

WESTERN NORTH CAROLINA OFFICIALS ASSOCIATION

CONSTITUTION AND BY-LAWS

ARTICLE 1 NAME-OFFICE

Section 1. Name. The name of the association is Western North Carolina Officials Association. (Hereinafter referred to as the Association)

Section 2. Principal Office. The principal office of the Association shall be located at the residence address of the Secretary-Treasurer.

Section 3. Mailing Address. The mailing address of the Association shall be the same as the address or post office box of the principal office.

ARTICLE II PURPOSE

Section 1. Officials. It shall be the purpose of the Association to provide adequate and well trained officials for all public school and preparatory school interscholastic athletic contests in the bounds of the area served by the Association. In addition, the services of the Association shall be available to colleges, junior colleges and other organizations, which may seek the services of the association, upon approval of the Board of Directors.

Section 2. Training. It shall be the purpose of the Association to serve and train new officials and upgrade the existing membership through clinics, lectures, films, rules discussions, interpretations, examinations and summer training as deemed necessary by the Membership/Review Committee.

Section 3. Relations. It shall be the purpose of the Association to establish and promote the growth of good relations and understanding between the Association and the organizations that it serves.

ARTICLE III MEMBERSHIP

Section 1. Classification. Membership classification shall be as follows:

- (1) **Active Member:** Membership fees are current and member is in good standings with the Association.
- (2) **Inactive Member:** An individual must request in writing to become an inactive member. Yearly membership fees are not required. To activate membership the current year fees have to be paid.
- (3) **Delinquent Member:** An individual who has not requested to become inactive and has not paid required membership fees to the Secretary Treasurer as prescribed in Article 10 section 1. Delinquent members will not receive consideration for game assignments until Active membership has been obtained.
- (4) **Suspended Member:** An individual that has been suspended by the WNCOA board for disciplinary reason. The individual will have to submit a new application for membership to the Board of Directors for consideration to be approved back to active membership.

Section 2. Qualification. Subject to the requirements of this Article, any person who is a member in good standing of the NCHSAA who is honest, upright, worthy of confidence, of good moral character, in good health and who agrees to abide by the constitution and by-laws and other rules and regulations of the Association, shall be eligible for membership.

Section 3. Application. Each applicant for initial membership must submit a written application to the Secretary-Treasurer of the Association upon such form as the Membership/Review Committee may require, and each application submitted must contain three references, preferably one coach (of the sport(s) he wishes to officiate) of a school which is serviced by the Association and two members in good standing of the Association or people deemed recognizable by the Association.

Section 4. Approval. All initial applications received shall be delivered to the Membership/Review Committee which shall make such investigation into the background of each applicant as it deems necessary or appropriate. The Committee shall make its recommendations to the Secretary - Treasurer prior to the State examination dates concerning applications received by it before July 1st (for fall sports), October 1st (for winter sports), and February 1st (for spring sports). For applications received after these dates, the Committee shall make its recommendations to the Secretary-Treasurer within fifteen (15) days after receipt of such applications. Any applicant approved by a majority vote of the Membership/Review Committee shall, upon payment of the prescribed dues, become eligible for membership in the Association.

Section 5. Members. All officials registered in good standing with the NCHSAA and the WNCOA comprise the total membership.

Section 6. Assign ability. The membership of the Association shall be non-assignable and nontransferable.

ARTICLE IV

MEMBERSHIP MEETINGS

Section 1. Place of Meeting. Meeting of the membership of the Association shall be held at a centrally located place selected by the President.

Section 2. Annual Meeting. The annual meeting of the membership for the election of officers and directors, and transaction of such other business as may come before the meeting, shall be held on the second Tuesday in August. Any Association Booking Agent with a sport in that time period shall notify schools served by the Association that officials will not be available for scrimmages on this date.

Section 3. Special Meetings. The special meetings of the membership may be called by the President, a majority of the members of the Board of Directors, or by petition presented to the Secretary Treasurer signed by no less than 15% of the membership. Special meetings must be set by the Secretary no more than 30 days from the call for said meeting.

Section 4. Notice of Meetings - Waiver. Written or printed notice (in the Asheville Citizen-Times) stating the place, date, day and hour of the meeting, and, in the case of a special meeting, the purpose for which the meeting is called, should be delivered not less than seven (7) days nor more than twenty one (21) days before the date of the meeting, either personally or by mail, signed by the President or Secretary Treasurer. If mailed, such notice shall be deemed to be delivered when deposited in the US mail, addressed to the member at his address as it appears on the books of the Association, with postage thereon prepaid. Waiver by a member in writing of such notice of a membership meeting shall be equivalent to the giving of such notice.

Section 5. Quorum. A quorum for a meeting of the Association membership shall be a majority of the members present in good standing of the Association. (Majority is defined as more than half of the members present in good standing. Example; 24 present 13 votes needed to carry)

Section 6. Voting. Each Active member in good standing with the WNCOA, shall be entitled to cast one vote for each director and each officer to be elected, and one vote for any other matter coming before the meeting. Each member must be present at the meeting to cast his vote, except that the President shall vote only in case of a tie other than in elections. The membership shall vote on the Four (4) Directors based on the following criteria: Three (3) Directors will be chosen from the three (3) sports with the three highest registrations from the previous year. One (1) Director will be chosen from the remaining sports.

Section 7. Training meetings. From time to time during the seasons of the various sports in which the Association is acting, the Chairman of the Training Committee for each sport shall call meetings of the membership for the purpose of clinics, instruction in rules, rules interpretation and officiating procedures, and to receive reports and recommendations from the committees which are active during the officiating season. These meetings shall not carry the meaning of "special meeting" as stated in Section 3 above. And no business shall be transacted at these meetings unless the requirements stated above for the special meetings are met. Notice of training meetings shall be posted on the WNCOA website on the Sunday prior to such meeting. At the first training meeting of each sport, the discipline and grievance must be read to the members then attending.

ARTICLE V

BOARD OF DIRECTORS

Section 1. Number and Qualifications. The number of the Directors of the Association shall be Fourteen (14). Each officer shall be a member of the Board of Directors for his term of office (President, President-Elect, Parliamentarian) Four (4) members of the Association will be elected by the membership at the annual meeting, on the alternating year from the election of officers, thus making the total number of officials on the Board of Directors as seven (7). The Booking Agent(s) will be members of the Board with no vote. The schools' representation to the Board shall be as follows: a maximum of two (2) members from each public school conference served, one (1) Superintendent or Central Office Personnel, and one (1) member representing the private schools. Each Conference will determine their representative(s) to the Board. The Board of Directors shall decide the number of representatives from each conference and this could vary on a rotating basis thus making the total number of school representatives on the Board of Directors seven (7).

Section 2. Term of Office. Except for the officers whose service on the Board of Directors is set forth in Section 1 above, each Director elected by membership shall hold office for a period of two (2) years.

Section 3. Break in Service. Any official who was elected to the Board of Directors as a director or as an officer may not serve more than four (4) consecutive years on the Board of Directors. The break in service shall be for a period of one year.

Section 4. Vacancies. A vacancy occurring on the Board of Directors will be filled at a Special Meeting of the general membership (called by the President of the Association) by a majority vote of those members present. A vacancy created by an increase in the authorized number of directors shall also be filled by election at an Annual or a Special Meeting of the membership. In the event that a director is elected at an annual or a special meeting to the office of President, President-Elect, Parliamentarian before the director's term has expired; the membership at said meeting shall elect another director to serve out the term of the director who has been selected as an officer.

Section 5. Removal. Directors may be removed from office for any cause deemed by the membership to be in the best interest of the Association, by a majority vote of the membership present at any annual or special meeting. If any director is so removed, a new director shall be elected at said meeting to fill the unexpired term of the deposed director. Any director may be removed from office by a majority vote of the members of the Board of Directors at a regular or special meeting of the Board. Any vacancy created by such removal shall be filled at such meeting by a majority vote of the remaining members of the Board to serve per Section 4 above. No director shall be subject to removal from office at a membership meeting or a meeting of the Board of Directors, unless he has first received seven (7) days written notice of the meeting, stating that among other matters to be considered, is the subject of his removal from office.

Section 6. Compensation. The Board of Directors shall not receive compensation for services as directors. However, any director may be compensated by the Association for services rendered to the Association beyond the scope of his office as a director, or for actual expenses incurred by him in attending to Association matters provided the payment of such expenses is approved by the Board of Directors prior to the said performance of services and incoherence of said expenses.

Section 7. Duties. It shall be the duty and responsibility of the Board of Directors to enforce the rules and regulations of the Association, establish job description for booking agent and appoint each booking agent for each sport and to adopt such new rules and regulations as it deems to be in the best interest of the Association in carrying out the purposes and objectives of the Association, as set forth in the Constitution and By-Laws.

Section 8. Executive Committee. Make any recommendations that they consider necessary to the Board of Directors. Executive Committee will consist of the President of the WNCOA, two (2) selected Directors from the conferences and the related Booking Agents as non-voting members.

ARTICLE VI DIRECTORS MEETING

Section 1. Regular Annual Meetings. The regular annual meeting of the Board of Directors shall be held on the same day and at the same place that the annual membership meeting is held, immediately preceding the membership meeting.

Section 2. Other Regular Meetings. A meeting of the Board of Directors shall be held prior to the start of each major sport season for which the Association furnishes officials to the schools, at such time and place as the Board of Directors may by resolution adopt.

Section 3. Special Meetings. Special meetings of the Board may be called by or at the request of the President, Secretary-Treasurer, or any three (3) Directors. Such meetings shall be held at such time and place as the President may direct.

Section 4. Notice of Meetings. Called meetings, regular meetings, annual and seasonal meetings of the Board of Directors may be held with notice. The person or persons calling a special meeting of the Board shall give notice thereof by the usual means of communication. Such notice shall specify the purpose for which the meeting is called.

Section 5. Quorum. A quorum for Board of Directors meetings shall consist of more than half of the voting members.

Example: Total Board membership fourteen (14) half would be seven (7) a quorum of eight (8) would be needed to carry on business.

Section 6. Voting. Except as otherwise provided in this Constitution and By-Laws, the act of the majority of the Directors present at a meeting at which a quorum is present, shall be the act of the Board of Directors.

Section 7. Informal action. Action taken by a majority of the Directors, without a meeting, is nevertheless Board action, if written consent to the action in question is signed by all the Directors and filed with the minutes of the proceedings of the Board, prior to the adjournment of the Board at its next regular or special meeting

ARTICLE VII OFFICERS

Section 1. Number. The voting Officers of the association shall consist of a President, President-Elect and **Parliamentarian**. These Officers shall serve in like capacities as Officers of the Board of Directors and in the management of the Association's business.

Section 2. Election and Term. The President, President-Elect and Parliamentarian of the Association shall be elected by the membership at the membership's annual meeting as the various terms of office expire. The Officers shall be elected for a two (2) year term. The terms of office shall end and begin August 1st as the various terms of each office expires.

Section 3. Qualification. Each person elected or appointed to any office shall have been a member in good standing for minimum of 5 years and shall have been an active member of the Association in the year preceding his election and shall continue to be active each year in at least one sport during his term of office.

Section 4. Removal. Any Officer elected by the membership may be removed from office, for any cause deemed by the membership to be in the best interest of the Association, by a majority vote at a regular or special meeting of the membership. In order to be removed from office the Officer in question must have first received seven (7) days written notice that the subject of his removal would be considered at said meeting.

Section 5. President. The President shall be the principal executive officer of the Association and subject to the control of the Board; shall supervise and control the management of the Association in accordance with the By-Laws. He shall, when present, preside at all membership meetings and Board meetings and set agenda for all Board of Directors meetings, annual meetings and special called meetings. In addition he shall appoint such other committees as he deems advisable.

Section 6. President-Elect. The President-Elect shall perform the duties of the President in the President's absence or disability, and such other duties as may be assigned to him by the President or the Board of Directors. He will succeed the President upon termination of the President's term of office (he shall serve a two year commitment ending July 30th of the second year). In the event the President-Elect shall succeed to the office of the Presidency before the President's term has expired, a special membership meeting will be convened to elect a new President-Elect.

Section 7. Parliamentarian. The primary duty of the Parliamentarian shall be to advise the Board of Directors and assure that the by-laws of this Association are adhered to at all times. The Parliamentarian shall serve as the Chairman of the Grievance committee and such other duties as may be assigned to him by the President or the Board of Directors.

ARTICLE VIII COMMITTEES

Section 1. Designation. The two standing committees of the Association for every sport: Training and Review. The President may also appoint such special committees as he, the Board of Directors or the membership in general may determine.

Section 2. Appointment - Term of Office. Each committee shall be composed of three (3) or more members appointed by the President and approved by the Board of Directors for each sport. The chairman of the Review Committee and Training Committee shall be appointed prior to the registration date of each sport. The chairman of the Training and Review Committee shall be appointed by the President and approved by the Board of Directors and shall be a member other than the member from the Board of Directors. Each committee member shall serve on the committee for a two (2) year term as appointed. Each committee member shall be eligible for reappointment upon the expiration of his term of office.

Section 3. Review Committee. The Membership/Review Committee shall have full power to organize, keep its respective records and determine the methods of passing applications for membership received pursuant to these By-Laws. They shall also have the responsibility of scouting games serviced by the Association, and shall make their reports to the Booking Agent on such forms as the Committee may adopt. Reports shall also be made to the membership at the seasonal meetings as directed by the Board. One of the purposes of this committee shall be to upgrade the officiating and officiating procedures of the membership through scouting reports, instructive criticism and recommendations. The booking agent shall be an ex-officio member of this committee.

The Membership/Review Committee shall consist of five (5) officials appointed by the President for a two (2) year term, with two members rotating off one (1) year and three (3) the next. A member of this committee must be a Class I or Class II official with at least eight (8) years experience, and must have had previous experience on other Committees or the Board of Directors.

Section 4. Training Committee. The Training Committee shall be responsible for the establishment, supervision and conduct for all training clinics, including the appointment of clinical leaders securing same if they are outside the membership and implementation of proper approved NCHSAA mechanics, adoption of procedures with regard to the proper conduct of said clinics, reporting to the Secretary-Treasurer the attendance of said clinics, etc. The booking agent shall be an ex-officio member of this committee.

Section 5. Grievance Committee. Refer to Article XII.

**ARTICLE IX
ASSIGNMENT OF GAMES**

Section 1. Booking Agent - Appointment. WNCOA will comply with the NCHSAA mandate for the selection process of Booking Agents.

Section 2. Term of Office. The Booking Agent shall be appointed for a term of not to exceed two (2) years. The Board of Directors will review the Booking Agent performance annually.

Section 3. Salary and Reimbursement. The Booking Agent shall receive remuneration for his services in an amount to be fixed and approved by the Board of Directors. Said remuneration is to be at a level consistent with the duties and the level of financial reimbursement of other booking offices in the NCHSAA. He shall also receive such portion of the official's dues as the Board of Directors may determine.

Section 4. Duties It shall be the responsibility of the Booking Agent to schedule officials for athletic contests under the supervision of the Board of Directors and in compliance with the rules and regulations of the North Carolina Athletic Officials Association.

The Booking Agent shall address but need not be limited to the following:

- A. Making arrangements for securing games for the association.
- B. Working as a liaison with the schools. This will include any and all actions necessary to secure agreed upon and due fees and other payments for members and for the Association.
- C. Work as a liaison with the NCHSAA. Attending all required state meetings. Administer any state tests to be taken by the members.
- D. Assigning games (both regular and post-season) according to policies established by the Board of Directors and in compliance with NCHSAA. All game assignments to include Post-Season to be posted on the Arbiter.
- E. Where possible, observing games and making evaluations/ comments on the officials in conjunction with the Review/Membership committee to the Board for follow-up actions.
- G. In conjunction with the Secretary/Treasurer, maintain a current address and telephone listing of all association members.
- H. Manage other duties as directed by the Board of Directors.

**ARTICLE X
DUES, FINES, FEES, ETC.**

Section 1. Dues. Each member shall pay annual dues in the amount set by the Board for each sport the official works. Such dues shall be paid on or before June 1st for Football, Soccer and Volleyball; September 1st for Basketball and Wrestling; January 15th for Baseball/Softball and Soccer; accompanied by the “Application for Membership” form posted on the WNCOA Web site.

Section 2. Fees. Fees for school membership and for officials shall be those established by the NCHSAA and approved by the association for all schools under the NCHSAA. Fees for other schools and organizations serviced by the Association shall be set and approved by the Board of Directors.

Section 3. Fiscal Year. The fiscal year of the Association shall be from August 1st through July 30th..

Section 4. Fines. Fines for officials and schools shall be as follows:

(A) A school official is responsible for calling the booking agent 2 hours prior to the time in which the game is postponed. Failure to do so would result in fine equal to a full game fee for each official involved.

(B) Any changes in the schedule after the season begins must be reported to the booking agent IMMEDIATELY. If such changes are not reported prior to bookings being published, the school(s) will pay the officials assigned the full game fee. This is in accordance with NCHSAA guidelines.

(C) An official who does not show up by assigned game time must pay the school the price of the game fee. Said official will submit reason for non-attendance in writing to President of the WNCOA and will not be booked until the obligation is fulfilled.

(D) Schools that dissolve JV programs after the season begins shall notify the booking agent immediately. If booking agent is not notified and officials show up for games, the school will pay half fee.

(E) Booking Agent is responsible for getting calls out on cancellations. If failure is due to his negligence, he must pay the fee to the official or the Association must pay.

(F) Booking Agent is responsible for getting necessary information to the school pertaining to booking information and officials for games. Negligence on the part of the booking agent will result in the school being paid by the booking agent as accessed by the Board of Directors.

ARTICLE XI

CODE OF ETHICS

Each member of the Association shall conduct themselves at all times in a professional honest and intelligent manner, as set forth in the Officials Manual, and shall abide by the specific code of ethics as outlined in the Officials Handbook:

- (1) He shall use his best efforts in learning all of the rules of the games and shall administer said rules firmly, conscientiously, courteously and impartially.
- (2) He shall be properly attired in a neat, clean and correct uniform.
- (3) He shall learn and practice correct officiating mechanics.
- (4) He shall cooperate with and assist fellow officials working in the same game.
- (5) He shall keep himself in the best physical condition and strive for a good mental attitude.
- (6) He shall make no further contact with the coaches, players or fans than is necessary and proper to carry out his officiating duties.
- (7) He shall refrain at all times from using profanity in the presence of any fellow official, player, coach or fan.
- (8) He shall never criticize a fellow official, booking agent or member of the Board for any act of omission or commission unless such criticism or judgment is requested by the Board of Directors, or the Membership Committee, and in the event of such request, the criticism shall be directed to such person, Board of Directors or Committee making the request.
- (9) He shall refer all press, radio and television inquiries to the Secretary-Treasurer and only quote the rules involved to the person making the inquiry.
- (10) He shall be loyal in carrying out the purposes and objectives of the Association in a manner consistent with the By-Laws of the Association.
- (11) He shall refer any dispute with the booking agent, schools or other officials to the Grievance Committee or Board of Directors and shall not go to other agencies or private parties until he has exhausted internal remedies.

ARTICLE XII

GRIEVANCES AND DISCIPLINE

Section 1. Filing and Notice. Any grievance which initial applicant or any member of the Association has against the booking agent, Board of Directors, officers or any other member of the Association must be filed with the Chairman of the Grievance Committee in writing and reasonable detail. Said chairman within ten (10) days of receipt of the grievance must call a meeting of the Grievance Committee to be held within ten (10) days from the filing of the grievance. At the time of the grievance filing, the chairman shall send copies of the grievance filed to the person or persons involved. At the time of the hearing, both sides of said grievance shall have the right to submit evidence from witnesses, affidavits or letters. Courtroom rules of evidence shall not apply. Depending upon the nature of the grievance, the Grievance Committee may in its discretion act as a mediator in an attempt to settle the grievance. In that event the Committee must make a decision within two (2) days of the hearing and must place in the US mail copies of said decision to the last known address of the Secretary Treasurer of the Association, the complaining parties or party, and the complained of party or parties.

Section 2. Appeal. Either party may appeal the decision of the Grievance Committee to the Board of Directors by placing a Notice of Appeal in the US mail (registered or certified) addressed to the Secretary Treasurer of the Association within ten (10) days of the mailing of the decision of the Grievance Committee. In the event said Notice is filed, the Secretary Treasurer or the President of the Association must call a meeting of the Board within ten (10) days of the receipt of the Notice of Appeal and must mail a copy of the Notice of said meeting to all parties concerned. The Board of Directors shall determine the matter de novo in the same manner as the Grievance Committee. The decision of the Board of Directors by a simple majority of quorum present shall be final.

Section 3. Discipline. In the event that the Grievance Committee or Board of Directors finds at a grievance hearing that a party has violated these by-laws or other regulations or rules passed by the membership or the Board or find that a person has done anything to bring the Association to public disrepute or has violated Code of Ethics as defined so stated in Article XI while representing the WNCOA, said Board of Director or Grievance Committee may in its discretion suspend or expel or fine said person for certain periods of time or in certain types of games.

Section 4. Suspension Pending Hearing. The President of the Association may in his discretion order the booking agent to suspend the bookings of an accused member pending the hearings herein before set forth.

Section 5. Additional Fines. In addition to the procedures set forth in this article, the Secretary-Treasurer of the Association shall have the right to fine members up to \$15.00 without the approval of the Grievance Committee or Board of Directors for the failure of said members to pay annual dues by the prescribed date. The amount of said fine may be changed by vote of the Board of Directors without amending this constitution and by-laws. Said fine shall not apply to new members joining the Association for the first time.

ARTICLE XIII AMENDMENTS

Section 1. Notice. By-Laws may be amended by simple majority vote of total membership attending a regular or duly called special meeting of the membership of the Association. Provided, however, that the Secretary Treasurer shall call notice of said meeting and a copy of said proposed by-laws to be posted on the WNCOA website not less than ten (10) days prior to said meeting.

SECRETARY TREASURER

The Secretary Treasurer shall be the principal officer in the management and operations of the Association's business and shall keep accurate records of the acts and proceedings of all meetings of the membership and directors. He shall give all notices required by law and these by-laws. He shall have general charge of the Association's books. He, with the help of the membership committee, shall have general charge of the membership's books of the association and shall keep at the principal office of the Association a record of the membership showing the following information as to each member: officiating experience, qualification, payment of fees, attendance at clinics and meetings and disciplinary action taken against members.

He shall sign such instruments as may require his signature and, in general, shall perform all duties incident to the office of Secretary-Treasurer and such other duties as may be assigned him from time to time by the President or by the Board of Directors.

The Secretary-Treasurer shall keep current and complete records of account, showing accurately at all times, financial condition of the Association. He shall be the legal custodian of all monies, notes, securities and other valuables, which may from time to time come into the possession of the Association. He shall furnish at meetings of the Board, or whenever requested, a statement of the financial condition of the Association. The Secretary Treasurer position will be appointed by the WNCOA Board of Directors. This position is appointed for a term not to exceed two (2) years. There are no term limits to this position. The WNCOA Board of Directors will review the Booking Agents performance annually. The Secretary Treasurer shall receive remuneration for his services in an amount to be fixed and approved by the WNCOA Board of directors. Said remuneration is to be at a level consistent with the duties and the level of financial reimbursement of other Secretary Treasurers within the NCHSAA.

Approved 08/11/09