

## **ORGANIZATION AND BY-LAWS OF THE MISSISSIPPI TENNIS ASSOCIATION**

### **ARTICLE I-NAME AND PURPOSE**

This Association, representing the State of Mississippi in the Southern Tennis Association, and functioning in accordance with the United States Tennis Association policies and constitution, except as set forth herein, shall be known as the Mississippi Tennis Association, hereafter referred to as "MTA". The Association shall have the following purposes and objects: to create, develop, maintain, and promote the game of tennis within the State of Mississippi; to cooperate with affiliated State and Sectional associations in developing and promoting tennis consistent with the policies of the USTA; and to establish and maintain cooperative relationships with other like tennis organizations for the good of the sport in the United States and the State of Mississippi.

### **ARTICLE II-MEMBERSHIP AND RESIGNATION**

Membership may be granted to any individual or organization eligible for membership in the USTA. Application for membership shall be made to the MTA on standard USTA forms, and shall be approved by the MTA and USTA in accordance with USTA regulations. Classification of membership will be consistent with the USTA system. Resignation will be submitted in accordance with the USTA constitution.

*Discrimination Prohibited.* Membership and all rights of participation in the USTA, including all tournaments and other events conducted or sanctioned by it, shall be open to athletes, coaches, trainers, administrators, officials, and all other persons without regard to race, age, creed, sexual orientation, color, national origin, or sex. Nonetheless, participation in divisions or tournaments and other events may be restricted on the basis of age, or sex.

Participation in all USTA programs, leagues, tournaments, events or championships will be conducted under the policy of non-discrimination.

### **ARTICLE III-VOTING POWER**

The voting members of the MTA will be each officer, each Director (with one vote each), Past Presidents of this Board (\*see note below), and a representative from each active organizational member present at the Annual Meeting. Each active organizational member shall designate a person to be its representative at the Annual Meeting who shall vote and act for the organizational member. Proxy voting is permitted but must be in writing and filed with the MTA office 5 days prior to the meeting.

*\*Voting strength of Past Presidents – Shall not exceed the lower number of Past Presidents present or two (2). If, at any meeting' more than two (2) Past Presidents are present, the two (2) votes shall be prorated among those present. Should a Past President be elected to some other office that would make him a member of the Board, then his vote on the Board will not be included in the voting strength of the Past Presidents.*

### **ARTICLE IV-DUES**

Classification and dues are established by the USTA constitution. Any change in the classification or dues by the USTA will be adopted by the MTA. In order for the organizational member to vote at the Annual Meeting, dues must be current.

### **ARTICLE V-MEETINGS**

There shall be an Annual Meeting of the MTA on a date set by the Executive Committee, for the election of officers, the receipt of reports, and the transaction of all official business. Annual Meetings shall be open to active members of the MTA. Notice of such meetings, issued by the MTA office, shall be mailed to the last recorded address of each organizational member at least fifteen days before the Annual Meeting. The location of the Annual Meeting shall be determined by the President.

Special meetings of the membership may be called by the President or by the Board at any time. Special meetings will be called by the President upon receipt of a written petition or notice in writing from at least ten organizational members. Members will be notified of the purpose, place, and time of any special meeting at least two weeks in advance of such a meeting.

The order of business at membership meetings shall be determined by the President, and normally will be:

- (a) Roll Call
- (b) Reading of Minutes
- (c) Secretary and Treasurer's report
- (d) Committee reports
- (e) Elections
- (f) Miscellaneous business

#### (g) Adjournment

Robert's Rules of Order shall be the authority for all parliamentary procedures not specifically mentioned herein. Except for voting on amendments to these By-Laws, a simple majority of all votes cast will be decisive. The Secretary shall act as Parliamentarian.

#### ARTICLES VI-BOARD

The Board shall be composed of a President, Executive Vice President, such additional Vice Presidents as may from time to time be needed, Secretary, Treasurer, Area Directors (two each from five geographic areas designated by the Board of Directors), a representative from the Alliance of Mississippi Tennis Professionals, and all active Past Presidents of this Board residing within the jurisdiction of the MTA. During all meetings of the Board each member shall have one (1) vote; however, the voting strength of the Past Presidents shall not exceed the lower number of Past Presidents present or two (2). If, at any meeting, more than two (2) Past Presidents are present, the two (2) votes shall be prorated among those present. Should a Past President be elected to some other office that would make him a member of the Board, and then his **or her** vote on the Board will not be included in the voting strength of the Past Presidents.

Officers shall be elected for a two-year term and may be re-elected. Directors shall be elected for a two-year term and a rotation maintained that will elect one half of their number each year. Directors may be re-elected.

Board meetings are to be held at least twice a year with the additional meetings to be called at the President's discretion. All times and dates are to be set by the President. Attendance at a minimum of one Board meeting within each calendar year is mandatory for an officer or director to remain in the designated office. Failure to meet the minimum attendance requirement will result in the automatic removal of the officer or director.

Area Directors must reside within the geographical limits of his geographic area. Directors shall be the MTA's representative within his or her region to uphold the purposes and objectives of the MTA. It shall also be the duty of the Director to carefully observe conditions relating to tennis activities in the MTA and to report thereon to the Officers and Directors of the MTA.

The President shall be the chief officer of the MTA and shall be present at meetings of the association, the Board and the Executive Committee. The President shall also be a member ex-officio of all committees. The President shall communicate to the Association such matters and make such suggestions as may in the President's opinion tend to promote the welfare and increase the usefulness of the Association and shall perform such other duties as are necessarily incident to the office.

The Executive Vice President, who also serves as the President-Elect, shall assist the President in the performance of the President's duties and shall exercise all the powers of the President in the President's absence or in the case of the President's resignation, removal, incapacity, or death. The Executive Vice President will be nominated by the Nominating Committee at the annual meeting at the same time as the incoming President.

The Other Vice Presidents shall assist the President and Executive Vice President in the performance of their duties and shall exercise all powers of the Executive Vice President in the Executive Vice President's absence or in the case of the Executive Vice President's resignation, removal, incapacity, or death. The Other Vice Presidents will be nominated by the Nominating Committee at the annual meeting at the same time as the incoming President.

The Secretary shall give notice of and attend all meetings of the Association and all committees; make provisions for the keeping of a record of proceedings; conduct correspondence and carry into execution all orders, votes, and resolutions not otherwise committed; keep a list of the members of the Association.

The Treasurer shall, with the aid of the Executive Director and the MTA office staff, be responsible for the financial management and controls of the MTA. The Treasurer and other members of the Budget Committee shall prepare annually a proposed budget for the forthcoming calendar year. The Budget Committee or Executive Committee must approve all expenditures that are not included or which exceed those line items in the approved budget. A CPA shall examine the accounts of the Association annually unless the Board of Directors requests a more frequent examination.

#### ARTICLE VII-EXECUTIVE DIRECTOR

The Association shall have an Executive Director who shall be responsible for the day-to-day operations and the functioning of the MTA Office.

The Executive Director shall supervise all salaried office personnel, league co-ordinators and program directors.

The Executive Director shall perform such additional duties as assigned by the President.

#### ARTICLE VIII-COMMITTEES

This Association shall have the following committees: an Executive Committee, a Nominating Committee, a Junior Development Committee, a Ranking Committee, a Sanction/Schedule/Tournament Committee and a Disciplinary **and Grievance** Committee. Additional standing committees may be established from time to time by the President. Each standing committee shall have a chairman, who shall be appointed by the President, and who shall be responsible for directing and coordinating the affairs of this committee, and a co-chairman. Vacancies that occur on any committee may be filled by the remaining members for the unexpired term.

The BOARD shall have supervision, control, and direction of the affairs of the Association, shall execute the policies and decisions of the active membership, shall actively promote the Association's purpose and objectives, and shall have discretion in the disbursement of funds. It may adopt such rules for the conduct of its business as shall be deemed advisable and may, in the execution of powers granted, appoint subcommittees or agents to work on specific problems or reports. It shall have a regular meeting at the time and place of the Annual Meeting, and shall report to the membership on its activities. It shall meet upon the call of the President and shall also meet upon demand of a majority of the active members of the Association.

#### **Disciplinary and Grievance Committee**

The Disciplinary and Grievance Committee shall be composed of 3 to 5 members in the discretion of the President, two of whom will be designated Chair and Vice-Chair, respectively, and named by the President with the approval of the Executive Committee. Where there are four persons are named, the Chair shall cast an extra vote in the event of any tie. In the absence of the Chair, or at the Chair's request, the Vice-Chair will have the same powers and responsibilities as listed below. The Committee will be responsible for enforcing the Articles of Incorporation, By-Laws all rules and regulations of the MTA, STA, and USTA standards of conduct, fair play and good sportsmanship. There shall be no right to appeal decisions of the USA League Tennis Grievance Appeal Committees to this committee. The Committee will operate under the following rules and regulations:

Sub-part I. And II. below are not mutually exclusive. The Committee may elect to proceed under either or both where the circumstances are appropriate. Ordinarily, in matters of conduct during official play, the procedure outlined in sub-part I. is appropriate.

#### **I. DISCIPLINE**

##### **A. General:**

- 1. Any grievance shall be filed in writing within thirty (30) days following the date on which the alleged violation occurred, except that if the alleged violation is based on falsification of any information, such written grievance shall be filed within thirty (30) days after discovery.**
- 2. Any written grievance shall be mailed first class, certified, or registered mail to the Chairman of the Grievance Committee of MTA, c/o the MTA Executive Director. The date of filing is the postmarked date. Absent good cause shown, grievances not mailed within 30 days are barred.**
- 3. All grievance and grievance appeal actions arising out of USTA Adult League programs shall be administered according to appropriate league regulations of USTA, USTA Southern and MTA. Such grievances are not within the jurisdiction of the MTA Disciplinary and Grievance Committee.**

##### **B. Preliminary Screening of Grievances:**

- 1. When a written grievance is filed charging that any player, person who is associated with a player (including but not limited to parents and coaches), official, or tournament staff member has violated any of the following,**

- (a) The Constitution of USTA or Articles of Incorporation of USTA Southern
- (b) The Bylaws, Rules and Regulations of USTA, USTA Southern or MTA
- (c) The standards of good conduct, fair play and good sportsmanship of USTA, USTA Southern or MTA
- (d) The Rules of Tennis,

the Grievance Committee Chair shall determine if there is a possibility that a violation of (a), (b), (c) or (d) above has occurred.

2. If the Chair makes a determination that no violation occurred, or that any alleged violation cannot be substantiated, the Chairman shall immediately notify all concerned parties that the grievance action has been dismissed.

### C. Grievance Procedures:

1. Barring a determination described in paragraph B, 2 above, the Chair of the Grievance Committee shall cause a copy of the written complaint to be mailed by certified mail, return receipt requested, to the last known address of such person or organization along with notice that it has been received by the Chairman and request a written response to be furnished to the Chair, through the Executive Director, within twenty (20) calendar days after receipt of the grievance,.

2. The Chair, after receipt of the response to the grievance, shall conduct such other investigation as is appropriate in its discretion and, thereafter, shall promptly notify all parties, in writing, of the Chair's decision. The Chair shall have the power to impose any of the following penalties:

(a) Reprimand in writing

(b) Place such person(s) or organization(s) upon probation under such terms and conditions as the Chair may deem appropriate. (Violation of any of the terms of probation shall constitute grounds for the imposition of additional penalties).

(c) Suspend such person(s) or organization(s) from participating in any tournaments or other events under the committee's jurisdiction which is sanctioned by the USTA, USTA Southern or its State Associations. In the event of an egregious act involving bodily injury or the threat thereof by the person against whom the grievance is filed, said person may be immediately suspended from participating in any tournaments or other events sanctioned by MTA, pending the outcome of the grievance.

(d) Loss of sanction

(e) Impose a fine not to exceed \$500

(f) Any combination of the above.

### D. Appeals to the full Grievance Committee

1. Any party(s) against whom a penalty is imposed by the Chair may appeal the decision. Any such appeal shall be made in writing to the MTA Executive Director within fifteen (15) days after the postmarked date of the written notice of decision of the Chair. Absent good cause shown, appeals received after this specified time will not be accepted. Notice of appeal shall be addressed to the MTA Disciplinary and Grievance Committee, c/o MTA Executive Director.

2. Upon receipt of the appeal, the Chair will promptly establish a time and place for a hearing if deemed appropriate and shall give the appealing member at least ten days written notice thereof. At the meeting, the appealing member will have the right to appear in person with no more than one representative or attorney to present testimony and any other evidence or to cross-examine any witnesses. The Disciplinary and Grievance Committee has the power to affirm, modify or reject the prior decision and to impose any additional penalties, not to exceed those stated in subsection (1) above, as being appropriate. The Committee will promptly notify the appellant of their decision.

3. The Chair, instead of acting individually as in (a) above, may elect to hold a hearing before the Disciplinary and

Grievance Committee and/or have the Committee render the decision. The hearing will be held and decisions and penalties will be in accordance with subsection (b) above.

4. Any appeal from a decision of the Disciplinary and Grievance Committee must be made within thirty days after receipt of the written decision from the Committee. Such appeal must be in writing and must be addressed to the President of the MTA requesting review by the MTA Board of Directors. The MTA Board of Directors will review the findings of fact and the decision of the Disciplinary and Grievance Committee and will not be required to hold any additional hearings. However, the MTA Board of Directors may, in its sole discretion, hear further testimony and/or receive further testimony, as it deems appropriate. The MTA Board of Directors will promptly notify the member of the results of its review. The MTA Board of Directors will have the power to affirm, modify or reject the decision of the Disciplinary and Grievance Committee, but may not impose any harsher penalties; and the decision of the MTA Board of Directors will be final and binding.

5. The MTA Board of Directors on evidence that reinstatement is merited may reinstate any suspended or expelled member under this section at any time. Prior to such action, the MTA Board of Directors will obtain the recommendations of the Disciplinary and Grievance Committee.

6. All actions of the MTA Disciplinary and Grievance Committee will be reported to the STA Disciplinary Committee and any other persons or organizations deemed necessary by the Board of Directors.

## II. Grievance

- A. Any member claiming that a decision of an officer or committee of the MTA has violated these by-laws or any rules or regulations governing the MTA may, within ten days of the decision, file a written appeal with the Chair of this Committee.
- B. Upon receipt of an appeal, the Chair shall cause all interested parties to be notified of the appeal and accord them a reasonable opportunity to respond by mail, e-mail, facsimile or such other communication as may be appropriate under the circumstances. The appealing party shall have a like opportunity to reply to the responses.
- C. Upon receipt of the responses and replies, the Chair shall convene the Committee, in person, telephonically or by other means and the committee shall render a decision, affirming, modifying or vacating the decision complained of. The decision of the Committee will be communicated to the parties involved by the Chair and shall be final unless modified by the Board of Directors at any regular or special meeting. The Board of Directors will promptly notify the parties involved of any modification of a decision.

The EXECUTIVE COMMITTEE shall be composed of the President, Executive Vice President, Vice Presidents, Secretary, Treasurer and Immediate Past President. The Executive Committee will meet to discuss issues to be brought to the attention of the Board. The President will determine the frequency of the meetings.

The JUNIOR DEVELOPMENT COMMITTEE (also known as the Junior Tennis Council) shall consist of at least fifteen persons, and shall have the duty of investigation, studying, and making recommendations to the membership as it relates to overall youth development in the State of Mississippi.

The NOMINATING COMMITTEE shall consist of two past presidents and three members-at-large. They shall be nominated from the floor and elected at the Annual Meeting to serve for the next succeeding year. The Nominating Committee shall submit a slate of officers to the President and the Board of Directors at least 45 days prior to the Annual Meeting.

The RANKING REVIEW BOARD (also known as the Ranking Committee) shall consist of at least five members and shall present at the appropriate time the state rankings in all divisions using the guidelines established by the MTA.

The SANCTION/SCHEDULE COMMITTEE shall consist of at least three persons and shall have the duty of investigation, studying and making recommendations to the membership regarding all tournaments in the State of Mississippi.

## ARTICLE IX-AMENDMENTS

Amendments to these By-Laws may be made at any Annual Meeting by an affirmative vote of at least three-quarters of all the ballots cast, provided that a copy of each proposed amendment was sent to each member club with the notice of the Annual Meeting.

**BOLD** type reflects changes effective January 1, 2010.