

**BY-LAWS OF THE
INTERNATIONAL ASSOCIATION
OF
APPROVED BASKETBALL OFFICIALS
DELAWARE DISTRICT, BOARD # 11**

Adopted

MODIFIED VERSION AS OF 9/8/08

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ARTICLE III- MEMBERSHIP REQUIREMENTS

SECTION 1. APPLICATION: An applicant must apply to the Board, in writing, within a time sufficient to take the IAABO examination.

SECTION 2. IAABO EXAMINATION: An applicant shall pass the IAABO examination as follows:

(a) Pass the IAABO examination with a grade of 86% or better.

(b) An applicant whose grade is between 80% and 84% will be eligible to receive league assignments from the Board. This applicant will be considered a prospective member and shall have an opportunity to take a second IAABO examination in March of the basketball year, or as otherwise scheduled by the International Office.

(c) All applicants must pass the practical floor test prior to officiating any assignment for the Board.

(d) Thereafter, upon receipt of all required dues and other payments the member shall be considered qualified to officiate basketball for the Board and be considered in good standing.

SECTION 3. FEDERATION EXAMINATION: Every active member shall take the federation examination as required by the Federation and distributed by DIAA each basketball year. If the federation exam is taken as an open book exam, the member shall pass said exam with at least an 85%. If the federation exam is taken as a closed book exam, the member shall pass said exam with at least a 75%. In the event a member who is qualified to work in the state tournament fails to obtain the required percentage on the federation exam, the member is ineligible to work the state tournament game that basketball season. If any member fails to obtain the required percentage on the federation exam in two (2) consecutive years, said member will be required to re-take the IAABO examination.

SECTION 4. GOOD STANDING: A member is in good standing so long as the member meets all financial and other obligations as required by the Constitution and/or By-Laws and any Committee directives, and is not otherwise under any disciplinary sanction(s). Good standing status shall be maintained until the member is notified, in writing, by the Executive Committee that they are not in good standing. Furthermore, any member who has been suspended or expelled is not a member in good standing. A member who is not in good standing, shall not receive any assignments from the Board. A member who is not in good standing during the time period when any state tournament game is scheduled is not qualified to work any state tournament game until the sanction is completed. An inactive member shall not be deemed a member in good standing during their period of inactivity.

SECTION 5. TERM OF MEMBERSHIP: As long as a member is in good standing the member shall be entitled, to all the rights and privileges of membership and shall be bound by the rules and regulations expressed herein.

(A) LAPSED AND/OR REINSTATED MEMBERSHIP:

(1) Any member who allows their membership to lapse for two (2) or more basketball years shall no longer be a member of the Board and must apply as a new member if they wishes to be reinstated.

(2) Any member who allows their membership to lapse for less than two (2) years shall be reinstated, provided all dues for the missed time are paid.

SECTION 6. EXPELLED MEMBER: A member who has been expelled is no longer eligible to a member of the Board forever. The Board shall not accept any application for membership to the Board from any member who has been previously expelled.

SECTION 7. FINANCIAL OBLIGATIONS: All active members, including dual and transfer members, shall be required to pay all fees and dues, and assessments to the Board, as designated from time to time by the Executive Committee, except that a transfer member is not required to pay dues upon their transfer provided said dues were previously paid to the member's prior IAABO board during that basketball year.

SECTION 8. ACCEPTANCE OF TRANSFER: The Board must accept a transfer member who, because of a change in their legal residence, comes within the jurisdiction of the Board.

SECTION 9. TRANSFER OF AUTHORITY: If a member of this Board seeks to be transferred to another IAABO board, the member shall notify the Secretary in writing. Thereafter, the Secretary shall notify the Secretary of the board to which the member is transferring of such transfer. The notification shall include the status of the member and any other information, which the Secretary deems necessary.

SECTION 10. DUTIES AND RESPONSIBILITIES: In addition to the duties and responsibilities already provided for in the Constitution each member shall have the following duties and responsibilities:

(a) Hold oneself out as a professional at all times while representing the interest of the Board.

(b) Refrain from doing any act, on or off the court, that is not in the best interest of the Board and/or the customers serviced thereby.

(c) Keep their contact information (phone, address, email) updated at all times.

(d) Wear the official uniform and insignia prescribed by the Board as follows:

(1) **Winter basketball season:** As prescribed by NFHS and the Board.

(2) **Summer basketball season:** Black shorts, black & white striped shirt (tucked in), black shoes and/or other sneakers.

(e) Attend the required number of meetings and clinics.

(f) Ensure that they take all required exams and fulfill all required obligations by the deadlines imposed by the entity or committee establishing the obligations. For example, meeting attendance, Federation Examination, Floor Mechanics clinics, Evaluation Sheets, Scrimmages, just to name a few.

(g) Advise the assignors of their availability and keep assignor informed of any changes throughout the basketball season.

(h) Confirm assignments at least forty-eight (48) hours prior to game.

(i) Work three (3) school scrimmages a basketball year without compensation.

(j) Work a minimum of eight (8) league games a basketball year, not including summer league games.

(k) Know the rules and mechanics of the game.

(l) Report to the assignor missed assignments of the Board members.

(m) Comply with all criteria and responsibilities established and published by standing committees each respective basketball year.

(n) Report to the assignor all conflicts of interest that create or have the potential to create an appearance of impropriety.

(o) Report any game incidents within twenty-four (24) hours, in writing to the Vice-President.

(1) An Incident includes, but is not limited to, any event, occurrence, happening or situation in which the following takes place:

(i) A coach, head or assistant, is ejected, except for three (3) administrative technical fouls.

(ii) A player is ejected for any reason.

(iii) A game is declared a forfeit by the officials.

(iv) The fans become so unruly that play can not continue in a sportsmanlike manner.

(v) A player or coach makes contact with an official.

(p) Submit complete and accurate vouchers to the assignors to ensure payment for services rendered.

(q) Refrain from soliciting, assigning, or servicing a non-college game throughout New Castle County, Delaware and/or Cecil County, Maryland, without prior written approval from the Executive Committee.

(r) Refrain from turning back assignments within forty-eight (48) hours thereto.

(s) Refrain from officiating any game with a member who is active non-officiating, inactive or has been suspended or expelled.

(t) Turn back an assignment because they do not like their partner; the location or the team(s) they are assigned.

(u) Abide by the terms and provisions of the Constitution and the By-Laws.

SECTION 11. GROUNDS FOR DISCIPLINE: For failure to comply with Constitution or By-Laws of the Board or the International Office, or delinquency in payment of authorized charges, or for conduct deemed to be contrary to the best interests of the Board or the game of basketball, a member may be fined, placed on probation, suspended, and/or expelled. If a member is suspended, the starting date and duration of said suspension should be determined by the Executive Committee and provided to the member, in writing. If a member is expelled, it shall be effective immediately. The member shall be notified of said expulsion by the Executive Committee.

SECTION 12. DISCIPLINARY HEARING: Prior to any discipline being imposed, the Executive Committee shall conduct a hearing at which the specific charges are read aloud to the member; the facts supporting the charges are presented and the member has an opportunity to respond to the charges.

(a) **NOTIFICATION OF DISCIPLINARY HEARING:** The Secretary shall notify the member, in writing, of the time and date and location of the hearing and state the charges upon which the member is being called upon to address.

(b) **FAILURE TO ATTEND:** If the member fails to attend the disciplinary hearing, the Executive Committee shall be entitled to proceed with the hearing and make a decision with respect to the matter based upon all information received.

(c) **MINUTES OF HEARING:** The Secretary shall set forth in the minutes of the hearing the nature of the charge(s), the facts supporting the

charge(s) and any response offered by the member. The disciplinary hearing may be recorded at the discretion of the Executive Committee.

(d) DECISION NOTIFICATION: The Secretary shall notify the member, in writing, of the results of the hearing and any disciplinary action imposed by the Executive Committee within seven (7) days of the date of the disciplinary hearing.

(e) APPEAL: Any member who has been suspended and/or expelled may appeal said decision in accordance with the provision set forth herein.

ARTICLE IV-RATINGS

SECTION 1. RATING PROCEDURES AND CRITERIA: The rating procedures and criteria shall be established by the Rating/Evaluation Committee and approved by a majority vote of the Executive Committee before the third (3rd) regularly scheduled meeting of the basketball year. The criteria shall be made available to all members of the Board.

SECTION 2. APPEAL OF RATING: As soon as possible after the basketball season has ended the Rating/Evaluation Committee shall meet and vote upon the rating of each individual member, except prospective members, for the next basketball year. Each member's rating shall be approved by a majority vote of the Rating/Evaluation Committee. Each member shall be notified in writing of their rating. A member who is dissatisfied with their rating has the right to appeal said decision to the Rating/Evaluation Committee. Said appeal must be submitted, in writing, within ten (10) days after receiving notice of their rating, to the chairperson of the Rating/Evaluation Committee. It shall be the responsibility of the member to show good cause why the rating should be changed by the Rating/Evaluation Committee. The Rating/Evaluation Committee shall, as soon as practicable thereafter, schedule a meeting during which it will hear, on a case by case basis, the members' appeal of the rating. The Rating/Evaluation Committee shall notify the member, in writing, of the decision on appeal. The decision of the Rating/Evaluation Committee on appeal is final and conclusive as to the rating of the member.

ARTICLE V-MEETINGS

SECTION 1. NUMBERS OF MEETINGS: The meetings of the Board shall be called by the President. There shall be a minimum number of six (6) meetings.

SECTION 2. MEETING ATTENDANCE: All members, to remain in good standing, must complete the following meeting attendance requirements:

(a) MINIMUM NUMBER: Must attend a minimum of five (5) of the seven (7) regularly scheduled general membership meetings within the current season. Each member is allowed one (1) unexcused and one (1) excused absence, or any combination thereof, without review or penalty from the Executive Committee. All requests for excuse from a meeting must be in writing and must be postmarked (email date or USPS postmark) for delivery to the

Secretary in advance of the scheduled meeting, which the member will miss. In case of emergency, all requests for excuse must be in written form and postmarked (email date or USPS postmark) for delivery to the Secretary no later than three (3) days after the scheduled meeting, which the member has or will miss. All emergency requests will be subject to review and approval of the Executive Committee. All requests for excuse must document the member's name, the date of the missed meeting, and provide a the reason for missing the meeting. If a member misses more than two (2) regularly scheduled general membership meetings, with or without requests for excuse that member's conduct will result in review and possible discipline by the Executive Committee. Approval of excuses is at the sole discretion of the Executive Committee. No phone call excuses will be accepted under any circumstances.

(1) SANCTIONS: If a member fails to comply with meeting attendance requirements, the following penalties shall be imposed:

(i) Two (2) missed general membership meetings (one with and one without an excuse or any combination thereof): No Sanction(s).

(ii) Three (3) or more missed general membership meetings: Sanction(s) subject to the discretion of the Executive Committee

(iii) Missed rules interpretation clinic or NFHS test: Sanction(s) subject to DIAA discretion.

(b) DISCRETION OF EXECUTIVE COMMITTEE: The Executive Committee will review all requests for excuse and will decide whether the excuse is acceptable. The decision to accept or reject the request is the sole discretion of the Executive Committee and can not be appealed, unless the decision results in a suspension or expulsion.

(c) TYPES OF SANCTIONS: Sanctions may include, but are not limited to: written warning, probation, fine, revocation of schedule, suspension, expulsion. Fines will begin at \$20.00 (for the first unexcused absence after the first two absences) and will increase \$5.00 with each subsequent violation (i.e. second fine would be \$25.00). Fines will be deducted from the member's game fee check at the end of the season. Any member who is given a written warning, put on probation, assessed a fine, has their scheduled revoked, or is suspended has the right to appeal to the Executive Committee. The appeal must be in writing and sent to the Secretary within ten (10) days of the notice of the sanction. The Secretary will then notify the member of the date of the appeal hearing. The Rating/Evaluation Committee will also be advised of any member who misses more than two (2) meetings without request for excuse being approved by the Executive Committee.

SECTION 3. LATENESS: A member shall be marked absent if they report to a meeting more than thirty (30) minutes after the scheduled starting time, unless the member is coming from an assigned game, work or other emergency.

SECTION 4. MANDATORY MEETINGS:

(1) RULES INTERPRETATION/FEDERATION TEST: A member must attend a rules interpretation clinic as scheduled by DIAA and take the NFHS test as deemed appropriate by DIAA.

(2) FLOOR MECHANICS CLINIC: A member must attend the floor mechanics clinic sponsored by the Board each basketball season.

(3) PENALTIES: The penalties for failure to fulfill attendance requirements for DIAA rules clinic and the taking of the NFHS test are set by DIAA. The Board has no authority to alter or set aside said penalties. Additionally, the Board may establish its own penalties for failure to meet these requirements and the failure to attend the Floor Mechanics clinic.

SECTION 5. ORDER: Roberts' Rules of Order Newly Revised, as edited from time to time, shall be used as a parliamentary guide at all Executive Committee and regularly scheduled Board meetings.

ARTICLE VI- BUDGET/FEES AND DUES

SECTION 1. DETERMINATION OF FEES AND DUES: The annual dues for membership on the Board shall be determined by a majority vote of the membership on or before the third (3rd) regularly scheduled meeting in the preceding basketball year.

(a) ACTIVE MEMBERS: The dues for the next basketball year will be automatically deducted from the members' check at the end of each basketball season.

(b) ACTIVE NON-OFFICIATING: If said member worked a sufficient number of games before declaring active non-officiating status, said members' dues shall be deducted as set forth about for active members. Otherwise, it will be the members responsibility to pay their dues directly to the Board in order to maintain this status.

(c) INACTIVE MEMBERS: If a member is inactive at the time their check is made at the end of the season, the dues for the next year will not be deducted, unless otherwise requested by the member, in writing, to the Treasurer. If the dues for the next season are not deducted, the member is entering into a lapsed membership status.

(d) NEW APPLICANTS: Prior to taking the IAABO exam new members shall pay the required dues to become a member of the Board.

(e) DUAL/TRANSFER/INTERIM MEMBERS: Dual, transfer, shall pay fees and dues in accordance with the terms and provisions as previously set forth herein.

SECTION 2. BUDGET AND DISBURSEMENT OF FUNDS: The funds received by the Board shall be disbursed at the discretion of the Executive Committee under the following conditions and circumstances:

(a) ANNUAL BUDGET: At the first (1st) regularly scheduled Board meeting of the basketball year the Executive Committee shall present to the membership a proposed annual budget. The proposed budget shall be made available, in writing, for any member of the Board to review and copy upon request. At the second (2nd) regularly scheduled Board meeting, the proposed budget shall be voted upon for approval by a majority vote of the membership present at the time the vote is taken. Once approved, the funds allocated in the budget may be disbursed at the discretion of the Executive Committee. The Executive Committee is authorized to approve, by a majority vote of the Executive Committee, any expenditure that exceeds the amount of the approved budget up to \$300.00. In the event the \$300.00 limit has been reached the Executive Committee shall notify the members and a new authorized spending cap shall be submitted to the Board for approval by a majority vote of the members present at the time the vote is taken.

SECTION 3. PENALTY FOR FAILURE TO PAY: Any member who fails to pay the prescribed fees and costs before the scheduled start of the winter basketball season shall not be assigned any games until said fees and dues are paid by the member.

SECTION 4. LAPSED MEMBERSHIP: Any member who fails to pay their dues for any basketball year shall be considered to have voluntarily lapsed their membership for that year.

ARTICLE VII-COMMITTEES

SECTION 1. EXECUTIVE COMMITTEE:

(a) COMPOSITION: The Executive Committee shall be composed of the elected officers, six (6) other elected active members, the immediate past President for one (1) basketball year (if active), the school and league assignors, the chairperson of the Rating/Evaluation Committee, and two (2) active member from group 2 officials.

(b) ELECTION OF EXECUTIVE COMMITTEE: The election of the Executive Committee shall be held during the last regularly scheduled meeting of the basketball year. Except the group 2 members, shall be elected at the first (1st) regularly scheduled meeting for the basketball year by a majority vote of the Group 2 members present at the time the election.

(c) TERM: The term of each non-officer member of the Executive Committee shall be for two (2) years, commencing on June 1st and ending May 31st. Three (3) of the six (6) elected non-officer members shall be chosen during each election year. The term of the Executive Committee shall commence on June 1st and end on May 31st. The term of the immediate Past President shall commence on June 1st and end on May 31st and shall be only one (1) year. The term of the Group 2 members shall be for one (1) year commencing on October 1st and ending on September 30th.

(d) QUORUM VOTING: In order for any decision of the Executive Committee to be valid, there must be a quorum present at the meeting in which the vote is taken. Nine (9) members of the Executive Committee shall constitute a quorum. The quorum cannot be destroyed if a member of the Executive Committee leaves before the vote is taken. All decisions of the Executive Committee must be voted upon and approved by a majority vote of the Executive Committee present at the time the vote is taken. The Executive Committee cannot change this provision of the By-Laws without putting it to a vote of the Board membership.

(e) DUTIES AND RESPONSIBILITIES OF EXECUTIVE COMMITTEE: In addition to the duties set forth in the Constitution, the Executive Committee shall be charged with the administration of the business and affairs of the Board and take any action it deems necessary and appropriate in the best interest of the Board, including but not limited to the following:

- (1) Act in the best interest of the Board and its members.
- (2) Make decisions necessary for the efficient operation of the business and affairs of the Board.
- (3) Decide upon any matters not specifically covered by this Constitution or the By-Laws as deemed necessary for the best interest of the Board and its members.
- (4) Make changes (permanent and/or temporary) to the By-Laws as it deems necessary for the efficient operation of the business and affairs of the Board.
- (5) Solicit and negotiate contracts for the Board's services to basketball organizations.
- (6) Discipline members who violate the Constitution or By-laws.
- (7) Make financial decisions for the Board within the confines of the Constitution or By-Laws.
- (8) Select a parliamentarian of the Board who shall monitor all meetings of the Board and the appeal panel to ensure compliance with

the rules of parliamentary procedure and the terms and provisions of this constitution.

(9) Take any action it deems necessary and appropriate after reviewing the report and recommendation of the Incident Committee.

(10) Ensure that all schools, leagues or other organizations pay the Board for services rendered.

(11) Preside over an appeal by a member from a fine/assessment by an assignor for missed assignments, habitual callbacks or for submission of incomplete or inaccurate vouchers.

(12) Select the chairperson of the standing committees

(13) Have authority to remove any non-officer elected member of the Executive Committee, if said officer is not fulfilling their obligation(s) to the Board or position they hold.

(14) Call special elections to fill any vacancy left by the resignation and/or removal of a non-officer elected position of the Executive Committee.

SECTION 2. STANDING COMMITTEES: Subject to the approval of the Executive Committee, and except as otherwise set forth below, the President shall appoint a chairperson of all standing committees from among the active members of the Board as follows:

(a) RATING/EVALUATION COMMITTEE:

(1) ELECTION OF CHAIRPERSON: The Chairperson of the Rating/Evaluation Committee shall be an elected position. Said election to be held at the last regularly scheduled meeting of the basketball year. To be eligible for said position the shall be in Group 1R classification for a minimum of 5 years; shall be in good standing and willing to serve. The Chairperson shall receive a stipend in the amount of \$400.00.

(2) COMPOSITION OF RATING/EVALUATION COMMITTEE: The Rating/Evaluation Committee shall be comprised of the Committee Chairperson, School Assignor, League Assignor, and at least six (6) members of the Board who have at least three (3) consecutive years officiating varsity level basketball and are in good standing. The committee shall be selected by the Chairperson subject to the approval by the Executive Committee on or before the second (2nd) regularly scheduled meeting of the basketball year.

(3) DUTIES OF THE RATING/EVALUATION COMMITTEE: The duties of the Rating/Evaluation Committee shall be as follows:

(i) Establish the rating/evaluation criteria by which each member will be judged to determine the members rating for each basketball year.

(ii) Determine the qualifications of transfer members to ensure the placement in the appropriate rating level.

(iii) Publish the rating/evaluation criteria by the second (2nd) regularly scheduled meeting which will then be voted upon by the general membership at the third (3rd) regularly scheduled meeting. In the event the rating/evaluation criteria is not set forth by the time frames, set forth above, the previous seasons criteria shall be automatically adopted for the current season. In the event it becomes apparent that there is a technical or practical problem with the approved procedure during the course of the basketball season, than any proposals to correct the problem shall be presented, in writing, to the Executive Committee for approval. The membership should then be notified, in writing, of the correction.

(iv) Meet at the end of the basketball year to vote upon the rating of a member for the next basketball season, as previously set forth herein.

(b) NOMINATING COMMITTEE: The Nominating Committee shall be in charge of organizing and running the election of the Board. The election criteria established by the Nominating Committee shall be approved by the Executive Committee prior to the election taking place. The duties include, but are not limited to, insuring all written ballots are counted and that the election process is administered with all fairness and accuracy.

(c) CONSTITUTION AND BY-LAWS COMMITTEE: The Constitution and By-laws Committee shall periodically review the Constitution and the By-laws to determine if same are in compliance with the best interest of the members of the Board and/or whether changes are needed.

(d) ASSIGNING COMMITTEE: The Assigning Committee shall serve at the pleasure of the Executive Committee to review and make recommendations regarding the assigning guidelines that shall be used by the Board.

(e) OTHER COMMITTEES: The Executive Committee shall have the power to create any other committee it deems necessary for the effective operation of the Board. Decisions of a committee shall be approved by the Executive Committee as needed.

ARTICLE VIII-ASSIGNORS

SECTION 1. QUALIFICATIONS OF ASSIGNORS: The assignors shall be elected by the Board at the last regularly scheduled meeting of the basketball year by a plurality vote of the members present at the time the vote is taken and be a member in good standing with the Board.

SECTION 2. DUTIES: The duties of the assignors shall be as follows:

(a) SCHOOL ASSIGNOR:

(1) Contact all schools to request their schedules prior to the start of the basketball season.

(2) Assign the members of the Board to all the school games contracted for by the Board and shall endeavor to have assignments prepared at least three (3) weeks in advance of the scheduled game and distributed to the members as soon as finalized.

(3) Fine any member who misses an assignment and/or has habitual turn backs. It shall be the responsibility of the assignor to put a motion before the Executive Committee by the second (2nd) regularly scheduled Board meeting, setting forth the amount of the fine(s) for missed assignments and habitual call backs. Said motion shall be approved by a majority vote of the Executive Committee and published to the members.

(4) Inform the President and the chairperson of the Rating/Evaluation Committee of missed assignments and habitual callbacks.

(5) Submit to the Executive Committee prior to April 30th of the basketball year, a written report of the work that he/she performed during the basketball year.

(6) Prepare a report of each member's earnings to the Treasurer at the end of the basketball season.

(7) Be responsible to the Executive Committee.

(8) Keep running record of all assignments made for the review by the Executive Committee, at any time.

(9) Be authorized to shift assignments to ensure the use of the most qualified team of officials for games.

(10) Ensure that an adequate number of officials are assigned to work all games that are assigned.

(11) Maintain a record of all games worked by a member.

(12) Have priority on the availability of officials in the event a scheduling conflict arises.

(b) LEAGUE ASSIGNOR:

(1) Contact all leagues and organizations to request their schedules prior to the start of the basketball season.

(2) Assign the members of the Board to all league games contracted for by this Board. The assignor shall attempt to have all league schedules distributed at least two (2) weeks prior to the assignment.

(3) Fine any member who misses an assignment and/or has habitual turn backs. It shall be the responsibility of the assignor to put a motion before the Executive Committee by the second (2nd) regularly scheduled Board meeting, setting forth the amount of the fine(s) for missed assignments and habitual call backs. Said motion shall be approved by a majority vote of the Executive Committee and published to the members.

(4) Inform the President and the chairperson of the Rating/Evaluation Committee of missed and habitual callbacks.

(5) Assist the Rating/Evaluation Committee in the rating of the members of the Board.

(6) Submit to the Executive Committee prior to April 30th of the basketball year, a written report of the work that he/she performed during the basketball year.

(7) Prepare a report of each member's earnings for the treasurer, at the end of the basketball season.

(8) Assign all league games within September 1st of the basketball year to March 31st of the basketball year.

(9) Release any member from a league assignment when notified by the school assignor that the member is needed to cover a school game.

(10) Be responsible to the Executive Committee.

(c) SUMMER ASSIGNOR:

(1) Contact all summer leagues and organizations to request their schedules prior to the start of the summer basketball season.

(2) Assign the members of this Board who desire to work summer games to all games contracted for by this Board. He/she shall

attempt to distribute the assignments at least one (1) week in advance of the assignments.

(3) Fine any member who misses an assignment and/or has habitual turn backs. The fine shall be the same amount as that established for league games for that basketball year.

(4) Inform the President and chairperson of the Rating/Evaluation Committee of missed assignments and habitual turn backs.

(5) Submit to the treasurer all requests for payment received from members of the Board on a monthly basis.

(6) Assign all summer league games between April 1st and August 31st of the basketball year.

(7) Be responsible to the Executive Committee.

SECTION 3. ~~COMPENSATION~~ PAYMENT TO ASSIGNORS: The school, league and summer assignors shall receive ~~compensation~~ payment for the services in an amount to be determined by the Executive Committee and approved by a vote of the membership prior to the election of the assignor's position. The assignors shall be deemed independent contractors and any payment so received will come directly from the funds deducted for assigner fees from each individual members check for whom they assign games throughout the basketball season.

SECTION 4. ASSIGNMENT OF GAMES: The assignors shall assign games in accordance with the criteria established by Assigning Committee, as approved the Executive Committee. Any approved assigning criteria (or amendments thereto) shall be made available to the members in written, via email or internet publication.

ARTICLE IX-APPEAL OF SUSPENSION OR EXPULSION

SECTION 1. HOW TO FILE AN APPEAL: In order to appeal decisions of the Executive Committee regarding a suspension or expulsion, the member shall:

(a) TIMELY NOTICE AND PETITION FOR APPEAL: The member shall file, a notice and petition for appeal, in writing, with the Secretary, within twenty (20) days of the decision of the Executive Committee imposing the suspension or expulsion. The member shall be deemed to have received notice of the decision of the Executive Committee immediately if emailed to the members email address on file with the Board or within three (3) days after the mailing (USPS 1st class mail, postage prepaid) of the notice to the member at their last known address on file with the Board. The notice and petition for appeal shall be deemed filed by the member on email date of the written notification to the Secretary or the date postmarked, by the United States Postal Service, on the envelope containing the notification.

(b) CONTENTS OF NOTICE AND PETITION: The notice and petition for appeal shall be in writing, signed by the member and contain the following:

- (1) Petitioner's name, address, and telephone number and email address;
- (2) A statement specifying the relief the member deems they are entitled;
- (3) A statement indicating whether or not a hearing before the appeal panel is requested.

SECTION 2. APPEAL PROCEDURES: The appeal procedures shall be as follows:

(a) REPRESENTATION: A member may appear on their own behalf or be represented by another fellow member of the Board at the panel hearing.

(b) HEARINGS:

(1) The member may waive the right to a hearing and rest their case upon the petition. If a member fails to attend the hearing (for any reason), the Appeal Panel can move forward without the member being present and may decide the matter on the information presented to it at the hearing.

(2) The petitioning member shall have the burden of proof on all issues and must show good cause as to why the decision of the Executive Committee should not be affirmed or altered.

(3) The member shall be provided at least seven (7) days written notice of the date, time and place of the appeal hearing.

(4) The parliamentarian shall be the presiding officer and shall have the authority to conduct the hearing, including the scheduling, the recessing, reconvening and adjournment thereof, and to do acts and take measures necessary for the proper and efficient conduct of the hearing. Additionally, the presiding officer, shall have the authority to call any person(s) in front of the panel, including but not limited to, the member(s), of the Executive Committee, the member(s) of the Incident Committee, or any other individual(s) having knowledge of the facts, in order to ensure all sides of the issue are heard. The parliamentarian shall not vote on any matter before the Appeal Panel.

SECTION 3. THE DECISION OF THE APPEAL PANEL: The decision of the Appeal Panel shall be:

(a) It is within the sound discretion of the Appeal Panel to determine whether the member has shown good cause as to why the suspension or expulsion should not be imposed.

(b) Made by a majority vote of the Appeal Panel, in writing, and signed by the parliamentarian.

(c) The decision shall contain a statement as to the Appeal Panel's action and reason for their decision.

(d) The parliamentarian shall email or mail (USPS 1st class mail, postage prepaid) a copy of the panel's decision to the member who filed the appeal and to the Vice-President of the Board.

(e) The decision of the Appeal Panel final.

SECTION 4. APPEAL PANEL: Shall consist of three (3) active members of the Board randomly selected by the parliamentarian from Group 1 and 2 officials. No member of the Executive or Rating/Evaluation Committee is qualified to serve on the appeal panel.

ARTICLE X-APPEALS OF FINE/ASSESSMENT

Section 1. APPEALS OF FINES/ASSESSMENTS BY ASSIGNOR: In the event a member is assessed a fine by an assignor for a missed assignment, habitual turn backs, or incomplete or inaccurate vouchers the member may appeal the fine to the Executive Committee only.

(a) **PROCEDURE:** The member who wishes to appeal a fine(s) shall file written a statement with the President setting forth the reason why said fine(s) shall not be assessed. The Executive Committee shall than review the written statement and issue a decision thereon. The decision of the Executive Committee shall be final and conclusive with regard to fines assessed by the assignor.

ARTICLE XI-PAYMENT OF OFFICIALS

SECTION 1. INDEPENDENT CONTRACTOR STATUS: Every member of the Board shall be considered an independent contractor and will be issued, when appropriate, a 1099 form by the Board. Each member is responsible for the payment of their own taxes which may be owed or deemed owed to any taxing authority.

SECTION 2. PAYMENT OF SCHOOL AND LEAGUE GAMES: The Treasurer shall use best efforts to have all checks completed and mailed to the members before May 15th of the basketball year. Checks will be mailed only to those members who have submitted completed and accurate vouchers. In the event delays in payment occur due to circumstances beyond the control of the Treasurer, the affected member(s) shall be notified.

SECTION 3. PAYMENT OF SUMMER LEAGUE GAMES: The Summer Assignor shall use best efforts to have all checks completed and mailed to the members before September 30th each basketball year. In the event delays in payment occur due to circumstances beyond the control of the Summer Assignor the affected member(s) shall notified.

ARTICLE XII-STATE TOURNAMENT

SECTION 1. PROCEDURE: The Executive Committee shall cause to be published the procedure(s) for selecting Board #11 officials to work state tournament games by the second (2nd) meeting of the winter basketball season. The procedure(s) shall be approved by a majority vote of the membership by the third (3rd) meeting of the winter basketball season. If no procedure is adopted by the third (3rd) meeting, the prior year's procedure will automatically take effect.

ARTICLE XIII-MOTIONS AND AMENDMENTS

SECTION 1. PROCEDURES: The procedures for making motion(s) or amendment(s) to the By-Laws shall be as follows:

(a) MOTION(S): Any active in good standing who is duly recognized by the President may make a motion, orally, or in writing, before the Board at any regularly schedule Board meeting. Motions must be made for the purpose of serving the best interest of the Board and not to further an individual(s) personal agenda. A member, acting in their individual capacity, shall not have any power to change any approved Committee criteria by motion (e.g.: only the Rating/Evaluation/State Tournament/Assigning Committee Chairperson or their designee, can propose a motion to amend or approved criteria after it has been approved). It shall be the duty of the Secretary to record the motion, if oral, or to obtain a copy of the written motion. The motion must be seconded by another member of the Board before discussion can be had on the motion. A motion must be passed by a majority vote of the members present at the time the vote is taken, in order for it to be adopted by the Board. It shall be the duty of the member making the motion to inform the Board as to whether the motion is a temporary or permanent motion. It shall be the duty of the Secretary to record type of motion and the passing or failing of the motion in the minutes of the meeting. Once a motion is published on the Board's website, member(s) are deemed duly notified of its existence. There shall be two (2) types of motions, as follows:

(1) TEMPORARY MOTIONS: This type of motion shall be used for the purpose of changing a provision of the By-Laws on a temporary basis, to adjust to facts or circumstances that have arisen during the course of the basketball year that the member feels needs to be changed just for the current basketball year. If approved, the temporary motion shall be published in the minutes as temporary. The

substance of said motion shall expire at the end of the basketball year in which it was passed.

(2) PERMANENT MOTIONS: This type of motion shall be used for the propose of changing a provision of the By-Laws on a permanent basis, so that the change is made to the actual By-Laws document.

SECTION 2. EXECUTIVE COMMITTEE POWER TO AMEND BY-LAWS: With the exception of matters that specifically require a vote of the general membership for approval, the Executive Committee shall have the power to amend the By-Laws as needed to serve the best interest of the Board. Said amendments shall be published and made available to the members.