

EASTERN VIRGINIA OFFICIALS ASSOCIATION, INC.

CONSTITUTION

Article 1 - Name

The name of this organization shall be "Eastern Virginia Officials Association, Inc."

Article 2 - Objectives

The objectives of this organization shall be to unite in membership those fully qualified and aspiring officials residing in the Eastern Virginia area; to establish and maintain the highest ideals of enforcement of the rules of play, both in letter and in spirit; and to study, improve and make uniform the skills and interpretations necessary to the highest caliber of officiating.

Article 3 - Definitions

ASSOCIATION shall mean the Eastern Virginia Officials Association, Inc.

BOARD shall mean the Executive Board of the Association.

MEMBERS shall mean persons who are Active or Provisional Members of the Association unless otherwise stated in this Constitution and By-laws. All members are considered independent contractors and not employees of the Association.

VHSL shall mean the Virginia High School League

Article 4 - Membership

1. Members of the Association - The Association consists of those persons duly authorized membership as outlined in the Constitution and By-laws.
2. Classification of members - Members shall be classified as follows:
 - a. ACTIVE MEMBERS are those persons who have met the requirements in accordance with the By-laws. Only active members may vote.
 - b. PROVISIONAL MEMBERS are those persons who have applied for membership but have not fully met the requirements as stated in the By-laws.
 - c. HONORARY MEMBERS are those persons who have been recognized by the Board as having contributed outstanding service to officiating or the sports officiated by the Association and are, therefore, duly recognized by this Association. Honorary members no longer actively officiate.
 - d. LIFETIME MEMBERS are those officials who have been recognized by the Board as having contributed outstanding service by officiating the sports served by the Association. Lifetime Members are relieved of the obligation to pay Association dues and shall be invited to all Association social functions without charge. Only active lifetime members may vote.

Article 5 - Duties, Obligations, and Privileges of Members

1. Duties and obligations: Members shall:
 - a. Cooperate when requested by the Board or Commissioner.
 - b. Not attempt to secure contracts, either for themselves or for any organization, from any school or group that has, at any time during the last two calendar years, used Association officials, unless first approved by the Board.
 - c. Act in a professional manner and wear a clean uniform as prescribed by the Board or Commissioner.
 - d. Arrive at game sites as prescribed by the Commissioner.
 - e. Give the Commissioner at least twenty-four hours notice when canceling an assignment. If the Commissioner cannot be reached, the member shall notify the President. Twenty-four hour notice shall also apply to recreation leagues.

- f. Not switch any assignment without the knowledge and permission of the Commissioner. Under NO circumstance shall a member switch or change any scholastic (varsity or junior varsity) assignment.
 - g. Confirm all assignments as prescribed by the Commissioner. Members shall confirm all assignments with their fellow official on the day before game day when possible.
 - h. Notify the Commissioner within twenty-four hours after the end of a game in which there is an irregular, controversial or unsportsmanlike act; a game rained out; or a game canceled.
 - i. Comply with such physical examination and/or fitness requirements as determined by the Board; provided however, that if an official has passed a physical earlier in the same school year, he shall not be required to submit to a second physical.
 - j. NOT PUBLICLY CRITICIZE ANY OFFICIAL.
 - k. Attend the required clinics sponsored by the Association or VHSL.
 - l. Not affiliated themselves with any other officials association without the prior approval of the Board.
2. Clinic Attendance: Active and Provisional Members shall attend all clinics for their respective sports. Members shall be fined for each inexcused clinic missed. Members shall remain for the entire clinic unless excused by the President or the Commissioner. Any member who is late for any clinic shall be fined. All fines will be deposited in the General Association Fund. Members have the right to appeal any fine to the Board. Any member who is unable to attend a clinic due to an assignment by this Association is deemed to have attended that clinic.
 3. Rights of Members: Members shall have rights as stated in this Constitution and By-laws and/or as provided by this Association.
 4. Members' representation: Delegates of the Board shall represent the members at the Board meetings.
 5. Financial obligations: Dues, assessments, and fines will be paid on or before the due date. If payment is late, the member will be fined for such lateness. If the date of the payment is not stated in this Constitution and By-laws, the Board shall set the due date.

Article 6 - Officers of the Association

1. Officers: The Officers of the Association are:
 - a. President
 - b. President-elect
 - c. Commissioners - One for each sport
 - d. Secretary/Treasurer
2. Terms of Office: The term of all Officers is one year, except the Office of the Commissioners and the Secretary/Treasurer that will serve a term of two years. An election shall be held each year for the Office of the President-elect. All officers' terms shall begin as of the last day of the month in which the election is held or as prescribed by the Board. The term of office for the Baseball and Softball Commissioners shall be from December 1 to November 30. The term of office for the Secretary/Treasurer shall be from January 1 to December 31. The Commissioners and Secretary/Treasurer may be re-elected without limit.
3. Succession in Office: The offices of the President and President-elect are successive. A person elected President-elect shall serve as President in the following year. The offices of the President and President-elect may remain intact for the following year with the approval of a majority vote of the members present.

Article 7 - Duties of Officers

1. President: The President shall be the Chief Executive of the Association and shall preside at all meetings. He shall schedule all meetings and shall be responsible for scheduling sufficient meetings. He shall insure that the Secretary/Treasurer provides each member with a written notice of all meetings. One notice delivered to each member at least seven days before the first meeting shall be sufficient. The President shall appoint all Committees and shall be an ex-officio member of all

committees except as noted herein. The President shall appoint a Parliamentarian. The President shall act in the best interests of the Association and assume all duties, as the Board requires. On matters requiring a vote, except elections and disciplinary matters of a Board member, the President shall not vote unless there is a tie vote. The President shall, on the appropriate occasion, have the authority to disburse the funds of the Association. The President shall not receive payment for his duties. However, the President shall be relieved of any assessment fees for the sports he/she officiates during his term of office. The Commissioner's fee shall be paid from the Association treasury.

2. President-elect: If the President is absent or if the President vacates the office, the President-elect shall serve as President. The President-elect may serve as an ex-officio member of any committee as appointed by the President.
3. Commissioners: The Commissioners shall assign all scholastic, preparatory and recreational games. He shall assign games according to the procedure adopted by the Board. Assignments shall be based upon the official's qualifications, ability, and availability. The Commissioner may officiate regular season scholastic or recreational games assigned by this Association. The Commissioner is not allowed to work any post season tournament games. The Commissioner may officiate any regular season game assigned by this Association or the VHSL pursuant to the discretion of the Board. The Commissioner shall, consistent with his other duties, be entitled to officiate, but in no event shall the Commissioner take advantage of his assigning authority to create a disproportionate schedule for his personal benefit. The Board may and can dictate the number of assignments the commissioner may work within a given time frame. The Commissioner will report the number of games he has worked within a given time frame. The Commissioner will report the number of games he has worked in comparison to the other members, to the Board at each Board meeting. The Commissioner shall for any games he works, not receive a commission for these games. The commission for those games shall be turned over to the treasurer and deposited to the Association's general fund. The Commissioner shall receive a salary as set by the By-laws. The Commissioner shall endeavor, at least once each week; to attend games assigned by the Association for the purpose of observing members. The appropriate Commissioner shall be responsible for investigating all alleged complaints against members and reporting to the Board all information concerning complaints against members. The Commissioner shall have the authority to fine and/or suspend any official under his jurisdiction. Prior to the first scheduled event for that sport season, the Commissioner shall submit a proposed schedule of fines to the Board for approval. Once approved, the commissioner is required to distribute this fine schedule to all of his members. Each Commissioner shall appoint a rules interpreter for his sport. Each Commissioner shall only assign games for this sport contracted by Eastern Virginia Officials Association, Inc. A Commissioner may, only with the express consent of the Board, assign games for his sport for another entity. All contracts submitted to client organizations must be in the name of Eastern Virginia Officials Association, Inc. Each Commissioner shall furnish the treasurer with invoices to be mailed to client organizations and detailed pay sheets for distribution of payments to members. The Commissioner may charge a booking fee on top of the game fee rather than have the customer/league retain a portion of game fees. In the event the league, school or customer prepays the game fees, and an administrative fee is charged for E.V.O.A. to pay the officials, part of the administrative fee shall be paid to the official. The Board shall determine percentage distribution of the administrative fee.
4. Secretary/Treasurer: The Secretary/Treasurer shall receive all moneys from the various leagues and schools and disburse funds when appropriate. He shall keep minutes of all Board meetings and upon approval of the Board, cause these minutes to become a part of the permanent records. He shall be responsible for the publicizing of all activities of the Association. This includes the sending of all individual notices concerning meeting dates, clinics, and other activities. He shall have all correspondence available to the Board or the President. He shall be responsible for the publication of a periodic newsletter that shall include input from the various commissioners, special committees, and any other pertinent information. Prior to the publication, he shall contact the President for approval of the newsletter. He shall collect fees and fines as directed by the constitution and if

necessary, write receipts for it. He shall attend to all financial obligations upon proper authorization from the Board. He shall maintain a bank account in the name of the Association at a bank approved by the Board. He shall receive a salary as set by the Board. He shall make all records available for audit by a committee appointed by the President at least once a year or at any time upon request by the Board. He shall make such financial reports to the Board as are required by this Constitution. At the expiration of his term of office, he shall prepare a complete financial report to the Board and deliver all records and moneys of the Association to his successor.

Article 8 - Executive Board

1. **Members of the Board:** Members of the Board are the officers of the Association, the immediate past-president, and an elected delegate from each sport, each of whom shall be an Active member.
2. **Election and terms of delegates:** Delegates terms shall begin on the last day of the month during which they are elected by the membership or as appointed by the Board. Delegates shall be elected such that each of the sports officiated by the Association shall be represented by a delegate who has officiated that sport during the preceding year. No delegate shall serve more than three consecutive elected terms. All sports delegates are elected for one-year terms.
3. **Authority of the Board:** The Board shall determine the policies and activities of the Association except as stated in the Constitution and By-laws. Any action of the Board may be voided or modified by a two-thirds majority vote of a quorum of the members of the Association. The Board shall have the authority to discipline any member of the Association, including members of the Board, as provided in the Constitution and By-laws. The Board shall approve all budgets. The Board shall review the reports of all committees and take such action, consistent with this Constitution and By-laws, as is deemed in the best interest of the Association.
4. **The Parliamentarian** shall be a nonvoting member of the Board. He shall interpret the Constitution and By-laws as needed. The term of office shall be that of the President who appoints him.
5. **The duties of the rules interpreter** are to chair all rules clinics and to hold rules and mechanics sessions at each meeting as necessary.

Article 9 - Duties of the Board

1. **Management of the Association:** The Association shall follow the management policies of the Board. Each member of the Board has a fiduciary duty to the Association.
2. **Legislative Responsibilities:** The Board shall establish the policies of the Association, which shall include setting the amount of periodic and annual dues. All actions of the Board shall be done upon a majority vote of a quorum.
3. **Judicial Duties:** The Board will hear all appeals made by members on actions and decisions made by the Judicial Committee. In order to overturn any Judicial Committee action, a two-thirds majority vote of a quorum of Board members is required. Expulsion may be imposed by a two-thirds majority vote of the total active members of the Association.
4. **Financial Approval:** All financial obligations of the Association shall be subject to the approval of the Board.
5. **Employment of Personnel:** The Board may employ such assistance as may be required.
6. **Board members** shall attend all Board meetings. Any Board member who misses more than one Board meeting, except when the absence is due to illness, death in the family or an Association assignment, may be removed from the Board or fined at the discretion of the Board. Any Board member who is unable to attend a Board meeting must provide notification to the President prior to the beginning of the meeting.
7. **Appointments:** The Commissioner may appoint and the Board must approve any person to serve as Assistant Commissioner. The duties of these assistant commissioners are to assign games as determined by the Commissioner. A report of their individual activities will be submitted to the Commissioner.

Article 10 - Special and Standing Committees

1. **Judicial Committee.** The President shall appoint a Chairman and four additional members to serve as the Judicial Committee. This committee shall hear and decide all appeals brought by any member. The members shall serve for the same term and pursuant to the same conditions as the President. No member of the Judicial Committee shall also be a member of the Board or any sports committee.
2. **Nominating and Elections Committee:** The President shall appoint a chairman and four additional members to serve as the Nominating and Elections Committee. This committee shall be appointed at least sixty days prior to the annual business/election meeting. The Nominating Committee members shall accept nominations from Active members for the officers and delegate positions available. The Nominating Committee will present the nominations to the membership at the election meeting. No member of the Nominating and Elections Committee shall also be a member of the Board.
3. **Sports Committees:** The Commissioner of each sport shall appoint at least five active members of his sport to serve as the Sport Committee. The Commissioner shall be an ex-officio member of this committee. The Committee shall appoint one of them to serve as chairman. The sports committee shall be responsible for the administration of rules clinics, evaluations, ratings and assisting the Commissioner in all matters requested by the Commissioner. The names of the members of the Sports Committees shall be made known to all other members of that sport and to all members of the Board.
4. **Special Committee:** The President, with the approval of the Board, shall appoint such other committees, sub-committees, or task forces as are necessary and which are not in conflict with other provisions as provided herein. The President, with the approval of the Board shall prescribe the duties of any such committee.

Article 11 - Elections

1. **Qualifications:** Active members in good standing are eligible for nomination to an office.
2. **Nominations:** The names of the people on the Nominations and Elections Committee will be published in the next newsletter. Any active member may make nominations from the floor.
3. **Time of Elections:** The Association shall meet annually in September. The time and location will be announced by newsletter. Elections for president-elect and Secretary/Treasurer will be held at this meeting. The elections of delegates and commissioners for the individual sports will be held at separate meetings. The time and place of the meetings shall be set by the President and announced in a newsletter 30 days prior to the meeting.
4. **Voting for officers and delegates:** The Nominations and Elections Committee Chairman shall preside over the elections. The Committee shall have charge of the elections and counting of ballots. The election of commissioners and delegates shall be open to active members in good standing who officiate the sport for which the position is being chosen. Each election shall be by secret ballot unless a nominee is unopposed. If no nominee receives a majority vote, a runoff will be held and the nominees with the most votes shall be voted upon. The nominee with the least votes shall be dropped from each successive ballot. If no one is elected by a third ballot, a plurality vote shall be sufficient to elect on the fourth ballot.
5. **Absentee ballots:** Individuals who are eligible to vote but unable to attend an election meeting may vote by absentee ballot. To vote absentee the member must request an absentee ballot from the Secretary/Treasurer. The ballot must be signed and either mailed, faxed, or delivered back to the Secretary/Treasurer at least 6 hours prior to the election meeting. In the event of a runoff election, absentee ballots shall be counted during subsequent ballots as long as the nominee selected remains in the race.
6. **Vacancy in office or position:** The President shall appoint and the Board will approve any appointments to fill any vacancies that occur except for the vacancy in the office of President or President-elect. All appointments shall be for one year or until the next regularly scheduled election,

whichever is less. In the event a position cannot be filled pursuant to these rules; the Board shall notify the membership of a special election for the purpose of filling the vacancy.

Article 12 - Meetings

1. Membership Meetings: The President shall schedule meetings as may be required by the business of the Association. Such meetings shall include an Annual Meeting on the first Sunday after Labor Day in September.
2. Special Meetings: Twenty-five percent or more of all active members may petition the President to call a meeting by delivering to the President a written petition signed by them calling for a meeting. The Secretary/Treasurer shall send notice to active members at least ten days in advance of any petitioned meeting.
3. Board Meetings: Meetings of the Board shall be held as business demands. The President will schedule the dates and times for these meetings. Association members may attend Board meetings with advance notice.

Article 13 - Removal from Office or Position

The Association under the following procedures may remove officers, delegates, and appointed persons from an office or position:

1. A petition requesting removal is signed by a majority of the active members of the Association.
2. The petition shall be delivered to the President, or President-elect if the petition is for the removal of the President.
3. Upon receipt of the petition, the President (or President-elect) shall call a special meeting of the Association to act upon the petition. The meeting will be held not less than seven days nor more than fourteen days after the receipt of the petition. All active members shall be notified of this special meeting by mail or by telephone.
4. At the meeting the person names in the petition shall have the right to be heard in person or by written statement. The person shall also be allowed to call any persons to testify on his behalf.
5. At any time before a motion is heard from the floor a recognized by the President (President-elect) for a vote of removal, the person named in the petition may resign and this resignation shall end the meeting. No vote shall be taken until all persons who desire to speak on the matter have been heard.
6. If a motion for removal is made and seconded, voting shall take place by secret ballot. Only active members shall attend the meeting and vote.
7. The person named in the petition shall be allowed to vote.
8. Removal shall require the approval of two-thirds majority of the TOTAL ACTIVE MEMBERSHIP OF THE ASSOCIATION for President, President-elect or Secretary/Treasurer.
9. Removal of Commissioners and Delegates requires approval of two-thirds majority vote of total active membership working that sport.

Article 14 - Audits and Financial Reports

1. The funds of the Association shall be audited annually by the Audit Committee at the end of the Association's fiscal year of December 31. The President shall appoint an Audit Committee, which shall consist of three persons, none of whom shall be members of the Board. The Secretary /Treasurer may prepare financial statements from time to time. He shall, however, prepare an Interim Financial Statement (IFS) and an Annual Financial Statement (AFS) for delivery to the Board. The IFS shall be delivered to and approved by the Board prior to the Annual Meeting in September. Once approved, the IFS shall be delivered to the membership at the Annual Meeting. The AFS shall be delivered to the Board as soon as feasible following the conclusion of the Association's fiscal year, and once approved shall be available to the membership upon request.

Article 15 - Amendments

1. This Constitution may be amended by two-thirds majority vote of the active membership of the Association present and voting at any meeting of the Association provided that the proposed amendments had been distributed to all voting members in writing at least fourteen days in advance of the meeting.

Article 16 - Rules for Construction

1. In any conflict or potential conflict between this Constitution, the Association's By-laws, the Association's general practices, or rules generally applicable to deliberative bodies, this Constitution shall prevail. When not in conflict with the Constitution, the By-laws shall take precedence over all other authorities.
2. Any reference or use herein or in the Association's By-laws to the male gender or a male pronoun, shall be construed to include and refer to the female gender as well.

By-Laws

Article 1 - Qualifications for Membership

1. Membership in this Association shall be open to qualified and aspiring officials in the greater Eastern Virginia area regardless of sex, race, or national origin provided their purposes are the same as those of the Association are.
2. An active member is a member who has worked one season in any sport in good standing.
3. A provisional member is a member who has not fully met the requirements of an active member.
4. Active membership is to be automatic unless said the respective Commissioner otherwise notifies member and the Board.

Article 2 - Discipline of Members

1. Grounds for Discipline: Improper or negligent conduct shall be grounds for discipline and/or fines as determined by the Constitution and By-laws. Any and all items not specifically covered by the Constitution and By-laws may be handled, as the Board deems necessary, up to and including the removal of Board members from office. Any disciplinary action against a Board member requires a two-thirds majority vote of all Board members and for such voted the President should be entitled to vote.
 - a. Any member who missed an assignment may be fined the game fee. One half of the fine shall go to the official who works the assignment alone. The other half shall become the funds of the Association.
 - b. There will be a fine equal to the amount due for late payment of any fine. A payment is late if it is more than thirty days past due. Any payment sixty days delinquent shall cause the member to be suspended from the Association. Such member must petition the Board for re-admission. A timely appeal (ten days) shall delay imposition of a penalty until the appeal has been decided.
 - c. Failure to wear either the proper or a clean uniform may cause a fine of ten dollars (\$10.00) to be imposed.
 - d. If a member fails to appear by game time, he may be fined an amount equal to one-half of the game fee.
 - e. The Commissioner may assess if a member cancels an assignment less than twenty-four hours before that assignment's game time, a fine of ten dollars (\$10.00).
 - f. A member will be fined twenty-five dollars (\$25.00) for each clinic missed without proper excuse.
 - g. Any member suspended from the Association because of not paying fines must pay all delinquent amounts before he will be considered for re-admission to the Association.
3. Suspensions: the Commissioner may suspend any member, whose conduct is deemed improper or unprofessional, or willfully violates this Constitution and By-laws, from the Association. The period

of suspension shall be explicitly determined by the Commissioner and shall not exceed twelve months and shall become effective immediately.

4. Expulsion: Any member, whose conduct is deemed grossly unprofessional and detrimental to the Association, or who willfully and repeatedly violates this Constitution and By-laws, may be recommended for expulsion. Expulsion from the Association requires a two-thirds majority vote of all members of the Association.

Article 3 - Appeals

1. Any member who has been fined or suspended has the right to appeal. The member must appeal in writing within ten days of the date the member was notified of the fine or suspension. The Judicial Committee shall hear all appeals within fourteen days. All appeals must be delivered to the President or to the President-elect if the President is not available.
2. As part of the appeal process, the member has the right to bring any evidence and/or witnesses before the Judicial Committee. First, the Commissioner shall present arguments, evidence and witnesses to the Judicial Committee. After which, the member shall present his defense. In order to overturn any fine or suspension, the Judicial Committee must rule in the favor the member by a majority opinion.

Article 4 - Discipline Notice

1. The Board shall notify the Association of all members expelled in accordance with the Constitution. The Board shall notify, in writing, any member who is suspended or expelled. If the member is present at the Association meeting when the fine, suspension or expulsion is voted, the Board may, but shall not be required, to give the member the Board's decision at that time.

Article 5 - Dues and Assessments

1. Dues: Association dues as determined by the Board shall include liability insurance. Banquet fees, clinics, and one Association emblem for each continuing member and two emblems for each new member. New members, whether active or provisional must pay a five dollar (\$5.00) initiation fee.
2. Assessments: Members shall pay an assessment fee of ten percent of all game fees. These fees shall be apportioned as follows:
 - a. Commissioner: eight percent.
 - b. General funds - two percent.
3. Dates of Payment: Association dues shall be paid in advance for the following year. These dues will be paid by deduction from game fees when possible. In any event, members must pay dues prior to the Annual Meeting held in September. Officials who have not paid dues by the due date will no longer be active members. Officials who have paid dues and work no game in any sport for the Association in the following year may apply to the Board for a refund.

Article 6 - Rules of Procedure

1. Quorums: A quorum for the Board shall be one-half of the members of the Board. An Association quorum shall consist of the active members in attendance.
2. Parliamentary Guide: Robert's Rules of Order shall be the parliamentary guides.
3. Designated Authority: The Parliamentarian, if one has been appointed, shall be the designated authority on interpretation of the By-laws.

Article 7 - Amendments

1. These By-laws may be amended by two-thirds majority vote of the active members present and voting at any meeting of the Association provided that the proposed amendment has been distributed to the members in writing at least fourteen days in advance of the meeting.

Approved by the membership at the General Meeting held September 12, 1999.

