

AMENDED AND RESTATED  
BY-LAWS OF

Minnesota/U.S.A. Wrestling, Inc.,  
a Minnesota nonprofit corporation

Approved by a meeting of the Board of Directors  
for Minnesota/U.S.A. Wrestling, Inc., on:  
January 21, 2024



## **ARTICLE I: Name**

- 1.1 The name of the organization is Minnesota/U.S.A. Wrestling, Inc., (referred herein as "MN/USA Wrestling") a nonprofit organization organized under the State of Minnesota.

## **ARTICLE II: Affiliation**

- 2.1 MN/USA Wrestling shall operate under the guidance, auspices, and in accordance with the By-Laws of the United States of America Wrestling Association a/k/a USA Wrestling (referred herein as "USA Wrestling"), and shall conduct its business and activities in such a manner that it may be considered a charter member of that body, including any benefits thereby entitled to and responsibilities liable for.

## **ARTICLE III: Purpose**

- 3.1 Guided by the Olympic Spirit, MN/USA Wrestling shall responsibly advocate, promote, coordinate, and provide quality opportunities for its members to achieve their full human and athletic potential.

## **ARTICLE IV: Office**

- 4.1 The corporation may have offices in Minnesota as the Board of Directors may determine from time to time.

## **ARTICLE V: Members**

- 5.1 Membership. Every resident of the State of Minnesota who holds any type of membership with USA Wrestling, or in any of its divisions or affiliates, shall, for the term of such membership, also be a member of MN/USA Wrestling.
- 5.2 Annual Meeting of the Members. An annual meeting of the membership of the corporation shall be held on a Sunday during the month of October (the "Annual Meeting"), at a time and place designated by the Board of Directors for the election of the Board of Directors.
- 5.3 Voting for Board of Directors. At the Annual Meeting or any Special Meeting of the Members the members of MN/USA Wrestling who shall possess voting rights (the "Voting Members") to elect eligible members to the Board of Directors or to vote to remove current Board of Directors members shall include the following:
  - 5.3.1 All currently elected Board of Directors; and
  - 5.3.2 The designated representative from a club chartered under MN/USA Wrestling; provided the club was chartered prior to May 31 in the year in which the vote is set to take place and the club must have a minimum of ten (10) members with USA Wrestling. The designated club representative must either be the club director (as noted in the USA Wrestling membership system) or a designated MN/USA

Wrestling member in good standing with written authorization to act on behalf of the club from the club director.

Each Voting Member shall be entitled to one vote.

- 5.4 Special Meeting of the Members. A Special Meeting of the Members may be called for consideration of removal of a member of the Board of Directors ("Special Meeting of the Members") by the Chair, the Board of Directors, or by any three or more clubs entitled to vote at the Annual Meeting.
- 5.5 Quorum for Member Meetings. At the Annual Meeting or any Special Meeting of the Members, ten (10) Voting Members shall constitute a quorum for proceeding with the election of the Board of Directors or voting on removal of a member of the Board of Directors at a Special Meeting of the Members.
- 5.6 Proxies. Voting by proxy shall not be allowed in the Annual Meeting or any Special Meeting of the Members, except that the designated club representative shall be entitled to vote on behalf of the club in accordance with Section 5.3.2.
- 5.7 Notice of Member Meeting. Written notice of the Annual Meeting or any Special Meeting of the Members shall be sent no less than fourteen (14) days prior to such meeting to each club chartered with MN/USA Wrestling as of May 31 in the year in which the meeting is set to take place.
- 5.8 Voting Limitations. Voting Members shall be entitled to vote in the election of the Board of Directors or for their removal at a Special Meeting of the Members only, all other business is to be conducted by the Board of Directors with only the Executive Committee members entitled to vote on such matters.

## **ARTICLE VI: Board of Directors**

- 6.1 Powers. The Board of Directors shall be the principal governing body of the corporation and shall be responsible for managing the affairs of the corporation. The Board of Directors may exercise all such powers and do all such things as may be exercised or done by the corporation, subject to the provisions of the Articles of Incorporation, these By-Laws, and all applicable laws.
- 6.2 Composition. The Board of Directors shall be composed of the Executive Committee and the Competition Council which shall consists of the following:
  - 6.2.1 Executive Committee. The Executive Committee shall consist of the following voting members, provided an individual may serve in only (1) role on the Executive Committee, but may serve in additional roles as contemplated in these By-Laws:
    - 6.2.1.1 Chair

- 6.2.1.2 President
- 6.2.1.3 Vice-President
- 6.2.1.4 Secretary
- 6.2.1.5 Treasurer
- 6.2.1.6 Membership Director
- 6.2.1.7 Operations Officials Director
- 6.2.1.8 Tournament Director
- 6.2.1.9 Mat Officials Director
- 6.2.1.10 Open Tournament Director
- 6.2.1.11 Awards Director
- 6.2.1.12 Kids Director
- 6.2.1.13 Cadet (16U) Director
- 6.2.1.14 Junior Director
- 6.2.1.15 Girls/Women Director
- 6.2.1.16 Girls/Women Development Director
- 6.2.1.17 Northern Club Liaison
- 6.2.1.18 Southern Club Liaison
- 6.2.1.19 At-Large Member #1
- 6.2.1.20 At-Large Member #2

6.2.2 Competition Council Members. The Competition Council shall consist of the following non-voting members:

- 6.2.2.1 State Men Greco Coach
- 6.2.2.2 State Men Freestyle Coach

- 6.2.2.3 State Women Freestyle Coach
- 6.2.2.4 Medical Advisor
- 6.2.2.5 Financial Advisor
- 6.2.2.6 Assistant Kids Director
- 6.2.2.7 Assistant Cadet (16U) Director
- 6.2.2.8 Assistant Junior Director
- 6.2.2.9 Assistant Girls/Women Director
- 6.2.2.10 Assistant Awards Director
- 6.2.2.11 Health Services Coordinator
- 6.2.2.12 Various Competition Council At-Large Members

Responsibilities of the Competition Council shall be determined by the Board of Directors.

6.3 Election of Board of Directors. At the Annual Meeting, persons shall be elected, in accordance with these By-Laws, to serve on the Board of Directors for the term of his or her election, and until his or her successor is duly elected and qualified, unless prior thereto he or she shall have resigned or been removed as hereinafter provided. There is no restriction on serving multiple consecutive terms if so duly elected. Members of the Competition Council shall be elected for a one (1) year term and Members of the Executive Committee shall be elected for a three (3) year term, with one-third (1/3) of the Executive Committee standing for election each year according to the rotation below:

Member Group #1	Member Group #2	Member Group #3
Chair	President	Vice-President
Junior Director	Operations            Officials Director	Secretary
Awards Director	Open Tournament Director	Kids Director
Girls/Women Director	Girls/Women Development Director	Cadet (16U) Director
Treasurer	At-Large #1	Mat Officials Director
Tournament Director	At-Large #2	Membership Director
Northern Club Liaison	Southern Club Liaison	

- 6.4 Regular Meetings of the Board of Directors. In addition to the Annual Meeting, the Board of Directors shall conduct regular meetings held at such times and at such places as determined by the Board of Directors.
- 6.5 Special Meeting of the Board of Directors. Special meetings of the Board of Directors may be called by or at the request of the Chair, and shall be called by such Chair on the written request of one-fourth (1/4) of all current Board of Director members.
- 6.6 Notice of Board Meetings. All Board of Directors shall be given seven (7) days written notice of all regular and special meetings of the Board of Directors. Such notices shall be deemed delivered when sent by letter or when sent electronically. The notice shall state the time, place, and in the case of a special meeting, the purpose of the meeting. The attendance of a Board member at any meeting shall constitute a waiver of notice of such meeting.
- 6.7 Quorum for Board Meetings. One-fourth (1/4) of the Executive Committee then in office shall constitute a quorum for the transaction of business at any regular or special meeting of the Board of Directors.
- 6.8 Voting. Each member of the Executive Committee shall be entitled to one (1) vote, regardless of the number of offices, if any, which he or she may hold. The act of a majority of the Executive Committee present at any meeting at which there is a quorum shall be the act of the Board of Directors, except as to any question upon which any greater vote is required by the Articles of Incorporation, these By-Laws, or applicable law. Voting during any Board of Directors meeting is limited to members of the Executive Committee, however, members of the Competition Council and club representatives shall be allowed to participate in the discussions of any meeting and put forth motions, but they are not however permitted to vote on any matters before the Board of Directors.

6.8.1 Email voting. Any Board of Director member may make a motion via email. However, for record keeping purposes, email motions shall be made through the Chair or their designate, who shall email the motion to the Board of Director members beginning with the identification of the member making the motion and the motion asking for a “seconder” for the motion i.e. [name] has made a motion to the Board of Directors that [description of motion]. A second to the motion is required. Anyone wishing to second the motion shall be done by email to all Board of Director members with:

- Subject line: Motion
- First line of the body of the email: I second that the Board of Directors approve/authorize/recommend [description of motion].

The motion will expire in seven calendar days or at the start of the next Board of Directors meeting, whichever comes first. All Executive Committee members, including the Chair, may vote.

Two-thirds (2/3) affirmative votes of all members of the Executive Committee then in office are required to approve an email motion. An Executive Committee member who proposed the motion is automatically counted as an affirmative vote. The Secretary is responsible for tallying the votes and informing the Board of Directors of the outcome. Votes should be circulated to all Board of Director members. If an Executive Committee member fails to CC: other Board of Director members on their vote, then the Secretary should forward the email to the other Board of Director members.

Executive Committee members should include in the words “I vote No” or “I vote Yes” in the first line of their response. Email motions shall only be voted up or down. An email motion shall not be amended. The Board of Director member who proposed the motion may withdraw it at any time prior to approval. If the motion does not receive the required two-thirds (2/3) affirmative votes by the deadline, then it fails. The Secretary ensures the motion and vote is recorded in the minutes of the next formal Board of Directors meeting.

Email approval is only suitable for straightforward motions. Email is not suited for the conduct of a deliberative process. Email does not provide the opportunity for discussion or amendment of the motion that one would have in a face-to-face meeting. Executive Committee members are free to reply with, “I vote No, as we should discuss it.”

- 6.9 Committees. The Board of Directors or Chair may establish any committee as it may deem appropriate and all committees shall have such powers and responsibilities as the Board of Directors may from time to time delegate to them.
- 6.10 Action in Writing. Any action which might be taken at a meeting of the Board of Directors or any lawfully constituted committee may be taken without a meeting if such action is taken in writing and signed by all the members of the Executive Committee then in office or by all the members of such committee, as the case may be.
- 6.11 Removal and Vacancies. Any member of the Board of Directors may be removed at any Special Meeting of the Members by a two-thirds (2/3) vote of the Voting Members as identified in Section 5.3 present at the Special Meeting of the Members. Any vacancy on the Board may be filled by the Board of Directors at or after the time such vacancy may occur; provided that any individual appointed to such vacancy shall serve out the remaining term at which point the position is considered for election according to the regular rotation identified in these By-Laws.
- 6.12 Proxies. Voting by proxy shall not be allowed at any meeting of the Board of Directors.
- 6.13 Conflicts of Interest. No member of the corporation's Board of Directors shall participate in the discussion concerning, or vote on, any action from which the member or any organization in which the member is materially interested, may directly or indirectly derive any material benefit. Any individual serving as the Chair, President, Vice-President, or Treasurer shall be expressly prohibited from having any contract or arrangement with the corporation in which the member directly or indirectly derives any material benefit.

- 6.14 Meetings by Conference Call. Members of the Board of Directors may participate in a meeting of the Board by means of conference telephone or similar communications equipment by which all persons participating in the meeting can hear each other at the same time. Such participation shall constitute presence in person at the meeting.
- 6.15 Membership Qualifications. All members of the Board of Directors are required to be over the age of eighteen (18) and must obtain a USA Wrestling "Leader" membership within thirty (30) days of the members election to the Board of Directors and such membership must be maintained for the duration of the Board Members term.
- 6.16 Operational Procedure. The rules contained in the current edition of Robert's Rules of Order, Newly Revised, shall be the parliamentary authority for the conduct of all meetings of the corporation, except as superseded by these By-Laws, state law, or any special rule of order adopted by the Board of Directors.

## **ARTICLE VII: Responsibilities of Board Members**

- 7.1 Chair. The Chair, under the direction of the Board of Directors, shall be in charge of the operations of the corporation and shall be responsible for carrying out the policies of the corporation as established by the Board of Directors.
- 7.1.1 Authority. The Chair shall have supervisory authority over the corporation's paid and unpaid personnel, and shall, within his or her discretion, be responsible for matters concerning employment of personnel and the terms and conditions of their hire. Subject to limitations adopted by the Board of Directors, the Chair shall be entitled to execute contracts and other legal instruments on behalf of the corporation.
- 7.1.2 Financial Supervision. The Chair shall have supervision over all monies and bank accounts of the corporation and shall cause checks and drafts to be issued upon his or her direction.
- 7.1.3 Board Meetings. The Chair shall preside over all meetings.
- 7.2 President. The President shall work alongside the Chair to oversee the operations of the corporation. In the absence of the Chair, the President shall preside over any meetings. The President shall be responsible for any duties as identified in the job description approved by the Board of Directors and as revised from time to time, and any other duties as identified from the Board of Directors.
- 7.3 Vice-President. The Vice-President shall work alongside the Chair and President to oversee the operations of the corporation. In the absence of the Chair and President, the Vice-President shall preside over any meetings. The Vice-President shall be responsible for any

duties as identified in the job description approved by the Board of Directors and as revised from time to time, and any other duties as identified from the Board of Directors.

- 7.4 Secretary. The Secretary shall be responsible for general record keeping for the corporation. The Secretary shall be responsible for any duties as identified in the job description approved by the Board of Directors and as revised from time to time, and any other duties as identified from the Board of Directors.
- 7.5 Treasurer. The Treasurer shall be responsible to oversee the management of the financial affairs of the corporation. The Treasurer shall be responsible for any duties as identified in the job description approved by the Board of Directors and as revised from time to time, and any other duties as identified from the Board of Directors.
- 7.6 Membership Director. Membership Director is responsible for overseeing the registration of the members and clubs for the corporation. The Membership Director shall be responsible for any duties as identified in the job description approved by the Board of Directors and as revised from time to time, and any other duties as identified from the Board of Directors.
- 7.7 Operations Officials Director. Operations Officials Director is responsible for overseeing the pairing officials and pairing at events for the corporation. The Operations Officials Director shall be responsible for any duties as identified in the job description approved by the Board of Directors and as revised from time to time, and any other duties as identified from the Board of Directors.
- 7.8 Tournament Director. Tournament Director is responsible for overseeing regional and state tournaments for the corporation. The Tournament Director shall be responsible for any duties as identified in the job description approved by the Board of Directors and as revised from time to time, and any other duties as identified from the Board of Directors.
- 7.9 Mat Officials Director. Mat Officials Director is responsible for overseeing the mat officials and officiating at events for the corporation. The Mat Officials Director shall be responsible for any duties as identified in the job description approved by the Board of Directors and as revised from time to time, and any other duties as identified from the Board of Directors.
- 7.10 Open Tournament Director. Open Tournament Director is responsible for overseeing the scheduling and coordination of local tournaments. The Open Tournament Director shall be responsible for any duties as identified in the job description approved by the Board of Directors and as revised from time to time, and any other duties as identified from the Board of Directors.
- 7.11 Awards Director. Awards Director is responsible for overseeing and coordinating the awards for events conducted by the corporation. The Awards Director shall be responsible

for any duties as identified in the job description approved by the Board of Directors and as revised from time to time, and any other duties as identified from the Board of Directors.

- 7.12 Kids Director. To provide the Kids (6U, 8U, 10U, 12U, & 14U) age group wrestlers with the greatest opportunities to compete at the local, state, and national levels. The Kids Director shall be responsible for any duties as identified in the job description approved by the Board of Directors and as revised from time to time, and any other duties as identified from the Board of Directors.
- 7.13 Cadet (16U) Director. To provide the Cadet (16U) age group wrestlers with the greatest opportunities to compete at the local, state, and national levels. The Cadet (16U) Director shall be responsible for any duties as identified in the job description approved by the Board of Directors and as revised from time to time, and any other duties as identified from the Board of Directors.
- 7.14 Junior Director. To provide the Junior age group wrestlers with the greatest opportunities to compete at the local, state, and national levels. The Junior Director shall be responsible for any duties as identified in the job description approved by the Board of Directors and as revised from time to time, and any other duties as identified from the Board of Directors.
- 7.15 Girls/Women Director. To provide the girls/women (16U and up) age group wrestlers with the greatest opportunities to compete at the local, state, and national levels. The Girls/Women Director shall be responsible for any duties as identified in the job description approved by the Board of Directors and as revised from time to time, and any other duties as identified from the Board of Directors.
- 7.16 Girls/Women Development Director. To provide the girls/women (14U and below) age group wrestlers with the greatest opportunities to compete at the local, state, and national levels. The Girls/Women Development Director shall be responsible for any duties as identified in the job description approved by the Board of Directors and as revised from time to time, and any other duties as identified from the Board of Directors.
- 7.17 Northern Club Liaison. The Northern Club Liaison shall be responsible for promoting and working on behalf of the members and clubs of the corporation in the north half of the State of Minnesota. The Northern Club Liaison shall be responsible for any duties as identified in the job description approved by the Board of Directors and as revised from time to time, and any other duties as identified from the Board of Directors.
- 7.18 Southern Club Liaison. The Southern Club Liaison shall be responsible for promoting and working on behalf of the members and clubs of the corporation in the south half of the State of Minnesota. The Southern Club Liaison shall be responsible for any duties as identified in the job description approved by the Board of Directors and as revised from time to time, and any other duties as identified from the Board of Directors.

- 7.19 At Large Member #1. Advance the policies of the corporation. The At Large Member shall be responsible for any duties as identified in the job description approved by the Board of Directors and as revised from time to time, and any other duties as identified from the Board of Directors.
- 7.20 At Large Member #2. Advance the policies of the corporation. The At Large Member shall be responsible for any duties as identified in the job description approved by the Board of Directors and as revised from time to time, and any other duties as identified from the Board of Directors.

### **ARTICLE VIII: Executive Director and Personnel**

- 8.1 Executive Director. MN/USA Wrestling may employ an "Executive Director", who shall be elected by the Board of Directors and shall be employed on such terms as shall be approved by the Board of Directors. The Executive Director shall help carry out the policies of the corporation as established by the Board of Directors. The Executive Director is prohibited from serving on the Executive Committee, but may serve on any committees established by the Board of Directors.
- 8.2 Board Meetings. The Executive Director shall be invited to attend all meetings of the Board of Directors, with voice but without vote, provided that he or she shall not attend those portions of meetings at which his or her performance or compensation is to be evaluated.
- 8.3 Other Personnel. The corporation may employ other administrative personnel as it shall determine to be in the interest of the corporation; however, no employee of the corporation shall serve on the Executive Committee.

### **ARTICLE IX: Financial Affairs**

- 9.1 Fiscal Year. The fiscal year of MN/USA Wrestling shall begin on the first day of September in each year and conclude the last day of August the following year.
- 9.2 Contracts. The Board of Directors may authorize any member of the Board of Directors, or other agent or agents to enter into any contract or execute and deliver any instrument in the name of and on behalf of MN/USA Wrestling, and such authority may be general in nature or confined to specific instances or matters.
- 9.3 Loans. No loan shall be contracted on behalf of MN/USA Wrestling and no evidence of indebtedness shall be issued in its name unless authorized by a resolution of the Board of Directors. Such authority may be general in nature or confined to a specific instance or matters.

- 9.5 Checks and Drafts. All checks and drafts or other order for payments of money, notes or other evidence of indebtedness issued in the name of MN/USA Wrestling shall be signed by such member of the Executive Committee or agent and in such manner as shall from time to time be determined by the Board of Directors.
- 9.6 Deposits. All funds to the corporation not otherwise employed shall be deposited from time to time to the credit of MN/USA Wrestling in such banks, trust companies, or other depositories as the Board of Directors may from time to time select.

#### **ARTICLE X: Event Sanctions**

- 10.1 Event Sanctions. All events conducted under the auspices and control of MN/USA Wrestling shall be sanctioned by MN/USA Wrestling and where applicable USA Wrestling.

#### **ARTICLE XI: SafeSport**

- 11.1 Safe Sport Policy. USA Wrestling has adopted a Safe Sport Policy for application to its members, athletes, participants, coaches, officials, volunteers, and staff. MN/USA Wrestling and all persons who are subject to the USA Wrestling Safe Sport Policy are required to comply with the SafeSport Code for the U.S. Olympic and Paralympic Movement of the U.S. Center for SafeSport (the "SafeSport Code") and all related practices, procedures, and rules of the U.S. Center for SafeSport. "MN/USA Wrestling Safe Sport Policy" incorporates by reference the USA Wrestling SafeSport Policy and SafeSport Code and all applicable practices, procedures, and rules, including definitions of prohibited conduct.
- 11.2 U.S. Center for SafeSport. If MN/USA Wrestling receives a complaint or a report of prohibited conduct that is required to be referred to the U.S. Center for SafeSport, MN/USA Wrestling shall report and refer such matter to the U.S. Center for SafeSport, and the U.S. Center for SafeSport shall have the exclusive jurisdiction and authority to investigate and adjudicate that matter, and will determine resolutions and sanctioning for any violation. A decision concerning a SafeSport violation adjudicated by the U.S. Center for SafeSport shall not be reviewable through the MN/USA Wrestling's SafeSport Policy, USA Wrestling's SafeSport Policy, or the internal grievance procedures of each organization. The report and referral of a matter to the U.S. Center for SafeSport shall not supersede any local, state, or federal reporting requirements or jurisdiction.
- 11.3 Other SafeSport Violations. If MN/USA Wrestling receives a complaint or a report of prohibited conduct that is not within the exclusive jurisdiction for the U.S. Center for SafeSport, MN/USA Wrestling may refer such matter to the U.S. Center for SafeSport for investigation and adjudication pursuant to the discretionary jurisdiction of the U.S. Center for SafeSport. If the U.S. Center for SafeSport does not accept jurisdiction, or if MN/USA

Wrestling does not make such a referral, the matter shall be administered under the provisions of the Minnesota/USA Wrestling Safe Sport policy.

- 11.4 SafeSport Coordinator. The Board of Directors shall elect an individual to serve as the SafeSport coordinator on behalf of MN/USA Wrestling (the "Minnesota SafeSport Coordinator"). The Minnesota SafeSport Coordinator may be a member of the Board of Directors, but is not required to be. The Minnesota SafeSport Coordinator shall keep the Board of Directors informed as to the policies and procedures pertaining to the SafeSport Code and shall be primarily responsible for conducting investigations for violations of prohibited conduct not required to be handled under the exclusive jurisdiction of the U.S. Center for SafeSport according to the SafeSport Investigative Guidelines outlined in Section 11.5 below.
- 11.5 SafeSport Investigative Guidelines. For a SafeSport complaint or a report of prohibited conduct that falls within the jurisdiction of MN/USA Wrestling, the Minnesota SafeSport Coordinator, or an individual appointed by the Minnesota SafeSport Coordinator, shall be responsible for conducting a thorough and timely investigation of the matter. Upon conclusion of the investigation and review of all relevant materials, evidence and witness statements, the Minnesota SafeSport Coordinator shall render a decision on the alleged complaint and implement appropriate sanctions. The Minnesota SafeSport Coordinator shall deliver a "Decision Letter" to the relevant parties that provides a general overview of the allegations, identifies any conduct that violates the SafeSport Code or SafeSport Policy, identifies any applicable sanctions, and the Decision Letter must notify the individuals of their appeal rights.
- 11.5.1 Appeal. Any decision by the Minnesota SafeSport Coordinator may be appealed provided the appeal is made in writing to the Minnesota SafeSport Coordinator within seven (7) days of the date of the Decision Letter and identifies in clear and concise language (i) the grounds for disputing the decision of the Minnesota SafeSport Coordinator to impose sanctions; or (ii) the specific policy, rule, or regulation the Appellant alleges has been violated (the "Appeal Letter"), any untimely appeal will not be considered.
- 11.5.2 Appeal Committee. If the Minnesota SafeSport Coordinator is notified of a timely appeal, the Minnesota SafeSport Coordinator shall promptly notify the Chair, and the Chair shall select three (3) individuals from the Board of Directors, which may include the Chair, to serve as the appeals committee (the "Appeal Committee") (in the event the Chair is the Minnesota SafeSport Coordinator, the President should be serve in the Chair's capacity for these matters).
- 11.5.3 Appeal Hearing. The Appeal Committee shall set the time and date for the "Appeal Hearing" and shall notify the Minnesota SafeSport Coordinator and the Minnesota SafeSport Coordinator is responsible for notifying all relevant parties. In the event a party is unable to be present at the time and date for which the Appeal Hearing was set, the Appeal Committee may continue the Appeal Hearing on the date as

previously determined, or the Appeal Committee may postpone the Appeal Hearing to a later date, with said decision to be in the sole and absolute discretion of the Appeal Committee. All evidence documents are to be submitted to the Appeals Committee and the opposing party prior to the Appeal Hearing. All witnesses that will provide testimony are to be identified prior to the Appeal Hearing, along with their contact information and a brief statement as to the subject matter of their testimony. Appellant is allowed to have an attorney present during the Appeal Hearing; however, any attorney for the Appellant is prohibited from participation in the Hearing, other than advising their client privately, in accordance with the policies and procedures in the SafeSport Handbook established by USA Wrestling. The burden of proof for the Appeal Hearing is preponderance of the evidence (more likely true than not true).

11.5.4 Appeal Hearing Format. The Appeal Hearing shall follow the general format outlined below:

- Call to Order
- Reading of Decision Letter by Appeal Committee
- Reading of Appeal Letter by Appeal Committee
- Appellant Opening Statement (approx. 5 minutes)
- Minnesota SafeSport Coordinator Opening Statement (approx. 5 minutes)
- Appellant presents its case:
  - All witnesses to be sworn in:  
“I hereby swear or affirm under penalties of perjury that the testimony I give shall be true and complete.”
  - Appeal Committee may interject and ask questions at any time
  - MN Safe Sport Coordinator will have opportunity to cross-examine a witness
- Minnesota SafeSport Coordinator presents its case:
  - All witnesses to be sworn in:  
“I hereby swear or affirm under penalties of perjury that the testimony I give shall be true and complete.”
  - Appeal Committee may interject and ask questions at any time
  - Appellant will have opportunity to cross-examine a witness
- Minnesota SafeSport Coordinator Closing Argument (approx.. 10 minutes)
- Appellant Closing Argument (approx. 10 minutes)
- Closing by Appeal Committee

Appeal Committee to render a decision within twenty-one (21) days of the Appeal Hearing.

11.5.5 Subsequent Appeal to USA Wrestling. Appellant may appeal any decision of the Appeal Committee to USA Wrestling Ethics and Membership Committee by filing a timely appeal and satisfying any other requirements under the SafeSport Handbook established by USA wrestling.

## **ARTICLE XII: Miscellaneous**

- 12.1 Amendments. These By-Laws may be amended by a two-thirds (2/3) vote of all members of the Executive Committee then in office at any regular or special meeting.
- 12.2 Indemnification. MN/USA Wrestling shall indemnify to the full extent authorized or permitted by law, including the payment of reasonable attorneys' fees, any person made, or threatened to be made, party to any action, suit, or proceeding (whether civil, criminal, administrative, or investigative) by reason of the fact that he or she, or his or her testator in intestate, is or was a director, officer, agent, or employee of MN/USA Wrestling, if, in the judgment of the Board of Directors, such person acted in such capacity in good faith and diligently and faithfully discharged the duties of such office.

**ARTICLE XIII: Ratification**

13.1 We the undersigned have read and duly ratified these Amended and Restated By-Laws of Minnesota/U.S.A. Wrestling, Inc. as of the 21<sup>st</sup> day of January 2024.

Chair: David Peterson - \_\_\_\_\_

President: Ryan Hoag - \_\_\_\_\_

Vice-President: Jeff Katherman - \_\_\_\_\_

Secretary: Kelly Refsnider - \_\_\_\_\_

Treasurer: OPEN - \_\_\_\_\_

Membership Director: Amie Engels - \_\_\_\_\_

Operations Official Director: Angie Bizal - \_\_\_\_\_

Tournament Director: Ryan Fischer - \_\_\_\_\_

Mat Officials Director: Tom Kuisle - \_\_\_\_\_

Open Tournament Director: Ian Glenn - \_\_\_\_\_

Awards Director: Tracey Rivard - \_\_\_\_\_

Kids Director: Jon Mikolyzk - \_\_\_\_\_

Cadet (16U) Director: Jim Moulsoff - \_\_\_\_\_

Junior Director: Eric Swensen - \_\_\_\_\_

Girls/Women Director: Ali Bernard-Sprenger - \_\_\_\_\_

Girls/Women Development Director: Katrina Eggum - \_\_\_\_\_

Northern Club Liaison: Jerrad Nieland - \_\_\_\_\_

Southern Club Liaison: Matt Nelson - \_\_\_\_\_

At Large: Pete Kuisle - \_\_\_\_\_

At Large: Jeff Lathrop - \_\_\_\_\_