

**BY-LAWS  
OF THE  
SOUTH JERSEY DIVISION  
OF THE  
UNITED STATES FENCING ASSOCIATION**

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**ARTICLE I – NAME AND AFFILIATION**

Section 1. The name of the Division shall be referred to as the “South Jersey Division of USA Fencing, Inc.” which shall hereinafter be referred to the “Division”. The United States Fencing Association, Inc. shall hereinafter be referred to as “USA Fencing”. In other documents and references, the Division may be referred to from time to time as the “SJ Division of USA Fencing” or other derivations thereof, but all such references and derivations shall be deemed to refer to the Division.

Section 2. The Division is a duly chartered, subordinate, constituent body of USA Fencing, exercising powers given by, performing duties directed under, and subject to Articles of Incorporation, Bylaws, and policies of USA Fencing.

Section 3. The Division has jurisdiction over the following geographic areas: The counties of Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester and Salem in the State of New Jersey (the “Division Jurisdiction Area”).

Section 4. The Division shall be operated as a Not-for-Profit Corporation under the laws of the State of New Jersey and in a manner consistent with Section 501©(3) of the Internal Revenue Code.

**ARTICLE II - OBJECTIVES**

The purpose and objectives of the Division are:

- (a) To promote, encourage and develop the sport of fencing;
- (b) To assist in local competitions and to provide qualifying tournaments;
- (c) To aid and assist USA Fencing in all its objectives and purposes.

**ARTICLE III – MEMBERSHIP AND DUES**

**Section 1: Qualifications:** Any USA Fencing member residing within the boundaries of The Division, or belonging to a fencing club or representing a school within The Division shall be eligible for membership in The Division.

**Section 2. Classes of Membership.** Membership shall be the same as that designated from time to time by USA Fencing.

**Section 3. Transfers.** Eligible individuals who are a member of another division of USA Fencing may transfer to the South Jersey Division provided they meet the requirements set forth under USA Fencing by-laws.

**Section 4. Division Exclusivity:** No member of The Division may be a member of any other Division of USA Fencing.

**Section 3.** Division may not confer membership rights other than those attendant on USA Fencing membership. To vote on a division matter requires a USA Fencing membership class with voting rights.

**Section 4. Voting Eligibility.** Any member in good standing who is entitled to vote in elections in US Fencing is likewise entitled to vote in elections conducted by The Division.

**Section 5: Annual Dues:** Annual US Fencing dues shall be determined by and paid to US Fencing. The Division may upon approval of the Executive Committee, charge an additional fee for participation in Division activities.

**Section 6. Discipline:** All matters pertaining to the discipline and suspension of members shall be acted upon by the Executive Committee and further action, if necessary, shall be referred to the Board of Directors of USA Fencing for appropriate action.

#### **ARTICLE IV- COMPETITIONS**

**Section 1. Competition Schedule:** Private club sponsored competitions may be sanctioned and listed on the Division's schedule of events, subject to the approval of the Executive Committee. In order to be so sanctioned, the sponsors must meet the conditions, qualifications and restrictions, such as the completion of a Memorandum of Understanding, established by the Executive Committee for such events. At least one official Division representative, or their appointee, shall be present at every sanctioned tournament, with full authority to assure that the conditions set by the Executive Committee are being carried out.

**Section 2. Registered Club:** A registered club must have fulfilled all necessary requirements to become a member club under USA Fencing guidelines by December 31<sup>st</sup> and have an established facility for at least 6 months going into the current fencing season in order to be considered for eligibility to host a sanctioned tournament within the current season as prescribed under the South Jersey Division by-laws.

**Section 3. Hosting Club:**

The Hosting club should:

- Submit the proposed tournament schedule by September 1st and February 1st of the current season.
- Advertise the tournament on Askfred.net or a USA Fencing approved registration service 45 days prior to the event.
- Post results of the tournament on Askfred.net or a USA Fencing approved registration service and submit classification change requests to the division Secretary within 3 days of the end of the tournament.
- Have an appropriate number of strips and machines set up.
- Have an approved venue, approved by the Division Chair or officers. This involves a venue inspection.

- Use only approved referees: 100% of all referees having taken the USA fencing referee written and practical referee testing, passed and be current on the safe sport protocol, be a USA Fencing member and have a suggested rating of 5 or higher.
- Must use a level 5 or higher referee for qualifying events.
- Insure that all qualifier events must have a minimum of one level 5 referee, or higher, to act as FOC referee.
- Insure all referees, FOCs, bout committee, and other personnel that are over the age of 18 must be a USA Fencing member and have passed the safe sport criteria.
- Submit a list of all referees.
- Submit a USA Fencing referee report.

**Section 4. Sanctioning Authority:** The Executive Committee may allow registered fencing clubs, schools, and salle d'arms within the Division to hold sanctioned tournaments, but it shall approve the date, conditions, qualifications and restrictions of all fencing clubs, schools, and salle d'arms sponsored tournaments before sanctioning such events. In case the stipulated conditions are not being adhered to, the Executive Committee may withdraw its sanction from the event, and announce the withdrawal of approval by the Division and USA Fencing.

**a.** Fencers must provide current proof of membership. Non-members may enroll in USA Fencing at the event in which they intend to compete. The Event Director shall make available a supply of USA Fencing Membership Applications, collect monies due to USA Fencing for membership fees, and complete Membership Applications, issue a receipt for funds collected, and forward fees and applications to USA Fencing immediately after the event.

**b. Competitor Eligibility:** All persons entering a tournament run or sanctioned by the Division must be current members of USA Fencing. The club shall have the proper materials to enroll a non-member into USA Fencing at the time of registration.

**Section 5. Tournament Records:** The club shall keep permanent records of Division competitions, including records of each round of each competition, and shall be prepared to report from time to time to the Executive Committee, and annually to the Division membership on its activities. Records shall be maintained such that the club can report to the Executive Committee with regard to such issues as final placing and results, and income and expenses for each tournament.

## **ARTICLE V - DIVISION OFFICERS**

**Section 1. Enumeration of Required and Additional Officers.** The officers of the Division shall consist of a Chairman, a Vice-Chairman, a Secretary and a Treasurer. All officers shall take effect on August 1st and hold office until the following July 31st, or until their successors are qualified and elected.

**Section 2. Officers Duties.** The duties of the officers shall be as follows:

**a. Chairperson:** The chairperson shall preside at all meetings of the Division and the

Executive Committee, and perform such other duties as usually pertains to that office and are not inconsistent with these By-Laws. The chairman shall be responsible for submitting annual reports to USA Fencing as required by the by-laws of USA Fencing. The preparation of these reports may be delegated to the secretary and treasurer of the Division. The chairperson may appoint another representative for the Division if the chairperson is unable to attend a meeting. The Chair shall be an ex-officio, voting member of all committees.

**b. Vice-Chairperson:** The vice-chairperson in the absence of the chairman shall perform the duties of the chairman, in which case the Vice-Chair shall hold the title of Acting Chair and have the powers of the Chair. It shall be the responsibility of the vice-chairperson to appoint the Nominating Committee (hereafter defined). The vice-chairperson shall perform any other duties as may be assigned by the chairperson.

**c. Secretary:** The Secretary shall conduct all official correspondence, issue timely notice to all members of meetings of the Division, keep the minutes of all meetings of the Division and/or its Executive Committee, prepare and submit, when due, all reports concerning membership as required by USA Fencing, and any other like duties that may be assigned by the Chair or the Executive Committee.

**d. Treasurer:**

- The treasurer shall keep the accounts of the Division; receive all monies, fees, dues, etc.; pay all bills approved by the Executive Committee; and preserve all vouchers for such disbursements.
- The treasurer shall at the annual meeting of the Division submit a report of the financial transactions of the preceding year.
- The treasurer shall keep all funds of the Division in such account(s) as the Executive Committee may prescribe.
- All disbursements shall be made from the Division's checking account. Such disbursements must be supported by receipts stating the nature of the transaction and the payee.
- All funds of the Division shall be maintained in a federally insured bank, checking and savings accounts under the name of the Division.
- No amounts over \$250 will be disbursed without Executive Committee approval or the signature of at least two (2) Division officers.
- As an exception to this rule, expenses reasonably associated with and incurred in the ordinary and normal course of a Division tournament or any other undertaking mandated by these Bylaws (such as a vote mandated by the Bylaws) shall be deemed approved by the Executive Committee.
- The Treasurer will keep all financial information of the Division and its members properly in confidence.
- The Treasurer shall perform such other duties as may be assigned by the chairperson or other proper authority of USA Fencing.

**Section 3: Removal of Officers.** Officers of the Division may be removed for cause. The Executive Committee, may, by a vote of two-thirds (2/3) of those present at a meeting held for such purposes,

remove an officer of the Division if it finds there is cause for such removal after the accused officer and a hearing or other appropriate proceeding in which that officer is accorded a reasonable opportunity to respond to any asserted ground(s) for removal.

**Section 4:** A petition for the Removal of an officer must be supported by at least ten (10) percent of the membership of the Division.

Any officer of the Division may be removed from office for the following reasons:

- Failure to perform the duties of office,
- Gross violation of USA Fencing's Rules or Bylaws or malfeasance in the affairs of the Division or USA Fencing.
  
- To remove an officer, there must be:
  - The Executive Committee may, by a vote of two-thirds (2/3) of those present at a meeting held;
  - A meeting of the Executive Committee that the Chairperson, or the Vice-Chairperson if the Chairperson is the subject of the petition, has called, to be held not less than fourteen (14) days, nor more than thirty (30) days after the date of the notice, and
  - A notice of the meeting that shall specify the grounds for removal set forth in the petition.

Upon receipt of a petition for removal, the Executive Committee shall follow these measures:

- The officer in question must be notified in writing as to the charges;
- A notice of a special meeting of the membership must be called within 30 days of receipt of the petition for removal;
- At the special meeting, a representative of those who prepared the petition shall explain the charges to the officer;
- The officer shall not be the Club Representative for his or her Member Club for that meeting. The Member Club that the officer represents will send an alternate to vote at this meeting.
- The officer may be removed upon affirmative vote of two-thirds of the Executive Committee members present.
- The officer in question is accorded a reasonable opportunity to respond to any asserted ground(s) for removal.

#### **Section 5.**

- a) Every fencing club in which such person, or any child or parent of such person, is a member, owner, employee, instructor (whether or not paid), or with which such person is otherwise affiliated (such as, without limitation, by serving on any board or committee of such club), and identifying, in all cases, the particulars of any such relationship;
  
- b) Every fencing club in which such person has a financial interest, direct or indirect, such as, without limitation, by virtue of being an owner, creditor, employee, landlord, or equipment supplier of, or a consultant to, such club and identifying, in all cases, the particulars of any such relationship; and

- c) Any financial interest, direct or indirect, which such person has with or in the Division, such as, without limitation, being a creditor, employee, landlord, equipment supplier, or venue provider of, or consultant to, the Division, and identifying, in all cases, the particulars of any such relationship.
- d) The Disclosure Statement shall be submitted on a form prescribed by the Nominating Committee (and/or the Executive Committee) and shall include all relevant information covering the current competition year (August 1 to July 31) in which it is filed and the prior competition year. The Secretary shall cause each Disclosure Statement to be posted on the Division website (and/or notices) promptly after it has been filed.
- e) Each person required to file a Disclosure Statement shall, during his or her relevant candidacy, term of office, and/or committee membership, also be required to promptly update all information contained in his or her filed Disclosure Statement, so that each person's filed Disclosure Statement shall accurately disclose relevant facts and circumstances arising after the initial Disclosure Statement is prepared.

## **ARTICLE VI – MANAGEMENT BY THE EXECUTIVE COMMITTEE**

**Section 1. Composition:** The management of the division shall be vested in an Executive Committee consisting of the officers of The Division, and a representative from each recognized club within the South Jersey Division if that club is not already represented on the committee.

**a. Executive Committee:** Management of the Division shall be vested in an executive committee (The Executive Committee) consisting of the officers (hereafter defined) of the Division, and a representative of each Divisional club who shall be appointed by such club. The Executive Committee shall be empowered to make decisions for the efficient operation of the Division pursuant to the By-Laws. Voting within the Committee shall be by simple majority. An Executive Committee member may resign at any time by giving reasonable written notice to the Division Secretary.

**Section 2. Quorum:** A quorum of the executive committee shall consist of one third (1/3) of the Executive Committee, or three (3) members, whichever is greater.

**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 Chairperson. Meetings may also be called upon the written request of three (3) voting members of the Committee. All Committee members shall be given not less than forty-eight (48) hours prior notice of all special meetings. If all members of the Committee have access to the internet, then certain specific questions or proposals may be voted upon electronically. All balloting must be copied to every member of the Committee, and the Secretary must keep a printed copy of the vote for The Division records. Meetings may also be conducted via Skype (or other any arranged conference call) at a mutually agreed date and time by all parties.

## **ARTICLE VII- ELECTIONS**

**Section 1. Selection of Candidates:** Any member within the territory of the South Jersey Division, over the age of eighteen (18) years old and, in good standing, wishing to hold an office within the Division shall submit to the Secretary of the Division a request in writing for consideration of such office by February 1st of the current fencing season. The request shall contain a brief synopsis of the qualifications

or talents they feel they can contribute to the office they wish to hold. The Secretary shall forward these requests to the Nominating Committee Chairman or Executive Committee. The Nominating or Executive Committee shall meet and consider all applications to select a slate of candidates. Personal interviews with any candidate shall be at the discretion of the Committee. For any office which the Committee does not receive a request, the Committee may select a candidate. The Nominating or Executive Committee shall present its slate of candidates to the Secretary of the Division by February 8th of the current fencing season. All members who are considered for office shall be notified by mail by April 1 by the Secretary of the Division.

**Section 2.** Sitting officers are considered to be automatically running for their office for another term. They do not require a nomination petition. Since Interim officers are appointed, not elected, they do not qualify for this and must file a nomination petition if they wish to seek their office for a full term.

**Section 3. Voting Procedure:** Voting on any issue to be decided at the annual meeting must be conducted in person, with the exception for division officers. A division officer may vote by written proxy and not by a representative.

- Each member has only one vote on any divisional matters.
- No vote should occur unless a quorum is in attendance. Votes shall pass by simple majority.

**a. Quorum:** A quorum shall consist of five division voting members of the Division, who is present, unless it is for a Division officer, who may vote by proxy.

**b. Tiebreaker:** If no candidate receives a majority, then a run off election (again by hand raising) between the two candidates with the highest vote totals will be immediately conducted. If neither candidate can still achieve a majority, or the result of the runoff election should end in a tie, then the secretary will conduct a coin flip, with the “call” made while the coin is in the air, and the winner elected.

## **ARTICLE VIII –MEETINGS OF MEMBERS**

**Section 1. Annual Meeting** - An annual meeting of the members of this Division shall be held in the month of July after the Summer National Championships on a date, at a time and place designated by the chairperson or the Executive Committee, for the purpose of holding elections and any other appropriate business. Notification of the date, time and place of the annual meeting shall be posted via electronic mail, posted to the division website and/or social media page, and posted at all clubs in the division not less than thirty (30) days in advance of such meeting. The notice shall contain a statement of the officers and additional members to be elected at such meeting, unless the election is contested; and a statement as to any proposed amendments to the By-Laws to be voted upon at such meeting, or any other agenda item to be voted upon at such meeting.

**Section 2. Special Meetings** - Special division meetings may be called at any time and place by the Chairperson, and shall be called by the Chair upon written notice of not less than seven (7) days prior to the date set for the meeting, with the exception of a special meeting for removal and amendments to by-laws. Such notice shall set forth the business at the special meeting. If amendments are to the by-laws, written notice given must be thirty (30) days prior to the meeting. If by-law proposals have been

discussed in a prior meeting in the current season, thus notice shall be not less than fourteen (14) days prior to the special meeting.

**Section 3. Executive Committee Meetings** - The Executive Committee shall meet on a regular basis at such time and place as shall be designated by the Chairperson of the Division. All members of the Committee shall be given not less than seven (7) days notice via email or by telephone of the meeting. The chairperson may call an emergency meeting of the Executive Committee at any time during the fencing season with at least seven (7) days notice to the members. An action voted upon by the Executive Committee in compliance with these By-Laws or the rules of USA Fencing shall be valid by simple majority vote. Each Executive Committee member is entitled to one vote. Meetings may also be conducted by Skype (or other form of conference call) at a mutually agreed upon date and time.

**Section 4. Quorum** – A quorum shall consist of not less than five (5) members of the Division including at least three (3) Division officers, present in person at a meeting, and a simple majority to those present shall control. If the withdrawal of one or more members results in a loss of quorum, the meeting shall be adjourned at that time.

### **ARTICLE IX – COMMITTEES**

**Section 1.** In addition to any committee provided for herein, the Executive Committee, by simple majority, may determine to create committees within the Division. The Chairman shall determine the persons to appoint as head of all committees.

**a. Executive Committee:** Management of the Division shall be vested in an executive committee (The Executive Committee) consisting of the officers (hereafter defined) of the Division Chairman, Vice Chairman, Secretary and Treasurer. The Executive Committee shall be empowered to make decisions for the efficient operation of the Division pursuant to the By-Laws. Voting within the Committee shall be by simple majority. An Executive Committee member may resign at any time by giving written notice to the Division Secretary. If the Division Secretary resigns, they shall give notice to the Chairman or Vice Chairman.

### **ARTICLE X - NOTICE TO MEMBERS**

Notice shall be written unless otherwise specified for a particular kind of notice.

Notice can be communicated by U.S. First Class Mail, electronic mail, e-mail, private carrier, including publication in a newsletter or on the division's website, social page, and posted at all clubs in the division in advance of such meeting. Members and Member clubs are responsible for supplying and updating their email with the Division Secretary.

### **ARTICLE XI – JURISDICTION OF USA FENCING**

All rules, regulations and policies set forth in the Bylaws of USA Fencing, the rules of Competition, the USA Fencing Operations Manual, or actions of the USA Fencing Board of Directors are hereby incorporated into these bylaws without action by the Executive Committee or the membership of The Division. In the event of conflict between the bylaws, rules and policies of USA Fencing, the latter shall take precedence and the former shall be considered amended accordingly.



## **ARTICLE XII – INSURANCE**

In order for any club or persons holding a tournament to have an endorsement, authorization and approval of the division, proof of accident/liability coverage in the minimum amount of one million dollars is required. This coverage must cover all persons present at the competition regardless of membership status. Proof of coverage must be provided to the division before an event will be published by the division. This insurance is required, and separate from, whether or not all or part of an event is attempting to gain USFA sanctioning.

## **ARTICLE XIII - INDEMNIFICATION OF OFFICERS**

The South Jersey Division shall indemnify any officer or director for any loss they may suffer or incur as a result of actions taken by them in good faith on behalf of the Division and for which indemnification is not prohibited by law.

## **ARTICLE XIV – AMENDMENTS**

These Bylaws of the South Jersey Division may be amended at the annual meeting of the Division or a special meeting called for that purpose. Any proposed amendments to these Bylaws must be presented to the membership for consideration at the scheduled Annual Meeting or a Special Meeting with thirteen (30) days notice, unless otherwise noted in Article VIII. Only a voting member in good standing may propose new or amended bylaws. An amendment receiving a majority of the votes cast, either in person or by proxy, shall be deemed adopted. Due to cost considerations, any proposed change to these Bylaws may be requested for review via email and/or U.S. First Class Mail.

## **ARTICLE XV – EFFECTIVE DATE**

These Bylaws shall become effective on the date in which they shall be approved, unless otherwise specified by the majority of the members voting at the time of the vote. Any publication of these Bylaws must include the effective date.

Ratified on July 14 , 2018

Amended on July 14, 2018

Effective date: August 1, 2018