



# Constitution

## OF THE FEDERATION OF PETANQUE U.S.A., INC.

### ARTICLE I - Name

The name of this organization is Federation of Petanque U.S.A., Inc. (hereinafter referred to as “FPUSA”). This name is a provision of the Articles of Incorporation and not subject to change by Constitutional amendment.

### ARTICLE II - Purpose

The purpose of this nonprofit sports organization is to build a national body of FPUSA-affiliated clubs and individuals dedicated to spreading, practicing and enjoying Petanque, a worldwide outdoor bowling game of modern French derivation via ancient Greece and Rome. A primary objective of the Federation’s endeavors is to foster local, regional and national, as well as United States participation in International tournaments and championships of this widespread amateur sport.

### ARTICLE III - Membership

1. There are two categories of FPUSA membership: individual, and club. These are described in Article II of the Bylaws.
2. a) All men, women, boys and girls who are of good character, and who are citizens of the United States and who are interested in the purposes for which this organization has been formed and to whose objectives they subscribe, are eligible for membership upon application, payment of established dues and fees, and approval of the local club to which they are applying. Applications for membership may be reviewed by the Board of Directors as outlined in the Bylaws.  
b) All men, women, boys and girls who are non-nationals are eligible for membership, with certain restrictions as prescribed in the Bylaws. All FPUSA Bylaw provisions for non-nationals must conform with FIPJP bylaws and regulations.
3. An FPUSA-affiliated Club Membership may be granted to any group specified in the Bylaws that forms an eligible organization in accordance with the Bylaws and which otherwise applies for membership to the Board of Directors, is approved by the Board of Directors, and otherwise maintains its membership in accordance with the Bylaws.
4. The Board of Directors is ultimately responsible for protecting the integrity and enjoyment of the game for all members. Friendly and cordial competition, good sportsmanship and respectful behavior is essential to the success of the sport. Applications for membership by clubs and individuals may be reviewed for suitability as outlined in the Bylaws. Any person, or club may be expelled from membership in the FPUSA by a two-thirds (2/3) majority vote of the Board of Directors if that member is found to have acted or to have conducted him/herself in a manner deemed threatening or harmful to the sport, to another member or official, or to the FPUSA, or in such a way as may otherwise harm the integrity of the game or the enjoyment of the game by the members. Such a vote shall not be taken, however, until after the member or club in question has been notified in writing of the proposed action and given the opportunity of being heard by the Board of Directors through formal written communication within a reasonable amount of time as described in the Bylaws. All such actions of the Board regarding expulsion, suspension and other related sanctions shall be final.
5. Admission to the FPUSA and the full privileges of membership shall be available to all without regard to race, creed, color, nationality, sex, religion, age or physical handicap.

## **ARTICLE IV - Board of Directors and Officers**

1. The governing body of the FPUSA is a Board of directors consisting of the five (5) elected officers and each of the elected Counselors. Each member (Officer and Counselor) of the Board of directors is entitled to one vote. A Board Member who cannot attend a meeting may appoint another Member of the Board to represent and vote for him/her at a Board meeting, in accordance with FPUSA Bylaws concerning proxy voting.
2. The duties of the Board of directors are to govern the activities and operations of the FPUSA in accordance with its Constitution and Bylaws, to act as a legislative body in preparation of or amendment of the Constitution and Bylaws, establish policies, approve annual budget and sport promotional plans, sanction national competitions, appoint replacements for Board Members who resign or are unable to complete their terms, approve all committee appointments, charters and chairpersons (except the National Sport director who chairs the Sport Committee and who is elected by the clubs), establish club and individual member dues, serve as the Final Court of Appeals, expel clubs or individual members.
3. The President of the FPUSA serves as Chairman of the Board of directors. For the purposes of conducting business, a quorum is deemed to exist when at least fifty percent (50%) of the total votes of the Board are represented at the meeting.
4. The elected Officers of the FPUSA are the President, vice President, Secretary, Treasurer and National Sport director. Their terms are two (2) years each. The offices of President and Treasurer become vacant in odd numbered years and the offices of vice President, Secretary and National Sport director become vacant in even number years.
5. The duties of the Officers are the ones usually associated by custom with those titles, as detailed in the FPUSA Bylaws.
6. The elected Counselors shall each serve a term of two years, half of them being elected in even numbered years and half in the odd numbered years.
7. The duty of the Counselors is to represent the members of the FPUSA. The primary role of the Counselors shall be to maintain direct communication with and to aid Club Presidents within their region. Counselors will be elected as follows:
  - a. The following regions are hereby delineated: Northwest, Southwest, Northern California, Mid-America, Southeast, Northeast and Central. Other regions may be established by a majority vote of the Board of directors. For a region to be officially recognized, it must have at least two (2) affiliated clubs within its geographical boundaries.
  - b. The states and areas that lie within these regions may be set or changed by a simple majority vote by the Board of directors.
  - c. Each region will have at least one (1), but no more than three (3) Counselor(s) each.
  - d. Each region shall have one (1) FPUSA membership-elected Counselor for each 200 members (rounded to the nearest 100, e.g., 0—200 members = 1 Counselor, 201—400 members = 2 Counselors, 401 and up members = 3 Counselors).
  - e. Membership tabulation is to take place prior to the November elections.
  - f. In the case of newly established regions, a Counselor will be appointed by the President and approved by the Board of directors to serve until that region's election can be included in the regular FPUSA election cycle.
8. Nominations of Officers and Counselors should be made on or before October 31 of each year and voting from all Clubs should be completed on or about November 30 of each year. The terms for all newly elected Officers and Counselors will start January 1 of each year.
9. Shortened terms of one (1) year for Officers and Counselors will be permitted as a means of phasing in staggered terms of Officers or Counselors as a first-time or extraordinary measure.

10. Election of officers for the Board of directors and votes on FPUSA matters referred to clubs shall be by a majority of votes cast by Clubs affiliated with the FPUSA. Election of counselors shall be by a majority of votes cast by affiliated clubs in their designated region. Mail ballot shall be permitted, with each affiliated Club entitled to the following number of votes: Each club will have one vote with up to 25 members, two votes with 26-50 members, three votes with 51-100 members or four votes with more than 100 members. If the number of votes cast fails to constitute a majority vote, or if none of the candidates for a given office receives a majority of the votes cast, election shall be by a simple plurality of the votes cast. In the event of a tie vote, runoff ballots shall be distributed to all FPUSA Clubs, which shall vote on a weighted plurality basis for the tied candidates (i.e., 3 points for the First Choice, 2 for Second and 1 for Third, if three or more candidates are tied). Any ties remaining after two runoff ballots shall be resolved by a coin-toss supervised by the Board of directors.
11. Any member of the FPUSA in good standing, who is 21 years of age or older and meets the requirements set in the Bylaws, may be a candidate for any position of Officer or Counselor, with the exception that the President and vice President must be United States citizens. This citizenship requirement is a provision of the Articles of Incorporation and is not subject to change by Constitutional amendment.
12. Should an Officer or a Counselor not be able to complete his or her term of office for any reason, a replacement will be appointed in accordance with procedures prescribed in the Bylaws.
13. The position of President of Honor is hereby established as a lifetime appointment honoring an individual who has made preeminent contributions to the sport of Petanque in the United States. Mr. Alfred Levitt, founder of Federation of Petanque, U.S.A., Inc., shall be the Federation's first lifetime President of Honor. In September 2001 at a presentation ceremony in Sonoma, California, former President of the FPUSA and La Boule New Yorkaise, Hans Jepson, was honored and named FPUSA President of Honor.  
Subsequent appointments to this position are at the discretion of the Board of directors. Only one President of Honor shall hold office at a given time. The provisions of this paragraph are specified in the Articles of Incorporation and are not subject to change by Constitutional amendment.

## **ARTICLE V - Board of Director Meetings**

1. A regular meeting of the Board of directors shall be held annually. The time, place and conduct of this annual meeting are detailed in the Bylaws. The Secretary will notify Board members at least forty-five (45) days in advance of the meeting and provide directors with an agenda at least fourteen (14) days prior to the meeting.
2. Special meetings of the Board shall be on call of the President.
3. Any one-third (1/3) of the membership of the Board of directors may, by signed petition, instruct the President to call a special meeting of that body, or conduct a written-based proceeding, indicating in the petition the reason therefor. On receipt of such a petition, the President will expeditiously call a special meeting or procedure.

## **ARTICLE VI - Dues and Arrears**

1. The Board of directors is authorized to set individual and club membership dues, including assessment for membership in La Fédération Internationale de Pétanque et Jeu Provençal, with which the FPUSA is voluntarily affiliated.
2. No candidate for club or individual membership may be entered on the rolls of the FPUSA until established dues and fees are paid.
3. A club or individual in arrears on established dues and fees may be suspended from the privileges of membership and may be dropped from the FPUSA rolls.
4. Provisions concerning dues, fees and the handling of delinquencies are contained in the Bylaws.

## **ARTICLE VII - Amending Constitution and Bylaws**

1. The Constitution and Bylaws of the FPUSA may be amended by the Board of directors at a special or regular meeting or through documented written procedure.
2. To amend the Constitution: whether the vote takes place in a meeting or through a documented written procedure, the number of affirmative votes must equal or exceed three quarters (3/4) the total number of directors on the Board.
3. To amend the Bylaws: whether the vote takes place in a meeting or through a documented written procedure, the number of affirmative votes must equal or exceed two-thirds (2/3) the total number of directors on the Board.

## **ARTICLE VIII - Political Neutrality**

The FPUSA shall never take part in any political movement of any persuasion or party. FPUSA members and clubs shall never use the name of the FPUSA or exercise any prestige or privilege derived from this organization for political purposes.

## **ARTICLE IX - Autonomy of Clubs**

1. Each club shall govern its own local affairs in accordance with the rules and regulations adopted by its members for its own uses and practices. Each club shall elect its own officers, finance its own activities, and govern its own existence as it sees fit, providing that it remains in good standing with FPUSA and conducts itself in a manner consistent with the Constitution, Bylaws and Codes of Conduct of FPUSA and the best interests of the sport of petanque.
2. Any and all activities and practices of each club shall be based upon and adhere to the provisions contained in the Constitution and Bylaws of the FPUSA, which shall take precedence over conflicting club practices.

## **ARTICLE X - Official Language**

1. English is the official language of all communications, announcements, etc., within the FPUSA, to the American press and to the United States public. This is a provision of the Articles of Incorporation and is not subject to change through Constitutional amendment.
2. This English language provision does not preclude supplemental translations of the above communications, announcements, etc. into other languages for simultaneous release.

## **ARTICLE XI - International Affiliation**

Federation of Petanque U.S.A., Inc. is affiliated with La Fédération Internationale de Petanque et Jeu Provençal (FIPJP); as a member, it will adhere to the rules, regulations and responsibilities related to this voluntary affiliation.



# Bylaws

## OF THE FEDERATION OF PETANQUE U.S.A., INC.

### ARTICLE I - General

The name of this organization is Federation of Petanque U.S.A., Inc. (hereinafter referred to as "FPUSA").

The FPUSA Bylaws specify organizational and operational details for the implementation of objectives and activities required or authorized by the Constitution of the Federation of Petanque U.S.A., Inc.

### ARTICLE II - Membership, Dues and Fees

The FPUSA has two types of membership: Club Affiliation and Individual Membership. These are addressed respectively in Section A and Section B.

#### *SECTION A - Club Affiliation*

1. The President of FPUSA is authorized to extend provisional affiliation to any club upon satisfactory application and payment of the first-year's dues and fees. Club membership applications may be reviewed for suitability and may be rejected, or restricted, for any reason which demonstrates to a majority of the Board that such applicant is not suitable for membership, by a majority vote of the board of directors. This decision is not subject to appeal or hearing.
2. Full affiliation of a provisionally affiliated club is conferred only by vote of the Board of Directors.
3. A provisionally affiliated club has the same rights and privileges of a fully affiliated club except for the right to vote for Officers and Counselors of FPUSA.
4. In considering a club for full FPUSA affiliation, the Board of Directors will assess the likelihood that the club will carry out a continuing program of Petanque activities, based on all relevant factors including but not limited to its prior achievements and its organizational strength. In the case of a new club without prior history, the Board may delay the vote on full affiliation until the club has had sufficient time to demonstrate its viability and all other factors having a bearing on its membership.
5. In the case of an application from a club located close to an existing club affiliated with FPUSA, the existing affiliated club must be consulted by the President or Board of Directors before any affiliation action, whether provisional or final, is taken on the application.
6. Application forms for club affiliation must bear the signatures of eight (8) or more club members, including the President of the club. The applicant club agrees to uphold the purposes of FPUSA and agrees to abide by the FPUSA Bylaws, applicable rules of the game and Code of Behavior.
7. All applications shall be submitted in form acceptable to FPUSA. An application for FPUSA club affiliation must be accompanied by remittance of established annual dues and fees for the club and for individual members of the club. In the event that the application is denied, all remittances will be returned.
8. All clubs affiliated with FPUSA must grant individual membership to applicants without regard to race, creed, color, nationality, sex, religion, age or physical handicap. After the first year of affiliation, all clubs must register a minimum of 12 members in order to maintain their FPUSA affiliation.
9. FPUSA Club dues and fees shall be in an amount established by the Board of Directors.
10. Each FPUSA club must submit its members' names, contact information and such personal information as required by FPUSA to allow communication and in order that FPUSA may issue player licenses which conform to FIPJP standards. This information, in a format acceptable to the Treasurer and Secretary, must accompany all new memberships and renewals submitted to FPUSA.

A standard FPUSA approved sports waiver will be signed by each individual club member and the original submitted to the FPUSA Secretary.

11. Annual FPUSA dues and fees for club memberships extend from January 1 through December 31 of each calendar year. A club joining FPUSA after Labor Day shall be considered paid through the next calendar year. Annual dues and fees are payable to FPUSA on January 1, and are in arrears if not paid by the due date established by the Board of Directors. Fines or additional fees may be imposed by the Board of Directors and any member club in arrears for failure to pay its dues shall not be in good standing.
12. Only affiliated clubs in good standing have voting rights.

### ***SECTION B - Individual Membership***

In accordance with the affiliation agreement with the FIPJP, memberships in the FPUSA may be issued to American citizens, regardless of country of residency, and to foreign nationals who are resident in the United States, providing that persons in either category are not also members or license holders of another FIPJP affiliated federation.

1. There are two categories of Individual Membership: (a) Club Membership and (b) Independent Membership.
  - a) Club membership is available through any FPUSA-affiliated club. All those individuals belonging to the club shall be listed on the club membership rolls which are submitted to the FPUSA. The club will send personal information, a signed liability waiver and digital photo for each member as may be required by the FPUSA in order to issue a membership card (license) that conforms to the standards of the FIPJP. All club members shall be licensed by the FPUSA unless they belong to another FIPJP national federation.

Clubs may offer “associate memberships”, “secondary memberships”, “supporting memberships”, etc, which do not require reporting to the FPUSA. These or any other types of memberships that a club may choose to offer are for those who already possess a valid FPUSA or FIPJP license.
  - b) Independent membership is available to those who live more than 100 miles from an existing club (as measured by a mapping program such as Google Maps™, or Mapquest™) and who do not choose to join an affiliated club. Independent members do not have a vote on matters that concern FPUSA and its affiliated clubs, but otherwise have full rights and privileges, including eligibility in the FPUSA Regional Tournaments within the region where they live. All clubs are, however, encouraged to allow participation of visiting Independent Individual Members in their activities.
2. Applying for membership carries with it no rights or entitlements to membership and the decision of the Board shall be final and not subject to hearing or appeal. No person shall be considered a member of the FPUSA until he/she has submitted an application for membership, the application has been reviewed by the FPUSA, the applicant has submitted a signed liability waiver, and dues, and the FPUSA has issued and delivered to the applicant a properly formatted license. Applications for first-time membership or for former members who have not renewed for a year or longer, may be reviewed for suitability by the Board of Directors. Membership applications may be rejected, or restricted, by a majority vote of the Board of Directors. The decision of the Board shall be final and not subject to hearing or appeal.
3. Annual FPUSA dues and fees, both individual and club, extend from January 1 through December 31 of each calendar year. A person joining FPUSA after Labor Day shall be considered paid throughout the calendar year of the following year. Normally, annual dues and fees are payable to FPUSA on January 1.
4. Annual dues shall be established by the Board of Directors and shall include the fee for individual membership in La Fédération Internationale de Petanque et Jeu Provençal (FIPJP). The Board may approve other fees and assessments which shall be due and payable as set forth in the motion or resolution approving them.
5. Absent an emergency, no raise in dues shall take effect for a given year unless all Clubs are informed of the raise at least Ninety (90) days prior to the date of commencement of that dues year.

## **SECTION C - Arrears In Dues**

1. Membership dues are payable January 1<sup>st</sup> of a given calendar year. A valid license for the year will not be issued until payment is received by the FPUSA Treasurer. All membership privileges including the right to play in closed tournaments sponsored by FPUSA or by La Fédération Internationale de Petanque et Jeu Provençal are suspended until dues are received.
2. The Board of Directors may enact regulations, by simple majority vote, allowing for penalties for late or non-payment of dues. The penalties may include monetary levies or loss of certain member privileges over and above that stated in Article VIII, Section B-B of these Bylaws.
3. If a delinquency continues through December 31, the delinquent party will automatically become a nonmember of FPUSA and dropped from the membership roll.
4. Any club or member suspended because of delinquency in dues will be reinstated to full privileges upon payment of the amount delinquent. A club or member dismissed because of delinquency in dues must reapply for membership. In the case of dismissal of a club membership, re-affiliation must be voted by the Board of Directors in the same manner as a new applicant for club membership.

## **ARTICLE III - Board of Director Meetings**

1. Meetings of the Board of Directors shall be held in general conformity with Robert's Rules of Order.
2. Except for Special or Emergency Board meetings, a preliminary agenda shall be provided to the Directors at least two weeks (14 days) in advance of any meeting. In cases where significant issues arise after the release of the agenda, the meeting agenda may be amended at any time by the Chairman, with notice to the Board Members whenever possible. In the case of a Special or Emergency Meeting, the business shall be limited to the agenda set forth on the notice of the meeting provided to the Directors.
3. Minutes of meetings shall be kept by the Secretary and distributed to Directors of the FPUSA within one month (30 days) after any meeting.
4. Passage of all motions of the Board of Directors shall be by a majority of the quorum votes represented at the meeting, or pursuant to other authorized business procedure, except for actions specified by the Constitution as requiring a different vote or as required due to prior actions taken under Article III, Item 5 of these Bylaws.
5. The Board of Directors may pass motions by majority vote requiring specific actions to require a 2/3 or 3/4 majority, except for actions specified by the Constitution as requiring a different vote.
6. The President shall serve as Chairman of the Board of Directors meetings; in his absence, the Vice-president shall preside.
7. The meeting Chairman shall be allowed to cast a vote on all matters coming before the Board and shall not be limited to serving as a tiebreaker.
8. Following are the general responsibilities of the Chairman presiding at the Board meeting:
  - a. Determine, at the start of the meeting, if a quorum is present and which Directors are present (or properly represented) and eligible to vote.
  - b. Maintain order.
  - c. Explain and decide all questions of order.
  - d. Entertain only one motion at a time.
  - e. Announce all business.
  - f. Elicit clear and proper statement of all motions.
  - g. Prevent anyone from debating a motion before it is stated and seconded.
  - h. Encourage full discussion, allowing all attendees the right to be heard but encouraging brevity to provide time for all.
  - i. Use "general consent" where routine matters are considered, inviting objection and taking a vote only in the event that an objection is voiced.

9. At a Board of Directors meeting wherein a provisionally affiliated club is to be considered for full affiliation, this item shall be accorded priority in the order of business, as indicated in Article II, Section A, of these Bylaws.
10. The annual meeting of the Board of Directors, as called for in the Constitution, should normally be held in conjunction with the FPUSA World Championship Qualification Tournament, at a time and place convenient for Directors attending that tournament. This meeting may be changed to a different time and place if agreeable to a majority of the Board of Directors.
11. Business of the Board of Directors may be transacted by email at the convenience of the Board. Such business shall be distributed in motion form to all Board members. Absent the need for immediate action or for an extended discussion period, the Board shall deliberate and discuss the matter for a 30-day period, after which time a motion calling for a vote may be presented. Any discussion period other than thirty (30) days, must be included in the motion or in an amendment to the motion. In conducting email business the President shall exert his or her best efforts to elicit participation of all members of the Board. The result of the discussion and voting shall be recorded by the Secretary and distributed to the Board as a whole. Votes that are not clearly submitted as affirmative (YES or AYE, or similar), negative (NO or NAY, or similar) or ABSTAIN will not be recorded.
12. Attendance at meetings: Apart from members of the Board of Directors, the only persons allowed to attend Board of Directors meetings shall be members of FPUSA and others invited by the President of FPUSA, subject to space limitations. While in the meeting, persons other than officers and members of the Board of Directors shall not have the right to speak unless invited by the Chair, and no one except officers and counselors shall have the right to vote. Anyone attending a meeting must act in accordance with rules established by the Chair. The President may exclude anyone deemed by the Chair to be detrimental to the conduct of the meeting, and may close the meeting to only members of the Board under appropriate circumstances.
13. Voting. Pursuant to mandatory public law, all board members possess a right to vote on any matter that is properly subject to voting by the board. One member may authorize another director to vote for the member—by proxy—written notice by mail, telegram, fax, or electronic mail, or personal delivery to that director, who will be the holder of the proxy. The proxy vote will be considered valid provided that the member shall state, or submit information from which it can be determined, that the vote through proxy was authorized. Proxies must be presented to the Secretary or the presiding chairperson prior to the meeting in order to be valid. The President, or presiding chairperson at the meeting if the president is absent, shall determine the validity of proxy votes in case of conflict.

## **ARTICLE IV - Officers and Counselors**

1. The Officers of FPUSA shall consist of a President, Vice President, Secretary, Treasurer, and National Sport Director. These five (5) Officers and the Counselors comprise the FPUSA Board of Directors.
2. JOB DESCRIPTIONS

Position: **PRESIDENT**

Authority: Elected by the Clubs and derives his or her authority from the Constitution and Bylaws and the Board of Directors.

Accountable To: Being the Chief Executive Officer of the FPUSA, he or she is accountable to the FPUSA Board of Directors and membership for operation of the FPUSA in conformity with the Constitution and Bylaws and policies established by the Board of Directors. Supervises: Vice President, Secretary, Treasurer, Chairpersons of Standing and Special Committees, and the National Editor.

Other Important Relationships: Counselors, Presidents of FPUSA Clubs, President of the FIPJP and Presidents of other national federations.

Requirements to serve in the office of President:

1. Must be in at least one's sixth continuous year of FPUSA membership.
2. Must have served as an elected FPUSA officer or counselor on the Board for a minimum of three years.



Principal Areas of Responsibility:

1. Plans, organizes, directs and controls the day to day operations of the FPUSA.
2. Serves as chairperson of the Board of Directors. Prepares agenda for Board Meetings. Calls special meetings of the Board of Directors.
3. Directs the preparation of annual operating budget and insures the adherence thereto.
4. Oversees the preparation and implementation of a plan to promote the sport of Petanque in the U.S.A.
5. Implements policies and directives of the Board of Directors.
6. Serves as FPUSA's official spokesman, communicator and representative with the FIPJP and to other national federations.
7. Serves as the head of the FPUSA delegation to the annual International Congress, World Championship or designates a Chef de Delegation and delegates following this sequential order of selection: First, from the Board members; second from Club Presidents; then from the general membership according to his preference.
8. Authorized to cosign checks.
9. Extends provisional affiliation to new clubs.
10. Insures that FPUSA abides by its Constitution and Bylaws.
11. Approves uniform to be worn by players, coaches and Chef de Delegation to World Championships.
12. Reviews and approves FPUSA newsletters prior to distribution.
13. Approves all expenditures.
14. Appoints chairpersons of and members of Special Committees, and establishes their authorities, limitations, and duties.
15. Sanctions competitions not otherwise sanctioned by the Board of Directors.
16. Supervises election of officers and counselors.

Position: **VICE PRESIDENT**

Authority: Elected by the Clubs and derives his or her authority from the Constitution and Bylaws and the President.

Accountable To: President

Other Important Relationships: FPUSA Officers and Counselors

Requirements to serve in the office of Vice-president:

1. Must be in at least one's fifth continuous year of FPUSA membership.
2. Must have served as an elected FPUSA official for a minimum of two years.

Primary Areas of Responsibility:

1. In the absence of the President serves as chairperson of the Board of Directors.
2. In the absence or disability of the President performs duties of the President.
3. Authorized to cosign checks.
4. Should the President not plan to attend the Annual International Congress and World Championship, the Vice President shall head the delegation.
5. Undertakes special assignments made by the President.
6. Serves as a member of FPUSA's Board of Directors.

Position: **SECRETARY**

Authority: Elected by the Clubs and derives his or her authority from the Constitution and Bylaws and the President.

Accountable To: President

Other Important Relations: FPUSA Officers and Counselors and Club Presidents

Requirements to serve in the office of Secretary:

1. Must be in at least one's fourth continuous year of FPUSA membership.
2. Must have served as an elected FPUSA representative, FPUSA Committee member, or as the FPUSA Membership Secretary for a minimum of one year.
3. Must have met the requirement of either:
  - a. served for a minimum of one year as either the secretary or treasurer in a FPUSA member club or in other nonprofit organization;  
— or —
  - b. have professional skills and experience commensurate with the position.

Primary Areas of Responsibility:

1. Records and distributes minutes of meetings of FPUSA's Board of Directors.
2. Assembles and maintains the archives of FPUSA.
3. Maintains list of names, addresses and telephone numbers of all FPUSA Clubs, Officers, Counselors, Committee Chairpersons and general membership of Clubs. Computerizes lists and maintains mailing labels for the foregoing.
4. Maintains files of all official documents of FPUSA.
5. In the absence of the President and the Vice-president serves as chairperson of the Board of Directors.
6. Authorized to cosign checks.
7. Maintains list of those Clubs and individual members who are current in their dues.
8. Receives, records, and forwards to Treasurer all dues from Clubs and individual members.
9. Prepares and distributes official membership cards.
10. Serves as a member of FPUSA's Board of Directors.

Optional Appointment: MEMBERSHIP SECRETARY

The Secretary may appoint, with the approval of the Board of Directors, a Membership Secretary to serve concurrently with his/her term. The Membership Secretary may be dismissed by the Secretary, by the President or by a majority vote of the Board of Directors.

Requirements of the Membership Secretary:

1. Must be in one's third continuous year of FPUSA membership.
2. Must have the organizational and computer skills necessary to perform the required tasks.
3. Must have met the requirement of either:
  - a. served for a minimum of one year as either the secretary or treasurer in a FPUSA member club or in other nonprofit organization;  
— or —
  - b. have professional skills and experience commensurate with the position.

Duties of the Membership Secretary:

1. The Membership Secretary shall assist the Secretary in maintaining records, publishing and distributing licenses and other member-related items.
2. The Membership Secretary shall communicate with club presidents, the Treasurer and the Board of Directors on issues relating to individual and club memberships at the pleasure of the Secretary.
3. The Membership Secretary has no vote on the Board of Directors but may attend meetings and participate in official written communications when appropriate.

Position: **TREASURER**

Authority: Elected by the Clubs and derives his or her authority from the Constitution and Bylaws and the President.

Accountable To: President

Other Important Relationships: FPUSA Officers and Counselors and Club Presidents

Requirements to serve in the office of Treasurer:

1. Must be in at least the fourth continuous year of FPUSA membership.
2. Must have served as an elected FPUSA official for a minimum of one year.
3. Must have met the requirement of either:
  - a. served for a minimum of one year as either the secretary or treasurer in a FPUSA member club or in other nonprofit organization;  
— or —
  - b. have professional skills and experience commensurate with the position.

Primary Areas of Responsibility:

1. Establishes and maintains checking and savings accounts with reputable financial institutions that are insured by an agency of the U.S. Government.
2. Authorized to cosign checks.
3. Prepares disbursements for approval and signature.
4. Maintains records of all financial transactions including but not limited to invoices, canceled checks, bank statements, etc.
5. Prepares and presents financial statements consisting of Balance Sheet, Revenue and Expenditure Statement.
6. Provides relevant financial information to the President and assists him or her in preparation of an annual budget.
7. Serves as a member of FPUSA's Board of Directors.

Position: **NATIONAL SPORT DIRECTOR** (formerly called Chairman of the Sport Committee)

Authority: Elected by the Clubs and derives his or her authority from the Constitution and Bylaws.

Accountable To: Board of Directors and President

Other Important Relationships: FPUSA Officers, Counselors, Club Presidents and Organizing Committees of Competitions

Requirements to serve in the office of National Sport Director:

1. Must be in at least one's fifth continuous year of FPUSA membership.
2. Must have served as an elected FPUSA official OR as a member of the Sport Committee for a minimum of two years.
3. Must have served as an elected official in a FPUSA affiliated club for a minimum of one year.

Primary Areas of Responsibility:

1. Serves as Chairperson of the Sport Committee.
2. Together with other Committee members, proposes playing rules and tournament rules for FPUSA sanctioned competitions and the means of improving the quality of play to the Board of Directors for approval.
3. Enforces FPUSA international rules and regulations of Petanque for all FPUSA sanctioned competitions.
4. Designates Sport Committee persons or other qualified representatives to be on site during each FPUSA sanctioned competition to: a) monitor play to insure conformity with international rules and regulations, b) maintain an accurate record of the play, a copy of which shall be delivered to the

FPUSA President upon completion of the competition, c) interpret the international rules and regulations of Petanque, and d) serve as Umpire.

**Position: REGIONAL COUNSELOR**

Authority: Elected by the Clubs (by Region) and derives his or her authority from the Constitution and Bylaws.

Accountable To: Board of Directors

Other Important Relations: FPUSA Officers and Counselors

Requirements to serve in the office of Counselor:

1. Must be in at least one's third continuous year of FPUSA membership.
2. Must have served as an elected official in a FPUSA affiliated club for a minimum of one year.

Primary Areas of Responsibility:

1. Represents FPUSA members in an ombudsman sense, i.e., presents complaints, suggestions, etc.
2. Serves as a member of FPUSA's Board of Directors.
3. Promotes the sport of Petanque.
4. Encourages clubs to hold competitions.

**REPLACEMENT OF OFFICERS AND COUNSELORS**

Should any Board Member resign or be unable to complete his/her term of office for any reason, the following procedures shall govern how replacements are selected and approved. All replacements except for that for President must be approved by majority vote of the Board of Directors

1. **PRESIDENT:** The Vice President shall fill the post until the next regularly scheduled Presidential election.
2. **VICE-PRESIDENT:** The President shall nominate a qualified Member of the Board to fill the post until the next regularly scheduled Vice-presidential election.
3. **SECRETARY OR TREASURER:** The President shall nominate a qualified Member of the Board, or a qualified member-in-good-standing of the FPUSA, to fill the post until the next regularly scheduled election.
4. **NATIONAL SPORT DIRECTOR:** The President shall nominate a qualified Member of the Board, or a qualified Sport Committee member, to fill the post until the next regularly scheduled election.
5. **REGIONAL COUNSELOR:** Any Board Member who lives in the region for which there has become a vacant seat may nominate a candidate to fill the position. In the case of multiple candidates, the seat shall be filled by the candidate who draws the most votes from the Board of Directors.

**ARTICLE V - Special Committees**

1. Special Committees may be set up and activated at any time by a majority vote of the Board of Directors or by written notice of the President. Upon a Special Committee's activation, the purpose, membership and scope of operations shall be established in writing along with the term of the committee's existence. "Term" may be defined either as a specified duration of time or until accomplishment of stated objectives. Documentation should be by letter to Committee chairmen and members when appointed. The President or the Board shall provide the Committee and its members in writing with the Committee's objectives, authorities, limitations, budgets, and other factors relating to its initial operation. All such Committees serve at the pleasure of the Board, and may be created, modified, or dissolved by the Board.
2. In the case of Special Committees, the appointing authority may appoint by name all members of the Committee or alternatively may appoint only the chairman of the Committee and allow him or her latitude to appoint the remaining members of the Committee. All committee members and chairs must be approved by a vote of the Board of Directors.

## **ARTICLE VI - Standing Committees**

1. Standing Committees shall be set up by the FPUSA Board of Directors only. Upon the Standing Committee's establishment, the Board should indicate the term for Committee members.
2. There are three (3) Standing Committees that have permanent existence: the Sport Committee, Communications Committee and the Discipline Committee.
3. A. THE SPORT COMMITTEE

The Sport Committee consists of the National Sport Director, who is elected by the Clubs for a two-year term, and five (5) other members appointed for one year terms (or dismissed) by the Chairman with approval by the Board of Directors. In general the function of this Committee involves all sport-related matters of FPUSA. The Committee is responsible for proposing playing rules and tournament rules for FPUSA title competitions and means of improving the quality of play to the Board of Directors for approval. It is also responsible for enforcing the rules and documenting the play at every FPUSA title tournament. Other responsibilities of the Sport Committee are indicated in ARTICLE VIII "FPUSA Title Tournaments."

Requirements of Sport Committee Members:

All members of the Sport Committee shall have demonstrated the following qualities prior to their appointment and approval: organizational skills, communications skills and experience in running tournaments and events and be in their third continuous year of membership.

Each Sport Committee member must assist the Chairman in at least one of the following areas:

- 1) tournament rules, formats and regulations,
- 2) promotion of the game (including youth development and outreach),
- 3) administration of the umpire corps,
- 4) tournament hosting bids,
- 5) running National and Regional competitions,
- 6) special assignments.

At least one member of the Sport Committee must be a regional or national umpire.

### **B. THE COMMUNICATIONS COMMITTEE**

The Communications Committee is chaired by the FPUSA Secretary. The committee is responsible for all official FPUSA communications among the Board of Directors, with member clubs and with the FIPJP and its member federations. The committee shall publish a newsletter, as warranted, and maintain the official FPUSA website. The committee shall oversee all official FPUSA communications with outside entities and the general public, including promotion of the game of petanque.

### **C. THE DISCIPLINE COMMITTEE**

1. The Discipline Committee and its Chairman shall be appointed by the President and approved by majority vote of the Board of Directors at the beginning of each calendar year. The committee is responsible for processing disciplinary complaints that are referred to it by the President or by majority vote of the Board of Directors. The committee shall consist of three (3) members in good standing of the FPUSA.
2. In cases wherein a conflict of interest, or appearance thereof, may be of concern, a motion must be passed by the Board of Directors to replace any committee member by majority vote. The replacement may be approved in the same motion or a second motion may be drafted to appoint and approve a new committee member. The relieved committee member will resume the duties of the post once the matter which was deemed in conflict is resolved.

## **ARTICLE VII - Finances**

1. The Treasurer is responsible for setting up a checking account in the name of the FPUSA in a conveniently located bank in which the account will be insured by an agency of the U.S. Government. The account should authorize signing of checks by any of the FPUSA Officers but require two (2) Officers' signatures on every check. In general checks are signed by the Treasurer and countersigned

by the President but any alternatives resulting in two Officers' signatures are permissible if either the President or Treasurer is disabled or cannot conveniently sign when obligations become due.

2. Whenever possible disbursements should be by check for purposes of record and control.
3. The Treasurer should deposit all receipts in the FPUSA checking account.
4. The Treasurer should maintain clear bookkeeping records of all financial transactions and should maintain a file of all related documents, copies of invoices, etc.
5. The Treasurer shall reimburse Officers, Directors and Committee members for expenditures on behalf of the FPUSA to the extent that the expenditures are authorized in advance. Expenditures may be authorized by the Board of Directors and also by the President within the limitations of the Federation's approved budget.
6. The Treasurer in conjunction with the Secretary shall maintain a list of FPUSA members who are current in their dues. He shall receive all dues remittances and either he or the Secretary shall distribute membership cards upon members' payments of dues.
7. The Treasurer shall provide a financial report at the annual meeting of the Board of Directors indicating current financial condition and income and expenditures since the last meeting. A year-end report shall be provided to the Board of Directors at the beginning of each year.
8. When approved by the Board of Directors, the annual budget constitutes the official guideline for FPUSA expenditures. No expenditure category shall be exceeded except by authorization of the Board of Directors.

## **ARTICLE VIII - FPUSA Title Tournaments**

### ***A) Title Tournaments are FPUSA Championships held at the Regional or National level.***

1. The Sport Committee is responsible for implementing and maintaining guidelines that manage the process of site selection for FPUSA Title Tournaments. These guidelines establish a timetable for soliciting and approving regional clubs to act as host sites and identify criteria for qualification as a host club.
2. Before and during the playing year the Board of Directors will designate competitions hosted by member clubs.
3. All participants in FPUSA Regional Title Competitions must hold current FPUSA licenses unless the Region in which they live chooses through an FPUSA approved process to modify this requirement for its Regional Tournaments.
4. A former FPUSA member whose dues are in arrears or a player who has transferred from another Petanque Federation must obtain a current FPUSA license and otherwise be in good standing as a member at least thirty (30) days prior to competing in any National or Regional Competition.
5. New members who have joined the FPUSA at least thirty (30) days prior to the competition may participate in these tournaments. Regions may decide through an FPUSA approved process to reduce or eliminate this requirement for its Regional Competitions.
6. All FPUSA members who renew by January 1, or any other due date established by the Board of Directors, will be considered to have fulfilled their license holding requirement for the entire year.
7. The FPUSA may also host promotional "Open" competitions where FPUSA membership will not be required.
8. All FPUSA Title and "Open" Tournaments shall be conducted in accordance with the FPUSA's and FIPJP's official regulations.
9. At least one member of the Sport Committee, or a qualified representative appointed in writing by the Committee, will be on-site during each Title Tournament; and shall monitor play to ensure conformity with competition regulations.

## ***B) World Championship Qualification Tournaments***

(Senior – Women – Junior)

FPUSA shall select its representatives to the World Championship in conformity with those rules of the FIPJP that are binding on all national federations.

### **1. MEMBERSHIP**

All members of the FPUSA are eligible to compete in the World Championship Qualification Tournament provided that:

- a. He/she must have been a FPUSA member for at least 3 months prior to the event and 6 months prior to the World Championship for which the Qualifier is held. All FPUSA members who renew prior to January 1, or any other due date established by the Board of Directors, shall fulfill their license holding requirement for this event.

– and –

- b. He/She has not been a member with any other Federation during the five (5) years preceding the World Championship for which the Qualifier is held.

### **2. CITIZENSHIP**

In accordance with FIPJP regulations there are citizenship requirements for every team that competes in the Qualification. Each team must include at least 2 U.S. citizens by birth or naturalization.

The 3rd member may be a non-citizen provided that:

- a. He/She meets all of the membership requirements of this Article: VIII-A-3 thru 6 & VIII-B-1 (above)

– and –

- b. He/She is a legal resident of the U.S. and is able to travel to the World Championship if qualified. The Board of Directors shall have jurisdiction over any conflict or challenge. A challenged player shall have the opportunity to demonstrate, including providing appropriate documentation, that he/she is a resident and able to travel abroad.

### **3. PRE-REGISTRATION**

Pre-registration is a requirement for this event. The Pre-registration Form will be provided by the Sport Committee and will specify the closing date. Every Non-Citizen who participates in the Qualification Tournament must provide the FPUSA with proof of U.S. Residency at the time of Pre-registration. All other players must sign the Pre-registration form verifying U.S. citizenship. There will be no exceptions. In the event any contestant falsifies the Pre-registration Form, he/she will be disqualified and will be suspended from participation in any FPUSA event for a period of 3 years.

### **4. NOTIFICATION**

The Qualifying team must notify the Sport Committee of its intent to attend the World Championships four (4) Months prior to the date of the World Championship or by July 5th in the year in which the team is going to the World Championship (whichever comes first). At this time stipends provided by the FPUSA or other sponsors together with prize money withheld from the Qualification will be forwarded to the captain of the team.

### **5. TEAM USA IN THE WORLD CHAMPIONSHIPS: RESERVE PLAYER AND COACH**

- a. Within 2 months of winning the Qualification, or 30 days in advance of the FIPJP submission deadline (whichever comes first), the captain of the qualifying team shall in consultation with the Sport Committee select a Reserve Player to complete Team USA. Criteria for the selection of the Reserve Player may only be determined by the Board of Directors, with recommendations from the Sport Committee, and must be in accordance with all FIPJP regulations.
- b. In the event that a player of the qualifying team decides not to participate in the World Championships the captain of the qualifying team shall select a replacement in consultation with the President of the FPUSA. In the event that two of the original Qualifiers drop out, the qualifying team is disqualified, and the Sport Committee shall replace this team with at least 2 of the original members of the 2nd place team, the 3rd place team, or finally the 4th place team – in that order. Having exhausted these choices, the Sport Committee shall select a team.

- c. Within 2 months of winning the Qualification, or 30 days in advance of the FIPJP submission deadline (whichever comes first), the Sports Committee, in consultation with the captain of the qualifying team shall appoint a Coach. The Coach must be a member of the FPUSA in good standing, be chosen for experience and knowledge of the game and shall direct the workings of the team.
- d. All player selections and Sport Committee decisions and appointment are subject to approval by the Board of Directors.

#### F. PENALTY FOR NON-ATTENDANCE

Any player who drops out of the World Championship without proof of a valid emergency as determined by the Sport Committee will be disqualified from participation in the following Qualification Tournament. Due process requires that prior to any Sport Committee ruling, the individual(s) in question must be summoned to submit a written statement of explanation or defense. Failure to submit a written statement is considered cause enough for summary action. Any action that the Sport Committee recommends must then be approved by the Board of Directors.

### **ARTICLE IX - Communications With Clubs, Officers And Members**

1. The President of FPUSA shall communicate with member club presidents on a regular basis by a President's Bulletin or Letter.
2. The central office of FPUSA, through its Communications Committee, shall communicate with individual members by a Members' Newsletter.

### **ARTICLE X - Insurance**

The Board of Directors is authorized:

1. To contract for liability insurance covering FPUSA members and clubs, as well as the FPUSA corporation, for incidents likely to cause liability to the FPUSA and/or member clubs occurring in the course of playing Petanque.
2. To require FPUSA-sanctioned insurance as a condition of membership.
3. To include the cost, equally apportioned among all FPUSA members, as part of the regular dues or fees.

Membership in the FPUSA and FIPJP requires all petanque players to be covered by Third Party Liability Insurance. As required by the Insurance Carrier, FPUSA Clubs shall secure a signed Waiver of Liability form from each individual member as a required condition for FPUSA membership. The FPUSA Secretary will inform the clubs of their responsibilities in administering the waiver program and meeting the coverage conditions imposed by the FPUSA's insurer.

All waivers must be in a form approved by FPUSA and its insurer.

### **ARTICLE XI - Hall of Fame**

A Petanque Hall of Fame is instituted to honor significant contributors to Petanque in the U.S., either because of outstanding play or service. No more than one person is admitted each year. Nominations will be solicited periodically from Club Presidents.

### **ARTICLE XII - Code of Behavior**

- A. FPUSA members shall behave in such a manner so as not to discredit the sport of Petanque, the clubs of which they are members and the FPUSA. Respect, integrity, good sportsmanship and courtesy should characterize one's behavior toward club members, teammates, opposing teams, the umpire, the organizing committee and spectators.
- B. In any public forum, no FPUSA member shall in writing or in speech, harass, insult, defame or traduce FPUSA members or officials, or otherwise conduct him/herself in a way that reflects negatively on FPUSA.



- C. While communication between club presidents and their elected representatives is encouraged, harassment, personal attacks and abuse by a member which may impede the business of the Board of Directors or its appointees may result in warning to the offending member. If the warning is not complied with the member may be sanctioned, suspended or expelled as provided in the FPUSA Constitution (Article III, Item 4).
- D. At all FPUSA-affiliated tournaments (i.e., all tournaments that are hosted or co-hosted by FPUSA clubs and carry FPUSA insurance, as well as all FPUSA Title Tournaments) all participants are required to exhibit good sportsmanship toward their teammates, their opponents, tournament organizers, officials and spectators.

The following are violations of the Code of Behavior:

1. Foul or abusive language and/or actions directed toward another person be it Player, Umpire, Organizing Committee Member or Spectator.
2. Smoking or drinking of alcoholic beverages while playing in a match whether the player is on or off the terrain.
3. Any illegal behavior on or off the terrain, including but not limited to, public intoxication and illegal drug use.
4. Ridiculing the play of another person or acting in a way that demeans another player or disrupts the game or the tournament.
5. Improper attire as determined by FPUSA, the organizing committee and/or local ordinances.
6. Disobeying rules established by the Organizing Committee for the competition.
7. Not adhering to the direction of the umpire.

While member clubs may adopt more stringent regulations as they deem necessary, all member clubs must at a minimum enforce this Code of Behavior at their tournaments. Failure to do so could be grounds for sanctions against a member club, up to and including loss of FPUSA affiliation.

The requirement to uphold the FPUSA Code of Behavior does not preclude any club from using alternative tournament formats and organizing conventions that are not described in the official rules of the game at its tournaments (e.g. requirements on age, gender or experience level of the participants, team composition and handicaps, the number of boules per player, the number of points in a game — to name a few). As a courtesy to members, clubs should announce any such variations in advance.

#### E. COMPLAINTS

Complaints must be made in writing (English) by the Umpire, the Organizing Committee or any two FPUSA members to any FPUSA Board Member. The complaint may be referred to the Chairman of the Discipline Committee in one of three ways:

1. The President may refer the complaint directly to the Discipline Committee.
2. The Board Member who received the complaint may request that the President refer the complaint to the Discipline Committee.
3. The Board Member who received the complaint may make a motion for the complaint to be referred to the Discipline Committee. This motion must be seconded by another Board Member. In this case, the complaint is referred to the Disciplinary Committee by a majority vote of the Board of Directors.

If a complaint is judged to be without merit or otherwise is not referred to the Discipline Committee by way of items 1, 2 or 3 above, it shall be dismissed, and the member notified of the dismissal.

#### F. INVESTIGATION OF COMPLAINTS

1. The complaint to the Discipline Committee shall identify those filing the complaint, the subject of the complaint, of what the complaint consists, and evidence supporting the complaint including names and witnesses.
2. The Discipline Committee shall investigate the complaint.
3. All notifications to the person who is the subject of the complaint, and all notifications to all others who are asked to respond to the complaint shall be in writing and shall allow a reasonable

time for response by written statements in defense of the complaint. The discipline committee shall determine what constitutes a reasonable time. There is no right to a live hearing.

4. The Chairman of the Discipline Committee will present the Committee's findings and/or recommendation to the Board of Directors.
- G. The decision to implement disciplinary action against a member rests with the Board of Directors whose decision, by a simple majority vote, shall be final and binding for the duration of the penalty unless it is rescinded as described in "H" (below).
- H. APPEALS. The decision of the Board of Directors of the FPUSA is final. Only the Board of Directors of the FPUSA may consider an appeal from their decision. An appeal from the Board's decision can only take place under the following conditions:
1. A minimum of one-third (1/3) of the members of the Board of Directors, including the majority of the disciplined member's Regional Counselors, must petition the President to reopen a case.
  2. The President shall then call for a vote by the Board of Directors to reopen a case.
  3. A majority vote of the Board of Directors is necessary to reopen a case.
  4. The President may elect to refer the matter to the Discipline Committee for further consideration or the appeal may be decided by the Board directly. With either method, the process described in "F-3" above shall be followed.
  5. Whether acting on a recommendation by the Discipline Committee or direct Board deliberation, a two-thirds (2/3) majority vote of the Board of Directors is required to rescind or reduce any penalty. A penalty may not be increased as a result of this appeal process.
  6. If the appeal is not completed by the end of the Board's term, the matter is dropped and will not be considered by the next board unless conditions "H-1" through "H-3" are once again met.
  7. Once an appeal has been considered and ruled on by the Board, it is final for all purposes.

I. WORLD CHAMPIONSHIPS AND INTERNATIONAL COMPETITIONS

The FIPJP Statutes and Regulations impose obligations national Federations must adhere to regarding the behavior of their players. For members of FPUSA delegations to World Championship and those members participating in International Competitions there are additional conditions required by the Code of Behavior:

1. First and foremost, they, as members of the FPUSA Delegation, represent the United States of America. Actions of each member of the delegation reflect upon the nation and its people. This responsibility is not to be treated lightly.
2. FPUSA's Code of Behavior during the days of the World Championship and other International competitions, applies not only while one is on the court but off the court as well—from the day one arrives to the day one departs.
3. The Chief of Delegation has the responsibility for monitoring the behavior of the delegation members. Should he/she determine that any member of the delegation has violated the FPUSA's Code of Behavior, he/she shall file an official complaint to the FPUSA's Board of Directors for consideration.