

AMERICAN KNEEBOARD ASSOCIATION

BYLAWS
2004



USA
WATER SKI

AMERICAN KNEEBOARD ASSOCIATION
BYLAWS

This Bylaws document represents a consolidation of the original bylaws adopted in January of 1988, and amendments adopted by the AKA Board of Directors on the following dates:

October 23, 1988
January 27, 1990
October 13, 1991
January 16, 1993
November 7, 1993
November 12, 1993
February 20/21/1994
February 10/11/1996
August 7, 1997
August 14, 1998
January 22, 2000
February 10, 2002
January 17, 2004

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All references to "his" or "he" will imply "his/her" or "he/she".

ARTICLE 1. NAME:

The name of the organization shall be the AMERICAN KNEEBOARD ASSOCIATION and shall be abbreviated as "AKA". This organization is a sport discipline of "USA-Water Ski", Inc., the abbreviation of which is "USA-WS". USA-WS is the national governing body of water skiing in the United States.

ARTICLE 2. PRINCIPAL OFFICE:

The office of the association shall be the address of the current President of the AKA.

ARTICLE 3. CHARTER:

The AKA was established in November of 1983, and was incorporated in Jefferson City, Missouri on April 7, 1986.

ARTICLE 3 A.

On January 18, 1988, the American Kneeboard Association affiliated with the American Water Ski Association as an autonomous sports discipline, allowing the AKA to be represented by one voting member on the AWSA Board of Directors. On January 2, 1999 the American Water Ski Association (AWSA) Board of Directors ratified a motion to reorganize the national governing body for the sport of water skiing in the United States as USA-Water Ski. As a sport discipline of USA-WS, AKA is guaranteed representation and voting power on the USA-WS Board as defined in USA-WS Bylaws Article VI, Section A2(a).

The AKA shall be recognized as the nation's leading authority on competitive kneeboarding. The AKA will remain autonomous regarding rules and regulations, establish policies and procedures for competition, and general operation of all programs that directly involve the general membership of the AKA. Members of the AKA will pay annual dues directly to USA-WS and will be identified as AKA members, and will be included in all USA-WS programs as part of this membership.

ARTICLE 4. PURPOSE:

The purpose of this organization is to help introduce people to the fun sport of competitive kneeboarding, provide consistent and fair standards for competitive events, and to help educate the public on ways to have more fun and generally improve individual skills in kneeboarding.

ARTICLE 5. MEMBERSHIP:

General membership in AKA/USA-WS shall be open to any individual interested in kneeboarding without discrimination subject only to payment of AKA/USA-WS dues directly to USA Water Ski, Inc.

Section A.) Voting rights are limited to those members eighteen (18) years of age or older.

Section B.) Special classes of membership without voting privileges, i.e. associate membership, honorary membership, and other classes of membership, may be authorized and established by the Board of Directors on such terms and conditions, for such dues and with such reasonable rights and privileges as it may establish from time to time.

Section C.) There will be a minimum of one annual membership meeting and may be in conjunction with the AKA National Championships.

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ARTICLE 6. BOARD OF DIRECTORS:

The Board of Directors, herein sometimes referred to as the "Board", shall have full authority and power over the affairs of the AKA. The members of the Board, as a Board and individually, and the members for each permanent standing committee, as a committee and individually, are specifically held harmless by AKA and USA-WS and its membership for all actions taken in good faith on behalf of AKA and USA-WS, including omission, unless found culpable in a court of law of willful malfeasance, illegal activity or gross negligence, in which case AKA and/or USA-WS shall be entitled to recover any payments, costs or expenses incurred in the defense, compromise of settlement of any claims or suits against such member prior to such finding.

Section A.) Nominees to the Board of Directors must have served at least once as a member of a standing committee.

Section B.) Nominations to the Board must be submitted in writing to the nominating committee by October 1 of each year.

Section C.) The election ballot of proposed directors must be published to the general membership 60 days prior to the annual "Winter Board Meeting." Board members will be elected by the general membership by mail ballot and election results will be determined by majority rules.

Section D.) The Board shall consist of not less than 6, nor more than 11 elected members and shall consist of a minimum of 20% "elite athletes". For purposes of these Bylaws "elite athletes" are defined as athletes who have demonstrated their qualifications as athletes by:

- a. Demonstrating within the five (5) preceding years, that they actively engaged in amateur athletic competition by competing in the American Kneeboard Association National Championships Open Age Division - **OR**
- b. Demonstrating within the five (5) preceding years, that they actively engaged in amateur athletic competition by finishing in the top half of any age restricted division, excluding Jr. Girls, Jr. Boys, Girls, Boys, at the American Kneeboard Association National Championships - **OR**
- c. Within the five (5) preceding years finished in the top half of the National Overall Points System in any division, excluding Jr. Girls, Jr. Boys, Girls, Boys.

Section E.) Standard term for each director will be two (2) years, beginning at the annual Winter Board of Directors meeting.

Section F.) At such a time as regions are established, each region will have representation.

Section G.) Board member vacancy: Shall be filled by recommendation of the President to serve the remainder of the term. This recommendation must be approved by majority vote of the Board.

Section H.) The original founders of the AKA are Randy Andrus, Richard Brown, Lonnie Marchand, and Chuck Purdy. They are considered Lifetime Directors and shall have all of the rights and privileges of elected Directors, providing AKA/USA-WS membership is maintained and in good standing.

Section I.) A director serving a minimum of two full successive terms on the Board will be considered an

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“Honorary Vice President,” providing AKA/USA-WS membership is maintained and in good standing. An Honorary Vice President will receive copies of all agendas for Board meetings; minutes of all Board meetings; and special mailings via electronic mail. He will be eligible to attend all Board meetings as a non-voting member of the Board until he so chooses to seek reelection to the Board by a majority vote of the general membership.

Section J.) The Board will include among its members the Executive Director of USA-WS, or his designated representative(s) in a non-voting ex-officio capacity.

Section K.) The Board shall subscribe to the USA-WS written Code of Conduct and Ethical Practices which includes the requirement that each Officer, member of the Board, and each committee representative, annually agree in writing to abide by such code.

ARTICLE 7 A. OFFICERS:

The officers of the AKA are **CHAIRMAN OF THE BOARD, PRESIDENT, VICE PRESIDENT, SECRETARY, AND TREASURER.**

Once quorum has been established, the officers to the Board of Directors will be elected by a one at a time ballot from the Board and these elections will be held on the odd number year in conjunction with the annual Winter Board meeting.

Term of office will be for two years, beginning on the odd numbered year, at the Annual Winter Board meeting.

ARTICLE 7 B. DUTIES OF THE OFFICERS:

CHAIRMAN OF THE BOARD: The Chairman of the Board shall preside at all meetings of the Board of Directors. He shall call all regular meetings of the Board of Directors and shall establish the agenda. He may call special meetings of the Board at any time at his discretion. He may call for a mail vote at his discretion. He may appoint special Board committees at his discretion, providing they do not conflict with standing committees or special committees previously appointed by the President. He shall follow up on actions taken by the Board to determine that they have been implemented, and notify the Board of any failure of implementation. He shall do those things required to assist in the smooth and efficient operation of the Board of Directors.

PRESIDENT: The President will preside at all national meetings of the general membership. He shall present or have presented at this annual meeting of the membership a report regarding the condition of the AKA and statistical report regarding business affairs. He shall appoint all standing committees, subject to the article 8 of these bylaws, and may appoint special committees at his discretion, with the responsibility to instruct, advise, assist, and oversee the progress of these committees as ex-officio member of such committee. He may choose Board members or choose members from the general membership to act as special appointees, such as tournament coordinator, statistician, international activities coordinator, AKA/USA-WS liaison, national tournament coordinator, manufacturer’s liaison, and novice tournament coordinator. All appointments must be approved by the Board of Directors. The President may also serve as Chairman of the Board.

The President of the AKA may serve as the AKA representative to the USA-WS Board of Directors as a voting member, a two year term which starts in the even numbered year, or will designate another board member in his stead. The President will select additional representatives if so allocated and may appoint alternates. The President may appoint representatives to USA-WS committees, standing and special. He may also appoint alternates should the AKA decide to provide for alternates.

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VICE PRESIDENT: During the absence and/or inability of the President to render or perform his duties of exercise his powers, the same shall be executed and performed by the Vice President; and when so doing he shall have all the powers and be subject to all responsibilities hereby given to or imposed upon the Presidency.

SECRETARY: The Secretary is the recording officer of the AKA, shall keep minutes of the Board meetings, and is nominal custodian of its records. The Secretary will mail to each Board member a copy of the minutes of the meetings no later than 30 days after the meeting. He shall read all communications and attend to all correspondence of the AKA and carefully preserve the same for his successor.

TREASURER: The Treasurer shall have care and custody of all of the association's funds. He shall keep accurate records of all moneys received and disbursed, and shall deposit said moneys immediately into the bank selected by the Board. He shall present to the Board at the last yearly meeting a complete list of transactions of his office for the preceding year. He shall pay all bills associated with the AKA up to \$250.00. Anything in excess of \$250.00 must have approval from the President.

ARTICLE 8. STANDING COMMITTEES:

The President may establish standing committees. The committee chairman will be appointed by the President with Board approval. These committees will meet throughout the year and submit their proposals to the Board. The Board shall review each committee proposal, may add to or subtract from, or approve or disapprove with a majority vote. Board ratified proposals will be effective in 30 days, unless the committee disapproves or approves prior to 30 days. The President or Chairman of the Board has the right to call for a Board vote, in writing, at any time during the year, as it pertains to decisions by the committees.

DEVELOPMENT COMMITTEE

It is the responsibility of the Development Committee to implement and monitor a long range plan to increase and maintain membership in the American Kneeboard Association, increase the number of events and activities, and the number and quality of officials and skiers.

OFFICIALS AND DRIVERS TRAINING COMMITTEE: The responsibilities of the Officials Training and Drivers Training Committee are as follows:

- A. Establish basic requirements for Judges, Scorers, and Drivers
- B. Establish procedures for advancement
- C. Organize and implement long term Judge and Drivers development programs
- D. Coordinate with USA-WS a training publication and video

FINANCIAL COMMITTEE: It is the responsibility of this committee to establish an annual budget and to seek outside funding for the internal expenses incurred by the AKA, such as postage, phone, and general operating expenses.

SAFETY COMMITTEE: The Safety Committee has the responsibility for establishing guidelines for safety as it relates not only to equipment, but to the safe operation of tournaments.

NOMINATING COMMITTEE: The purpose of the Nominating Committee is to seek individuals to participate on the AKA Board of Directors. The Chairman of the Nominating Committee must be a member of the Board of Directors.

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RULES AND TECHNICAL COMMITTEE: The responsibilities of the Rules and Technical Committee are to annually review the tournament management procedures and rules, review new tricks submitted by the general membership, update the rule book every two years, seek input from the general membership regarding basic tournament format changes, and implement the following

- A. General information
- B. Tournament entry procedures and restrictions
- C. Divisions of competition
- D. Rerides and protest
- E. Tournament class definitions and requirements
- F. Officials
- G. Equipment safety regulations and requirements
- H. Towboat definitions and requirements
- I. Practice prior to tournaments
- J. National tournament registration and policies
- K. Two round and elimination tournaments
- L. Open division requirements
- M. Slalom event
- N. Trick event
- O. Novice events
- P. Diagrams

The Chairman of the Rules and Technical Committee will notify the Board of Directors, in writing, and in a timely fashion, regarding committee decisions and judgments on rules or technical interpretations. The Committee is responsible for maintaining a basic system for measuring ropes, handles, and AKA/USA-WS approved slalom and trick courses. The Technical Committee will also present a manual and training program for technical controllers for rating. In addition, this committee is responsible for establishing standard criteria for all "AKA approved" equipment. This will include establishing testing criteria for handles, ropes, straps, wet suits, kneeboards, and all other related equipment with approval from the Board.

TOWBOAT COMMITTEE: The Towboat Committee will work closely with USA-WS and will participate in the towboat testing as established by USA-WS. The committee is responsible for:

- A. Establishing guidelines for towboat participation at local and national tournaments
- B. Establishing basic criteria for towboats as it relates to the needs of kneeboarding

BYLAWS COMMITTEE: The responsibility of the Bylaws Committee is to accept proposed changes to the Bylaws from the membership, and to present this in writing to the Board of Directors at the "Winter Board Meeting." The Board shall approve or disapprove Bylaws changes in the form of amendments by a two thirds majority vote.

PERFORMANCE RECORDS COMMITTEE: The Performance Records Committee shall consist of three (3) regular rated officials and two (2) alternate delegates, who shall not be members of the same kneeboard or ski club. The Statistician will serve as chairman of the committee and may be a voting delegate. It will be the chairman's responsibility to oversee that policies and procedures are followed according to the AKA rule book.

ARTICLE 9. DUTIES OF COMMITTEES:

The duties of the standing committees shall be determined by the Board of Directors from time to time.

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ARTICLE 10. SPECIAL APPOINTEES:

The special appointees by the President will be responsible for the following:

MANUFACTURERS LIAISON: This person shall be responsible for direct contact with the water sports industry manufacturers, updating information that directly involves their participation, keeping kneeboarding news and information available to them, and updating their product information to the general membership via the newsletter. He will also solicit support for their participation in special funding programs where they will receive special recognition at tournaments and at AKA Nationals.

STATISTICIAN: The Statistician will be responsible for maintaining a complete list of members of the AKA, update all address corrections, keep a tally of all tournament scores, keep all individual scores, and continually update the individual information sheets. His statistics will be the authority for establishing eligibility for the AKA National Tournament.

NATIONAL TOURNAMENT COORDINATOR: The National Tournament Coordinator is responsible for overseeing the general operation of the National Championship. The President of AKA will automatically be appointed as the co-chairman of the National Tournament Committee.

TOURNAMENT COORDINATOR: The Tournament Coordinator will be responsible for the following:

- A. Establishing the AKA/USA-WS tournament application forms
- B. Updating all AKA tournament forms
- C. Establishing rules and regulations for applying for AKA tournament sanctioning
- D. Receiving all sanctioning applications for approval prior to mailing such to USA-WS for final acceptance
- E. Receiving all fees due to AKA, including late fees
- F. Establishing a National Tournament calendar and submitting such on a timely basis to USA-WS for inclusion in the USA-WS "Water Skier"
- G. Submitting tournament information to the various USA-WS regions for inclusion in the "Regional Guides"

USA-WS LIAISON: The USA-WS Liaison person will be responsible for communicating with USA-WS Headquarters and getting continuing updates on programs and policies as it relates to AKA.

ARTICLE 11. DUTIES OF THE SPECIAL APPOINTEES:

The duties of the special appointees will be determined by the Board of Directors from time to time and if a special appointee fails to fulfill his obligations, it is up to the President to reassign the position during his administration.

ARTICLE 12. MEETINGS:

The Board of Directors will meet a minimum of two (2) times throughout the year, with the annual meeting being held in the winter, and the second in conjunction with AKA Nationals.

The Chairman will notify all directors in writing fifteen (15) days in advance of such meetings and include a tentative agenda. Notice of all Board meetings must appear thirty (30) days in advance on the official AKA web site. These meetings will be closed to the general membership. The general membership may appeal to the Board, in writing, twenty (20) days in advance of the meeting, if they wish to address the Board, and the President and Chairman of the Board have the right to grant special permission for such.

Three quarters of the number of elected directors in office, either physically present or present by proxy, shall constitute a quorum for the transaction of business; but less than a quorum present may adjourn any meeting

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from time to time until a quorum is present. Lifetime Directors may count for purposes of establishing quorum. If a director is unable to attend a meeting, he may submit a written vote by mail to each director on the issues at hand; may appoint a designate delegate, with Board approval, or another Board member, without Board approval; or may be contacted by phone to finalize a vote. The designate delegate will be limited to one proxy.

Section 1.) Any director that does not attend, in person, two (2) consecutive Board meetings will be terminated from the Board. This termination will be effective prior to establishing quorum at the second missed meeting of the Board. The director will be notified in writing from the President within 30 days of the termination.

ARTICLE 13. AMENDMENTS:

These Bylaws may be amended by a two thirds majority vote of the Board of Directors. The membership of AKA may appeal the revision(s).

ARTICLE 14. SUSPENSION OR EXPULSION

Section A.) A member may be disciplined, expelled or suspended for Unsportsmanlike conduct, any willful violation of AKA and/or any other sport discipline, and/or USA-WS rules or procedures, failure to pay indebtedness; criminal or fraudulent acts; or any other act which is contrary to the objectives and purposes of the AKA, USA-WS, IWSF and /or USOC.

Section B:) Suspension or expulsion may be appealed and/or a grievance filed to the AKA per ARTICLE 15 and when the AKA Board of Directors has made a final decision, then the resolution shall be referred directly to USA-WS and resolved in accordance with USA-WS Bylaws Article IX. The resolution must be passed by a two-thirds majority of the Board of Directors.

ARTICLE 15: DUE PROCESS AND APPEALS

Section A.) Members shall have the right to due process including the appeal of actions or decisions by the AKA Board of Directors or its representatives, where AKA has ultimate jurisdiction and responsibility for the action or decision. The process in this Article must be used for membership suspensions or expulsions before being forwarded to USA-WS which has ultimate jurisdiction and responsibility. The member must check the definition of an Appeal in the USA-WS Bylaws Article IX.

Section B.) Appeals shall use the following process:

1. As soon as possible after receiving notice of an adverse decision, but in all cases within ten (10) days of such notice, a member who believes that such decision was arbitrary or unreasonable shall file a written appeal with the President of AKA. Failure to timely file such an appeal shall be deemed a waiver of any objection to the decision, and that decision shall then become final and non-appealable;

The written appeal shall include the following

- (a) The identity of the appellant;
- (b) The identity of the AKA representative responsible for the decision (appellee);
- (c) A statement identifying whether the appeal requires action within ten (10) days, and if so, the reasons why "urgent" attention is required;
- (d) Citation of the criteria, standards or other material which the appellant contends AKA was obliged to follow in rendering the decision at issue;
- (e) A short and plain statement of all facts which the appellant contends demonstrate his dissatisfaction of the selection criteria at issue, and any other facts which the appellant contends demonstrate that the decision was arbitrary or unreasonable;

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- (f) The signature of the complainant (and the signature of his parent or legal guardian if he is under eighteen(18) years of age).
2. Upon receiving the written appeal, the President shall immediately distribute a copy of the appeal to each Officer and Director.
 3. If the appeal is urgent (i.e., requires a decision within ten (10) days), the President shall convene a hearing via teleconference as soon as possible which shall include as many members of the Board as can be gathered for the emergency teleconference and shall also include the aggrieved member and the appellee if possible.
 4. If the appeal is not urgent, the President shall schedule a hearing either in person or via teleconference at the earliest time convenient for members of the Board, the aggrieved member and the appellee, and shall provide written notice of the date, time and type of hearing. Any person entitled to participate in the hearing may do so via teleconference.
 5. Notwithstanding anything herein to the contrary, if the urgency of the appeal requires a decision before a quorum of the Board can be gathered despite best efforts to obtain a quorum, then the decision of those Board members who were able to participate in the hearing shall be final, and shall not be subject to attack on the basis that a quorum was not present.
 6. Each party shall have the following rights during the formal hearing:
 - (a) To be assisted or represented by any member, or by legal counsel of the party's choosing;
 - (b) To call witnesses and present oral and written evidence and argument which the Board, during the hearing, deems relevant;
 - (c) To confront and cross-examine adverse witnesses; and
 - (d) To have an audio, video or stenographic record made of the hearing at the party's own expense.
 7. In any hearing conducted under this section, the Board shall affirm the decision at issue unless the aggrieved member proves by clear and convincing evidence that the decision was arbitrary or unreasonable. The decision of the Board is final and non-appealable within AKA unless expressly provided for elsewhere in these Bylaws.
 8. After a resolution has been reached and the Appeals process has produced a final decision, the President shall forward the results to the President of USA-WS for action under Article IX of the USA-WS Bylaws. The resolution must be passed by a two-thirds majority of the Board of Directors.

ARTICLE 16: GRIEVANCE PROCEDURE

Section A.) Any member of AKA may file a written grievance with the President of AKA alleging a violation of the AKA Bylaws or AKA rules, policies and procedures. The member must check the definition of a Grievance in the USA-WS Bylaws Article IX.

Section B.) The President of AKA shall present the Grievance complaint to the Executive Committee for action per the following:

1. In such instances, the Executive Committee shall appoint an investigating committee of a least three regular members of AKA, subject to the approval of the President. None shall be members of the Region where the Grievance occurred.

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2. The committee shall conduct a confidential investigation to determine whether any action is warranted. The committee will report, within 30 days, in writing to the President recommending a resolution. The President shall present the results of the investigation and the results of the committee determination to the AKA Board of Directors for final resolution.
3. The President shall enact the recommendation unless it is revised or overturned by a majority vote of the Board through a Grievance procedure.

Section C.) After a decision has been reached and the Grievance process has produced a final decision, the President shall forward the results to the President of USA-WS for action under Article IX of the USA-WS Bylaws. The resolution must be passed by a two-thirds majority of the Board of Directors.

ARTICLE 17. PARLIAMENTARY AUTHORITY:

ROBERT'S RULES OF ORDER , current edition, shall govern the AKA in all cases to which they are applicable, and in which they are not inconsistent with these Bylaws and any special rules of order which the AKA may adopt.

END

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