

Constitution and By-Laws of Ohio JuJitsu

Constitution of Ohio JuJitsu

FIRST. The name of said corporation shall be Ohio JuJitsu.

SECOND. The place in the State of Ohio where the principle office of the corporation is to be located is the City of Stow, County of Summit, Ohio.

THIRD. The purposes for which said corporation is formed are:

To promote and improve amateur JuJitsu by the encouragement of systematic exercise and education in Ohio among those who compete solely for the physical, mental, and social benefits derived therefrom;

To exercise exclusive jurisdiction over all aspects of JuJitsu as it pertains to United States JuJitsu, the National Governing Body as respects the sport of JuJitsu in the United States, in the State of Ohio.

To promote the civic interests of the nation by the State-wide education of all classes of individuals in the physical, moral, and mental benefits to be derived from participation in JuJitsu.

The encouragement and development of JuJitsu athletes to partake in official national and international competition including the sponsorship of athletes to such events.

To sponsor and encourage, regulate, sanction, and award JuJitsu Championships on behalf of United States JuJitsu on the local and regional levels and to sponsor and encourage participation on the National, International and Olympic level of amateur JuJitsu-ka in the state of Ohio.

To maintain throughout the State of Ohio, a uniform test of amateur standing and uniform rules for the government of all JuJitsu within its jurisdiction, including, but not limited to the adoption of rules and regulations governing JuJitsu competition, judging, and the awarding of appropriate JuJitsu credentials to deserving individuals. In furtherance of this objective, to sanction and host JuJitsu seminars, camps, and other activities designed to develop JuJitsu athletes, judges, and officials.

To promote the construction, conversion, and utilization of public JuJitsu facilities for use by JuJitsu athletes.

Ohio JuJitsu, in further aid of such purposes, may solicit, apply for, receive, hold, and disburse grants, gifts, bequests, endowments, and other funds; may employ staff and contract for the services for such other personnel as may be necessary; may purchase, lease, acquire, or provide for such facilities (including real property), materials, and equipment as are necessary and appropriate; may maintain checking and savings accounts; may make long and short-term investments in stocks, bonds, mutual funds, and other securities; may borrow money, and establish lines of credit, and may purchase insurance.

Ohio JuJitsu will operate exclusively for public health, safety, educational, sport, and charitable purposes, including such purposes, the making of distributions to corporations, trusts, community chests, funds or foundations that qualify as exempt organizations under Section 501 (c) (3) of the Internal Revenue Code of 1954, as amended (or the corresponding provisions of any future United States Internal

Revenue tax code). In addition to the foregoing, this corporation may aid, assist, and support with contributions of money, property or otherwise, other organizations organized and operated exclusively to foster national or international sports competition, or for charitable, scientific, literary, or educational purposes.

Ohio JuJitsu will establish qualifications of membership, classification of members and categories for both voting and non-voting, and participatory members. In doing so, Ohio JuJitsu shall provide equal opportunity, without regard to race, color, creed, religion, age, or sex for participation in or for any activity of this corporation, especially activities dealing directly with amateur JuJitsu competition, to all individuals who are eligible under applicable national and international rules and regulations and such rules and regulations concerning amateur JuJitsu competition without discrimination; provided further, however that the corporation shall not deny eligibility to any amateur JuJitsu athlete except after according such amateur JuJitsu athlete fair notice and hearing as to the issue of his or her eligibility.

Ohio JuJitsu will engage in any lawful act or activity authorized by the State of Ohio Revised Code, and will have and exercise all rights and powers that are now or may be hereafter granted to a corporation.

The foregoing shall be construed as objects, purposes, and powers, and the enumeration thereof shall not be held to limit or restrict in any manner the powers now or hereafter conferred on this corporation by the laws of the State of Ohio. The objects, purposes, and powers specified herein shall, except as otherwise expressed, be in no way limited or restricted by reference to or inference from the terms of any clause or paragraph of these articles. The objects, purposes, and powers specified in each of these clauses or paragraphs of these Articles of Incorporation shall be regarded as independent objects, purposes and powers.

The corporation may in its regulations confer powers, not in conflict with the law, on its directors in addition to the foregoing and in addition to the powers and authorities expressly conferred on them by statute.

FOURTH. The following persons, shall serve the corporation as trustees until the first annual meeting or other meeting called to elect trustees:

George E. Anderson	Tower Hill	Akron, Ohio 44319
Patrick M. Hickey	1544 Ritchie Road	Stow, Ohio 44224
Pamela J. Hickey	1544 Ritchie Road	Stow, Ohio 44224

The members so named shall constitute the number of trustees of the corporation until changed by amendment to these articles of incorporation or by-laws of this corporation.

FIFTH: No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its members, trustees, officers, other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article Third hereof. No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of these articles the corporation shall not carry on any other

activities not permitted to be carried on (a) by a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or (b) by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or corresponding section of any future federal tax code.

The purposes of this corporation do not include pecuniary gain or profit to the members thereof. Consequently, none of its net earnings shall inure to the benefit of any private member or individual; provided, however, that this provision shall not be construed so as to prevent reasonable compensation for services actually rendered to this corporation.

SIXTH: Upon dissolution of the corporation, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by the Court of Common Pleas of the county in which the principle office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

BY-LAWS OF OHIO JUJTSU

Article I -- Objectives

The objectives of this sports organization are:

- A. To foster and improve athletics in the State of Ohio in accordance with the standards and under the rules of the International JuJitsu Federation
- B. To protect and promote the mutual interests of its members.
- C. To act as the administrative body as respects the sport of JuJitsu within the boundaries of the State of Ohio.

Article II -- Territory

The territory of this sports organization shall be the State of Ohio.

Article III -- Jurisdiction

This sports organization has jurisdiction over the sport of JuJitsu to the extent granted to this sports organization by United States JuJitsu.

Article IV -- Membership

Section 1. Classes. The membership consists of two classes:

- A. Group: which consists of individual sport clubs;
- B. Individual: which consists of athletic, practicing, coach, and officials members.

Section 2. Definition and eligibility.

- A. Group: Group membership is limited to bonafide JuJitsu clubs, institutions, or other organizations of a permanent nature actively promoting or participating in JuJitsu sports or

games. No organization whose interest in sports or games is purely commercial or which promotes JuJitsu sports solely for profit or the advertising value derived therefrom is eligible for membership. To be considered a legitimate group member, the group member must have at least 5 registered individual members.

B. Athletic, Coach, and Official. Athletic members are those individuals who register with United States JuJitsu are deemed amateurs, and are thereby eligible for competition. Coach and Officials members are coaches and officials who register with United States JuJitsu. Any individual member may register as a member of a club or as unattached. They are considered members only of the club that they register as a member.

C. Practicing Members are members of a member club who are not specifically registered as an athlete, coach or official in accordance with United States JuJitsu.

Section 3. Qualification and Application. Members join the sports organization and affiliate with United States JuJitsu through the sports organization. An application for membership is in a form prescribed by United States JuJitsu. Acceptance binds the applicant to the Constitution and By-Laws of United States JuJitsu and this sports organization and the rules or regulations of United States JuJitsu whether the applicant has athletic members or not, and to accept and enforce all decisions that are made by United States JuJitsu and this sports organization.

Section 4. Violations. Subject to the provisions for Rights or Rights of Appeal, any violation of the By-Laws of this sports organization or the Constitution and By-Laws of United States JuJitsu renders such member liable to suspension by this sports organization until the next annual or special meeting and to expulsion by a 2/3rd's vote of the members present at the meeting.

Section 5. Responsibilities.

A. Income. Any income derived from the promotion of JuJitsu by members of this sports organization, and thereby United States JuJitsu, must be used for the further promotion of sport JuJitsu, for an approved charity, for the administrative and promotional expenses of the sports organization, or the general welfare of the promotion organization as a whole.

B. Infractions. Any group member may be held responsible for infractions of the rules of United States JuJitsu or this sports organization committed by an athlete who is competing as a representative of that group member.

Section 6. Representation.

A. Each club shall appoint one representative, who is in good standing, to the governing board of this sports organization. Each representative shall have one vote.

B. The appointment of every representative will be in writing to the President of this sports organization, duly certified by the chief executive or secretary of the appointing member.

C. The member club may withdraw by written notice its representative and substitute a new one.

D. The athletic members shall be entitled to select from amongst their number such representatives so as to guaranty that they are represented by at least 20% of the voting strength of this sports organization as members-at-large. Each member-at-large shall have one vote.

E. No individual may have more than one vote.

Article V -- Management

Section 1. Term. The governing body of this sports organization shall consist of one representative from each member club and the athletic members-at-large. Each shall serve for a one-year term and shall all have the same privileges.

Section 2. Authority. The management of the business affairs of this sports organization is its own sole responsibility. This sports organization, in addition to the duties and powers prescribed elsewhere, shall have the power, and it shall be its duty:

- a) To elect the officers of the sports organization;
- b) To establish the Review Section of the Registration Committee of the sports organization;
- c) To establish administrative committees of the sports organization;
- d) To prepare and review its annual budget;
- e) To elect the voting delegates to the United States JuJitsu;
- f) To admit eligible members who have properly applied and whom it deems proper;

Section 3. Board of Trustees: The Sports organization may establish a Board of Trustees to oversee the operations and management of the Sports organization. Such Board must include all elected officers. Terms of other members shall be no more than four years and shall be elected in the same manner as the officers. The number of trustees shall be no less than three.

Article VI -- Officers

Section 1. Titles. This sports organization shall elect a President and a Secretary-Treasurer. Other officers may be elected as deemed necessary or appropriate for the proper running of this sports organization.

Section 2. Eligibility. Only duly certified club representatives or athletic representatives are eligible to hold office.

Section 3. Term All. officers shall be elected for a term of one year.

Section 4. Duties.

- A. The President shall order and preside at all meetings, appoint committees as required and perform such other duties as necessary to properly run the sports organization.
- B. The Secretary-Treasurer shall keep the minutes and bank accounts of the sports organization and perform such other duties as necessary to properly run the sports organization. He shall make all deposits and write all check and submit such records to the sports organization at the annual meeting.
- C. Other officers shall have such duties as deemed necessary and consistent with Robert's Rules of Order.

Article VII -- Meetings

Section 1. Annual. The annual meeting of this sports organization shall normally be held in the fall of each year. Other meetings shall be held as deemed necessary.

Section 2. Special. Special meetings shall be held upon written request of 1/3rd of the respective members of this sports organization or by the President.

Section 3. Voting. No proxy voting shall be recognized.

Section 4. Notices. Not less than thirty (30) days notice must be given for any meeting. The notice of a meeting shall contain the time, date, and site. For special meetings, the purpose shall also be given. This notice shall be sent to the last address given by each club member or athletic representative.

Section 5. Order of Business. At all meetings of the sports organization, the following shall be the order of business:

- A) Roll call
- B) Minutes of the previous meeting;
- C) Report of officers;
- D) Report of Committees
- E) Unfinished business;
- F) Election of officers of the sports organization
- G) Election of delegates to the Board of Managers of United States JuJitsu;
- H) New business;
- I) Bid on championships;
- J) Resolution and orders;
- K) Adjournment.

Section 6. Quorum. A quorum shall consist of those members present at any duly constituted meeting.

Section 7. Rules of Order. The current Robert's Rules of Order are the procedural rules.

Article VIII -- Committees

Section 1. Committees. This sports organization shall have such committees as deemed necessary except as noted in Section 2.

Section 2. Registration Committee. This sports organization shall have a Registration Committee consisting of an administrative section and a review section.

- A. The administrative section shall:
 - 1. Receive, examine, and decide upon all applications for registration;
 - 2. Recommend acceptance, withholding, or withdrawal of sanction for athletic events.
 - 3. Collect in advance sanction fees or service charges ;
- B. The review section shall consider and determine questions concerning the eligibility status of any athlete, either on its own initiative for any reason including suspicious circumstances which may be deemed sufficient to require explanation, or after charges have been presented to it. The review section shall make, or have made, inquiry regarding any athlete whose eligibility status is in question, and the leader of the section may provide for investigation to be made by one or more of its members on behalf of the review section. (See Rights and Rights of Appeal.) The athlete under investigation shall be notified, either in person or by certified, mail, or both, of the charges made against him, or the circumstances which the review section believes require answer, explanation,

or clarification. In all cases, the athlete shall be given the opportunity of a hearing before the review section or its designated representative at a specified time and place.

In determining questions concerning the eligibility status of an athlete, the review section may consider and act upon any kind of relevant evidence whether direct, circumstantial, or hearsay, and may act upon affidavits. If the review section shall find that an athlete has violated the rules of amateurism as set forth in the Rules of United States JuJitsu, it shall impose such punishment or penalty as may be provided therein, and in cases where no such punishment or penalty is set forth; such punishment or penalty as it may deem just.

Section 3. Conflict of Interest. A member of the review section shall have voice, but no vote, in a case involving his particular club or organization or an athletic member thereof or any club or organization that the member may be associated or in any way affiliated whether he is registered with this sports organization as a member of that club or organization or not.

Article IX -- Review Section

Section 1. Review Section. The review section of the registration committee shall be comprised of no less than five (5) members, one of whom must be an active athlete. If possible one person should be a currently active attorney who shall conduct all disciplinary hearings. All such hearings, nevertheless, may be conducted by an attorney retained by the sports organization who shall have no vote. The Chairperson of the registration committee shall be appointed by the President, but the Chairperson of the review section shall be elected by the members of the review committee. A member of the review section shall have voice but no vote in matters concerning an athlete from a club or organization which the said member is also a member whether he is registered with Ohio JuJitsu as a member of that club or not.

Article X -- Conditions of Competition

Section 1. Rules. The condition of competition in any JuJitsu event, game, or entertainment, et cetera, and the rules governing it, shall be those established by International JuJitsu Federation and as modified by the United States JuJitsu.

Section 2. Technical Rules. Any athletic event, game, clinic, or entertainment shall be conducted in accordance with the technical rules established by the International JuJitsu Federation and United States JuJitsu.

Article XI -- Championships

Section 1. Annual. This sports organization shall annually hold a championships.

Section 2 Entry Blank. No entry blank for any championship, game or entertainment may be distributed until approved by the President.

Section 3. Entries. All entries to the annual championships shall be sent to the President or his designated representative. The sports organization also receives all protests and transmits them to the review section of the Registration Committee for final action at once, with such report or recommendation as it deems proper.

Section 4. Award: Each year the sports organization shall make arrangements for the conduct of its annual championships. It may sponsor the event itself, or bid it out as it so desires.

Article XII -- Fees & Dues

Section 1. Club. Every active member shall pay annually the dues as established.

Section 2. Individual Registration. Each individual member pays to the Registration Committee an annual registration fee as established .

Section 3. Sanction Fees.

A. The administrative section of the Registration Committee of this sports organization collects in advance from applicants such fees or deposits as are required by the sports organization.

B. This sanction fee may be a flat amount, a percentage of receipts, a per head charge or a combination as set by Ohio JuJitsu.

C. In addition to a sanction fee, a service charge consistent with the nature of the event may be charged.

Section 4. Termination. The failure of a member to pay such fees or dues within thirty (30) days of the date due prevents representation and vote by the delinquent member at any meeting of this sports organization. Continued failure to pay fees or dues is cause for termination of membership.

Section 5. Use of Funds. Receipts from all sources shall be devoted to paying costs of sports organization management and services. No member of this sports organization or any club shall, either directly or indirectly, benefit from use of any funds so collected and spent.

Section 6. Delinquency. Any member delinquent in the remittance of funds to Ohio JuJitsu shall cause the loss of representation and/or vote. Delinquency is considered as over thirty (30) days overdue on any payment for any purpose.

Article XIII -- Reports and Remittances

Section 1. Annual. The President shall remit annually, at the time of the annual meeting, a report on all activities of the sports organization in that year. Such report shall include the total number of registered clubs and athletes, a list of all sanctioned events or competitions, minutes of any meetings, and any other activities or information deemed pertinent.

In addition, a completed financial statement for that year must be enclosed showing in detail the source of all funds and the amounts of each expenditure made. If this sports organizations income exceeds \$25,000 as reported on IRS Form 990, or its equivalent or successor, or if the sports organization has unqualified income, it shall complete an audited financial statement from a certified public accountant.

Section 2. Non-Profit. This sports organization qualifies for non-profit corporation status within the laws of the State of Ohio.

Article XIV -- Rights and Rights of Appeal

Section 1. Athlete's Bill of Rights. This sports organization shall respect and protect the right of every individual who is eligible under reasonable national and applicable international athletic rules and regulations to participate if selected (or attempt to qualify for selection) as an athlete, coach, trainer, manager, administrator, or other official, representing the United States in any international athletic competition, so long as such competition is conducted in compliance with reasonable national and applicable international requirements.

Section 2. Disciplinary Procedures and Appeal.

A. As hereinafter set forth, the Review Section of the Registration Committee may censure, suspend for a definite or indefinite period of time, or expel any member of the sports organization, including any athlete or coach, official, member of any committee, delegate, or any person participating in any capacity whatsoever in the affairs of this sports organization, or United States JuJitsu who has contravened any of the rules or regulations or who has acted in a manner which brings disrepute upon this sports organization, United States JuJitsu or the sport of JuJitsu.

The procedures to be taken in reference to such suspension or expulsion shall be as follows:

The person charged shall be notified, in writing, sent to his or her last known address by either certified mail or registered mail, return receipt requested, or by personal service of the charges against him or her in detail, or of the circumstances which are believed to require answers, explanation or clarification. In the case of a registered athlete, the notice shall be sent to the address last on file with the Administrative Section of the Registration Committee by the chairperson of the Review Section.

The written statement of charges shall also set out the penalties which may ensue if such charges are proved; the statement shall contain a date at which time a hearing will be had with the request that the person charged shall appear before the review section of the registration committee with the right to have counsel of his own choice to represent him at the hearing. The written statement to the person charged shall set a date of hearing not less than 30 (thirty) days nor more than 60 (sixty) days after the date of mailing of such notification with the demand that the person charged shall answer, in writing, to the President all the charges set forth in such written statement, with such answers to be delivered to the President by either certified mail or registered mail, return receipt requested, no later than 10 (ten) days prior to the date of hearing. The statement shall also set forth the right of appellate review if the decision is rendered against the person charged; and that the decision shall be rendered at the time of the hearing, or within twenty-four (24) hours thereafter.

B. When compliance with regular procedures would not be likely to produce a sufficiently early decision to do justice to the affected parties, the Review Section of the Registration Committee, or its duly authorized agent and representative, is authorized upon such notice as the circumstances may dictate to the parties concerned to hear and decide a matter relating to a scheduled athletic competition.

The individual or entity charged may be suspended from participating in any activities of this sports organization whatsoever after such notice and hearing. The hearing may be conducted at the site of athletic competition or by telephone conference if necessary, but in any event under

such circumstances as to fully protect rights of procedural due process of the individual or entity charged.

The notice to be given to the individual or entity charged must be in writing, and shall in every instance contain the notice requirements set forth in sub-paragraph (A) of this Section.

C. Unless original jurisdiction of the matter is assumed by the United States JuJitsu, the decisions of the Review Section of the Registration Committee shall be final in all cases, subject only to appeal to the governing board of this sports organization and thereafter to the United States JuJitsu. An appeal to United States JuJitsu can only be taken within ten days after mailing of written notice to the parties concerned of the decision of the governing board of this sports organization. A petition to United States JuJitsu must be filed with the Secretary of the governing board of United States JuJitsu within sixty days after mailing of written notice of the decision of the governing board of this sports organization. Any person representing a real party in interest may appeal. Upon timely petition to the Chairperson of the Law and Legislation Committee of United States JuJitsu, and upon a showing of good cause therefore, the time for appeal from the decision of the Registration Committee may be extended.

Section 3. Evidence on Hearing. In all hearings the rules of evidence usually applicable to administrative hearings shall prevail.

Article XV -- Miscellaneous

Section 1. Amendments. Any provision of these By-Laws may be amended by a 2/3rd's vote of all voting members of this sports organization. At least thirty (30) days notice must be given to every member of this sports organization of the proposed amendment.

Section 2. Dissolution. Upon dissolution of this sports organization, the net assets will not inure to the benefit of any private shareholder individual, or corporation but will be distributed to United States JuJitsu, a non-profit corporation under section 501 (C) (3) of the Internal Revenue Code, to be used exclusively for educational or charitable purposes. If the above organization is not in existence or if it fails to continue to meet the requirements of section 501 (C) (3) of the Internal Revenue Code, such assets of this sports organization shall be distributed to another organization operated exclusively for educational or charitable purposes under Section 501. (C). (3) of the Internal Revenue Code.