

**BYLAWS**  
**NORTH DAKOTA CURLING ASSOCIATION**

Section 1 - Name      The name of this association shall be "North Dakota Curling Association", sometimes referred to herein as NDCA or Association.

Section 2 - Purpose      The NDCA has been formed and is maintained to:

- A. Promote the game of curling and to represent all curling organizations in North Dakota and South Dakota.
- B. Maintain friendly relations and affiliations with the United States Curling Association (USCA).
- C. Represent North Dakota and South Dakota curlers in USCA discussion.
- D. Conduct, manage, and operate all state competitions that lead to USCA sanctioned championships.

Section 3 - Definitions

- A. Curler - any amateur athlete, coach, trainer, manager, administrator, or official active in the sport of curling.
- B. Curling Club - a group of curlers sharing a common curling facility.
- C. Member Club - any curling club accepted into membership in the NDCA.
- D. Individual Member - any curler who belongs to a member club.
- E. USCA - United States Curling Association.
- F. WCF - World Curling Federation.

Section 4 - Membership

- A. Membership in the NDCA shall be open to any curling club in the State of North Dakota or South Dakota with twenty or more individual members and which has a fixed curling facility that is being actively used for curling. Its facility may not be shared by another member club. Exceptions may be granted by the Executive Committee.
- B. Each member shall:
  - 1. Adhere to the rules of play adopted by the USCA and the NDCA;
  - 2. Support in word and action the policies, goals, and programs of the NDCA;
  - 3. Accept individual members without regard to race, color, religion, age, sex, or national origin; and
  - 4. Pay annual membership fees set by the Board of Directions of the NDCA.
- C. The procedure for applying for club membership shall be:
  - 1. Written application for membership shall be made to the secretary of the NDCA at least sixty days prior to the regularly scheduled meeting of the NDCA.

2. The application shall contain:
  - a) the name of the applicant club;
  - b) the names and addresses of all the individual curlers that are members of the applicant club;
  - c) a copy of the applicant club's bylaws;
  - d) a request for membership into the NDCA and a statement that the applicant club will actively participate in and support the NDCA and abide by its rules;
  - e) applicable NDCA and UCSA membership fees; and
  - f) other such information as the NDCA may require.
- D. The election to membership shall be by the affirmative vote of a majority of the Board of Directors voting at the next regularly scheduled meeting of the NDCA or by a majority of the Executive Committee at a scheduled meeting, subject to confirmation at the meeting of the Board.
- E. Any member club may withdraw from the Association by filing a written notice with the secretary. Such resignation shall not relieve the club of unpaid obligations to the NDCA.
- F. Former member clubs may seek reinstatement in the Association. Such requests must be in writing and filed with the secretary. Providing that all unpaid obligations to the Association have been paid, the Executive Committee or the Board of Directors may, by an affirmative vote of three fourths of those voting, reinstate such former club member. The NDCA may establish other terms and conditions as it deems appropriate.

Section 5 - Bill of Rights The NDCA provides equal opportunity to amateur athletes, coaches, trainers, managers, administrators, and officials to participate in amateur athletic competition, without discrimination on the basis of race, color, religion, age, sex, national origin, or the ability to throw an out-turn takeout. Notice and opportunity for a hearing shall be given any person before declaring such individual ineligible to participate. Such a hearing shall be conducted by a Board of Review upon ten days advance written notice to the individual being declared ineligible. The Board of Review shall consist of the president of the NDCA and two other Directors as appointed by the president.

The determination of eligibility by the Board of Review shall be based on the rules of eligibility of the NDCA, as promulgated from time to time. Said rules shall not be more restrictive than those of the USCA or the WCF. In the event that the individual is declared ineligible, he or she may appeal the decision pursuant to the provisions set forth in Section 6.

Section 6 - Grievance Procedure Any individual member who feels that he or she has been wronged in the interpretation of the NDCA's rules or bylaws has the right to seek relief in the following manner:

1. Complainant shall submit a written complaint to the secretary

- of the Association stating clearly the grievance and all facts relating thereto.
2. The written complaint will then be submitted by the secretary to the Executive Committee for review and a ruling.
  3. A written decision of the Executive Committee shall be presented to the complaining member within ninety days of the date that the written complaint is received by the secretary.
  4. The Executive Committee's decision may be appealed to the USCA.

Section 7 - Dues Each member club shall pay annual in an amount established by the Board of Directors. Annual dues shall be paid to the treasurer of the NDCA on or before January 15. Documentation accompanying the dues payment shall be in the form prescribed by the Association.

Section 8 - Dividends No dividends shall be paid and no part of the income of the NDCA shall be distributed to its members, directors, or officials. The NDCA may, however, pay compensation in a reasonable amount to member clubs, directors, or officers for services rendered and may confer benefits in conformity with its purposes.

Section 9 - Meetings

1. The NDCA shall meet twice annually at a time and place designated by the Executive Committee to conduct such business as may properly come before it. Special meetings may be called by the president or by any officer directed to do so by five member clubs.
2. Notice of regularly scheduled meetings shall be mailed at least twenty days prior to the meeting to the president of record of each member club; twenty day notice does not apply to special meetings. The notice of a special meeting shall state the purpose for which the meeting is being called.
3. The presence of representatives of five eligible member clubs shall constitute a quorum for the transaction of business at all NDCA meetings. All votes must be cast by a separate individual member of the member club; no proxy voting shall be permitted. Member clubs are not entitled to vote if they are not a member in good standing with the Association. The president shall vote only when necessary to break tie votes.

Section 10 - Board of Directors The Board of Directors shall control and manage the affairs of the Association. The Board of Directors shall be compromised of members of the Executive Committee and two directors from each member club. Clubs are encouraged to elect/appoint directors that will regularly attend Board meetings and thereby facilitate continuity at such meetings.

Section 11 - Executive Committee The Executive Committee shall consist of the president, vice president, secretary, treasurer, immediate past president, and NDCA representatives to the USCA Board of Directors. The president shall have the right to appoint additional non-voting members as he or she deems necessary to enable the Committee to carry out its functions as effectively as possible.

The attendance of at least three voting members shall be required for the Committee to conduct business. The Committee shall have and exercise all the authority of the Board of Directors, except with respect to the election of principle officers, during the interim between meetings of the Board of Directors. The vote of a majority of the members present shall govern with respect to any proposal. The actions of the Executive Committee shall be reported to the Board of Directors at its next meeting. Actions of the Executive Committee may be rescinded by a majority vote of the Board.

Members of the Executive Committee shall, at the request of the president, chair committees created by the president or the Executive Committee (committee on finance, competitive curling, membership, and promotions, etc.).

Section 12 - Officers Officers shall be elected for a term of two years at the first regularly scheduled meeting in even numbered years. Officers elected will be the president, vice president, secretary, and treasurer. The officers of secretary and treasurer may be combined at any election at the discretion of the Board of Directors. Officers shall be elected for a term of two years.

A vacancy in any officer for any reason may be filled by the Executive Committee for the unexpired term. Any officer or agent of the NDCA, whether elected or appointed, may be removed by the Board of Directors whenever, in its judgment, such a removal would best serve the interests of the Association.

President - The president shall be the principle executive officer of the Association and shall supervise and control all its business and affairs. The president shall preside at all meetings of the Board of Directors and the Executive Committee. The president may execute any contract, agreement, or instrument necessary to conduct the business of the Association and in general shall perform all duties as may be prescribed by the Board of Directors.

Vice President - In the absence of the president or in the event of his or her inability or refusal to act, the vice president shall perform the duties of the president, and when so acting, shall have the powers of and be subject to all the restrictions upon the office of the president. The vice president shall perform such other duties as may be prescribed by the president or the Board of Directors.

Secretary - The secretary shall keep the minutes of Board of Director and Executive Committee meetings and keep them in one or more books provided for that purpose. The secretary shall also see that all notices are given in accordance with the provisions of these bylaws or as may be required by law, be custodian of the records of the Association, keep a record of the post office address of each members club and its officers, and in general perform all duties as may be assigned by the president or the Board of Directors.

Treasurer - The treasurer shall have charge and custody of and be

responsible for all funds and securities of the Association, receive and give receipts for monies due and payable to the Association, and deposit all such monies in the name of the Association in such banks, trust companies, or other depositories as shall be selected by the Executive Committee. The treasurer shall also perform all the duties incident to the office of treasurer and other such duties as may be assigned by the president or the Board of Directors. If required by the Board of Directors, the treasurer shall be bonded for the faithful discharge of his or her duties. The size of such bond shall be in an amount deemed appropriate by the Board.

Section 13 - Books and Records The Association shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its Board of Director and Executive Committee. All books and records of the Association may be inspected by any individual member, or his or her agent, for any proper purpose at any time.

Section 14 - USCA Representation The Board of Directors shall elect the number of representatives to which the Association is entitled on the USCA's Board of Directors. These representatives shall serve three-year terms; this term shall, however, be subject to the elected representative remaining a member in good standing in the NDCA. USCA representatives shall notify the Board of Directors of all rule changes proposed and/or enacted by the USCA and to propose rules specific to the NDCA.

Section 15 - Championships Member clubs shall appoint a chairperson of each state championship to be hosted by them. This person is to be in charge of specific arrangements and shall serve as liaison to the Executive Committee. State chairperson positions shall be filled no later than June 15th of the year prior to the championship; the name of the chairperson shall be reported to the secretary of the Association immediately upon appointment. The host club shall report to the Board of Directors at the Board's next meeting following the championship.

Section 16 - Amendments These bylaws may be repealed or amended in whole or in part by a two-thirds vote of the Board of Directors. However, no such changes shall be adopted unless the member clubs have been notified in writing of the subject of the proposed change by letters mailed at least twenty days prior to the meeting unless each such club not so notified executes a waiver of such notice.

Section 17 - Rules of Order Should circumstances arise not covered by these bylaws, Robert's Rules of Order, Revised shall apply. Should conflicts exist or arise between these bylaws and those of the USCA, these bylaws shall yield.

Adopted: September 27, 2003  
Jennifer Tibert, Secretary