

In the name of Allaah, the Most Merciful, the Bestower of Mercy
Muslim Students' Association at York University

1. Definitions

- 1.01** The name of this association shall be the “***Muslim Students' Association***” hereinafter referred to as the “***MSA***” which refers to the members of the aforementioned association at York University for the purpose of this constitution.
- 1.02** The term “***Executive***” shall be deemed to refer to the elected body of MSA.
- 1.03** The terms “***General Member(s)***” and “***General Membership***” shall be deemed to refer to every member of MSA, subject to **Article 3**.

2. Objectives

- 2.01** This constitution is enacted for the purpose of establishing a representative body of elected members. The MSA's objectives, subject to **Article 21**, are to:
- (a) Ensure that prayer facilities are available for use by Muslim students attending York University.
 - (b) Encourage and facilitate the practice of Islam on Campus.
 - (c) Promote awareness of Islam amongst the Campus community.
 - (d) Act as a representative and consul to the Muslims on Campus.

3. Membership

- 3.01** General Membership is open to any member of the York Community (student, staff, and faculty) as per existing requirements (e.g. membership fee) set by the Executive.

4. Areas of Legislative Responsibility

- 4.01** The MSA shall legislate on all matters within its jurisdiction as set out by this constitution.
- 4.02** The MSA shall amend or append this constitution only in accordance with **Article 19**.

5. Procedure for Calling Meetings

- 5.01** General Meetings:
- (a) Meetings shall occur no less than once per semester of each academic year.
 - (b) Meetings shall be called by 2/3 of the Executive, or by a petition signed by 2/3 of the General Membership.
 - (c) Members must be notified of a meeting either in writing or by email at least five (5) days prior to the day of the meeting.
 - (d) Emergency meetings shall be permissible in extenuating circumstances, provided notice is posted in prominent places on campus and every attempt is made to ensure that members receive 24 hours notice.
 - (e) The agenda shall be made available at each meeting, subject to **Section [9.01 (j)]**.

- 5.02** Executive Meetings:
- (a) Meetings shall occur no less than once every four (4) weeks during the academic year.
 - (b) Meetings shall be open to the public except when the MSA Executive decides by consensus that a particular meeting be held privately.
 - (c) Meetings shall be called by 2/3 of the Executive approval.
 - (d) The agenda of each meeting shall be made available three (3) days prior to each meeting subject to **Section [9.01 (j)]** by the Secretary.
 - (e) Emergency meetings shall be permissible in extenuating circumstances provided that every attempt is made to ensure that the Executive receives 24 hours notice.
 - (f) Any member of the Executive shall reserve the right to call an emergency meeting, subject to **Section [5.02 (e)]**.
 - (g) Each Executive is allowed 2 absences per term without having to explain.
 - (h) In the event that an Executive misses more than 5 meetings per term without a valid reason, they are subject to be terminated by a 2/3 vote by the rest of the Executives.

6. General Meeting Procedure

- 6.01** The President will chair meetings. In the absence of the President, the Vice Presidents shall chair all meetings.

7. Executive Meeting Procedure

- 7.01** This constitution shall be the sole document governing the MSA behaviour.
- 7.02** Quorum shall consist of six (6) members of the Executive, including the President or the Vice Presidents in the absence of the President.
- 7.03** Only the Executive shall reserve the right to vote.
- 7.04** Any Executive may open issues for discussion and/or an Executive vote.
- 7.05** Any Executive who is absent from three (3) consecutive meetings shall be deemed to have resigned, unless satisfactory reason for such an absence is given to the Chair no later than two (2) days prior to a meeting.
- 7.06** Chairing:
- (a) The President shall chair all meetings. In the absence of the President, the Vice Presidents shall chair all meetings.
 - (b) The Chair shall be responsible for maintaining order subject to **Section [8.03]**, and ensuring that the agenda is discussed in a complete and efficient manner.

8. Duties and Structure of the Executive

- 8.01** The Executive shall consist of ten (10) elected York University Muslim Students:
- The President (brother or sister)
 - The Vice President Brothers' (brother)
 - The Vice President Sisters' (sister)
 - The Treasurer (brother or sister)
 - The Secretary (brother or sister)
 - Four (4) Public Relations Commissioners (two (2) brothers and two (2) sisters)
 - The GTA-MSA Representative (brother or sister)

- 8.02** The Executive shall be responsible for the direction and management of the affairs of the MSA in accordance with the provisions of this constitution.
- 8.03** The Executive shall strive to adhere to an Islamic code of conduct at all times that will positively influence the rest of the membership.
- 8.04** Any disagreements between the Executives must remain only within the Executives and not leaked to the General Members.
- 8.05** The Executive shall be responsible for recruiting members for each committee, subject to **Sections [14.01 and 14.02]**.
- 8.06** The Term of office of each Executive shall be one (1) year beginning May 1 and expiring on April 29 of the following year.

9. The President

- 9.01** The President shall:
- (a)** Act as the official representative of the MSA on all occasions.
 - (b)** Provide leadership and guidance to the Executive and the MSA.
 - (c)** Be responsible for ensuring that the Executive carry out their respective duties as outlined in **Articles 10-13**.
 - (d)** Supervise and ensure the smooth operation of MSA, which includes peacefully resolving any inter-Executive conflict and reviewing all MSA documentation.
 - (e)** Chair each Executive and General meeting, subject to **Section [7.06]**.
 - (f)** Act on his/her own authority only if an Executive or General meeting cannot be called subject to **Sections [5.01 (e) and 5.02 (d)]**. This may include making emergency decisions such as delegating duties or special powers to an Executive member subject to **Section [9.01 (g)]**.
 - (g)** Be responsible to the Executive and the MSA for all of his/her actions as their representative.
 - (h)** Prepare and present an overview of what the MSA's next school year activities should look like.
 - (i)** Prepare and present an annual report to the MSA during the final General Meeting.
 - (j)** Prepare the agenda for each Executive and General meeting in consultation with the Executive and the General Membership.
 - (k)** Be one (1) of the two (2) signing officers for MSA bank transactions.
 - (l)** Be one (1) of the two (2) signing officers of the MSA.

10. The Vice Presidents

- 10.01** The Vice President Brothers' shall:
- (a)** Assist the President with all designated duties and responsibilities.
 - (b)** Assume all duties and responsibilities of the President in the President's absence with the cooperation of the Sisters' Vice President.
 - (c)** Provide the Executive with a defined written proposal of what he sees the MSA becoming in the next year including ideas, objectives and improvements. The proposal extends to objectives and long term goals for the future.
 - (d)** Provide the Executive with a defined written proposal of events that could be organized by the MSA in a chronological way.
 - (e)** Consult and work closely with President and VP-Sisters'.
 - (f)** Supervise, consult and work closely with the PR-Commissioners and the Directors.
 - (g)** Interact with and act as a mentor with the MSA Brothers.

- 10.02** The Vice President Sisters' shall:
- (a) Assist the President with all designated duties and responsibilities.
 - (b) Assume all duties and responsibilities of the President in the President's absence with the cooperation of the Brothers' Vice President.
 - (c) Provide the Executive with a defined written proposal of what she sees the MSA becoming in the next year including ideas, objectives, and improvements. The proposal extends to objectives and long term goals for the future.
 - (d) Provide the Executive with a defined written proposal of events that could be organized by the MSA in a chronological way.
 - (e) Consult and work closely with President and VP-Brothers'.
 - (f) Supervise, consult and work closely with PR-Commissioners and the Directors.
 - (g) Interact with and act as a mentor with the MSA Sisters.

11. The Treasurer

- 11.01** The Treasurer shall:
- (a) Be responsible for all the financial affairs of MSA, including the maintenance and security of the financial records.
 - (b) Be one (1) of the two (2) signing officers for MSA bank transactions.
 - (c) Be one (1) of the two (2) signing officers of the MSA.
 - (d) Maintain a maximum of \$20.00 in petty cash, reimbursing only when a proof of purchase is provided, subject to **Section [18.04]**.
 - (e) Prepare the annual budget of the MSA.
 - (f) Present monthly bank statements to the Executive, including a financial report and bank statement following every major event.
 - (g) Disburse no funds of MSA except as authorized by the Executive or the President.
 - (h) Prepare an annual report of the financial position of MSA for the final General Meeting of the year, including original net worth, revenue generated, expenditures incurred, amount payable, accounts receivable and final balance.
 - (i) Transfer all assets and other financial records to the incoming Treasurer.

12. The Secretary

- 12.01** The Secretary shall:
- (a) Prepare and type an accurate account of each Executive and General Meetings and distribute the minutes to the Executive and, if requested, to General Members prior to the next meeting.
 - (b) Type and distribute the agenda for each Executive meeting subject to **Section [5.02 (d)]**.
 - (c) Keep a record of contacts within the Executives and the Directors.
 - (d) Keep a list of MSA members.
 - (e) Keep an updated file of what the MSA has done in the past.
 - (f) Create meeting agendas with the help of the VP's and the President.
 - (g) Document all events taking place and save all information (such as flyers and brochures).
 - (h) Organize all the history of the MSA in the MSA folder.
 - (i) Construct a review of activities (every 2 weeks).
 - (j) During election time print out a list of all paid members that are allowed to vote.
 - (k) Reserve all the rooms needed for Executive and General Meetings.
 - (l) Provide application forms for Directors.
 - (m) Transfer the minutes and all other records to the incoming Secretary.

13. The Public Relations Commissioners/GTA MSA Representative

- 13.01** The Public Relations Commissioners shall:
- (a) Act as a liaison between the MSA and the community; this includes other on-campus groups, Masjids, and other Muslim Students' Associations.
 - (b) Supervise the Directors and organize Director meetings.
 - (c) Be responsible for advertising and the publicity of MSA events in the community as outlined in **Section [13.01 (a)]**.
 - (d) Be responsible for calling the General Membership to a General Meeting, subject to **Sections [5.01 (c) and 5.01 (d)]**.
 - (e) Report back to the Vice Presidents and the President.
- 13.02** The GTA MSA Representative shall:
- (a) Act as a liaison between the MSA at York University and other organizations in the Greater Toronto Area including, but not limited to, the MSA's of other universities.
 - (b) Represent the MSA in inter-University community meetings including, but not limited to, YFS meetings.

14. Director Committees:

- 14.01** The Executive may appoint any standing or temporary committee for any purpose it deems fit. Such committees may include, but are not limited to:
- Social Directors (1 Brother and 1 Sister):**
Planning and coordination of social activities.
- Ramadan and Iftar Service Directors (1 Brother and 1 Sister):**
Planning and coordination of iftars during Ramadan.
- IT Director:**
Maintenance of the MSA web page, forum and listserv.
- Da'wah and Outreach Director:**
Planning and coordination of Islam Awareness Week, fast-a-thon and any Da'wah activities by the MSA.
- Islamic Education Directors (1 Brother and 1 Sister):**
Organization of appropriate Halaqas for the MSA General Members.
- Fundraising Director:**
Organization of fundraising events for the MSA with the assistance of the Treasurer.
- Academic Education Director:**
Maintenance of a list of old exams, provision of a network of tutors and students and organization of leadership training programs.
- Prayer Services Directors (1 Brother and 1 Sister):**
Maintenance of the prayer facilities. This Director shall be responsible for finding Khatibs (speakers) to lead the Friday prayers with the assistance of the President.
- Research Director:**
Research into what the General Members, Directors and Executive ask for (MSA think-tank).
- Media and Political Affairs Director:**
Serving as the media spokesperson for the MSA.
- Office Maintenance Director:**
Maintenance of the MSA office regularly and construction of a list of items in the office.
- 14.02** All major decisions made by appointed committees must be approved by 2/3 of the Executive.

15. Election Procedure

- 15.01** Annual elections of MSA shall start no later than eight (8) weeks prior to April 29 of each year.
- 15.02** Notice of the date of election and nomination period shall be posted in prominent places no later than three (3) weeks in advance of the election dates.
- 15.03** No later than four (4) weeks in advance of the election date, the Executive shall select an Outgoing Election Team (OET) from the General Membership to preside over the elections.
The OET shall not be candidates in the elections, may not sign any nomination forms or vote in the elections. The OET shall consist of at least two (2) and no more than four (4) members.
- 15.04** The Executive, under the supervision of the OET, shall be responsible for preparing a nomination form, receiving nominations including setting up and supervising a nominations table in the Meeting Place, preparing and issuing election ballots, and declaring the results.
- 15.05** Nomination Procedure:
- (a) Nomination period shall begin no later than two (2) weeks and close one (1) week prior to the election date.
 - (b) Any General Member may nominate a potential candidate.
 - (c) Candidates shall not be permitted to campaign or lobby for support.
 - (d) However, each candidate must submit a 500 word paragraph outlining to the voters his/her qualifications and what they wish to establish for the MSA for the upcoming year in the event that they win in the elections.
 - (d) All candidates shall be notified privately of their status by the OET no later than five (5) days prior to the elections, at which time they have the right to withdraw from the election.
 - (e) The OET shall oversee the counting of nomination ballots.
 - (f) Potential candidates must be paid members as defined in **Section [3.01]**
- 15.06** Voting Procedure:
- (a) A list of all candidates will be posted in the office over a period of one (1) week starting on and including the election date.
 - (b) Voting shall be conducted in secret ballot.
 - (c) All General Members have the right to vote; voting will be conducted over a period of one (1) week starting on and including the election date.
 - (d) Positions for which there is only one candidate shall be acclaimed.
- 15.07** Procedure for Counting Ballots and Declaring Results:
- (a) Following voting, the OET shall collect the ballots and proceed to a private area to count the ballots.
 - (b) The OET shall oversee the counting process. One (1) Trustee shall count aloud the number of valid ballots cast for each candidate, while two (2) of the other Trustees record these results independently. The individual tallies of the Trustees must be equal or the process must be repeated.
 - (c) Following the count, the OET shall inform the outgoing Executive of the names of the new Executive.
- 15.08** The new Executive shall take office on May 1 for one (1) year.
- 15.09** Any elected position on the MSA which becomes vacant during the academic year for any reason can either be:
- (a) Filled through a by-election called by the current Executive no later than three (3) weeks of the vacancy, and shall be held according to **Article 16**.
 - (b) Or the position may be left vacant upon 2/3 Executive majority vote.

16. By-Election Procedure

- 16.01** By-elections shall be called by the Executive no later than three (3) weeks of a vacancy during the academic year and shall be held according to this article.
- 16.02** Notice of the date of by-elections and nomination period shall be posted in prominent places no later than one (1) week in advance of said elections.
- 16.03** Nomination period shall begin seven (7) days and close four (4) days prior to the by-election date.
- 16.04** All candidates shall be notified (privately) of their status by the Executive no later than three (3) days prior to the elections, at which time they have the right to withdraw from the election.
- 16.05** All General Members have the right to vote; voting will be conducted over a period of three (3) days starting on and including the by-election date.
- 16.06** Candidates shall not be permitted to campaign or lobby for support.
- 16.07** However, each nominee must submit a 500 word paragraph outlining to the voters his/her qualifications and what they wish to establish for the MSA for the upcoming year in the event that they win in the elections.
- 16.08** Within two (2) days of the result the Executive shall announce the by-election results to the General Body.

17. Removal from Office

- 17.01** An Executive member shall be reprimanded by the Executive, and upon repetition, be subject to dismissal for:
 - (a)** Slander against another Executive member or General Member.
 - (b)** Usage of profanities, derogatory or discriminatory language in conversation pertaining to MSA, its affairs or membership.
 - (c)** Incompetence or willful negligence of duty.
- 17.02** A 2/3 majority Executive vote shall accomplish removal from office after charges and specifications against the affected member have been presented to him/her at a previous Executive meeting, subject to **Section [17.03]**.
- 17.03** After consultation with the aggrieved parties, the President shall write up and present a list of charges against the affected member to the Executive at the next meeting. This shall activate **Section [17.02]**.
- 17.04** Any removed Executive member shall be deemed to have resigned.

18. Finances

- 18.01** The signing officers of MSA bank account shall be the Treasurer and the President. In the unavoidable absence of the Treasurer, the President shall assume the duties of the Treasurer.
- 18.02** The annual budget of MSA revenues and expenditures for the year shall be prepared subject to **Section [11.01 (e)]** and approval by 2/3 of the Executive.
- 18.03** Extraordinary expenditures, not covered by the budget, must at any time be approved by 2/3 of the Executive.

18.04 All expenditures exceeding \$100.00 must be authorized in advance by 2/3 of the Executive.

19. Constitutional Amendment Procedure

- 19.01** As of 2001, this constitution shall be known as the Constitution of the Muslim Students' Association at York University.
- 19.02** A master copy of this constitution shall be stored in the MSA office. All amendments and references shall be kept with the original document to ensure that a complete copy of this document is available at all times. The master copy shall be the responsibility of each Executive and shall not be allowed to leave the MSA office.
- 19.03** If it becomes necessary to amend this constitution, a notice of intent to amend the constitution and written copies of the proposed amendment(s) must be presented to the Executive at an Executive meeting.
- 19.04** Proposals for all constitutional amendments shall be subject to the approval of 2/3 of the Executive, subject to **Section [19.06]**.
- 19.05** Within one (1) week following approved amendment(s), such amendment(s) shall be advertised in prominent places on campus for two (2) weeks.
- 19.06** A meeting shall be held no later than three (3) weeks after the proposal for an amendment has been approved, and must be subject to a vote in accordance with **Sections [19.07 and 19.08]**.
- 19.07** Proposed amendments that are of a non-procedural or non-financial nature must be passed by a 2/3 majority of the Executive to take force.
- 19.08** Proposed amendments that are of a procedural or financial nature must be passed by a 2/3 majority of the general membership to take force.

20. Conflict of Interest

- 20.01** Any Executive or General Member, who has a direct or indirect personal or financial interest, as defined below, is an interested person. A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:
- (a)** An ownership or investment interest in any entity with which the Organization has a transaction or arrangement,
 - (b)** A compensation arrangement with the Organization or with any entity or individual with which the Organization has a transaction or arrangement.
 - (c)** A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Organization is negotiating a transaction or arrangement.
- 20.02** Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.
- 20.03** A financial interest is not necessarily a conflict of interest. A person who has a financial interest may have a conflict of interest only if the Executive decides that a conflict of interest exists. In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the Executive.

20.04 Violations of the conflicts of interest:

- (a)** If the Executive has reasonable cause to believe a General Member or Executive has failed to disclose actual or possible conflicts of interest, it shall inform the person of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
- (b)** If after hearing the General Member or Executive respond and after further investigation as warranted by the circumstances, the Executive determines the person failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action subject to **Article 17**.

21. Interpretation

- 21.01** The MSA is a mainstream Sunni Islamic Association which follows and adheres to the Qur'an and Sunnah. The MSA Executive shall be the sole authority for the interpretation of the Constitution. The MSA Executive shall, however, make all determinations of construction and interpretation with due regard to accepted rules of procedure. The President, subject to an appeal by the Executive Board, is generally the first source for interpretation of the Constitution.