

Kansas Division By-Laws

▬ Article I – Name and Affiliation

Section 1. The name of the DIVISION shall be the “ Kansas Division – USFA ”.

Section 2. The DIVISION is herein referred to as “the DIVISION” or “DIVISIONAL”, and the United States Fencing Association, Inc. as “the USFA”.

Section 3. The DIVISION is a duly chartered, subordinate, constituent body of the USFA, exercising powers given by, performing duties directed under, and subject to, the Charter and By-Laws of the USFA, with jurisdiction over the following geographic areas:

- a. The entire state of Kansas; and
- b. Jackson, Clay and Platte counties in Missouri.

▬ Article II – Objectives

Section 1. The purposes and objectives of the DIVISION are:

- a. To promote, encourage, and develop the sport of fencing;
- b. To facilitate local competitions and tournaments;
- c. To assist DIVISIONAL fencers to reach their full potential in fencing; and
- d. To aid and assist the USFA, in all its objectives and purposes.

▬ Article III – Liability

Section 1. Liability.

a. With USFA members. This DIVISION shall have no liability to any third party for any debt or obligation of any member, nor shall any member have any liability to any third party for any debt or obligation of this DIVISION or any other component of the USFA.

b. With the USFA. This DIVISION is an integral part of the USFA, a Colorado Nonprofit Corporation and, as an administrative unit of that corporation, its activities and affairs shall be managed, and its power exercised, under the ultimate direction of the Board of Directors of the USFA. This DIVISION is not an independent or autonomous legal entity.

Article IV – Terms / Membership

Section 1. Membership. Membership in the Division and transfer of membership between Divisions shall be governed by the rules of the USFA. Membership rights in the Division are limited to members of the USFA in good standing. A person may become a member of the Division at the time of joining the USFA.

Section 2. Territory. Any person residing within the aforementioned geographic areas of the DIVISION, or participating in a fencing club within this same area, shall be eligible for membership in the DIVISION. No member of the DIVISION may be a member of any other Division of the USFA.

Section 3. Season. The fencing season begins August 1st and ends the following July 31st, and is equivalent to the DIVISION fiscal year.

Section 4. Notice. Notice given in advance of any event or meeting of any committee or board specified herein shall be construed as an announcement published in the NEWSLETTER or on the DIVISION website no less than thirty (30) days prior to said event or meeting, unless otherwise specified.

Section 5. Last Known Address. Any posted material shall be deemed validly given or delivered if mailed to a member at the address last designated by such member to the Secretary of the USFA or, failing/superseding such designation, in care of the SECRETARY.

Section 6. Classes of membership: Membership shall be the same as that designated from time to time by the USFA.

Section 7. Proof of membership. Valid proof of current membership in the USFA shall be construed as:

- a. A USFA Membership Card
- b. A facsimile or authorized copy of the USFA Membership Application;
- c. A receipt for dues previously paid for enrollment in the USFA; or
- d. Appearance on a current Membership Report as furnished by the USFA.

Section 8. Transfers. Membership may be transferred into the DIVISION provided that the transferee has a current valid membership card from the USFA. The standing of a transferee's membership shall accompany said transfer.

Section 9. Good standing. The benefits of membership in good standing include being entitled to:

- a. Compete in DIVISION-sanctioned events and/or request sanction for tournaments;
- b. Serve on the EXECUTIVE COMMITTEE and BOARD OF DIRECTORS;
- c. Serve on the Election Committee and/or other standing committees;
- d. Nominate candidates for office and propose by-law amendments;
- e. Participate in membership meetings; and
- f. Vote on all DIVISION business, if the member is no less than eighteen (18) years old at the time of voting.

Section 10 Disciplinary Procedures. Suspension from competition is the DIVISION'S method of rectification, and renders a member's standing as poor. A member may be suspended for default of rental-contract, issuance of bad checks, or any reasons stipulated hereafter. The BOARD OF DIRECTORS by a two-thirds vote of the members voting shall have the power to suspend from competition any member whose conduct may be deemed detrimental to the welfare, interests or character of the DIVISION. Should a member be discovered to have participated in a DIVISION-sanctioned event, despite having been suspended from competition, the DIVISION will invalidate the member's finish, annul any rating earned by the member at said event, and suspend the member from competition for a duration ending six (6) months beyond the date of said event or the remainder of the current fencing season, whichever is longer.

Article IX – Elections

Section 1. Election Committee. The EXECUTIVE COMMITTEE shall, no later than March 1st of the fencing season, establish an Election Committee, consisting of one member from each member-club in the DIVISION, to administer the election of OFFICERS for the following fencing season. The Election Committee shall:

- a. Designate one of the committee-members as Chairperson;
- b. Ensure that no more than two (2) candidates from the same club are nominated for office.
- c. Validate the submissions of all candidates nominated, and ensure that there is at least one candidate for each office;
- d. Enforce such electoral rules not inconsistent with these By-Laws as the EXECUTIVE COMMITTEE may adopt;
- e. Provide for the mailing and validation of ballots;
- f. Conduct a public tally of the ballots between May 10th and May 31st, and submit the results of the tally to the SECRETARY no later than June 1st;
- g. Arbitrate, after notice and an opportunity to be heard, the grievances of any interested party concerning electoral procedures. Each candidate for any EXECUTIVE COMMITTEE office may designate a representative to attend meetings of the Election Committee, and reasonable notice shall be given to said representative to provide for fair opportunity to attend all meetings of the Committee, but not at the expense of the DIVISION. The proceedings of the Committee shall be open, except for deliberations in arbitration and consultations with counsel concerning legal matters within the protection of the attorney-client privilege; and
- h. Be precluded from candidacy for service on the EXECUTIVE COMMITTEE for the following fencing season.

Section 2. Nominations. Nominations for OFFICERS for the following fencing season shall be handled as prescribed herein:

- a. Nominations shall be opened March 1st and closed March 15th;
- b. The announcement of the opening of nominations shall be announced in the NEWSLETTER and on the website prior to March 1st of the fencing season; and
- c. Candidates shall be considered nominated by notifying, by mail or e-mail, the SECRETARY of their intention to run for a desired office, or by any DIVISION member notifying, by mail or e-mail, the SECRETARY of their intention to nominate a candidate for the desired office.

Section 3. Ballots. When more than one candidate has been nominated for any office, the Election Committee shall provide for voting by secret ballot as follows:

- a. Ballots for the election, with the names of the duly qualified candidates and indications of the offices being contested, shall be mailed to each member entitled to vote therein, no later than April 15th. Ballots may be accompanied by statements provided by the candidates at their option (the length of which may not exceed one page of 8 1/2 by 11 inch paper copied on one side), and a sealable return envelope;
- b. The form of ballot and return envelope shall be prescribed by the Election Committee and shall be designed to minimize ambiguity and to allow easy and accurate validation;
- c. To be valid, a ballot must be returned by first class mail to the address specified by the Election Committee. It must be postmarked no later than April 30th and must bear such proof of validity as may be determined and specified in advance by the Election Committee;
- d. When ballots are tallied they shall be handled in a manner designed to protect the confidentiality of each member's vote and that also allows ballots to be identified with the validating envelope in which they were received. Ballots and validating envelopes shall be retained for three months after the Election Meeting or longer if the Election Committee so requires;
- e. In the case of a tie among candidates for any office, the Election Committee shall determine the outcome by lot; and
- f. If only one (1) nomination is made for any office, the Election Committee Chairperson shall cast a unanimous ballot for the candidate nominated at the public tally.

Section 4. Campaign Materials. Due to the increasing attention to and enforcement of the Privacy Act all campaign materials will be distributed by the ELECTION COMMITTEE and included with the election ballot. Campaign materials may not exceed one page of 8 1/2 by 11 inch paper copied on one side and must be submitted to the ELECTION COMMITTEE no later than seven (7) days prior to the mailing of the ballot.

Section 5. Consent to Binding Arbitration by Election Committee. By accepting nomination for office, prospective candidates implicitly agree to binding arbitration by the Election Committee of all disputes arising out of the election as the sole, final and exclusive means of resolving such disputes.

Section 6. Should the election process fail to yield an elected officer for any office, the Executive Committee shall appoint an pro tem officer as prescribed in Article IV, Section 7.

Article V – Competitions

Section 1. Schedule. The EXECUTIVE COMMITTEE shall prepare, update and disseminate a schedule of events on a timely basis.

Section 2. Sanctioned events. The EXECUTIVE COMMITTEE shall determine the conditions and restrictions governing the sanction, entry, and conduct of all competitions under its jurisdiction as prescribed herein:

- a. Fencers must provide a current proof of membership. Non-members may enroll in the USFA at the event in which they intend to compete. The Event-Director shall: make available a supply of USFA Membership Applications; collect moneys due the USFA for membership fees, and completed Membership Applications; issue a receipt for moneys collected; and forward fees and applications to the USFA immediately after the event;
- b. USFA regulations regarding uniforms and equipment shall be enforced with regard to ensuring the safety of the fencers. All masks shall pass current USFA punch-test requirements, all fencers shall wear underarm-protectors, all female fencers shall wear breast-protectors, uniforms shall be made of robust material, and all weapons shall pass the weight and shim tests appropriate for the class of weapon;
- c. It is the responsibility of the event-officials to ensure the compliance of the fencers with the aforementioned conditions and restrictions. Event-Directors who allow competition outside of the bounds of said conditions and restrictions are subject to discretionary discipline by the DIVISION;

- d. Should a member be discovered to have competed at an event outside of the bounds of the aforementioned conditions and restrictions, the DIVISION will invalidate the member's finish at said event, annul any rating earned by the member at said event, and suspend the member from competition for a duration ending thirty (30) days beyond the date of said event;
- e. At least one member of the EXECUTIVE COMMITTEE, or a duly appointed representative, shall be present at such events. Unless otherwise designated, the individual requesting sanction from the DIVISION will be considered the said duly appointed representative; The EXECUTIVE COMMITTEE shall apply due consideration to decisions to sanction competitions that conflict with comparable National, Sectional, and Heartland Circuit events;
- f. All DIVISION equipment shall be delivered to the DIVISION representative attending the event, and made available to the Event-Director; and
- g. Ratings will be awarded within the prerequisites defined by the USFA.

Section 3. Non-Sanctioned Events. Fencing events may be conducted without the sanction of the DIVISION. Parties conducting non-sanctioned events are liable for any and all activity at said events. Event-Directors and participants do not receive any of the benefits of sanctioned competition as stated herein. Event-Directors must clearly state to all prospective participants that such events are non-sanctioned.

▬ Article VI – The Executive Committee

Section 1. Composition. The EXECUTIVE COMMITTEE comprises the OFFICERS of the DIVISION, and shall consist of a Chairperson, two Vice-Chairpersons, a Secretary, and a Treasurer. The affairs of conducting the business of, and making the decisions and official policy for, the DIVISION shall be vested in the EXECUTIVE COMMITTEE. All OFFICERS shall hold office for the entire duration of the following season, or until their successors are elected and have justified. The duties of the OFFICERS shall be as follows:

Section 2. The Chairperson (herein referred to as the CHAIRPERSON) shall:

- a. Preside at all meetings of the DIVISION, the EXECUTIVE COMMITTEE, and BOARD OF DIRECTORS;
 - b. Perform such other duties as usually pertain to the office and are not inconsistent with these By-Laws;
 - c. File with the Secretary and the Treasurer of the USFA the annual reports called for under the corporate By-Laws of the USFA;
 - d. Assign OFFICERS and/or members to chair, or occupy, standing or ad-hoc committees.
- The CHAIRPERSON shall be an ex-officio member of all committees; and

Section 3. The Vice-Chairperson (herein referred to as the VICE-CHAIR) shall:

- a. Perform, in the absence of the CHAIRPERSON, in order of seniority (as determined by the number of votes received at the time of election), the duties of the CHAIRPERSON;
- b. Assume responsibility for the dissemination, to DIVISION members, of all information pertinent to the business of the DIVISION, via an official DIVISION publication (herein referred to as the NEWSLETTER) to be published no less than once every two months. This responsibility includes ensuring that information on the DIVISION website is kept current and up-to-date; and
- c. Perform such duties as may be assigned by the CHAIRPERSON and/or the EXECUTIVE COMMITTEE.
- d. Assume responsibility for the custody and maintenance of all DIVISION equipment.

Section 4. The Secretary (herein referred to as the SECRETARY) shall:

- a. Assume responsibility for the custody of the records of the DIVISION;
- b. Conduct all official DIVISIONAL correspondence;
- c. Give notice for, and keep a record of, all DIVISIONAL meetings;
- d. Produce minutes within thirty (30) days following any meeting of the EXECUTIVE COMMITTEE or BOARD OF DIRECTORS, to be included in the next issue of the NEWSLETTER;
- e. Assign an identification number and immediately mark, as DIVISION Equipment, equipment purchased by the DIVISION;
- f. In coordination with the TREASURER and CHAIRPERSON, maintain an updated, detailed list of equipment owned by the DIVISION, and its location; and
- g. Perform such duties as may be assigned by the CHAIRPERSON and/or EXECUTIVE COMMITTEE.

Section 5. The Treasurer (herein referred to as the TREASURER) shall:

- a. Keep the accounts of the DIVISION;
- b. Receive all monies, fees, and dues; and retain twenty percent (20%) of revenue, as it is realized, in a separate account, to be reckoned as working capital for the next fiscal year;
- c. Maintain all DIVISIONAL funds in FDIC-insured checking and savings accounts under the name of the DIVISION;
- d. Pay the bills approved by the EXECUTIVE COMMITTEE as prescribed herein:
 - i. All disbursements shall be made by check from the DIVISIONAL checking account;
 - ii. All disbursements must be documented by receipts stating the nature of the transaction and the payee, and said documents shall be preserved for no less than six (6) years;
 - iii. Disbursements above \$200, not already designated in the budget, will be made only with EXECUTIVE COMMITTEE approval, and will be noted in the minutes; and
 - iv. No amounts over \$500, not already designated in the budget, will be disbursed without the approval of the EXECUTIVE COMMITTEE in two consecutive meetings to be held no less than thirty (30) days apart;
- e. Reimburse the travel expenses, as approved by the EXECUTIVE COMMITTEE, for OFFICERS or other duly-appointed representatives traveling on DIVISION business, and out-of-division Officials; Prepare, with the assistance of the EXECUTIVE COMMITTEE, a budget for the current fiscal year, which shall appear in a NEWSLETTER no later than November 1st; Submit, at the Annual Meeting, a report of the financial transactions of the current fiscal year;
- f. Provide, upon written request by DIVISION members, the current financial records of the DIVISION, within thirty (30) days of the date of the request;

- g. Perform such duties as may be assigned by the CHAIRPERSON, and/or the EXECUTIVE COMMITTEE; and
- h. In coordination with the SECRETARY and CHAIRPERSON, maintain an updated, detailed list of equipment owned by the DIVISION, and its location.

Section 6. Removal of Officers. Any OFFICER may be removed from office for just cause or for failure to execute their duties. Subject to the Rules of the USFA, any or all members of the EXECUTIVE COMMITTEE may be removed by a majority vote of the membership present in person or by proxy at a special meeting called for that purpose. Recall may be initiated by resolution of the BOARD OF DIRECTORS or by petition of not less than 10% of the members of the DIVISION.

Section 7. An OFFICER who has resigned or has been removed from office shall be replaced as prescribed herein:

- a. Any and all former-candidate(s) who contended for the vacant office, in descending sequence by votes received, shall be afforded an opportunity to assume the vacant office;
- b. Should all aforementioned former-candidates refuse the office, the EXECUTIVE COMMITTEE shall, on an interim basis, appoint a consenting DIVISION member to the office, and such appointment shall be noted in the minutes;
- c. Three quarters (3/4ths) of the EXECUTIVE COMMITTEE must be present at any meeting at which a new OFFICER is appointed;
- d. Three quarters (3/4ths) of the EXECUTIVE COMMITTEE members at such a meeting must cast votes of approval for the OFFICER being appointed; and
- e. Should the membership at large disapprove of the appointed interim OFFICER, as expressed via the BOARD OF DIRECTORS, a special election shall be conducted promptly as prescribed in Article VIII, with such appropriate modifications to the dates and schedules there stated as an interim Election Committee shall prescribe.

▬ Article VII – The Board of Directors

Section 1. Composition. Advisory guidance of the DIVISION shall be vested in a BOARD OF DIRECTORS consisting of the EXECUTIVE COMMITTEE, up to two CLUB-REPRESENTATIVES from each member-club in the DIVISION, and other ex-officio Directors as appointed by the BOARD OF DIRECTORS.

Section 2. Club Representatives. The expression of the will of each member-club of the USFA within the DIVISION shall be vested in up to two (2) CLUB REPRESENTATIVES. Members shall be recognized as officially representing their club by a statement of verification signed by the club's president or organizer. Said statement shall be presented to the EXECUTIVE COMMITTEE prior to the representative's participation in any meeting of the BOARD OF DIRECTORS. Said statement shall also acknowledge an official spokesperson for the club, should two (2) representatives be designated. Clubs may alter their representatives when they desire, but must keep the EXECUTIVE COMMITTEE informed of said alterations using the aforementioned statement of verification.

Section 3. Duties. Duties of the BOARD OF DIRECTORS shall include approval of the yearly budget, approval of the schedule of DIVISION sponsored tournaments and approval of the Operations Manual.

Section 4. Meetings. Meetings of the BOARD OF DIRECTORS shall be held on an interim basis, specified prior to the conclusion of the preceding meeting. When held, the meeting shall directly precede the meeting of the EXECUTIVE COMMITTEE, at such time and place as shall be designated by the EXECUTIVE COMMITTEE.

Article VIII – Meetings/Committees

Section 1. Executive Committee quorum. A quorum shall consist of three OFFICERS.

Section 2. Board of Directors quorum. A quorum shall consist of three OFFICERS and CLUB REPRESENTATIVES from two (2) member clubs.

Section 3. Meetings: Meetings of the EXECUTIVE COMMITTEE shall be held on a regular basis at such time and place as shall be designated by the EXECUTIVE COMMITTEE, and shall be also called upon the request of three OFFICERS. All meetings except those in which disciplinary action is to be taken against any OFFICER or DIVISION member shall be open to the DIVISION members.

Section 4. Special meetings: Special meetings may be called at any time and place by the CHAIRPERSON, and shall be called by the CHAIRPERSON upon the written request of not less than twenty (20) members of the DIVISION.

Section 5. DIVISIONAL membership meetings: A quorum shall consist of those members of the DIVISION present in person, and a majority vote of those present shall control, except as herein otherwise provided.

Section 6. Order of Business: Unless those entitled to vote at the meeting shall determine otherwise, the order of business at any meeting within the DIVISION shall be as follows:

- a. Reading of Minutes;
- b. Report of Officers and Committees;
- c. Proposed Amendments to Bylaws (as appropriate);
- d. Elections (as appropriate);
- e. Unfinished Business; and
- f. New Business (as appropriate)

Section 7. Annual Meeting. An Annual Meeting of the DIVISION shall be in the last quarter of the fencing season. The EXECUTIVE COMMITTEE shall designate the date, time and place for the Annual Meeting.

Section 8. Committees. Subject to the provisions of these By-laws, the CHAIRPERSON, with the approval of the BOARD OF DIRECTORS or the EXECUTIVE COMMITTEE, shall have the power to create and appoint the members of such standing and special committees as he may deem necessary or appropriate, designate the chairs thereof, and assign functions thereto. The members of the committees need not be members of the BOARD OF DIRECTORS.

Section 9. Committee Meetings. Every committee shall meet from time to time at the call of the committee Chairperson thereof. It shall be the duty of the committee Chairperson to call a meeting upon the written request of a majority of the members of his committee or of the CHAIRPERSON.

Section 10. Committee Reports. The Chairperson of each committee shall furnish a full report of its activities to the CHAIRPERSON prior to the Annual Meeting of the DIVISION, and each Committee shall make such special reports as the CHAIRPERSON shall direct.

▬ Article X – By-Laws, Rules and Policies of the USFA

Section 1. All By-Laws, rules, regulations and matters of policy concerning the conduct of competitions as set forth in the fencing rules and manual of the USFA, are hereby incorporated as part of these By-Laws without action by the EXECUTIVE COMMITTEE or members of the DIVISION.

▬ Article XI – Amendments

Section 1. These DIVISION By-Laws may be amended as prescribed herein:

- a. Proposed amendments must be sent, by mail or e-mail, to the SECRETARY no later than February 1st;
- b. The Executive Committee shall review, and revise as necessary, the proposed amendments to ensure they comply with the objectives specified in Article II, Section 1, and shall publish the proposed amendments in a NEWSLETTER no later than March 1st;
- c. The Executive Committee shall prepare a final draft of the proposed amendments, taking into consideration the feedback and commentary received from the voting membership following the initial publication, and the final draft of the proposed amendments shall be placed on the election ballot.
- d. Proposed amendments receiving a two-thirds (2/3rds) majority of all votes cast shall be deemed as adopted, subject to the approval of the USFA; and
- e. The SECRETARY shall file such amendments with the USFA within seven (7) days of membership approval. Once notified of approval by the USFA, the amended By-Laws shall appear, within thirty (30) days, in the NEWSLETTER.

▬ Article XII – Operations Manual

Operations Manual. The KANSAS DIVISION – USFA EXECUTIVE COMMITTEE shall publish and maintain an Operations Manual. This is to be a working document. Revised 2004