

**BYLAWS OF THE  
OHIO VALLEY REGION, INC.**

**ARTICLE I MISSION**

The Ohio Valley Region, Inc. (OVR), a non-profit Corporation, affiliated with USA Volleyball, the sport's governing body for volleyball, as authorized by the United States Olympic Committee, consistent with the Amateur Sports Act of 1978. The Corporation shall have the responsibility to:

- a. Promote and develop the sport of volleyball.
- b. Register members, teams, administrators and officials for all sanctioned volleyball competitions within the Ohio Valley Region.
- c. Conduct regional championships and other competitions within the OVR.

**ARTICLE II EQUAL OPPORTUNITY**

This Corporation will provide an 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, sex, age, national origin, sexual orientation, disability, or handicap.

**ARTICLE III OPERATING CODE**

In all cases not otherwise provided for in these By-Laws, the Board of Directors shall adopt, by majority vote, an Operating Code by which volleyball in the OVR shall be governed. All procedures shall follow Robert's Rules of Order.

**ARTICLE IV MEMBERSHIP**

The membership of this non-profit Corporation shall be from the general populace. Members must satisfy the following requirements:

- a. Complete a registration process with USAV and the OVR, Inc. annually.
- b. Support, in word and action, the policies, goals, and programs of this Corporation.
- c. Use the rules of play adopted by this Corporation and its national affiliate.

**4.01 COMPOSITION OF MEMBERSHIP**

The following individuals or groups must fulfill membership requirements to participate in any Corporate-affiliated activities:

- a. Players
- b. Coaches
- c. Officials (referees and scorekeepers)
- d. Adult chaperones of juniors' teams
- e. Tournament directors and administrators

#### **4.02 MEMBERSHIP AND REGISTRATION FEES**

Membership and registration fees, annual or otherwise, shall be set by the Board of Directors and specified on the website and in the Handbook. Fees will be published by the OVR.

#### **4.03 RIGHTS OF ADULT MEMBERS**

Adult membership, as defined by the national governing body, shall have the following rights:

- a. To elect Directors to represent the general membership.
- b. To review actions by the Board of Directors by sending a request in writing.
- c. To undertake such other matters of this Corporation as these By-Laws so allow, or the Board of Directors may properly designate.

#### **4.04 RIGHTS OF JUNIOR MEMBERS**

Junior membership, as defined by the national governing body, shall have the following rights:

- a. To review actions by the Board of Directors by sending a request in writing.
- b. To undertake such other matters of this Corporation as these By-Laws so allow, or the Board of Directors may properly designate.

#### **4.05 LIABILITY OF MEMBERS**

No member who is, or who later becomes, a member of this non-profit Corporation shall be personally liable to its creditors for any indebtedness or liability, unless such indebtedness or liability is the result of the member's gross negligence. Any and all creditors of this non-profit Corporation shall look only to the assets of this non-profit Corporation for payment.

#### **4.06 PROPRIETARY INTEREST OF MEMBERS**

Members have no proprietary interest in this non-profit Corporation or in property at any time owned by the Corporation. Members shall have no right to receive, by reason of membership, any of the property of this Corporation.

#### **4.07 VOTING**

The Board of Directors shall be voted by the adult members pursuant to the OVR Operating Code and may be conducted by either mail-in voting, electronical voting and/or in person voting.

### **ARTICLE V DIRECTORS**

#### **5.01 COMPOSITION AND AUTHORITY OF DIRECTORS**

All corporate powers and affairs of this Corporation shall be solely governed by the Board of Directors, whose members are selected without regard to race, color, religion, sex, age, national origin, sexual orientation, disability, or handicap. The Corporation shall make every effort to assure an equal opportunity in electing, selecting, and/or directly appointing Directors to the Board.

- a. The Board of Directors shall be composed of fifteen (15) adult members elected from the membership.
- b. Duties shall include, but not be limited to, the following:
  - 1. Attend all regularly scheduled meetings, and any special meetings that may be necessary for the functioning of the OVR.
  - 2. Provide to the Commissioner/President advance notice of non-attendance at any Board meetings or events.
  - 3. Serve as appointed officers or chairpersons of committees, divisions, or subdivisions of the Corporation.
  - 4. Approve the corporate budget annually in advance of the next fiscal year
  - 5. Approve non-budgeted corporate expenditures in excess of \$10,000.00.
  - 6. Abide by the Board of Directors Code of Conduct.

## **5.02 ELECTIONS OF THE DIRECTORS**

Elections shall be held every year electronically, by mail-in ballot, and/or in person beginning April 1 and ending May 15.

Prior to the election, the Nomination and Election Committee, as established in the Operating Code, will prepare a ballot. Each adult member of the OVR is entitled to vote for not more than five (5) persons listed on the ballot. The Nomination and Election Committee will report the election results to the Commissioner/President for certification not more than one week after the election process, and after certified by the Commissioner/President, the Election Chair will inform the candidates in writing of the election results. The results of the election will be posted on/or before the next annual meeting of the Board of Directors.

- a. One-third (1/3) of the Board (i.e., five (5) Directors) will be elected each year at the Regional Adults' and Juniors' Championships for a term of three (3) years. If a person who is not on the Board wishes to run for the Board, he/she will be required to obtain a petition form from the Commissioner/President or Corporate office. To be valid, this petition must be signed by twenty-five (25), in writing or electronically, by currently registered adult members of the OVR. The petition must be presented to the Nomination and Election Committee not later than twenty-one (21) days prior to the first day of the annual election. Existing Directors wishing to run for re-election must notify the Nomination and Election Committee of their intent no later than twenty-one (21) days prior to the first day of the annual election.
- b. All members elected as a director will assume office for a three-year term commencing June 1. An individual may hold no more than one voting position on the Board at any time.

### **5.03 POWERS OF THE BOARD OF DIRECTORS**

The Board of Directors, in the furtherance of the specific and primary purpose of the non-profit Corporation as expressed in its Articles of Incorporation or these By-Laws, may do or perform, or cause to be done or performed, any acts it deems are necessary or convenient to exercise the power of this non-profit Corporation. It shall be the policy of this Corporation that this Corporation shall not engage in any of the following transactions:

- a. Lending any part of its income or principal for less than adequate security or at unreasonable rates of interest to donors, or to members of donors' families, or to corporations controlled by donors or members of donors' families.
- b. Making any part of this Corporation's services available on a preferential basis to donors, or to members of donors' families, or to corporations controlled by donors or members of donors' families.
- c. Making any substantial purchase of securities or other property for more than adequate consideration from donors, members of donors' families, or to corporations controlled by donors or members of donors' families.
- d. Selling any substantial part of the property of this Corporation for less than adequate consideration to donors, members of donors' families, or corporations controlled by donors or members of donors' families.
- e. Engaging in any transaction which results in a substantial diversion of the income or corpus of this Corporation to donors, members of donors' families, or corporations controlled by donors or members of donors' families.

### **5.04 MEETINGS**

Meetings of the Board of Directors shall take place periodically throughout the year.

- a. There shall be three (3) regular meetings during the year. For this section, "regular meetings" shall be defined as the in-person meetings of the Board of Directors. New members of the Board of Directors shall be seated at the summer meeting. The Annual Meeting of this Corporation shall be held each year during the months of June or July, at which time such other business shall be transacted as may properly be brought before the Board. A minimum of One (1) in-season meeting will be conducted.
- b. Special meetings of the Board of Directors may be called at any time and for any purpose by the Commissioner/President, or by written request of no less than five (5) of the Directors. For clarification, the term "special meetings" shall include any telephone conferences and/or virtual meetings.
- c. Notice of a meeting of the Board of Directors shall be given by the Commissioner/President the Corporation. Notices must be sent to the Directors on a timely basis prior to the board meeting. Each notice shall specify the location, date, time, and agenda of the meeting. This notification process is the responsibility of the Commissioner/President. Topics under vote must be submitted to the Commissioner/President at least four (4) weeks prior to a regular meeting so they may be included in the agenda.

- d. The transactions of any meeting of the Board of Directors, however called and noticed or wherever held, are as valid as though there had been a meeting duly held after regular call and notice if a quorum is present and either before or after the meeting, each of the Directors not present signs a written waiver of notice, a consent to holding the meeting, or an approval of the minutes afterwards. All such waivers, consents, or approvals shall be filed with the Corporate records or made a part of the meeting minutes.
- e. If the meeting location is not designated in advance as stated in Paragraph 5.04c above, then wherever a quorum of the Board of Directors happens to meet to conduct business may constitute the designated meeting location.
- f. Eight (8) or more Directors, present in person, shall constitute a quorum for the transaction of business. Every act done, and every decision made by a majority of the Directors present at a meeting duly held at which a quorum is present is the act of the Board of Directors. Proxy voting shall not be permitted. In the absence of a quorum, a majority of the Directors present (including a single Director) may adjourn from time to time. Notice of the time and place of holding such adjourned meeting need not be given to absent Directors if the time and place are fixed at the meeting adjourned.

#### **5.05 ACTION WITHOUT A MEETING**

Actions that may be taken at any regular or special meeting of the Board of Directors, may be taken without a meeting, if at least two thirds (i.e., ten (10)) of the Directors shall individually or collectively consent in writing to such action. Such written consent shall be filed with the minutes of the proceedings of the Board of Directors.

#### **5.06 REMOVAL OF DIRECTOR**

The following procedures are to be followed for the removal of a Director:

- a. A Director, either elected or appointed to the Board of Directors, may be removed by the Board of Directors at any time the Board deems the removal is appropriate and in the best interest of the Corporation. Approval by two thirds (i.e., 10 out of 15) of the Board of Directors is required for the removal of a director.
- b. Protocol for Dismissal of Director
  - 1. Any Director shall, upon written notice to the Commissioner/President, no less than thirty (30) days prior to any Board of Director meeting, request that another Board member's position be put up for review. Rationale and documentation for the review must be included. The Commissioner/President shall notify the Director in question within forty-eight (48) hours, who will then have ten (10) days to submit a rebuttal in writing. At the next Board of Directors' meeting, at the discretion of the Commissioner/President, both parties may request and be given additional time to address the Board of Directors. The meeting shall be

conducted in Executive Session and shall continue as needed until resolution of the issue.

- c. Any current member of the OVR, upon ten (10) days' notification in writing to the Commissioner/President, may challenge a Director. The challenge must be accompanied by a petition signed by fifty (50) registered adult members of the OVR and a written statement with reasons for removal. It will then appear on the agenda of the next regular Board meeting. A presentation not to exceed ten (10) minutes stating the case for removal of the Board member will be allowed by one spokesperson. The Commissioner/President will notify the Board member in writing prior to the next Board meeting that his/her Board position is being challenged at the upcoming meeting. The challenged Board member will be given time not to exceed ten (10) minutes for rebuttal. The matter will be tabled until the next regular Board meeting at which time discussion and vote will be taken.

#### **5.07 FILLING DIRECTOR VACANCIES**

A vacancy in any Director position due to resignation, removal, disqualification, death, or otherwise, shall be filled for the unexpired portion of the term by the Board of Directors. No person holding an officer, director and/or shareholder position with a competing organization, or any affiliates of that organization, is eligible to be appointed as a Director of the OVR.

#### **5.08 COMPENSATION OF DIRECTORS**

Directors may be reimbursed for business expenses as stipulated in the Operating Code. Directors, who are not salary employees, will be paid Fifty Dollars (\$50) per regular meeting (as defined in Section 5.04.a) meeting

### **ARTICLE VI OFFICERS**

#### **6.01 RESPONSIBILITY**

Officers are responsible for maintaining specific policies for operating their office. All policy instituted by specific officers must be under the direction of the Board of Directors.

#### **6.02 DESIGNATION OF OFFICERS**

This Corporation may have the following officers elected by the Board of Directors:

- a. Commissioner/President;
- b. Associate Commissioner;
- c. Registrar;
- d. Region Scorers' Chair;
- e. Indoor Region Referees' Chair;
- f. Men's Program Coordinator;
- g. Women's Program Coordinator;
- h. Girls' Program Coordinator;
- i. Boys' Program Coordinator;

- j. Indoor Juniors' Tournament Coordinator;
- k. Indoor Junior Officials' Development Coordinator;
- l. Beach Tournament Coordinator;
- m. Beach Officials Development Coordinator; and
- n. National Team Development Program Coordinator.

### **6.03 NOMINATION, ELECTION, AND TERMS OF OFFICE OF ELECTED OFFICERS**

The nomination and election of officers will be administered by the Nomination and Election Committee. This Committee will be a standing committee as outlined in the Operating Code. Each year, they must present candidates to fill those offices that are subject to election. The presentation of a slate of candidates, however, will not preclude nominations from the floor at the time of election. Interested candidates may submit to the committee a resume of their qualifications.

- a. The election of these officers shall take place on a staggered basis, as outlined in these By-Laws, at the summer meeting of the Board of Directors. Those individuals elected shall assume office immediately. Each officer serves for a term of four (4) years. There are no limitations to the number of terms served. Officers can be, but are not required to be, elected members of the Board.
- b. If there are more than two (2) individuals running for an office, the Board will have a preliminary vote. If one candidate does not receive at least fifty-one percent (51%) of the vote, then the two (2) candidates receiving the most votes will then have a run-off vote. The candidate receiving the most votes will be elected to the office. If the vote is gridlocked between candidates, the Board can recess for ten (10) minutes to discuss the candidates or request additional information from the candidates.
  - 1. Any candidates present at the Board meeting may speak on his/her behalf for no more than three (3) minutes.
  - 2. All voting by the Board of Directors will be in closed session and by secret ballot.
  - 3. Votes will be tabulated by the chairperson of the Nomination and Election Committee.

### **6.04 SCHEDULE OF ELECTIONS OF OFFICERS**

Elections will take place at the summer Board meeting, using the schedule outlined below.

- a. The office of Commissioner/President will be up for election in 2022 and repeat every four (4) years (i.e., 2025, 2029, 2033).
- b. The Office of Finance Manager, Indoor Region Referees' Chair will be up for election in 2024 and repeat every four years (i.e., 2024, 2028, 2032)
- c. The office of Region Scorers' Chair and Juniors Tournament Coordinator, will be up for election in 2022 and repeat every four (4) years (i.e., 2022, 2026, 2028).
- d. The office of Registrar, Junior Officials' Development Coordinator, and Boys' Program Coordinator will be up for election in 2023 and repeat every four (4) years (i.e., 2027, 2031)

- e. The office of Girls' Program Coordinator, and Region Referees' Chair will be up for election in 2024 and repeat every four (4) years (i.e., 2024, 2028, 2032)

#### **6.05. FILLING OFFICER VACANCIES**

- a. If there is a vacancy for any reason in the office of the Commissioner/President, the **Assistant Commissioner** shall assume the office of Commissioner/ President and shall hold such office until the Board elects a new Commissioner/President. Should there be a vacancy in both of these offices, a replacement shall be made by the Board at a special meeting called for that purpose.
- b. A vacancy in any other officer position (as described in 6.02) due to resignation, removal, disqualification, death, or otherwise, may be filled for the remainder of the term by the Commissioner/President or the Board of Directors.
- c. No person holding an officer, director and/or shareholder position with a competing organization, or any affiliates of that organization, is eligible to be appointed as an Officer of the OVR.

#### **6.06 FILLING STAFF VACANCIES**

- a. A vacancy in any administrative staff position (as described in 8.03) or operational staff position (as described in 8.04) due to resignation, removal, disqualification, death, or otherwise, may be filled by the Commissioner/President or the Board of Directors.
- b. No person holding an officer, director and/or shareholder position with a competing organization, or any affiliates of that organization, is eligible to be appointed as OVR staff.

#### **6.07 REMOVAL OF AN OFFICER**

An officer may be removed, with or without cause, by the Board of Directors, when in its judgment, the best interests of the Corporation would be served. Approval by two thirds (i.e. 10) of the Board of Directors is required for the removal of an officer.

#### **6.08 POWERS/DUTIES AND QUALIFICATIONS OF OFFICERS**

The officers of this non-profit Corporation shall have, in addition to the specific powers as stated in the Operating Code, such powers as generally are conferred upon them by the law. Each officer must be:

- a. A registered member of the OVR in "good" standing.
- b. Qualified under special qualifications for that office, as specified in (Handbook, Operating Code or Job Description).



## **6.09 ATTENDANCE AT BOARD OF DIRECTORS MEETINGS**

The Commissioner/President, Associate Commissioner and other Officers shall attend all meetings of the Board of Directors. An officer who is not an elected Director, shall attend all meetings of the Board of Directors and participate by voice, but not by vote.

## **ARTICLE VII COMMITTEES AND DIVISIONS**

### **7.01 COMMITTEES, DIVISIONS AND SUBDIVISIONS**

The Corporation may have, at the discretion of the Board of Directors, such committees, divisions, or subdivisions as it deems necessary and vital for the conduct of the affairs of the Corporation. The Board of Directors may or may not, at its discretion, delegate to such committees, divisions and subdivisions the authority of the Board.

- a. The Board shall appoint committee leaders to head the various divisions as may be created by the Board of Directors. Each committee leader shall have such powers and shall perform such duties as may be assigned by the Board of Directors.
- b. Committee, division and subdivision functions shall be designated by the Board of Directors and supervised by the Commissioner/President and the leader of the committee, division or subdivision.
- c. Vacancies in the membership of any committee, division or subdivision may be filled by appointments made in the same manner as provided in the case of the original appointments.

### **7.02 RULES**

Each division, subdivision or committee must operate under the guidelines established in Article 3 of these By-Laws.

## **ARTICLE VIII CORPORATE STAFF**

### **8.01 CHIEF OPERATING OFFICER**

There shall be an Chief Operating Officer (COO), who shall function with the direction and consent of the Board of Directors of the Corporation. The COO shall be appointed by the Board of Directors and may be paid financial compensation in a reasonable amount set by the Board. The COO may be removed at any time by two thirds (i.e., 10 out of 15) vote of the Board, or he/she may resign.

- a. **RESPONSIBILITIES.** Under the direction of the Board of Directors, the Chief Operating Officer shall be responsible for the administration and coordination of all activities and programs of the Corporation. The Chief Operating Officer shall receive all correspondence addressed to the Corporation, shall keep all records of the Corporation, including financial, administrative, and historical data, and shall discharge such other duties as are assigned by the Board of Directors. The Chief Operating Officer shall prepare an annual budget for the organization to be presented to the Board for approval at the October Board meeting. This budget will account for all expected revenue and expenses for all of the programs of the organization.

- b. CONTRACTS. The Chief Operating Officer shall have the authority to enter into ordinary operational contracts as well as to negotiate and execute on behalf of the Corporation, any contract that will be in the best interest of the OVR.
- c. VACANCIES. If the Chief Operating Officer position becomes vacant for any reason, the Commissioner/President and Assistant Commissioner shall assume the daily responsibility of the position. The Board of Directors shall appoint a new Chief Operating Officer as soon as possible.

## **8.02 Finance Manager**

- a. FINANCES. The Finance Manager shall be the principal custodian of the funds and accounts of this Corporation and is responsible for the collection of revenues, the payment of expenses, and the keeping of reliable accounting records that reasonably reflect the financial condition of the Corporation. The Finance Manager will be responsible for working with the Chief Operating Officer on the preparation of the annual budget. The Finance Manager will be responsible for presenting financial reports to the Board quarterly (or prior to each Board meeting).

## **8.03 DESIGNATION OF ADMINISTRATIVE STAFF**

The Commissioner/President, under the general guidance of the Board of Directors, may recruit, train, employ, discharge, and otherwise create a staff of assistants that may be required for the efficient performance of assigned duties. The compensation for the aforementioned staff must be approved by the Board as part of the budgeting process.

The following positions are considered part of the Administrative Staff:

- a. SafeSport Coordinator
- b. Assistant Commissioner

## **8.04 DESIGNATION OF OPERATIONAL STAFF**

The Commissioner/President will be responsible for the selection of the Operational Staff. The Commissioner/President may seek guidance from the HR Committee in the selection of the Operational Staff. No person holding a staff, officer, director and/or shareholder position with a competing organization, or any affiliates of that organization, is eligible to be appointed and/or elected as Operational Staff. The following positions are considered part of the Operational Staff:

- a. Webmaster (no term set)
- b. Equipment Supervisor (no term set)
- c. OVR Special Events Manager (no term set)
- d. Compliance & Verifications Manager (no term set)
- e. Marketing & Social Media Representative (no term set)
- f. Hotel Liaison (no term set)
- g. Finance Manager

## **8.05 POWERS, DUTIES AND QUALIFICATIONS OF STAFF**

The staff of this non-profit Corporation shall have the specific powers as stated in the Operating Code. Each staff member must be:

- a. A registered member of the OVR in “good” standing.
- b. Qualified under special qualifications for that staff position.

## **ARTICLE IX FISCAL YEAR**

The fiscal year of the Corporation shall begin January 1 and end on December 31.

## **ARTICLE X GRIEVANCE PROCEDURES**

### **10.01 COMPLAINTS**

Any sports organization or member which is affiliated with this Corporation or is eligible for affiliation with this Corporation, and any team or individual who is associated with this Corporation or is eligible for association with this Corporation, may seek a redress of any volleyball-related grievance that directly affects it, him, or her. A written complaint must be filed with this Corporation; but only after exhausting all other remedies available to it, him, or her at a more basic level of volleyball sport jurisdiction, unless it can be shown by clear and convincing evidence that those remedies would have resulted in unnecessary delay.

### **10.02 FILING PROCEDURES**

A written complaint must include the following information: a clear and complete statement of the grievance, the action already taken to exhaust all other remedies available at a more basic level of volleyball sport jurisdiction or the conditions that make such an exhaustion of remedies impractical, the names and addresses of all individuals who have been actively involved on both sides of the grievance issue, and the individual claiming the grievance or the person responsible for the organization or team claiming the grievance.

- a. The complaint must be either hand delivered or sent by registered mail, all postage paid, to the Corporation office. The Corporation shall acknowledge receipt thereof in writing, immediately if the complaint is hand delivered or within two working days of receipt if it is delivered by mail.

### **10.03 DISPOSITION**

Within thirty (30) days after receipt of the complaint, the Commissioner/President will determine whether the complainant has exhausted the remedies available at the more basic level of volleyball sport jurisdiction and whether the Corporation has any jurisdiction in the matter and will advise the complainant of the decision. If it is determined that all remedies at a more basic level of volleyball sport jurisdiction have not been exhausted or that the Corporation lacks jurisdiction in the matter, the Commissioner/President will so advise the complainant and provide the complainant guidance on the recommended course of action.

- a. If the Commissioner/President determines that the complaint was properly filed with the Corporation, a hearing shall be conducted by the Commissioner/President within sixty

(60) days, after determination, to receive testimony for the purpose of establishing a solution to the grievance claimed. Such a hearing, if all of the affected parties cannot afford to come together in one place, may be conducted by telephone, mail, or some combination of methods that gives all parties a reasonable opportunity to be heard.

- b. Notice of the resolution of the grievance following said hearing shall be given to the affected parties in writing within ten (10) days and if it is determined that the grievance is well taken, the Commissioner/President may direct a correction of the grievance and such other action or inaction by interested parties as appears necessary.
- c. The Commissioner/President shall review all decisions made, and unless otherwise directed by the Board of Directors, the Commissioner/President shall establish procedures for review. A complainant or other party adversely affected by a decision made following a hearing may appeal to the Board of Directors by written appeal lodged with the Administrative Assistant. The appeal shall be considered by the Board of Directors at its next regular meeting, provided, that the next meeting date is at least fifteen (15) days after the appeal has been received. Otherwise, the Associate Commissioner or Board of Directors may postpone review of said appeal until the following regular meeting.

## **ARTICLE XI DUE PROCESS**

### **11.01 DUE PROCESS**

If an individual or team of the OVR is accused of wrongdoing within a Regional or National volleyball context and sanction is imposed, due process involves the right of the respondent to confront the complainant(s), to present their side of the incident, to receive fair consideration, and to have the opportunity to have the Region's decision reconsidered by a higher and perhaps more objective authority.

### **11.02 DISCIPLINARY ACTIONS AND APPEALS**

The authority for the adjudication and appeals process for violations of ethics, eligibility rules, the Code of Conduct and/or the USA Volleyball Substance Abuse Policy shall be vested in the Review Committee of the OVR, Inc.

### **11.03 ESTABLISHING A REVIEW COMMITTEE**

- a. Selection of committee members:
  - 1. Members shall be selected from the OVR membership at large by a due process coordinator assigned by the Commissioner/President.
  - 2. No individual elected to the Board of Directors is eligible to serve on the committee.
  - 3. The Due Process Coordinator shall appoint three (3) individuals to the committee, designating one as the chairperson, to hear the specific case, keeping in mind the following facts: the type of case, the respondent's division, the geographic location, and any potential conflicts of the hearing board members.

#### **11.04 GUIDELINES FOR FILING AN APPEAL**

- a. A summary of the incident will be sent to the Chairperson via certified mail. The summary will include the following information:
  1. Description of the incident including pertinent information leading up to the incident.
  2. Date and location of the incident.
  3. Names and addresses of any witnesses.
  4. Description of any sanctions imposed and by whom.
- b. Upon notice, the Committee will notify all persons involved in the incident and take statements from the appropriate persons.
- c. The Committee will hold a conference when all information pertinent to the incident is collected. For convenience, the conference can be held by phone and does not have to include any persons involved.
- d. A majority vote is necessary to rule on any matter brought before the committee. When the committee renders a decision, all parties involved will be notified by certified mail. A copy of the decision will be filed with the OVR Commissioner/President.
- e. If the member(s) is still not satisfied with the Due Process Committee's decision, they may petition the OVR Board of Directors for an appeal. The written appeal must include a detailed justification of the request and be submitted by registered or certified mail within fifteen (15) days of receipt of the Committee's decision. This appeal must be sent to the Commissioner/President. The Board will only consider whether or not the member(s) received due process.
- f. If the Board decides that due process was not provided to the member(s), the Board of Directors will consider the appeal, and may, at the Boards' sole and absolute discretion, choose to set a new due process hearing with a new committee, within ninety (90) days of receipt of the Board's written decision.
- g. Any further appeals would be to the RVAA for review of complaints about RVA disciplinary or procedural matters only for a determination of whether the OVR supplied due process to the complaining individual or group. Complaints shall be referred to the RVAA Chair in written form.

### **ARTICLE XII CORPORATE RESPONSIBILITIES**

#### **12.01 RESPONSIBILITIES**

The Corporation is responsible to its members, the United States Olympic Committee (USOC), the Federation International de Volleyball (FIVB), and to the general public to make certain that the sport of volleyball, the name of the Corporation, and the symbols associated with the Corporation are not used in such a manner as to be detrimental to the sport, the Corporation, the USOC, the nation, or the FIVB.

## **12.02 OLYMPICS**

No organization affiliated with this Corporation and no team or individual associated with this Corporation may use, without the permission of the United States Olympic Committee, any words or symbols normally associated with the United States Olympic Committee, the International Olympic Committee, or the Olympic Games, for the purpose of trade, to induce the sale of any goods or services, or to promote a theatrical exhibition, athletic performance, or competition.

## **12.03 CORPORATE NAME**

No organization affiliated with this Corporation and no team or individual associated with this Corporation may use the Corporation's name and/or associated symbol(s) for the purpose of trade, to induce the sale of any goods or services, or to promote a theatrical exhibition, athletic performance or competition, or in any other manner that tends to create confusion, to cause mistake, to deceive, or to falsely suggest a connection with Corporation or any of its activities without the expressed written consent of this Corporation.

## **12.04 SANCTIONS FOR NONCOMPLIANCE**

Any organization that is affiliated with the Corporation, or any team or individual that is associated with the Corporation, or any individual who holds any elective or appointed position with the Corporation that violates the restrictions of 12.02 or 12.03 or that acts in such a fashion as to cause this Corporation public embarrassment or ridicule by virtue of being affiliated/associated with said organization, team, or individual or having said individual in an elective/appointive position, may be suspended or expelled from affiliation, association, or office by a majority vote of a duly constituted quorum of the Board of Directors acting in good faith. A suspension may be for such period of time as the Board of Directors shall determine. Any member suspended or expelled pursuant to this section shall be given at least fifteen (15) days' written notice prior to the effective date of said suspension or expulsion. This notice shall advise the suspended or expelled entity of the opportunity to be heard, orally or in writing.

Notwithstanding the requirement of fifteen days' notice herein set forth, the Board of Directors may, for good cause, suspend a member, without prior notice, for a period not to exceed fifteen days.

## **ARTICLE XIII ATHLETES' BILL OF RIGHTS**

The Ohio Valley Region, Inc. hereby adopts and makes a part of its By-Laws that portion of the United States Olympic Committee constitution, as presently existing and from time to time amended, commonly known as the "Athletes' Bill of Rights."

## **ARTICLE XIV ANNUAL REPORT**

Neither the Corporation nor the Board of Directors nor any officer of the Corporation shall be required to send to members any annual or other report or statement of the affairs of the Corporation. Nothing in this section shall be deemed to limit or restrict the right of any member to request any information regarding the affairs of this Corporation to which that member may be entitled under the laws.

#### **ARTICLE XV MEMBERSHIP RECORDS**

This Corporation shall keep a book or database containing the name and contact information of each member.

#### **ARTICLE XVI CORPORATE SEAL**

If so desired by the Corporation, the Board of Directors shall provide a suitable seal for the Corporation, which shall be circular in form and which shall contain the name of the Corporation, the date of its incorporation, the state in which it is incorporated, and the words “a non-profit Corporation.”

#### **ARTICLE XVII AMENDMENTS**

These By-Laws may be amended, altered, repealed, or new By-Laws and may be adopted by a two-thirds (2/3) vote of a quorum of the Board of Directors present at any regular or special meeting, provided that notice of the proposed amendment has been submitted to the Chief Operating Officer and Commissioner/President in writing at least ten (10) days prior to said meeting. If a quorum of the Board is not present, the amendment must be tabled until a quorum is present.

Amended and Approved February 13, 2023