

# THE CONSTITUTION OF THE HOTLANTA SOFTBALL LEAGUE

(Revised February 2005)

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## ARTICLE I – NAME OF ORGANIZATION

The name of the organization shall be the Hotlanta Softball League (HSL), after this referred to as “HSL” or the “Organization”. The Organization may comprise two (2) separate divisions – an Open Division and a Women’s Division. Each Division may adopt Rules and Regulations for its division and function independently of each other. The Open Division and the Women’s Division may be further divided into subdivisions based on competition levels and determined by the teams of the Division. Each subdivision may establish Rules and Regulations for its subdivision upon approval by the entire division. HSL is a nonprofit corporation.

## ARTICLE II – OBJECTIVES

The objective of the Organization is to promote amateur athletics with special emphasis on the participation of the gay, lesbian, bisexual, and transgender community in an atmosphere of friendly competition.

## ARTICLE III – MEMBERSHIP

Any person who wishes to support the stated objectives of the Organization may become a member by satisfying the membership requirements set forth in the HSL Open Division Rules and Regulations or Women’s Division Rules and Regulations. All members of HSL are encouraged to support and participate in the local gay community activities, especially HSL functions.

## **ARTICLE IV – SOFTBALL COUNCIL**

The HSL Softball Council shall be defined as either the Summer Softball Council or the Winter Softball Council. Any reference to Softball Council in HSL documents shall be interpreted to refer to whichever Council, Summer or Winter, is in session and duly authorized under this article.

The Summer Softball Council term shall be from the commencement of the annual Spring General Membership Meeting through August 31 each year. The Winter Softball Council term shall be from September 1 until the commencement of the next annual Spring General Membership Meeting.

The Summer Softball Council shall consist of the members of the Executive Council (see Article V) and a team representative, appointed by the team or team sponsor, for each team participating in the HSL Spring Season. To be considered a participating team, an initial roster and team fee must be submitted to HSL for the Spring Season. Executive Council members or their proxy shall have voting rights as specified in Article V. Each Summer Softball Council team representative or designated proxy shall have one vote in representing his or her team in all decisions regarding HSL policies made at all meetings between the annual Spring General Membership Meeting and the end of the Summer Softball Council term (August 31).

The Winter Softball Council shall consist of the members of the Executive Council. Each Winter Softball Council member shall have one vote in all decisions regarding HSL policies made at all meetings between the end of the Summer Softball Council term (September 1) and the annual Spring General Membership Meeting.

The Softball Council shall have the following duties and responsibilities:

- a. Attendance at all duly scheduled HSL meetings.
- b. Collection of fees and fines from teams, members, and sponsors.
- c. Be familiar with both the Constitution and each Division's Rules and Regulations.
- d. Other duties, as determined by the majority of the HSL Executive Council that may be necessary for the efficient administration of the organization.

## **ARTICLE V – EXECUTIVE COUNCIL**

The Executive Council shall consist of the following elected officers with their respective responsibilities:

### **A. Officers**

#### **1. Commissioner**

The Commissioner shall:

- a) Preside at all regular and special meetings of the Organization.
- b) Attend all Open and Women's Division meetings.
- c) Assist the Treasurer in preparation of the budget.
- d) Serve as an authorized guarantor of HSL financial transactions.
- e) Establish such committees as may be necessary for the efficient administration of the Organization.
- f) Plan for elections and staffing of the election booth.
- g) Not vote in meetings except to break a tie.
- h) Be responsible for the administration of any Fall Softball League sponsored by HSL.
- i) May attend all NAGAAA meetings. If the Commissioner cannot attend, the Executive Council may select a replacement.

- j) Administration of fundraising on behalf of HSL.
- k) Pursue corporate sponsorship on behalf of HSL.
- l) Have such duties as may be necessary to carry out the provisions of this Constitution.

## 2. Treasurer

The Treasurer shall:

- a) Prepare a budget.
- b) Maintain financial records.
- c) Serve as an authorized guarantor of HSL financial transactions.
- d) Present regular financial reports to the HSL Commissioner, Open Commissioner and Women's Commissioner.
- e) Monitor and/or maintain tax exempt status and legal status of the Organization.
- f) Attend all Open Division and Women's Division meetings.
- g) Have one vote on all league, each Division, and Executive Council matters.
- h) Attend the NAGAAA Winter and Summer meetings. If the Treasurer cannot attend a NAGAAA meeting, the Executive Council may select a replacement.
- i) Serve, if possible, as a committee member of the NAGAAA Open and Women's Division Financial Committees.
- j) Perform other such duties as the Commissioner may designate.

## 3. Assistant Commissioner – Women's Division

The Assistant Commissioner/Women's Division shall:

- a) Be recognized as the Women's Commissioner for all NAGAAA and HSL Women's Division responsibilities.
- b) Preside over all meetings of the HSL Women's Division.
- c) Preside over any meetings of HSL in the absence of the Commissioner in years ending with an odd number.
- d) Have one vote in all league and Executive Council matters, except when presiding over any HSL meeting, the Women's Commissioner will not vote except to break a tie.
- e) Attend all NAGAAA Winter and Summer meetings.
- f) Serve as an authorized guarantor of HSL financial transactions.
- g) Perform other such duties as the Commissioner may designate.

## 4. Assistant Commissioner – Open Division

The Assistant Commissioner/Open Division shall:

- a) Be recognized as the Open Commissioner for all NAGAAA and HSL Open Division responsibilities.
- b) Preside over all meetings of the HSL Open Division.
- c) Preside over any meetings of HSL in the absence of the Commissioner in years ending with an even number.
- d) Have one vote in all league and Executive Council matters, except when presiding over any HSL meeting, the Open Commissioner will not vote except to break a tie.
- e) Attend the NAGAAA Winter and Summer meetings.
- f) Serve as an authorized guarantor of HSL financial transactions.
- g) Perform other such duties as the Commissioner may designate.

## 5. Secretary – Open Division and Women's Division

The Secretary of each division shall:

- a) Notify their Division's Softball Council members of the annual Spring General Membership Meeting, Board Meetings, and any Divisional meetings.
- b) Maintain the minutes of all meetings in their respective division. In a combined league or Executive Council meeting, the HSL Commissioner will designate the Recording Secretary.
- c) Have one vote on all league, respective Division, and Executive Council matters.
- d) Prepare a sufficient number of ballots for elections and have copies of rosters available.

e) Perform other such duties as the Commissioner may designate.

#### 6. Parliamentarian – Open Division and Women’s Division

The Parliamentarian of each division shall:

- a) Advise the HSL Commissioner and respective Division Commissioner on all matters of procedure in accordance with the HSL Constitution, Robert’s Rules of Order, and respective Division’s Rules and Regulations. In a combined league or Executive Council meeting, the HSL Commissioner will designate the presiding Parliamentarian.
- b) Maintain an official record of the Constitution, the Rules and Regulations and Amendments thereto.
- c) Have one vote on all league, respective Division, and Executive Council matters.
- d) Perform other such duties as the Commissioner may designate.

#### B. Elections and Terms of Office

The Executive Council shall decide the time and place for the election of officers. Any person wanting to run for election must be a current member of HSL in good standing and must be nominated by another current member of HSL also in good standing. All nominations for officers must be submitted in writing to the HSL Commissioner or the Assistant Commissioner of their respective division, no later than fifteen (15) days before the election.

The membership shall be provided a notice in writing of the election of all open offices and candidates running for each office at least fourteen (14) days before the election. Each member of the Organization may cast one vote for the HSL Commissioner and Treasurer. Each member of the Organization may cast one vote for each office in his or her respective division.

Open Division Executive Council members will oversee the casting of ballots in the Women’s Division and the Women’s Division Executive Council members will oversee the casting of ballots in the Open Division. Any Executive Council member running for election as HSL Commissioner or Treasurer may not oversee the casting of ballots.

The term of office for all offices will be two (2) years. The term for all offices will be September 1 through August 31. The HSL Commissioner, Treasurer, and Open and Women’s Parliamentarians will be elected in even years. The Open Assistant Commissioner, Women’s Assistant Commissioner, and Open and Women’s Secretary will be elected in odd years. Any Executive Council office or position that shall become vacant before a term’s completion shall be filled by a majority vote of the Executive Council at a special meeting.

All votes cast for the election of officers shall be counted in an open forum of the Softball Council to be held the same day of the election. Any member of the Organization shall have the right to be present at such forum and witness the counting of the votes for the election of officers of the Organization. The officers of the Open division shall count the votes cast in the Women’s Division and the officers of the Women’s Division shall count the votes cast in the Open Division. No officer may count votes if they are running for election as HSL Commissioner or Treasurer in the current year.

The designated HSL Secretary shall, immediately after the counting of the votes for the election of officers, record the total number of votes cast for each candidate. The candidate receiving the most votes shall be declared the winner of the election for such office. The designated HSL Secretary shall affix his or her signature to the results of such election of officers.

Any office that does not have a candidate receive greater than 50% of votes cast shall have a run-off election between the top two (2) candidates. It shall be the duty of the Secretary of such Division to

notify all coaches of the run-off of such Division at least five (5) days prior to the run-off election. A ballot without a clearly marked selection shall be considered invalid, and not counted as a Vote For or Against.

## **ARTICLE VI – OFFICIAL COMMUNICATION METHODS AND PROXIES**

Any reference in HSL documents that requires submission in writing shall be deemed to include physical paper, electronic mail (e-mail) or facsimile (fax). In the interest of efficient operation of the Organization, the HSL Executive Council may, in its sole discretion, opt to hold any HSL meeting or call for a vote in person, via e-mail, or conference call.

HSL will recognize the designation of a proxy (not to include elections), provided that it is properly submitted in writing to the presiding officer. When executing a proxy, an HSL Executive Council member may only designate another Executive Council member; a team representative may only designate another member of his or her own team.

## **ARTICLE VII – MEETINGS**

An annual Summer and Winter Executive Council meeting shall be held as a forum for interaction and planning of activities. The annual Summer and Winter Executive Council meetings shall include all elected officers. At the Winter Executive Council meeting, the newly elected officers shall be duly installed. Five (5) officers shall constitute a quorum for any such meeting.

A General Membership meeting of the Organization shall be held in the Spring of each year. The Division Secretaries are to notify all members of the date, time, and place of such meeting. At the Annual Summer General Meeting, the Constitution and Rules and Regulations previously approved by the Winter Softball Council will be distributed. No quorum shall be required for any such meeting.

Special meetings may be called at any time by the HSL Commissioner or by a majority of the Softball Council. The designated Secretary shall notify each member of the Softball Council no fewer than five (5) days before any such meeting. The notice shall specify date, time, place, and purpose of the meeting. More than 50% of the membership of the Softball Council shall constitute a quorum for any such meeting.

Any member may attend any meeting of the Organization and may participate in an open forum. Only members of the Softball Council or designated alternates may participate in the discussion and vote of a motion. Any member of the Organization may attend any Board Meeting (of members of the Executive Council), but may not participate. The attendance shall be an observance capacity only.

The HSL Executive Council, in its sole discretion, may declare any meeting mandatory. Any team that fails to send a representative to a mandatory HSL meeting will be assessed a fine, the amount which will be determined each year by the Executive Council and announced prior to the Spring General Membership Meeting. The fine must be paid to HSL before that team will be allowed to play its next HSL scheduled game.

## **ARTICLE VIII – SOFTBALL RULES**

The softball rules shall be presented at the Annual Summer General Meeting. Changes to the Rules and Regulations may be made as necessary. Any change shall require the affirmative votes of not less than 75% of the Softball Council members from each respective division (Open and/or Women's Division).

Rules changed during the season will become effectively immediately, unless otherwise specified.

## **ARTICLE IX – NATIONAL SPORTS ALLIANCE**

The Organization shall be a member of a national sports alliance, such as North American Gay Amateur Athletic Alliance (NAGAAA) whose goals and objectives are similar to those of the Organization. Any membership fees of such national sports alliance shall be paid by the Organization.

## **ARTICLE X – FEES AND EXPENSES**

Executive Officers and Softball Council members shall not receive any compensation or remuneration for their services to the Organization. However, necessary and reasonable expenses incurred on behalf of the Organization by any Executive Officer or Softball Council member may be paid by the Organization subject to the approval of the Executive Council.

## **ARTICLE XI – AMENDMENTS**

Amendments to this Constitution may be made as necessary. Any Amendment shall require the affirmative vote of not less than 75% of the total membership of the Summer Softball Council. Amendments will become effective immediately, unless otherwise specified.

## **ARTICLE XII – GRIEVANCE/APPEAL PROCESS**

The Softball Council may declare any person or team in HSL in violation of HSL Guidelines if that person or team exhibits behavior detrimental to the best interests of HSL. The person or team would be in violation only after the guidelines as stated in respective Division's Rules and Regulations are followed.

Any penalty enacted by the Softball Council may be appealed in writing within three (3) days to the Executive Council. A majority vote of the Executive Council to uphold or alter the decision of the Softball Council shall be final.