



## By-laws of New Mexico Junior Wrestling, Inc. (NMJW)

### Article 1. Name

- 1.1 The name of this organization shall be New Mexico Junior Wrestling, Inc. ("NMJW"), incorporated under the non-profit corporation act of the State of New Mexico. In addition to the formal name specified above, the association may conduct its affairs under such "Trade" names as may be approved by its Board of Directors.

### Article 2. Registered Agent, Corporate Identity, and Office

- 2.1 The corporation shall have and continuously maintain in the State of New Mexico, a registered office and registered agent.
- 2.2 NMJW shall be organized as a non-profit corporation within the definition of the internal revenue code and 501(c)(3).

### Article 3. Purpose

- 3.1 The purpose of the organization is to have one representative organization open to any individual or club, in order to assist, supervise, standardize, regulate, promote and control the development and conduct of amateur wrestling in the style of Folkstyle, Freestyle and Greco in the State of New Mexico.
- 3.2 To promote and advance the sport of amateur wrestling in the State of New Mexico by setting up a formal structure to deal with matters of membership, competition, officiating and the disbursement of funds to athletes and members of the organization.
- 3.3 To improve the standard and appreciation of wrestling in the State of New Mexico for males and females by providing training in wrestling skills, organizing meets, tournaments, offering instruction in officiating, conducting clinics, in association with wrestling associations and clubs in and outside the State of New Mexico.
- 3.4 To maintain and execute any and all rules, regulations, and guidelines established by the national governing body for wrestling and the State of New Mexico so as to remain and to continue to be recognized as a member of the national governing body for wrestling.

### Article 4. Memberships

- 4.1 Membership classes. Clubs, competitors, coaches, officials, and general membership.
- 4.2 Clubs. Open to any organized wrestling club in the State of New Mexico.
  - 4.2.1 Registration. All clubs must register with AAU Wrestling to receive a charter and sanction (if hosting a tournament).

- 4.2.2 No individual shall be denied membership in NMJW, nor shall any representative be refused recognition, because of race, color, religion, sex and handicap, ethnic or national origin.
- 4.2.3 Voting Rights. Voting rights for each chartered club of the corporation shall be one vote. Voting members must be present at meetings to vote or personally on the designated conference call for the meeting (if applicable) and must be listed as the Club Director or his designee.
- 4.3 Competitors. Competitor membership in the organization shall be open to any individual engaged in competitive amateur wrestling.
  - 4.3.1 Registration. Each individual must register and pay the appropriate fees to NMJW and the national governing body for wrestlers in order to be eligible to participate in NMJW activities and state tournaments.
  - 4.3.2 Birth Date Certification. Each competitor who registers with NMJW must provide upon request a document, which proves date of birth. The date cutoff to determine age classification shall be September 1st.
  - 4.3.3 Voting Rights. Competitor membership has no voting rights in the NMJW Corporation.
- 4.4 Coaches Membership. Coaches' membership shall be open to any qualified individual engaged in the development and support of NMJW activities. All coaches will obtain a AAU Wrestling coaches card and complete the associated background check prior participation. No coaching will be allowed at the mat by anyone without the AAU Wrestling coaches' card.
  - 4.4.1 Registration. Each individual must register and pay the appropriate fees to AAU Wrestling to receive a wrestling card prior to participation in competitions.
  - 4.4.2 Voting rights. Only Head Coaches will have voting rights.
- 4.5 Fees. The Board of Directors of NMJW shall set membership fees.
  - 4.5.1 Payment. AAU Wrestling membership fees shall be payable to AAU Wrestling as designated by NMJW at the time the individual or club member enrolls in NMJW programs. Fees are paid on an annual basis.
  - 4.5.2 All teams/clubs have one week from the date of the tournament to settle all payments with the tournament director. If payments are not settled within this time period then a \$100 penalty fee shall be added on to the amount due. If payment is not made within that first week, Team/Club shall be immediately suspended from any future participation of NMJW sanctioned events until final payment has been made to the tournament director. It is the tournament directors duty to bring the non-payment before the NMJW Board of Directors so penalties and sanctions can be immediately set in place. There are no exceptions to this rule.

#### Article 5. Board of Directors

- 5.1 The Executive Board of Directors will consist of: President, Vice President, Treasurer, and Secretary. There will be 7 at-large board members consisting of 1 representative each from the Northwest, Northeast, Southwest, Southeast, South Central regions with 2 representatives from the Albuquerque Metro area. The entire board will be 11 members.
  - 5.1.1 Nominations of officers will come from the Board of Directors. Open nominations will come from the floor during the first scheduled meeting after the NMJW State Tournament.
- 5.2 Election of Members. The Executive Board of Directors of the association shall be elected by majority vote of the voting membership of NMJW. The voting membership shall be the officers and clubs of NMJW.
  - 5.2.1 Length of Term. All Board Members of NMJW shall serve a two-year term. All Board Members shall be up for re-election at the end of term.

- 5.3 President. Nominees for President must have been involved with NMJW activities for a minimum of three consecutive years prior to nomination and must have held an Executive position served on the NMJW Board of Directors for no less than 2 of those years.
- 5.3.1 All Other Members. All other officers must have been involved with NMJW activities for a minimum of two consecutive years prior to nomination and must have the basic skills to perform such an office.
- 5.4 Duties of the Members shall be as follows but not limited to:
- 5.4.1 President. The president shall be the chief executive officer of the corporation and shall supervise and coordinate all the business of the corporation. Shall preside at all open and special meetings and shall be the principal executive officer of the corporation. Shall oversee the execution of the Constitution and By-laws and shall be responsible for carrying out the decisions of the NMJW membership and Committee. The president shall also perform such duties that may be assigned by the NMJW Membership and/or Committee.
- 5.4.2 Vice President. The Vice-President shall perform duties and exercise the powers of the President during the absence or disability for the President. The Vice-President shall perform other duties as from time to time when needed by the Board of Directors as well.
- 5.4.3 Secretary. The secretary shall attend all meetings of the Board of Directors and shall preserve in books of the organization true minutes of the proceedings of all such meetings. All meeting minutes shall be turned over to the President within one (1) week of the meeting. The secretary shall perform such other duties as may be delegated by the Board of Directors.
- 5.4.4 Treasurer. The Treasurer shall have custody of all organization funds and securities and shall keep in books belonging to the organization full and accurate accounts of all receipts and disbursements; the Treasurer shall deposit all monies, securities, and other valuable effects in the name of the organization in such depositories as may be designed for that purpose by the Board of Directors. All money received into the hands of the Treasurer shall be deposited in the organization's bank account within one (1) week after the same has been received. The Treasurer shall deposit and/or disburse the funds of the organization as may be ordered by the Board, taking proper vouchers for such disbursements and shall render to the President and Directors at the regular meetings for the Board, and whenever requested by them, an account of all transactions as Treasurer and of the financial condition of the organization as well as a copy of all bank statements. The Treasurer shall deliver to the President of the Organization and shall keep in force a bond in form, amount and with a surety of sureties satisfactory to the Board and paid for by the organization, conditioned for faithful performance of the duties of his office and for restoration to the organization in case of the Treasurers death, resignation, retirement, or removal from office, of all books, papers, vouchers, money and property of whatever kind in the Treasurers possession or under the Treasurers control belonging to the organization.
- 5.4.5 At-Large Board Members. The at-large board members are to represent their respective regions, be a point of contact and make sure that information is disseminated to the members of their region.
- 5.5 Conflicts and Other Duties. In the event of claimed conflict in jurisdiction between two directors, the chairman shall be responsible for determining the responsibilities of the particular situation in question.
- 5.6 Vacancies. If an officer of the corporation resigns or is otherwise unable to serve, his successor for the remainder of the term of that office shall be promptly voted into office by the NMJW voting membership.
- EXCEPTION: In the event that a vacancy occurs in the Office of President, the Vice-President will assume the office of President for the remainder of the current wrestling season. The Board of

Directors shall elect a new President at its first regular meeting after the succession. The Vice-President shall return to their normal role to complete the term. The President term shall begin again and the Vice-President or any qualified Board of Director can run for election of the President for the next season and or term. Only qualified Board of Directors who meet the minimum requirements shall run for President and Vice-President at the end of the season. The Board of Directors can with a majority vote alter the requirements to accommodate the integrity of the positions.

- 5.7 Holding more than one office. Members of this organization shall not be eligible to hold more than one (1) elective office in this organization except as specified in these By-Laws.

#### Article 6. Removal from Office

- 6.1 Votes on Renewal removal of any officer, director or committee member may be removed from Office at any time by the affirmative vote of two-thirds of all voting Membership or two-thirds vote of the League Committee Board of Directors.
- 6.2 Petition. A petition signed by one-half of all NMJW voting membership Board of Directors stating the reason for removal of an officer or member must be sent to the chairman, President or Vice-President before such a vote mentioned in 6.1 will be executed.
- 6.3 Voting on the issue of removal from office shall be done at NMJW open meetings.
- 6.4 Attendance. Failure to attend 80% of the scheduled meetings shall constitute reason to be removed from office. Vote by 2/3 of the Board of Directors membership after the third missed meeting will constitute removal from office.
- 6.5 Replacement of a Removed Officer. 6 Board Members shall take place as is set out in these By-laws.

#### Article 7. Revenues

- 7.1 Deposits. The treasurer of the corporation shall deposit all money and the NMJW membership or the Board of Directors may designate other valuables in the name and to the credit of the corporation in such depositories as.
- 7.2 Collections. Revenues shall be collected as follows:
- 7.2.1 All club charters and individual membership fees shall be sent to the NMJW registration director, typically the President. The registration director shall then forward the NMJW revenues from these sources to the NMJW treasurer All membership fees will be paid directly to USA Wrestling.
- 7.2.2 Entry Fees. Entry fees collected at the NMJW state tournaments shall be forwarded no later than the conclusion of the tournament.
- 7.2.3 Fundraisers. All fundraiser money shall be deposited upon completion of activity.
- 7.2.4 National team leaders shall forward all money collected for national team camps and trips no later than 10 days prior to departure time or camp date.
- 7.2.5 National Governing Body. The national governing body for wrestling shall place a percent of the fees, if sent to them, for every individual membership card sold to New Mexico amateur wrestlers.
- 7.3 Gifts and Donations. Gifts and donations to the corporation shall be directly forwarded to the NMJW treasurer.
- 7.4 Uses. All revenues or income received by the association must be used for the growth and development of amateur wrestling or for the general welfare of the corporation as a whole. No income of the corporation may accrue to any individual member for use other than as listed in this article. The corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions.

#### Article 8. Disbursement of Funds

- 8.1 Authority to Disburse. The NMJW treasurer shall disburse the funds of the corporation as may be ordered by the NMJW membership, the Board of Directors of the NMJW President.
- 8.2 All Executive Board Members must be on the NMJW bank account. Two Executive Board Members must sign all checks.

#### Article 9. Corporation Operating Expenses

- 9.1 Reimbursement. Officers, directors and board members acting for the corporation shall be reimbursed or paid in advance for their expenses incurred for the participation in activities which benefit the corporation or for expenses they incur for the proper and efficient operation of the corporation. A maximum of \$500.00 may be spent without prior approval of the Board of Directors and a receipt submitted. Reimbursement shall be immediate and shall not need a vote of the NMJW membership.
- 9.2 Financial Statements. Officers, directors and board members shall forward to the treasurer and NMJW President receipts and a financial statement of their spending.
- 9.3 Request Procedures. Expense money needed shall be requested from the NMJW President who shall make the decision on the request. The chairman shall then contact the NMJW Treasurer and have the Treasurer forward a check to the officer, director, or board member if the decision is favorable.
- 9.4 The financial statements of NMJW will be publicly available for review, either upon reasonable advance request at organization's offices, or through posting of such statements on the NMJW website.

#### Article 10. NMJW General Meetings

- 10.1 Election Meeting. The meeting to elect new officers, board members and directors is recommended to be held during the End of Season Meeting.
- 10.2 Notice. Meetings shall be held at such time and at such location as specified in the notice of meeting. Notice of meeting shall be sent to each officer, directors, board members and clubs in writing or telecommunication systems at least 10 days prior to the meeting.
- 10.3 Quorum. A quorum shall consist of a single majority two-thirds (8 members) of the board of directors. No voting by proxy will be permitted. (Voting by proxy is defined as delegating to another person the right to vote, in one's absence.) Board members are allowed to participate and vote via phone in order to accommodate the board members throughout the State. The President shall only vote in order to break a tie.
- 10.4 Minutes. Minutes of each open meeting shall be approved at the next scheduled meeting.
- 10.5 Financial Report. A financial report of the corporation shall be presented at every monthly meeting.

#### Article 11. Chartered Clubs

- 11.1 Any organization or group wishing to be recognized as a chartered club of this organization shall be required to pay the appropriate fees and submit to the organization any documents they may request. The organization or group shall demonstrate the following: agreement to abide by the By-laws of the organization; and such other provisions as may be prescribed by the organization through the Board of Directors.
- 11.2 Disputes. The Board of Directors shall resolve any disputes with or among clubs if the parties Involved request them.

#### Article 12. Internal Grievance Committee and Procedures

- 12.1 Composition. The composition of the grievance committee shall be the Board Members of the organization.
- 12.2 Grievance. Any board member of the association may file a written grievance with any board member of the grievance committee, to any matter within the cognizance of the organization and alleging a violation of any provision of these By-laws. A \$100.00 nonrefundable grievance must be paid at the time of filing.
- 12.3 Term. Any grievance shall be signed under oath and shall allege with particularity of the nature of the grievance and each claimed violation of aforementioned documents by reference to specific sections thereof, stating in concise language how, when and where the alleged violation occurred.
- 12.4 Referral of Grievance. Upon receipt of a grievance the board members shall contact the remaining grievance board members within five days after receipt of aforementioned grievance.
- 12.5 Expenses incurred by board members shall be subject to review for reimbursement by the board of directors.
- 12.6 Resolution. The board member who received the grievance shall read the grievance to each board member and that board member shall render a decision to the member contacting them.
- 12.7 The majority vote of the board shall be the decision relayed to the party involved within 24 hours after the committee has made such a decision.
- 12.8 Appeal. If the party filing a grievance is not satisfied with the resolution of the matter reached by the method outlined in Article 12, the party shall be entitled to be heard before the NMJW Board of Directors at their next meeting. The resolution provided by the Board of Directors shall be considered final.

#### Article 13. Conduct of Membership

- 13.1 General. All board members, parents, guardians, officers, officials, directors, coaches and wrestlers are responsible for their conduct at all and any functions which are associated with NMJW and the national governing body for wrestling. The Coaches/Parent Code of Conduct and Corrective Action Policy, as amended from time to time, establish the procedures for complaints and corrective action.

#### Article 14. Powers and Duties of the Board of Directors

- 14.1 The Board of Directors shall be responsible for managing the affairs of the corporation and carrying out the objectives of NMJW.
- 14.2 The Board of Directors shall be responsible for enforcing the rules and regulations of the national governing body for wrestling and NMJW.
- 14.3 The Executive Board shall be empowered to purchase or otherwise acquire necessary equipment and dispose of or sell property not needed by the organization. Expenditures shall be reported to the NMJW general board membership at the next official meeting.
- 14.4 The Board of Directors shall not unduly assume powers general considered resident in the chartered clubs of the NMJW, but they can act in any situation or circumstance where time is of the essence and a call for a general meeting of the corporation would be impossible in the time allowed for a decision.
- 14.5 The Board of Directors shall rule on all decisions and sanctions. Decisions by the Hearings Board shall be final. The decisions against the accused shall be written and mailed to all parties involved and to each member of the Hearing Board (Board of Directors).
- 14.6 The Board of Directors shall appoint the following positions: Media Director and Web Site Masters. They also select the coaching staff for all Folkstyle, Freestyle and Greco national teams.
- 14.7 Additional duties of the individual NMJW Board members shall include complete participation in running/setting up/tear down of State and GSWN as well as any other designated or assigned

tournaments. Failure to assist with these responsibilities may result in their removal from the Board of Directors.

Article 15. Rules of Order

15.1 The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the corporation in all cases to which they are applicable and in which they are not inconsistent with these By-laws and any special rules of order the corporation may adopt. In no case shall the rules of the corporation conflict with the articles of incorporation.

Article 16.0 Amendments to the Articles of By-Laws

16.1 Notice and Voting. The articles of incorporation or By-laws may be amended at the fall meeting of the corporation, starting with the first reading of aforementioned documents at the fall meeting and thereafter at any of the fall meetings of the corporation. An affirmative vote of two-thirds of all voting membership present is needed.

16.2 The Constitution and By-laws. In no way do the constitution and By-laws conflict with the articles of incorporation of the New Mexico Junior Wrestling (non-profit corporation).

The undersigned certify that the corporation duly adopted the above By- laws on the date of September, 2022.

Andrew Fowner – President

Joel Partridge – Vice President

Jonathon Maestas – Secretary

Steve Sierra – Treasurer

Eric Vaughn

Dominic Casaus

Jeff Salazar

Nick Chavez

Levi Stout

Steven Peralta

Monte Wallace