Islamic centers, schools, and institutions. They are equally required to be involved in the development of the society at large adding to the strength of its diversity, helping in addressing its challenges, and dealing with its problems.

To accomplish its goals, MAS cooperates with national and international Islamic and humanitarian organizations that work in the same area.

ARTICLE I: NAME

The official name of this corporation shall be "Muslim American Society" hereafter referred to as "MAS". MAS-National comprises a national membership body, affiliate chapters, the National Council of Chapters "NCC", the National Governing Board "NGB", the Executive Council "EC", MAS officers, and the committees described in these bylaws. The term "MAS" or the "Society" refers to the family of organizations including the MAS-National office, chapter affiliates throughout the United States, and organization affiliates that complement its work.

ARTICLE II: PURPOSE

While adhering to the teachings of the Noble Quran and Sunnah (traditions) of the Prophet Muhammad, peace be upon him (PBUH), the purposes of the Society shall be:

1. To present the message of Islam to Muslims and non-Muslims.
2. To build and nurture the Muslim personality and help Muslims understand, practice, and live Islam.
3. To promote individual, family, and societal values in accordance with Islamic teachings.
4. To encourage the participation of Muslims in building a just and virtuous society.
5. To promote the Islamic human values of brotherhood, equality, justice, mercy, compassion, and peace.
6. To organize and establish religious, educational, cultural, and social services.
7. To promote cooperation and understanding with people of different faiths.
8. To cooperate with other organizations throughout the United States in the furtherance of these goals.
9. MAS-National is committed to providing a safe and respectful environment for all its members, volunteers, employees, and stakeholders as stated in Appendix D.

ARTICLE III: OFFICES & OPERATIONS

MAS-National is a registered nonprofit organization in the State of Illinois. MAS-National's operations are nationwide. It shall have a business address and/or office in the Washington, D.C. metropolitan area, and may have additional offices in other areas throughout the country.

ARTICLE IV: INDIVIDUAL ENGAGEMENT AND MEMBERSHIP

A. **Membership Criteria**

MAS members are legal residents of the United States who:

1. Support the Mission, Vision, Goals, Projects, and Activities of MAS.
2. Complete the membership form.
3. Must be at least 18 years of age. If under 18 years of age, the applicant must obtain the approval of a parent or legal guardian.
4. Support MAS financially.

B. **Community Supporter** - A Community Supporter is a member who fulfills the basic membership criteria and dues described in the MAS-National membership policy. Community Supporter members do not have the right to vote or hold office locally or nationally. Community Supporter members are not eligible to participate in the governance structure of MAS-National or its chapters, but they may benefit from the resources and services provided by MAS-National or its chapters.

C. **Active Member** - An Active member is a member who is (i) a practicing Muslim, (ii) committed to personal development through MAS-National's Tarbiya program, (iii) engaged in activism through volunteerism or employment on a national or local level, (iv) fulfilling advanced membership dues as required by MAS-National membership policy. An Active member is a full-fledged member with voting rights and office-holding privileges based on the criteria specified in ARTICLE V. To remain in good standing, an Active member's participation in the Tarbiya program and activism shall be certified by the Chapter and approved by the EC.

D. **National Membership** - Chapters shall implement the same membership system as stated in national bylaws and follow MAS-National membership policy. MAS-National membership is the only membership system implemented in all MAS chapters nationwide.

E. **Suspension and Termination** - If any member no longer fulfills membership requirements, the Society may take appropriate action including suspension or termination of membership in accordance with the Muslim American Society's rules and policies.

ARTICLE V: CRITERIA FOR VOTING AND HOLDING OFFICE

A. **Voting Requirements**

To vote, an Active member shall fulfill the following requirements:

1. Shall pay the required membership dues as described in the MAS membership policy.

2. Shall attend Tarbiya programs as per the MAS-National membership policy.
3. Shall volunteer a number of hours for Islamic work as per the MAS membership policy.
4. Active members in good standing who fulfill all these voting requirements listed above, in the most recent two years, are eligible to vote for local elections.
5. Active members in good standing who fulfill all the voting criteria for at least 3 years of the past 6 years, including the most immediate past year, are eligible to vote on the national level.

B. **Requirements for holding office**

To be eligible to hold office, all Active members holding office shall fulfill the following requirements:

1. Must be practicing Muslims.
2. Must participate in Tarbiya programs as defined in the MAS membership policy.
3. Must meet the voting requirements listed above in the voting requirements section.
4. Active members, who have been members for less than 3 years are not eligible to be nominated for elected offices at any level (local, regional, National Council of Chapters, or National Governing Board).
5. Active members in good standing for at least 3 years out of the past 10 years, including the most immediate past year can be nominated in chapter elections, except chapter chair/president and vice-chair/president.
6. Active members in good standing for at least 5 years out of the past 10 years, including the most immediate past year can be nominated for chapter chair/president and vice-chair/president.
7. Active members, 28 years or older, in good standing for at least 7 years out of the past 10 years, including the most immediate past year can be nominated in elections at the National level (National Governing Board and National Council of Chapters).

ARTICLE VI: MAS CHAPTERS

MAS chapters are affiliates of, and share the same mission and vision as, the Muslim American Society.

A. Registration

MAS chapters must register with their respective Secretary of State office as a nonprofit entity and the Internal Revenue Service as a 501(c) (3) exempt organization. Virtual chapters are exempt from this provision.

B. Affiliation

Each chapter must sign the MAS-National Chapter Affiliation Agreement with MAS-National which governs the relationship and rights between the national and local entities. Without an affiliation

agreement, the Chapter will not be considered part of the governance of MAS-National. MAS National is the only party that may end such affiliation.

C. Bylaws

Chapter bylaws shall be in line with these bylaws and the MAS-National policies, including the membership guidelines according to these bylaws and the membership policy. Should a conflict arise between these bylaws and a chapter's bylaws, these bylaws shall override the chapter bylaws.

D. Reporting

All chapter heads, chairpersons, or presidents have reporting responsibilities toward their local boards and the National office as stated in the Affiliation Agreement. Failing to deliver on any of the above by any chapter head, chair, or president may warrant removal from serving by an absolute majority vote of their respective local board or the national governing board (NGB).

E. Elections

Local and national elections take place at the same time, managed by the Central Election Committee (CEC) in coordination with local election committees, and all members participating are reviewed and approved by the MAS National membership department.

F. Virtual Chapter

Individuals living in a geographic region that does not have a chapter presence within a reasonable distance shall join a virtual chapter or follow the process in Appendix A to form a chapter.

ARTICLE VII: NATIONAL GOVERNING BOARD (NGB)

A. **Definition**

The MAS National Governing Board (NGB) is the highest authority of the Society. The NGB decisions are binding on all the bodies of the Society except when otherwise specified in these bylaws.

B. **Qualifications**

Elected NGB members shall meet the following qualifications:

1. Must be highly committed and engaged as an individual Board member and shall take the MAS NGB oath of office to reflect this requirement.
2. Meet the requirements for holding office as listed in Article V Criteria for Voting and Holding Office, Section B Requirements for Holding Office, bullet 7.
3. Shall plan to reside in the United States for the Board's term
4. Shall be known to the Muslim community for actively promoting the Muslim American Society.

5. Paid employees of MAS National are not eligible to be elected to serve on the NGB.

C. **Composition**

The NGB shall be composed of twenty-five (25) eligible individuals who have met the qualifications listed in Section B of this article.

D. **Election**

1. Twenty (20) NGB positions shall be elected and five (5) NGB positions are appointed by the elected NGB members to address unmet needs in the NGB composition related to skill set and diversity.
2. NGB members may not serve as chair/president or vice-chair/vice-president in their respective local chapters through the entirety of their terms at the NGB.
3. The election of the NGB is conducted by the MAS-National Central Election Committee according to the MAS-National election policy.
4. The electoral units and representation of the NGB are decided once every 4 years.
5. The NGB election is held once every four years.

E. **NGB Seat Distribution**

Elected NGB positions shall be distributed in the following manner:

1. Proportional representation is based on all Active members eligible to vote nationally.
2. Membership will be divided into electoral units, each unit representing an NGB elected seat, using chapter and geographical region as the primary grouping category, and chapter size as the secondary. Electoral unit ratios are determined once every four years.
3. Smaller chapters may be grouped together into one electoral unit.
4. The term for appointed members shall be four years.
5. Chapters will be capped to a total of three out of the twenty-five (25) NGB members at any given term, whether elected or appointed.

F. **Term and Term Limits**

The term is four years. Each individual shall not serve more than two consecutive full terms. A member who serves two years or more in each of two consecutive terms shall not serve for four years before being re-elected to the NGB.

G. **NGB Transition**

1. Prior to their official term starting, the twenty (20) elected NGB members shall convene presided by the oldest member in age. During this meeting, they shall appoint the five (5) NGB members per the requirements of Section D Elections of this article.

2. When the five (5) appointed members have been notified and agreed to the responsibilities, the NGB-elect shall convene again to elect the chair and appoint the vice-chair, secretary, and treasurer.

H. **Reporting –** The NGB is required to submit an annual report to the MAS Active members.

I. **Officers –** MAS-National officers shall be the Chair, Vice-Chair, Secretary, Treasurer of the NGB, and Executive Director. The ED shall attend all board meetings except when the ED/EC is being evaluated.

1. **Election of Officers**

   a. In the first legal meeting at the start of the 4-year term of the NGB, all officers other than the Executive Director shall be officially voted in from within the NGB by an absolute majority of the twenty-five (25) NGB members.

   b. The term of the Executive Director shall be as specified in his employment contract. The terms of all other officers shall expire at the next election.

   c. All officers shall continue to hold office past the expiry of their term until their successor is duly elected.

   d. Any officer may be removed by an absolute majority of the 25 NGB members in a legal meeting.

   e. Any officer vacancies occurring because of death, disqualification, resignation, or removal shall be filled for the unexpired portion of the term by election by an absolute majority of the NGB members.

2. **Chair -** The Chair shall be elected from within the NGB every four years by an absolute majority of the twenty-five (25) NGB members during the transition period and officially voted in the first legal meeting.

   a. Responsibilities and Authorities:

      i. To lead the NGB and Steering Committee.

      ii. The Chair may also speak on behalf of the Society, in coordination with the ED.

   b. Duties:

      i. Embodies the culture of the Muslim American Society.

      ii. Presides over the Board.

      iii. Nominate the Vice-Chair, Treasurer, and Secretary, subject to the approval of the NGB.

      iv. Nominate board committee heads, subject to the approval of the NGB.

3. **Vice-Chair -** The Vice-Chair shall be nominated by the Chair and confirmed by an absolute majority of the twenty-five (25) NGB members.
    a. Duties:
        i. Assist the Chair in all duties.
        ii. Become an Acting Chair in the absence or incapacitation of the Chair.
4. **Secretary -** The Secretary shall be nominated by the Chair and confirmed by an absolute majority of the 25 elected NGB members.
    a. Duties:
        i. The Secretary shall keep the Society's records and minutes.
        ii. Give or cause to be given all notices required and perform such other duties as assigned by the NGB.
5. **Treasurer -** The Treasurer shall be nominated by the Chair and confirmed by an absolute majority of the twenty-five (25) NGB members.
    a. Duties:
        i. To lead the NGB's standing Finance committee to guide, oversee, and support the financial and tax practices of the Muslim American Society.
        ii. Ensure conformance to relevant financial and tax rules and regulations.
        iii. Ensure the development and update of fiscal policies and procedures and the NGB's approval of such policies.
        iv. Guide the NGB & ED in the development of the annual budget.
        v. Conduct monthly reviews of financial statements.
        vi. Establish financial policies to develop financial reserves, and contingency planning and make recommendations to the full Board for review and approval.
        vii. Train board members to understand financial information sufficient to make decisions regarding financial resources.

J. **Steering Committee** – The Steering Committee is composed of the Officers of MAS-National.

K. **Authorities and Responsibilities of the NGB**

1. Organizational Development

a. Protect and guide implementation of the Mission, Vision, Values, Beliefs and Perspectives of MAS-National.

b. Changing the Mission, Vision, and Values of MAS-National, is subject to ⅔ absolute majority vote of the NGB and ⅔ absolute majority of the National Council of Chapters in a legal meeting.

c. Develop strategic areas and goals in collaboration with the Executive Director to guide the Executive Council in creating and implementing an annual plan.

d. Identify and select the Executive Director for MAS-National, hereafter referred to as "ED".

e. Approve all director-level positions in the Executive Council nominated by the Executive Director.

f. Form NGB standing committees and other committees, as needed, to support the execution of the MAS-National plans.

2. Oversight & Functions

a. The twenty (20) elected members appoint five (5) qualified members to the NGB.

b. Elect the NGB Officers from amongst the twenty-five (25) NGB members.

c. The NGB shall hire and hold accountable an Executive Director for MAS-National. The selection or removal of the ED shall be subject to an absolute majority vote.

d. Discuss and evaluate the periodic report(s) presented by the Executive Director.

e. Discuss and evaluate the periodic report(s) presented by every Board Committee.

f. Responsible for the fiscal well-being of the Muslim American Society.

L. **Authorized Representatives –** The Steering Committee of the NGB may, from time to time, appoint authorized representatives to act on behalf of MAS-National in a limited capacity. This authorization may be revoked by the NGB or its steering committee at any time, with or without notice.

M. **Notice** – Notice for regular or special meetings of the Board shall specify the date, time, and place of the meeting. The purpose(s) of the meeting may but need not be specified. Notice shall be given at least a week prior to a regular meeting and two days prior to a special meeting. Notice shall be deemed given using the official communication platform adopted by the NGB.

N. **First Meeting Following the Elections** – The NGB member oldest in age shall convene the first meeting and temporarily chair it, till the new term starts.

O. **Regular Meetings** – The NGB shall meet at least once a quarter. The notice shall designate the time, place, and date of such a meeting. If a higher frequency of regular meetings is warranted, the Chair or Secretary shall notify the remaining NGB members and the Executive Director of the schedule.

P. **Special Meetings –** Special meetings of the NGB may be called at any time, and for any purpose, by the chair, steering committee, or at least 30% of the existing NGB members. Notice of every special meeting shall be delivered on the platform used for official communications, at least forty-eight (48) hours prior to the meeting.

Q. **Quorum** – A regular or special meeting requires more than half of all eligible members to be considered official and for the NGB to transact business. If a quorum is not met, the meeting shall adjourn, and a new meeting time and date shall be scheduled.

R. **Voting**

1. Decisions are passed by a simple majority in legal meetings unless otherwise provided by these bylaws.
2. In case of a tie vote, the Chair's vote becomes the tiebreaker (counts for two votes).
3. If the Chair is unavailable or a new Chair is being elected, the oldest NGB member in age will cast the tiebreaking vote.
4. Each Board member shall have one (1) vote on all matters decided by the NGB.
5. Voting by proxy is not allowed.

S. **Meetings without Notice –** In the event all NGB members are present and decide to meet, notice requirements shall be deemed to have been waived by each member and no further notice shall be required for the meeting.

T. **Platform for Meetings –** Meetings may be held virtually or in person.; provided, however, that all members must be able to hear each other.

U. **Resignation –** Board members may resign at any time and for any purpose by giving written notice to the Chairman or Secretary of the NGB. Unless otherwise specified, the acceptance of such resignation shall not be required to make it effective.

V. **Removal –** Reasons for removal of an NGB member are as follows:

1. Missing 26% or more without a valid excuse of the regular board meetings within one calendar year.
2. Behavior that has the potential to adversely impact MAS-National from an operational or reputation standpoint.
3. Any two NGB members may request the removal of an NGB member by filing a motion in a regular or special meeting, along with evidence of the reason.
4. An NGB member subject to removal shall have the right to defend oneself in the meeting.
5. Removing any NGB member requires a two-thirds absolute majority vote.

W. **Vacancies** – If a vacancy occurs by resignation, removal, ceasing to be a member, incapacity, or relocation outside the chapter/electoral unit or the United States, it shall be filled in the following manner:

1. Any vacancy shall be filled by the first runner-up with a minimum of 30% of votes from the same chapter/Electoral Unit that vacated the position.
2. If no runner-up with a minimum of 30% of the votes is available, the elected leadership of the Chapter/Electoral Unit that vacated the position shall select a qualified Active member to fill the vacancy within sixty days.
3. If the vacancy is an appointed position by the NGB, the NGB shall appoint another individual.
4. All individuals filling these vacancies must meet the criteria to hold a national office and complete only the remainder term of the vacancy.

X. **Conflict of Interest Policy, Annual Disclosure Statement, and Questionnaire** – Every NGB member shall annually review the conflict-of-interest policy in Appendix C, sign the conflict-of-interest annual disclosure Statement, and fill out the conflict-of-interest questionnaire.

ARTICLE VIII: NATIONAL COUNCIL OF CHAPTERS (NCC)

A. **Formation**

1. The National Council of Chapters, hereafter referred to as "NCC", shall be composed of two elected board members from each eligible chapter who meet the requirements for holding office as listed in Article V Criteria for Voting and Holding Office, Section B Requirements for Holding Office, bullet 7.
2. The local chapter's elected leadership shall appoint from amongst themselves two eligible members and send their names to the MAS-National EC and CEC for final ratification within 30 days from the date of the local board's first official meeting.
3. NCC members may not serve as members of the NGB through the entirety of their terms at the NCC.

B. **Purpose** – The NCC is a triggered body acting as a fail-safe mechanism and shall be activated through a request supported by at least thirty-three percent (33%) or more of the current NGB or by board resolutions of five or more eligible chapters, during the following instances:

1. Resolving conflicts within NGB that are related to Islamic, ethical, or legal violations that have been unresolved by the NGB within six months of occurrence.
2. Addressing an apparent lack of performance by the NGB.
3. Ratifying NGB approved bylaws amendments to the articles listed in XI Amendments, Section D.

4. The NCC's decisions are binding on the NGB.

C. Function – The NCC shall operate based on a documented policy. At a minimum, the request to convene the NCC must include:

1. The request to activate the NCC shall be submitted to the NCC and MAS-National EC.
2. A list of the names of the individuals and/or chapters making the request.
3. The entity requesting the NCC activation (whether the five chapter boards or the 33% or more of the NGB) shall provide proposed resolutions in writing for the NCC to decide on.
4. One or more clearly stated motions for the NCC to approve or reject.

D. Within ten (10) days of receiving a request to convene the NCC, the MAS-National EC shall send notice to all chapters with a copy of the request.

E. NCC members may directly speak to or hear from any NGB members or MAS members regarding the specific issues requested to be addressed by the NCC.

F. Within thirty (30) days from the notice, the EC shall forward any information received from NGB members, NCC members, chapters, or Active members in relation to the request to convene the NCC.

G. Within thirty-five (35) days of receiving the notice, each NCC member shall submit to the EC a vote to affirm, reject, or abstain from each motion listed in the request to convene the NCC.

H. Failure to submit a timely vote by any NCC member shall result in partially or fully disenfranchising their respective chapters.

I. If a majority of those who vote on a motion, choose to vote in the affirmative, the motion shall pass. Otherwise, the motion shall fail.

J. The NCC shall no longer remain convened beyond forty-five (45) days after the last notice.

K. On any given year when the NCC is triggered by any of the issues mentioned above in this section, the NCC, through a short-term appointed committee, may conduct a due diligence review of legal, Islamic, ethical, and any performance areas and advise the NGB of required improvements, if any.

L. The NCC shall approve any proposed bylaws amendment impacting the fundamental foundation of MAS, pertaining to MAS' Mission and Vision, or sections listed in Article XI.

ARTICLE IX: EXECUTIVE COUNCIL (EC)

The NGB shall hire and hold accountable an Executive Director for MAS-National. The Executive Director, hereinafter referred to as ED, shall recruit and hire his/her executive council; subject to the approval of the NGB.

A. Executive Director

1. The Executive Director (ED) is the Chief Executive Officer of the Society.
2. The ED represents and speaks on behalf of the Society.
3. The ED shall serve at the discretion of the NGB.
4. The ED participates in setting the national strategic plan and strategy with the NGB
5. The Executive Director shall execute the strategic plan of the NGB in order to fulfil the Mission of the Society.
6. The ED will have the responsibility to lead the organization together with a carefully selected Executive Council (EC).
7. Hiring and recalling the ED requires an absolute majority of the NGB in a legal meeting.

B. Formation of the Executive Council

1. The Executive Director (ED) shall nominate the members of the EC.
2. The NGB shall approve the nominations for the EC.
3. EC Members including the ED can't be members of the NGB at the same time when they are serving in the EC.
4. At any given time, any individual at the director level shall be presented to the NGB for approval prior to hiring.

C. Executive Council Qualifications and Term

1. The EC members shall be current MAS members.
2. The members of the EC serve at the discretion of the ED.

D. Executive Council Authorities and Responsibilities – The EC shall at a minimum:

1. Formulate rules that regulate its internal functioning, specifying its composition, duties of each member, quorum, meetings, and notice, subject to the approval of the ED.
2. Run the day-to-day operations of MAS-National.
3. Provide the needed resources and training to MAS Chapters and their leaders.
4. Resolve conflicts and disputes pertaining to chapters or membership status.
5. Provide membership rosters to Chapters for voting and elections.
6. Develop an annual plan and budget based on the strategic directions, goals, and objectives determined by the NGB.
7. Provide the NGB with periodic reports on the progress of the annual plan, long-term goals and objectives, and financial health of the organization.

ARTICLE X: STANDING COMMITTEES

A. The NGB chairman shall appoint Active members for NGB's approval to lead all standing committees.

B. The committee leads shall recruit members who are subject matter experts in the committee's focus at the Active member level of engagement to their committees.

C. Committees shall provide the NGB with annual plans and progress reports to meet the goals and objectives of the committee.

D. The standing committees are as follows:

1. Bylaws, whose purpose is to review, evaluate, and report on any proposed amendments to the NGB.
2. Arbitration, whose purpose is to resolve disputes between parties when called upon.
3. Central Election (CEC), whose purpose is to run the election for NGB members every four (4) years; see Appendix B - Member Roster And Elections.
4. Fiduciary and Compliance, whose purpose is to ensure MAS-National creates and implements policies and practices needed for responsible governance of a nonprofit organization.
5. Finance, whose purpose is to handle the documenting, reporting, and monitoring of all financial and bank records of MAS-National.

ARTICLE XI: AMENDMENTS

MAS-National shall adopt the following process to amend, repeal, or replace these bylaws:

A. A proposed amendment can be submitted by any Active member of MAS-National to the Bylaws Committee of the NGB.

B. The Bylaws committee shall evaluate the proposed amendment and prepare a report to be submitted to the NGB highlighting the purpose of the proposed amendment and its effects.

C. The NGB shall review the changes and issue a recommendation of adoption or rejection with reasons for such recommendation.

D. Any proposed amendment of the fundamental foundation of MAS, pertaining to MAS' Mission and Vision, or the articles listed below in this section must be approved by a 75% absolute majority vote of the twenty-five (25) NGB members, and then by a ⅔ majority vote of the NCC:

1. ARTICLE I: NAME
2. ARTICLE II: PURPOSE

3. ARTICLE VIII: NATIONAL COUNCIL OF CHAPTERS (NCC)
4. ARTICLE XI: AMENDMENTS
5. ARTICLE XVI: DISSOLUTION

E. All other Articles require only a 75% absolute majority vote of twenty-five (25) NGB members.

F. Prior to a vote on any proposed amendment, an NGB member or an NCC member must attend a virtual or in-person meeting explaining the proposed amendment and how it may impact the bylaws and organization.

G. Appendices, with the exception of appendices A and B, may be added, amended, repealed, or replaced by a simple majority vote of the NGB unless otherwise specified.

ARTICLE XII: CONTRACTS, CHECKS, AND BANK ACCOUNTS

A. **Execution of Contracts** – Except as otherwise provided in these bylaws, the NGB may authorize any Officer or Officers, employee or employees, agent or agents, in the name of and on behalf of the Organization to enter into any contract or execute and deliver any instrument, and such authority may be general or confined to specific instances; but, unless authorized by the NGB, no Officer, employee or agent shall have any power or authority to bind the Organization by any contract or engagement or to pledge its credit or to render it liable financially in any amount for any purpose.

B. **Loans** – The Organization shall not borrow or lend any funds unless specifically authorized by the NGB.

C. **Checks** – All checks, drafts, and other orders for the payment of money out of the funds of the Organization, and all notes or other evidence of indebtedness of the Organization, shall be signed on behalf of the organization as outlined in the financial policy authorized by a resolution of the NGB.

D. **Authorized Signatures** – All checks, drafts, or other orders for the payment of money, notes, or other evidence of indebtedness issued in the name of MAS-National shall be signed by an authorized representative of MAS-National.

E. **Deposits** – All funds belonging to the MAS-National shall be deposited from time to time to the credit of the organization in such banks, trust companies, or other depositories as the NGB may select.

F. **Accounting System** – The designated staff, with the approval of the Board, shall maintain all financial transactions in an online accounting system. Transactions are to be charted monthly followed by a review of a hired accountant.

ARTICLE XIII: INDEMNIFICATION AND INSURANCE

A. **Definitions**

1. **Matter** – shall mean any actual or threatened civil, criminal, or administrative action, arbitration proceeding, claim, suit, proceeding, or appeals therefrom, or any criminal, administrative, or congressional (or other body's) investigation, hearing, or other proceeding.

2. **Eligible Person** – shall mean any person who at any time was or is a Director, a member of any committee or subcommittee, an officer, an agent, an employee, or a volunteer of the MAS-National.

B. **Right to Indemnification** – Any Eligible Person made a party to or respondent to a Matter by reason of his or her position with or service to the MAS-National shall, to the fullest extent permitted by law, be indemnified by MAS-National against all liabilities and all expenses reasonably incurred by him or her arising out of or in connection with such Matter, except in relation to Matters as to which (i) the Eligible Person failed to act in good faith and for a purpose which he or she reasonably believed to be in the best interests of the MAS-National, (ii) in the case of a criminal Matter, the person had reasonable cause to believe that his or her conduct was unlawful, or (iii) the person shall be adjudged to be liable for misconduct or negligence in the performance of a duty .

C. **Limitation on Right of Indemnification –** Except where an Eligible Person has been successful on the merits with respect to such Matter, any indemnification hereunder shall be made only after (i) the NGB (acting by a quorum consisting of members who were not involved in such Matter) determines that the Eligible Person met the applicable indemnification standard set forth in Section A, bullet 2 above; or (ii) in the absence of a quorum, a finding is rendered in a written opinion by independent legal counsel that the person or persons met the applicable indemnification standard set forth in paragraph Section B above.

D. **Other Rights** – The right of indemnification provided hereunder shall not be deemed exclusive of any other right to which any person may be entitled in addition to the indemnification provided hereunder. This indemnification shall in the case of the death of the person entitled to indemnification inure to the benefit of his or her heirs, executors or other lawful representative.

E. **Interim Indemnification –** MAS National shall, with respect to a Matter described in Section B of this article, advance attorney's fees as interim indemnification to any Eligible Person if the following conditions are satisfied: (i)(a) the NGB (acting by a quorum consisting of members who are not involved in such litigation) determines that the Eligible Person is likely to meet the

applicable indemnification standard set forth in Section B above, or (b) in the absence of such a quorum, a finding is rendered in a written opinion by independent legal counsel that the Eligible Person is likely to meet the applicable indemnification standard set forth in Section B above; and (ii) the Eligible Person (a) requests interim indemnification, (b) agrees to repay the interim indemnification promptly upon a determination unfavorable to him or her under Section C above, and (c) deposits a bond or equivalent security.

F. **Insurance** – The NGB may authorize the purchase of and maintain insurance on behalf of any Eligible Person against any liability asserted against or incurred by him/her which arises out of such person's status in such capacity or out of acts taken in such capacity, whether or not MAS-National would have the power to indemnify the person against that liability under law.

ARTICLE XIV: GENERAL

A. **No Pecuniary Gain** – No part of the net earnings of MAS-National shall inure to the benefit of, or be distributable to its members, directors, officers, or other private persons, except that MAS-National shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth herein.

B. **No Political Activities** – No substantial part of the activities of MAS-National shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and MAS-National shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office.

C. **Restriction on Activities** – Notwithstanding any other provision of these bylaws, MAS-National shall not carry on any other activities not permitted to be carried on (a) by an Entity exempt from Federal income tax under section 501 (c) (3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Code) or (b) by an Entity, contributions to which are deductible under section 170 (c) (2) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Code).

ARTICLE XV: ARBITRATION

A. MAS-National and the Chapters are "religious institutions" and "houses of worship" with regard to the "ecclesiastical non-interference doctrine" applied by the federal and state courts.

B. This article creates an "ecclesiastical dispute resolution process" for the resolution of internal disputes consistent with (i) the "ecclesiastical non-interference doctrine" constitutional protection

for the internal administration of houses of worship and religious institutions and (ii) federal Alternative Dispute Resolution statutes.

C. Every individual choosing to become or remain a member or employee of MAS has agreed to binding arbitration of all disputes within the Society.

D. The following are examples of disputes subject to binding arbitration: (i) disputes between MAS members, (ii) disputes of MAS members with any MAS Chapter, (iii) disputes of MAS members with MAS National, (iv) disputes between MAS Chapters or affiliates, (v) disputes of MAS Chapters or affiliates with MAS National, (vi) employment disputes with MAS National or MAS Chapters.

E. Any controversy or claim arising out of or relating to the actions of the parties mentioned in these bylaws shall be settled by binding arbitration in accordance with this article.

F. If any arbitrable dispute is taken to court by one party, the other party or the Arbitration Committee shall have the right to inform the court of these -Arbitration provisions and have the litigation removed from the courts.

G. Any MAS member who resorts to litigation for such disputes without following the provisions of this Article is subject to disciplinary action up to and including termination.

H. All MAS members shall have the right to file grievances to their Chapter Arbitration Committee or the EC Arbitration Committee. Decisions of Chapter Arbitration Committees and the EC Arbitration Committee can be appealed to the NGB Arbitration Committee. All MAS Chapters shall have the right to file grievances directly to the NGB Arbitration Committee.

I. Prior to resorting to binding arbitration, the parties shall use their best efforts to settle the dispute, claim, question, or disagreement. To this effect, they shall consult and negotiate with each other in good faith and, recognizing their mutual interests, attempt to reach a just and equitable solution satisfactory to both parties. If they do not reach such a solution within a period of 60 days, then, upon notice by either party to the other, all disputes, claims, questions, or differences shall be finally settled by arbitration administered by the Chapter Arbitration Committees, the EC Arbitration Committee or the NGB Arbitration Committee.

J. Each Arbitration Committee shall establish arbitration procedures consistent with the Quran and the Sunnah and compliant with federal Alternative Dispute Resolution statutes.

K. The arbitration award shall be issued in writing, shall be signed by the arbitrator(s) and shall include a statement setting forth the reasons for the disposition of any claim.

L. The arbitrators may determine how the costs and expenses of the arbitration shall be allocated between the parties, but they shall not award attorneys' fees.

M. Judgment on the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof.

ARTICLE XVI: DISSOLUTION

A. **Right to Cease Operations and Distribute Assets** – By a 90% of the absolute majority vote of all members of MAS-National NGB and a 90% of the absolute majority vote of the MAS-National NCC, MAS-National may move to dissolve voluntarily. Such resolution shall set forth the proposed dissolution and direct designated officers of MAS-National to perform all acts necessary to effect dissolution. If such cessation and distribution are called for, the Board shall set a date for the commencement of the distribution.

B. **Cessation of Activities** - When the dissolution of MAS-National has been called for, the NGB and the designated officers shall cause MAS-National to discontinue its regular business activities and operations as soon as practicable. Notice of intent to dissolve shall be filed with the Secretary of State pursuant to Illinois Statutes.

C. **Distribution of Assets** - Upon the dissolution of MAS-National the NGB shall, after paying or making provision for the payment of all the liabilities of MAS-National, dispose of all the assets of MAS-National to such organization or organizations organized and operated exclusively for charitable, educational, or scientific purposes as shall at the time qualify as an exempt organization or organizations under section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Code), as the Governing Board shall determine.

ARTICLE XVII: DEFINITIONS

The following definitions apply to these bylaws:

A. **Quorum** – is defined as more than one-half (1/2) of NGB members or a minimum of thirteen (13) members out of twenty-five (25).

B. **Legal meeting of the NGB** – A Regular or Special meeting of the NGB in which a Quorum is established at the start of the meeting.

C. **Simple Majority** – is defined as more than 1/2 of the attending members in any legal meeting.

D. **An Absolute Majority** – is defined as more than one-half (1/2) of members of the entire NGB or a minimum of thirteen (13) members out of twenty-five (25).

E. **Supermajority**: is defined as more than 2/3 of the NGB or a minimum of seventeen (17) members out of twenty-five (25).

F. **Electoral Unit** – is defined as a seat of the twenty (20) elected seats on the NGB.

APPENDIX A - CRITERIA TO FORM CHAPTERS

A. The MAS-National Executive Council shall use the following criteria in establishing new chapters:

1. A minimum number of Active members in the area slated for a chapter according to the MAS-National membership policy.
    a. For proposed areas that do not have Active members in the area, Community supporters will have the opportunity to attend a virtual chapter and/or get guidance from the MAS-National EC on steps to meet minimum requirements for chapters.
2. In the event of forming a new chapter within the geographical region of an existing chapter, one of the following shall be obtained:
    a. Consent of the existing chapter.
    b. A ⅔ approval of the NGB of MAS-National.

B. New chapters will be given support and guidance from the MAS-National Executive Council to formally set up the new chapter. Support includes, but is not limited to:

1. Incorporation.
2. EIN application submission.
3. Form 1023 - 501 (c) (3) application submission.
4. Chapter bylaws template.

APPENDIX B - MEMBER ROSTER AND ELECTIONS

A. **Member Roster Verification** – MAS-National's EC shall be responsible for all member roster verification for all chapters and national elections.

   a. MAS-National EC shall run the roster one hundred and twenty (120) days in advance of any chapter or national election.

   b. Chapter leadership shall review and submit feedback for edits if warranted. The deadline for review is set by the EC.

   a. The verification of an Active member's activism requirement and participation in the Tarbiya program is subject to certification by the chapter and approval by the EC.

   c. Both chapter leadership and MAS-National EC must agree for any name to be included in the final roster.

   d. The final roster is sent to the chapter for chapter elections or the Central Election Committee for national elections sixty (60) days prior to elections.

   e. The nominee list must be reconciled against the final roster. Any nominee not on the roster shall be removed.

B. **Chapter Election Results** – Final chapter election results shall be submitted to MAS-National EC within one week of the final ballot count.

C. **Central Election Committee** – The NGB shall form a Central Election Committee, hereafter referred to as "CEC", composed of one NGB member and one MAS Active member, both of whom will not run for a vacating NGB seat by choice, and one member from the EC. The CEC updates and reports to the NGB. The committee members may nominate/add up to two other Active members to the committee subject to the NGB approval.

   - The CEC shall follow the following process for all national elections:

      a. The CEC shall request MAS-National EC to send out the member roster to all the chapters for review one hundred and twenty (120) days prior to the election date. Chapters shall have sixty (60) days to submit edits for review. MAS-National EC and CEC reserve the right to accept or reject edits.

      b. The nomination and vetting process shall take place during the second quarter of the election year.

      c. National elections shall be conducted by the CEC using a secure electronic ballot before the end of the third quarter of the election year.

      d. The CEC shall notify the national membership of the results within seven days of the election.

APPENDIX C - CONFLICT OF INTEREST POLICY

Section 1. Purpose.

The purpose of this policy (the "Policy") is to protect the interests of the Muslim American Society (the "Organization") when it is contemplating entering into a transaction or arrangement that might benefit a "Related Party" of the Organization. The Organization will not enter into any such transaction or arrangement unless it is determined by the NGB or the Executive Council, in accordance with the procedures stated in Section 4 of this Policy, to be fair, reasonable, and in the best interests of the Organization at the time of such determination.

Section 2. Definitions.

A. **Compensation**. – Salary, bonuses, deferred compensation, and any benefits having monetary value including housing allowances, employer contributions to retirement plans, and fringe benefits.

B. **Conflict of Interest** – Any person who would receive an economic benefit from a Related Party Transaction has a Conflict of Interest.

C. **Family Member** – A Family Member is a spouse, child, grandchild, great-grandchild, sibling, or spouse of a child, grandchild, great-grandchild, or sibling.

D. **Financial Interest** – A person has a Financial Interest if such a person would receive an economic benefit from any transaction, agreement, or Compensation arrangement involved.

E. **Independent Director** – A member of the NGB who:

   a. Has not been an employee of the Organization, and does not have a Family Member who has been an employee of the Organization, within the last three years;

   b. Has not received, and does not have a Family Member who has received, more than $10,000 in compensation from the Organization in any of the last three years.

   c. Is not an employee of, or does not have a substantial Financial Interest in, any entity that has made payments to or received payments from the Organization in an amount that exceeds the lesser of $25,000 or 2 percent of the Organization's consolidated gross income in the past three years. (For these purposes, payments exclude charitable contributions.)

F. **Key Employee** – A Key Employee is a person who is or has within the last five years, been in a position to exercise substantial influence over the affairs of the Organization. This includes, but is not limited to:

a. Voting members of the NGB.

b. Officers.

c. Employees who receive annual compensation in excess of $50,000.

d. Anyone who has authority to control 10% or more of the Organization's capital expenditures, operating budget, or employee compensation.

G. **Related Party** – A Related Party of the Organization includes:

a. A Director, Officer, or Key Employee of the Organization.

b. Family Members of Directors, Officers, or Key Employees.

c. any entity in which a person in (a) or (b) has a 35% or greater ownership or beneficial interest or, in the case of a partnership or professional Organization, a direct or indirect ownership interest in excess of 5%.

d. Persons who have made a substantial financial contribution to the Organization within the current year and the past five fiscal years).

e. Related Party Transaction. Any transaction, agreement, or any other arrangement with the Organization in which a Related Party has a Financial Interest.

Section 3. Duty to Disclose Conflicts of Interest.

A Related Party Transaction is not necessarily a prohibited transaction. However, when any matter for decision or approval comes before the NGB in which a Related Party has a financial interest, the person who has a Conflict of Interest must promptly (before the Organization approves the transaction) disclose, in writing, to the Chair of the facts and circumstances of that Conflict of Interest or potential Conflict of Interest. The Chair shall thereafter notify the rest of the Board, in writing, about the Conflict of Interest. The NGB will then follow the procedures in Section 4 of this Policy. A "writing" required anywhere in this Conflict-of-Interest Policy includes electronic mail.

Any failure by a Related Party to disclose to the NGB a known or potential Conflict of Interest is grounds for the NGB to remove such person from the NGB and/or to terminate such Related Party from his or her employment by the Organization.

Section 4. Review and Voting.

A. **Non-Participation and Review** – All transactions, agreements, or any other arrangements between the Organization and a Related Party, and any other transactions which do or may involve a Conflict of Interest, shall be reviewed by the Independent Directors. All Related Parties with a

Financial Interest shall leave the room in which such deliberations are conducted and shall not vote on the question of its approval. The Independent Directors shall then determine whether the contemplated Related Party Transaction is fair, reasonable, and in the best interests of the Organization at the time of such determination. The NGB will not approve entering into any Related Party Transaction unless it is determined to be fair, reasonable, and in the best interest of the Organization at the time of such determination and approved by a vote of a majority of the Independent Directors then in attendance (provided there is a quorum).

B. **Consideration of Alternate Transactions and Comparability Data** – If the contemplated Related Party Transaction pertains to (i) compensation for services or (ii) the transfer of property or other economic benefits directly to a Related Party, the Independent Directors must determine, by reviewing objective, comparable data (as defined below) prior to approving the transaction, that the economic benefit provided by the Organization to the Related Party does not exceed the fair market value of the consideration received in exchange.

In those instances where the contemplated Related Party Transaction does not involve compensation, the Independent Directors must consider alternative transactions to the extent possible, prior to entering into the Related Party Transaction.

C. Comparable Data

a. **When Reviewing Compensation** – In accordance with the Organization's Compensation Policy, the relevant Comparability Data that the Independent Directors may consider includes but is not limited to:

i. Compensation levels paid by similarly situated Organizations, both exempt and non-exempt.

ii. The availability of similar services within the same geographic area.

iii. Current compensation surveys compiled by independent firms.

iv. Written offers from similar institutions competing for the same person's services.

b. **When Reviewing a Transfer of Non-Cash Property** – When the transaction involves the transfer of non-cash property to a Related Party, the relevant factors include, but are not limited to (i) current independent appraisals of the property, and (ii) offers received in a competitive bidding process.

D. **Voting**

The Independent Directors, after considering alternate transactions and/or comparability data, shall

determine in good faith whether the transaction or arrangement is fair, reasonable, and in the best interest of the Organization at the time of such decision. Any such transaction shall be approved by not less than a majority vote of the Independent Directors present at the meeting, provided that a quorum is present. The conflicted Directors shall be counted for purposes of determining a quorum and their removal from deliberations shall not cause a lack of quorum. The Independent Directors shall make their decision as to whether to enter into the transaction or arrangement and shall contemporaneously document the meeting under Section 6 of this Policy.

All related parties with a Financial Interest must not be present for deliberations and voting on the transaction or arrangement in which he or she has a Financial Interest. Only Independent Directors shall vote on Related Party Transactions. No Related Party shall vote, act, or attempt to influence the deliberations improperly on any matter in which he or she has been determined by the Council to have a Financial Interest. Any attempt to vote, act, or improperly influence deliberations by a Related Party on any matter with which such person has a Financial Interest may be grounds for such person's removal from the Council or termination from the Organization.

Section 5. Executive Council Review.

The NGB may delegate to the independent members of the Executive Council, the review and approval of any Related Party Transaction. In the event, that the Council delegates the review and approval of Related Party transactions to the Executive Council, all references to NGB in this Policy shall be deemed to refer to such Executive Council and all references to a majority of the NGB shall be deemed to refer to a majority of such Executive Council.

Section 6. Records of Proceedings.

The minutes of all meetings of the NGB at which a Related Party Transaction is considered shall contain:

A. The names of the persons who disclosed or otherwise were determined to have a potential or actual Conflict of Interest, the nature of the potential or actual Conflict of Interest, any action is taken to determine whether a Conflict of Interest exists, and the NGB's decision as to whether a Conflict of Interest exists.

B. The names of the persons who were present for discussions and votes relating to any determinations under Article 6(a) above, including whether the Related Party and any Council members not considered to be Independent Directors, left the room during any such discussions, the content of such discussions, including discussion of alternative transactions, and whether or not the transaction with the Related Party was approved by the NGB.

C. The minutes shall be documented contemporaneously with the decision and discussion regarding the Conflict of Interest.

Section 7. Initial and Annual Written Disclosures.

Prior to a Director's or Officer's initial election to the Council or the Office, or a Key Employee's employment at the Organization, and thereafter on an annual basis, all Directors, Officers, and Key Employees shall disclose in writing to the Secretary of the Organization:

A. Any entity of which such person or a Relative of such person is an officer, director, officer, member, owner, or employee and with which the Organization has a relationship.

B. Any Financial Interest such person may have in any Organization, Organization, partnership, or other entity that provides professional or other goods or services to the Organization for a fee or other compensation.

C. Any position or other material relationships such as Director, Officer, Key Employee, or Family Member of such person, may have with any other nonprofit Organization with which the Organization has a relationship.

A copy of each disclosure statement shall be kept in the Organization's files and made available to any Director, Officer, or Key Employee upon request.

Section 8. Annual Statements.

Each Director, Officer, and Key Employee shall annually sign and submit to the Secretary of the Organization a statement which affirms such person: (a) has received a copy of this Policy, (b) has read and understands the Policy, and (c) has agreed to comply with the Policy.

APPENDIX D - Non-Harassment and Anti-Discrimination Policy

1. Purpose

The Muslim American Society (hereinafter referred to as "the Organization") is committed to providing a safe and respectful environment for all its members, volunteers, employees, and stakeholders. This Non-Harassment and Anti-Discrimination Policy is established to prevent and address harassment and discrimination within the Organization and to promote a culture of inclusivity, equity, and respect consistent with Islamic values.

2. Policy Statement

The Organization prohibits all forms of harassment and discrimination, including but not limited to harassment or discrimination based on race, ethnicity, religion, gender, age, disability, or any other characteristic protected by applicable law. Harassment and discrimination are inconsistent with the principles of Islam and the values of the Organization.

3. Definition

Harassment: Harassment is any unwelcome conduct, communication, or behavior based on a protected characteristic that creates a hostile, intimidating, or offensive environment for an individual or group. Harassment can take various forms, including verbal, written, physical, or visual actions.

Discrimination: Discrimination involves treating an individual or group unfairly or unfavorably based on their protected characteristics, leading to differential treatment or unequal access to opportunities or resources.

4. Reporting and Complaint Procedure

a. Any individual who believes they have experienced or witnessed harassment or discrimination within the Organization is encouraged to report the incident promptly to a designated point of contact, such as the [Designated Officer or Committee].

b. The report should be made in writing and should include a detailed description of the incident, the names of the individuals involved, the date and location of the incident, and any supporting evidence.

c. The Organization is committed to conducting a thorough and impartial investigation of all reported incidents. The investigation will be conducted discreetly and with sensitivity to the concerns of all parties involved.

d. The Organization will take appropriate action, as determined by the findings of the investigation, to address and remedy instances of harassment or discrimination.

5. Confidentiality

The Organization will maintain confidentiality to the fullest extent possible during the investigation process, recognizing that privacy is essential for all parties involved. However, it may be necessary to disclose information to conduct a thorough investigation and take appropriate action.

6. Protection from Retaliation

The Organization prohibits retaliation against any individual who makes a good-faith report of harassment or discrimination or participates in an investigation. Retaliation is a violation of this policy and will result in disciplinary action.

7. Disciplinary Action

Individuals found to have engaged in harassment or discrimination may be subject to disciplinary action, including but not limited to verbal or written warnings, suspension, or termination of membership or employment, as appropriate.

8. Review and Updates

This policy will be reviewed periodically to ensure its effectiveness and compliance with applicable laws and regulations. Amendments or updates may be made as necessary.

Revision History

Date	Bylaws Committee Chair	Change Description
2023-12-02	Hisham Morgan	Adopted by General Assembly by a vote of 35 yes, 1 no, 2 abstain.



MAS | Muslim American Society

Impact Areas

Islam to Muslims

Social Justice

Leadership Development

Convey Islam to American Public

Community Mobilization