

Constitution and By-Laws of Toms River Chess Club Inc.

A 501(c)(3) Nonprofit Organization

ADOPTED: 4 December 2014

AMENDED: 1 February 2018, 15 July 2021,
19 August 2021, 28 July 2022, 10 November 2022, 14 December 2023, 22 August 2024,
27 February 2025, 14 May 2026

Submitted by: Nicholas R. Carlson

ARTICLE 1. NAME

The name of the club is the Toms River Chess Club, referred to as the TRCC.

ARTICLE 2. AFFILIATION

The TRCC is an affiliated member of the United States Chess Federation (USCF, USChess) and follows the rules of play and conduct code of the USCF.

ARTICLE 3. OBJECTIVES

The objectives of the TRCC are:

- A.** To play and promote the game of chess.
- B.** To facilitate and maintain regular meetings and events for the membership of the TRCC that is relevant to Objective A.
- C.** To operate as a self-sustaining, not-for-profit club.

ARTICLE 4. MEMBERSHIP

Section 1 - General Membership

Anyone who was not previously suspended or expelled from the TRCC may initiate or renew TRCC membership by:

- A.** Completing the necessary information on the club's application form.
- B.** Annually paying the membership dues in Q1 (January 1st - March 31st). The price of annual dues will be determined by the Board of Directors on an annual basis and announced during a Q4 board meeting in the previous year.
- C.** Paying prorated dues for new members joining during the year, as follows:
 - Q1 (January through March): Full price
 - Q2 (April through June): 25% off the annual set price

Q3 (July through September): 50% off the annual set price

Q4 (October through December): 75% off the annual set price

D. Adhering to the TRCC Constitution and By-Laws.

Compliance with the above requirements constitutes a member in good standing.

Section 2 - Family Membership

A family membership option is available for selection when applying for or renewing a club membership. This option allows existing or new members to include, at the time of purchase, a list of up to **seven** immediate family members (significant others, parents, parental guardians, children, siblings, grandparents, and grandchildren), who will automatically gain full regular membership in the club upon giving verbal or written consent.

Only the purchaser and **TWO** other family members may become voting members in a family membership plan. If the family membership exceeds 3 people in total, voting members must be specified by the purchaser of the family membership. The family voting members can be changed at any time at the request of the purchaser and the discretion of the president and or board.

The family membership list can be updated at the discretion of the President or the Executive Board at any time.

Family membership dues will be determined by the Board of Directors annually and announced at a Q4 board meeting for the following year.

Prorated dues for new family memberships during the year will be as follows:

Q1 (January through March): Full price

Q2 (April through June): 25% off the annual set price

Q3 (July through September): 50% off the annual set price

Q4 (October through December): 75% off the annual set price

Section 3 - Membership Renewal and Inactivity

If a member from the previous year fails to renew their membership before the start of Q2 (April 1st), their membership becomes inactive, resulting in the loss of all membership privileges.

Inactive members who choose to renew within three years of their membership lapsing may do so at the current year's full annually set dues price. After three years, they must submit a new application to rejoin the club as a new member.

Section 4 - Life Membership

The board may elect to grant life membership to members who have rendered exemplary service to the TRCC or the broader chess community. Life members are exempt from paying annual dues to maintain their membership in good standing.

All life memberships granted or purchased prior to August 15, 2024, will be honored.

Section 5 - Gifted and Discounted Membership

The President or the Board may grant any member an annual membership discount, initiate a membership payment plan, or award a free annual membership based on volunteer service to the organization or the financial difficulties of a prospective or renewing member. This decision is at the discretion of the President and/or the Board. No member or prospective member is guaranteed a gifted or discounted membership.

A gifted membership can be revoked by the Board and/or the President at any time.

All annual gifted and discounted memberships granted prior to August 15, 2024, for the 2024 year will be honored.

ARTICLE 5. MEETINGS

Section 1 - Member Meetings

Member meetings are held at the main branch of the Toms River Chess Club, located at the Toms River Municipal Building, 33 Washington Street, Toms River, NJ 08753. Additionally, member meetings may be scheduled at other branches of the Toms River Chess Club, including but not limited to, Toms River Chess Club Manahawkin, and Toms River Chess Club Jackson. The primary meeting location of the Toms River Chess Club can be relocated if necessary by an executive board vote.

Section 2 - Board Meetings

Board meetings are open to all TRCC members in good standing, who must attend quietly. Regular members may not speak at a board meeting unless called upon.

Informal discussions regarding board business or general club matters may be held outside of official board meetings by members or elected/appointed officers of the TRCC.

On the executive board, the President, Vice President, Treasurer, and Secretary each have one vote. If an individual holds multiple voting positions, they are still limited to one vote. The Advisory Officer will cast a vote only in the event of a tie, acting as a tie-breaker, or, if their vote is necessary to satisfy a quorum.

There must be 3 elected officers present for a board meeting quorum with the Advisory Officer counting toward the quorum.

Refer to Article 9, ELECTIONS AND VOTING, for procedures in the event that the Advisory Officer holds another elected office during a tie.

The general membership must receive a minimum of 48 hours notice before a board meeting can be held.

ARTICLE 6. ELECTED OFFICERS AND THEIR OBLIGATIONS

Section 1 - Election and Term of Elected Officers

Elected officers are determined through Article 9 Elections. Each elected position has a 2-year term. All positions are volunteer roles and are not entitled to receive any kind of compensation from the TRCC.

Section 2 - Assumption of Office and Transitional Terms

Officers elected during a regular election shall take office on January 2 of the following calendar year and shall remain in office through January 1 two years later.

Officers elected in a special election shall take office immediately after the election results are certified, unless the Board sets a different effective date. They shall serve until the winners of the next regular election take office.

Outgoing officers shall remain in office until their term officially ends and must promptly transfer all club records, property, and responsibilities related to the position to their successor.

Section 3 - President: Duties, and Privileges

- Organizes and presides over all TRCC meetings.
- Facilitates TRCC events.
- Represents the TRCC in any official capacity.
- Deposits and disburses TRCC funds.
- Has exclusive authority to contact the membership without board permission. No other elected or appointed officers may announce anything to the general membership without prior board approval.
- Assists all other elected and assigned positions.

Section 4 - Vice President: Duties, and Privileges

- Assists the President.
- Acts on behalf of the President and assumes their responsibilities when the President is unavailable.

Section 5 - Treasurer: Duties, and Privileges

- Collects dues from TRCC members.
- Maintains all TRCC financial information and makes it available for inspection to board members of the organization.
- Deposits and disburses TRCC funds.

Section 6 - Secretary: Duties, and Privileges

- Keeps all records of the TRCC.
- Maintains an accurate list of all members in good standing and voting members, in coordination with the President

Section 7 - Advisory Officer: Duties, and Privileges

- Acts as a consultant for and representative of the interests of the TRCC.
- Assists other officers with their obligations.
- Votes on the board only in the event of a tie.

Section 8 - Officer Accountability and Vacancies

- Officers failing in their obligations can be relieved of office at a special meeting by a majority vote of a quorum of 20% of the voting membership of the TRCC.
- Vacancies will be filled by appointment by the remaining officers until the next election or by a special election called by the board.
- If an elected member cannot finish their term, they should provide a 2-week notice to the TRCC.

ARTICLE 7. BOARD ASSIGNED OFFICERS AND THEIR OBLIGATIONS

Section 1 - Definition of Board-Assigned Officers

Board-assigned officers are appointed by the board and may be removed by the board at any time and for any reason without explanation. These positions are optional and can be held by either elected members or TRCC members in good standing. Assigned officers do not have voting rights on the board. All positions are volunteer roles and are not entitled to receive any kind of compensation from the TRCC.

Section 2 - Webmaster: Duties and Privileges

The Webmaster is responsible for maintaining the club's website under the direction of the President and the elected board.

Section 3 - TRCC Online Coordinator: Duties and Privileges

The TRCC Online Coordinator manages the club's online programs and initiatives under the direction of the President and the elected board.

Section 4 - Media Director: Duties and Privileges

The Media Director is primarily responsible for taking photos and videos at club events and may be consulted for creative insights. The Media Director works under the direction of the President and the elected board.

Section 5 - Club Librarian: Duties and Privileges

The Club Librarian manages the club's chess library under the direction of the President and the elected board.

Section 6 - Social Media Officer: Duties and Privileges

The Social Media Officer maintains the club's social media presence under the direction of the President and the elected board.

Section 7 - TRCC Youth Representative

The Youth Representative must be a member age 16 and younger at the time of their appointment and help advise the organization on youth perspectives. The youth officer role works under the direction of the president and the elected board. At any time there can be two youth representatives.

Section 8 - TRCC Parliamentarian

The TRCC Parliamentarian is a position that ensures that board meetings are followed professionally and has a good understanding of Robert's Rules of Order. The Parliamentarian works under the direction of the board.

ARTICLE 8. CONSTITUTION & BY-LAWS

Section 1 - Amendment Procedures

The constitution and its by-laws may be amended at a regular in-person meeting of the TRCC with a quorum of at least 20% of the voting membership in good standing.

Proposed amendments must first be approved at a board meeting before being introduced to the voting membership for a decision.

A minimum of one month's notice of the by-law meeting must be given to the general membership. A majority vote of the quorum will determine if the proposed by-law change is adopted. The acceptance of the by-laws and their amendments dictates the management of the TRCC.

Section 2 - Member Petitions

A voting member in good standing may propose a by-law change and petition the voting membership at the club. If the proposal receives signatures from 10% of the voting membership, it shall be submitted to the board. Upon verification of the petition, the board will discuss the by-law change. If the board finds the by-law change to be both legal and beneficial to the club, the board will put the by-law change to a vote by the membership.

ARTICLE 9. ELECTIONS AND VOTING

Section 1 - Definition of Voting Members

A voting member is defined as any member in good standing who is 12 years of age or older, or who is under the age of 12 and was a member before January 1, 2024, and has requested to remain a voting member. Members in good standing are those who have fulfilled the necessary membership requirements, including payment of dues and adherence to the club's by-laws.

Section 2 - Regular Elections

Nominations and elections for TRCC officers are held biennially at a general meeting on the second Thursday in November. In the event of a holiday or extreme circumstance on the second Thursday in November, the election must be rescheduled to either the first or third week of November at the discretion of the executive board. Elections must be conducted at a location easily accessible to the majority of the membership in good standing.

Nominees for office must be members in good standing of the TRCC. A quorum of at least 20% of the membership in good standing is required for the election. A plurality of the quorum decides the election, with a plurality being defined as the number of votes cast for one candidate exceeding those for any other candidate.

Section 3 - Voting Eligibility

Members must be at least 12 years old to vote in TRCC elections and constitutional amendment votes. Continuing members who joined before 2024 and are under the age of 12 may vote upon request.

Members must be at least 18 years old to be eligible for any elected TRCC position.

Section 4 - Special Elections

Special elections may be called by the board to fill a vacancy in a board position. If the board votes in favor of holding a special election, a date will be set with a minimum of one month's notice provided to the membership to allow for candidate nominations and fair notice. Special elections will follow the same procedures as regular elections.

Section 5 - Voting Member Opt-out

A member in good standing may choose to opt out of being a voting member, thereby removing themselves from the voting quorum. A member in good standing may also elect to have their voting status reinstated at any time.

Section 6 - Election Procedures

Voting may be conducted via email for voting members in good standing, in addition to those present at any called vote. Procedures for elections, including nomination processes, campaign rules (if applicable), and vote-counting methods, will be determined and announced by the board before each election to ensure transparency and fairness.

Section 7 - Multiple Voting Positions

A member can hold more than one voting position but will only receive one vote in board meetings as described in Article 5.

Section 8 - Board Tie-Breaking Procedure

In the event of a tie on a board vote, where the Advisory Officer holds one or more voting positions, the decision will be brought to a club referendum to be decided by the club's voting membership. If the membership vote is tied, the individual holding the title of Advisory Officer carries the decision.

Section 9 - Proxy Voting Prohibited

Proxy voting is prohibited during any election due to the availability to cast votes via email.

Section 10 - Mid-Term Constitutional Removal of an Elected Position

If an elected position is removed mid-term from the by-laws by a constitutional vote under an amendment from Article 8, the individual holding that position will lose office on the date the by-law change is passed by the membership, rather than at the end of their elected term.

ARTICLE 10. DISCIPLINE

Section 1 - Types of Disciplinary Actions

1. **Censure:** A formal written warning for minor infractions.
2. **Suspension:** Temporary loss of membership privileges, including participation in club activities and voting rights, for a specified period.

3. **Removal:** Permanent termination of membership, with no ability to reapply or renew membership at any time.

Section 2 - Grounds for Disciplinary Action

A member may face disciplinary action, including censure, suspension, or removal, for any of the following:

1. Violating the TRCC Constitution, By-Laws, official Club Policies, or the USCF Code of Conduct.
2. Engaging in conduct detrimental to the club's reputation, objectives, environment, or the harmonious operation of the TRCC.
3. Failing to resolve disputes amicably and in good faith, as outlined in the Conflict Resolution Clause of the Membership Policy.
4. Disrupting club activities or creating an unsafe, hostile, or unwelcome environment for others.

Section 3 - Conflict Resolution Process

1. Informal Resolution:

- Members are encouraged to address concerns directly with the involved parties whenever safe and practical.
- Visitors may express a concern they have with a member or board member with a neutral board member.
- If informal resolution fails, a formal complaint using the Conflict Resolution Form may be submitted.

2. Request for Conflict Resolution Form:

- Members may request a Conflict Resolution Form from a board member to formally document concerns or disputes that cannot be resolved informally.
- The form will be provided upon request and must be submitted to the board for action.

3. Formal Complaint Process:

- Upon receipt of the completed form, the board will:
 - Notify all involved parties of the complaint within 7 days.
 - Allow the respondent(s) 30 days to provide a written response.
- The board will review the complaint and attempt to resolve the issue within 45 days.

4. Escalation:

- If the issue remains unresolved or involves serious misconduct, the board may initiate disciplinary actions as outlined in Section 4.

Section 4 - Disciplinary Process

1. Investigation:

- The board will thoroughly investigate all allegations, including reviewing Conflict Resolution Forms, other evidence, and responses from involved parties.
- The member in question will be given the opportunity to present their defense.

2. Board Decision:

- A majority vote of the board is required for censure.
- A two-thirds majority vote of the board is required for suspension or removal.
- The decision will be communicated in writing to all involved parties.

3. Finality of Decision:

- Removal decisions by the board are final. The removed member may not reapply or renew membership at any time.

Section 5 - Appeal Process

1. Censured or suspended members may appeal the decision to the board within 30 days of the disciplinary action.
2. Appeals will be heard at the next board meeting by board members not involved in the original dispute. The decision of the board on appeal is final.

Section 6 - Emergency Suspensions

1. In cases of urgent or egregious behavior that threatens the safety or operations of the TRCC, the board may impose an immediate suspension by a majority vote of the board members. This may also be imposed on a sitting board member.
2. The involved parties will be notified, and the suspension will remain in effect indefinitely until a full investigation and disciplinary process is complete.

ARTICLE 11. DISSOLUTION

In the event that the **Toms River Chess Club (TRCC)** were to cease operations, all remaining assets of the club, after settling any outstanding debts and liabilities, shall be distributed to the **New Jersey State Chess Federation (NJSCF)** or another similar non-profit chess organization that aligns with the TRCC's mission to promote and support chess. No assets shall be distributed to any individual members or officers of the TRCC.

ARTICLE 12. ROBERT'S RULES OF ORDER

Robert's Rules of Orders shall govern this organization in all cases to which they are applicable and in which they are not inconsistent with the constitution or any bylaws of the TRCC.

The TRCC exists to serve the membership as do the officers of the TRCC.