

CONSTITUTION OF THE PENINSULA UMPIRES ASSOCIATION

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ARTICLE I GENERAL PROVISIONS

Section 1.1 - Name of the Association

The name of this organization shall be "**The Peninsula Umpires Association**," hereinafter referred to as the "Association."

Section 1.2 – Objectives

The primary objective of the Association is to provide qualified officials for baseball and softball contests conducted within the geographical boundaries of the Association, including sanctioned regular season and post-season events. This shall be accomplished by developing and maintaining:

1. A process to recruit, train and retain competent and qualified officials. Officials will be qualified in accordance with the Association's Policies and Procedures.
2. An Executive Committee and Board of Directors who are elected and appointed leaders who are responsive to the needs of the Association, its membership and the organizations that this Association serves.

Section 1.3 – Definitions

1. Quorum – A quorum will consist of a simple majority of the active and inactive membership, of which at least two (2) must be duly elected officers of this Association.

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ARTICLE II **OFFICERS AND EXECUTIVE COMMITTEE MEMBERS**

Section 2.1 – Titles

The **Officers** of this Association will consist of the President, the 1st Vice-President and the 2nd Vice-President.

The **Executive Committee Members** of this Association will consist of the President, the 1st Vice-President, the 2nd Vice-President, the Secretary, the Treasurer, the Training Officer and the Assignor. Any duly designated Umpire-in-Chiefs (UIC's) of national, state or local organizations may serve on the Executive Committee in an advisory capacity and shall be non-voting members.

Section 2.2 – Appointed Positions

The Secretary, the Treasurer, the Training Officer and the Assignor will be appointed positions. The position appointments will be made by the Association's elected Board of Directors and ratified by a majority vote of the membership present. Once ratified, the appointees will serve at the discretion of the Boards of Directors and the general membership.

Section 2.3 – Officer and Executive Committee Member Eligibility

All candidates for Officer and Executive Committee Member positions will have maintained active membership in good standing in this Association for a minimum of three (3) consecutive years to be eligible to hold an office in this Association.

Section 2.4 – Nominations and Elections

All **nominations** of candidates for Officers of this Association will be made at the next-to-last and last regular business meeting of the calendar year an election is to be conducted. The **election** for Officers will be conducted at the last regular business meeting of the calendar year an election is to be conducted. Any vacancies in the elected positions occurring during the interim years will be filled by a special election at the first available regular scheduled business meeting following said vacancy occurrence. Officers will be elected by a majority vote of the active and inactive Association membership present at the general meeting for elections.

Section 2.5 – Voting Eligibility

The Association's active and inactive members maintaining membership in good standing for the present year may participate in the election of Association Officers and Board of Director positions. Only prior Executive Committee approved absences will be allowed to vote by proxy or vote by absentee ballot.

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Section 2.6 – Terms of Office

The President, the 1st Vice-President and the 2nd Vice-President will be elected by closed ballot vote to a three (3) year term of office and will be eligible for re-election at the discretion of the membership.

The election for President will be held in 2003 and every third year thereafter.

The election for the 1st Vice President will be held in 2004 and every third year thereafter.

The election for the 2nd Vice President will be held in 2005 and every third year thereafter.

Section 2.7 – Duties of Association Officers

A. President

The President will be responsible directly to the Executive Committee and the Association's membership.

The President's duties will include:

1. Presiding over all meetings and conduct all business of the Association in an orderly and efficient manner in accordance with the accepted rules of order and business;
2. Be the presiding officer of the Executive Committee;
3. Appoint committees as necessary;
4. Accept responsibility that the intentions and guidelines as set down by Constitution, By-Laws, Policies and Procedures are adhered to by the membership;
5. Review financial statements submitted by the Treasurer;
6. Review reports submitted by the Assignor of game fees earned by members and of customer billings;
7. Conducting the duties of this office in a professional and businesslike manner.

B. 1st Vice-President

The 1st Vice-President will be responsible directly to the President and the Executive Committee and responsible indirectly to the Association's membership.

The 1st Vice President's duties will include:

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1. Be assigned the responsibilities of the “Baseball Program”.
2. Assume all responsibilities of the President in the event of his/her absence;
3. Conduct the duties of this office in a professional and businesslike manner.

C. 2nd Vice-President

The 2nd Vice-President will be responsible directly to the President and the Executive Committee and responsible indirectly to the Association's membership.

The 2nd Vice President's duties will include:

1. Be assigned the responsibilities of the “Softball Program,”
2. Assume all responsibilities of the President in the event that both the President and the 1st Vice President are absent;
3. Conducting the duties of this office in a professional and businesslike manner.

D. Secretary

The Secretary will be responsible directly to the President, the Executive Committee and to the Association's membership.

The Secretary's duties will include:

1. Keeping a precise chronological record of all incoming and outgoing correspondence (to and from, basic content of correspondence, etc);
2. Keeping minutes of the proceedings of the membership, the Board(s), and by committees of the Association. Records may be written, or electronic if capable of being converted to written format. The actual taking of minutes for the proceedings of the membership, the Board(s), or by committees of the Association may be delegated to another member in good standing;
3. Keeping attendance records of all members, including excused and unexcused absences;
4. Conducting the duties of this office in a professional and businesslike manner.

The Secretary will keep current and maintain the following:

1. A current copy of the Association's Constitution and By-Laws;

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2. A current copy of the Association's Policies and Procedures;
3. A record of officers', committee members', appointed positions' and directors' names, addresses, contact phone numbers and e-mail addresses (if applicable);
4. Minutes of the proceedings of the membership, the Board(s), and by committees of the Association. Records may be written, or electronic if capable of being converted to written format;

E. Treasurer

The Treasurer will be responsible directly to the Executive Committee and to the Association's membership.

The Treasurer's duties will include:

1. Collecting dues and fines as so specified by the Constitution, By-Laws, Policies and Procedures and record receipt;
2. Coordinate with the Secretary and/or Assignor to process deposits into the Association's bank account of all funds received and to receive invoices/statements for disbursements to pay the Association's obligations;
3. Receive payments from customers via the Secretary and/or Assignor and deposit funds into the Association's bank account. Receive funds in accordance with the Constitution, By-Laws, Policies and Procedures of this Association;
4. Prepare and cause to be distributed, via the Association's Assignor, billings to all customers. Disburse funds in accordance with the Constitution, By-Laws, Policies and Procedures of this Association;
5. Maintain accurate customer accounts;
6. Provide a summary of the annual audit to the membership;
7. Provide a monthly financial statement to the Executive Committee and the Board of Directors consisting of a summary indicating receipts and disbursements for the month and the starting and ending bank account balance and account reconciliation;
8. Conducting the duties of this office in a professional and businesslike manner.

The Treasurer will keep current and maintain the following:

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1. Correct and adequate records of Association finances. Records may be written, or electronic if capable of being converted to written format.

F. Assignor

The Assignor will be responsible directly to the Executive Committee and to the Association's membership.

The Assignor's duties will include:

1. Receiving all requests for officials;
2. Coordinating with the Executive Committee (if necessary) all assignments of Association officials.

The Assignor will keep current and maintain the following:

1. A record of members, including names, addresses, contact phone numbers, e-mail addresses (if applicable), membership status (active or inactive), and classification. This documentation may be via a regularly updated member accessible database, if the Association is so equipped.

G. Training Officer

The Training Officer will be responsible directly to the Executive Committee and to the Association's membership.

The Training Officer's duties will include:

1. Ensure that administration and conduct of training is in accordance with these policies and procedures.
2. Coordinate with the Vice-Presidents of Baseball and Softball for the conduct of the training program.
3. Maintain signed attendance rosters for each training session conducted by the Association.
4. Maintain an up-to-date and current training file on each Association member.
5. Recommend to the Executive Committee any changes to the training program.

H. Executive Committee and Executive Committee Members

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The Executive Committee Members will be responsible directly to the Association's membership.

The duties of the Executive Committee will be:

1. To meet at the discretion of the President;
2. To accept or reject membership to the Association;
3. To hear and provide resolution of appeals to the Constitution, By-Laws, Policies and Procedures and/or any instance not governed by the Association's Constitution, By-Laws, Policies and Procedures;
4. To determine member classification upon recommendation of the Training Officer and/or the Evaluations Officer, in writing if requested by this Association's members;
5. Be the sole responsibility via individual Committee members' recommendations to determine and invoke written reprimands, financial fines and/or probationary period extensions.

Section 2.8 – Performing Duties in Good Faith

The Association officers shall perform their duties in good faith, in a manner such officers believe to be in the best interests of the Association, and with such care, including reasonable inquiry, as an ordinarily prudent person in a like position would use under similar circumstances.

Section 2.9 – Removal of Officers and Executive Committee Members

Any elected Officer or Board of Director member may be removed from office, for just cause, by two-thirds (2/3) vote of active and inactive membership. Provided no such person may be recalled or voted out of office unless 25% of the active membership so petitions in writing.

The provisions of this section do not apply to the positions of the Secretary, the Treasurer, the Training Officer and the Assignor.

Section 2.10 – Vacancies

Any vacancies in the Executive Committee will be filled by a majority vote of the active and inactive Association membership present at the next scheduled regular business meeting following said vacancy. That officer will serve the remainder of that vacated term. The Executive Committee may appoint a member in good standing to fill the vacancy with an agreement by majority vote of the Executive Committee, with membership confirmation or replacement of said appointed officer at the next scheduled regular business meeting of the Association.

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ARTICLE III MEMBERSHIP

Section 3.1 – Qualifications

Upon presenting an application to the Association's Executive Committee with the stipulated dues and/or fees, as well as a completed Criminal History Background Check Form, membership in this Association will be open to any individual with an interest in the objective of this Association on a voluntary basis and who agrees to be governed by the Constitution, By-Laws and Policies and Procedures of this Association. Activation of membership is contingent on a clean Criminal History Background Check report.

Section 3.2 – Active Membership

Active membership in this Association will be sustained by continued payment of annual dues and required fees, attendance at required meetings and continued compliance with the Constitution, By-Laws, Policies and Procedures of this Association.

Section 3.3 – Inactive Membership

Inactive membership may be sustained by continued payment of annual dues. Inactive members will be excused from attending association meetings and will not be assigned games while maintaining an inactive status. Individuals who maintain an inactive membership may participate in annual elections of officers, Executive Committee members and Board of Director positions.

Section 3.4 – Transfer Membership

Individuals transferring from another association will be accepted by this Association upon presentation of proper substantiating credentials from the previous organization, satisfactory umpiring performance as demonstrated by an on field evaluation and approval by the Executive Committee of this Association.

Section 3.5 - Duties of Members

It shall be the duties of all members of this association to:

1. Pay all required dues and assessments.
2. Be bound by and adhere to the Association's Constitution, By-Laws, Policies and Procedures.
3. Meet all training and qualification requirements as set forth in Constitution, By-Laws, Policies and Procedures of this Association.

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4. Conduct oneself as an official in a manner that brings credit to the Association and oneself.

Section 3.6 – Declined or Revoked Membership

Membership may be declined or revoked for unethical, immoral or unprofessional conduct by a “UNANIMOUS” vote of the Executive Committee. The member must be given the right of appeal in accordance with Article VI of this Constitution.

Section 3.7 - Resignation

Any member may resign by supplying written notice to that intent to the Secretary. The Secretary shall promptly present that written notice to the Executive Committee. Resigning member will pay all outstanding dues and fines defined by the Executive Committee.

Section 3.8 - Reinstatement of Membership

Completing the following process will reinstate any member who has resigned or provide for any individual who has been declined or had membership revoked:

1. Supply a written request to the Secretary, which shall be presented to the Executive Committee for their approval.
2. Pay all outstanding dues and fines defined by the Executive Committee.
3. Receive a vote of approval from the Executive Committee, which shall be a simple majority vote of the Executive Committee.
4. Meet any terms for reinstatement that the Executive Committee deems appropriate.

ARTICLE IV BOARD OF DIRECTORS

Section 4.1 – Titles

The **Board of Directors** of this Association will consist of Director Position #1, Director Position #2, Director Position #3, Director Position #4 and Director Position #5.

Section 4.2 – Board of Director Eligibility

All candidates for Board of Director positions will have eligibility in accordance with Section 2.2 of this Constitution.

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Section 4.3 – Nominations and Elections

All nominations and elections of candidates for Board of Director positions of this Association will be made in accordance with Section 2.3 of this Constitution.

Section 4.4 – Voting Eligibility

Voting eligibility for Board of Directors will be in accordance with Section 2.4 of this Constitution.

Section 4.5 – Terms of Office

Directors will be elected by closed ballot vote to a three (3) year term and will be eligible for re-election at the discretion of the membership. Director's terms of office will overlap in years as outlined herein:

Director Position #1 & #4 election will be held in 2003 and every third year thereafter.

Director Position #2 & #5 election will be held in 2004 and every third year thereafter.

Director Position #3 election will be held in 2005 and every third year thereafter.

Section 4.6 - Limitations

Board of Directors may not serve as an Executive Committee Member of the Association. If a director is voted or assigned to the Executive Committee, that director must resign from the Board of Directors.

Section 4.7 – Duties

The Board of Directors will be responsible directly to the Association's membership.

The Board of Directors duties will include:

1. Conduct an annual audit of all financial activities of the Association in December of each calendar year;
2. Appoint qualified individuals (in accordance with Section 2.2) to the positions of the Association's Secretary, the Treasurer, the Training Officer and the Assignor when vacancies occur within those positions;
3. Monthly bank statements of the Association's bank account to be provided on request.
4. Serve as an appeal board;

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5. Monitor the activities of all officers and appointed members to ensure compliance of those officers and appointed members with this Constitution, the By-Laws and Policies and Procedures of this Association;
6. Hold meetings as necessary for the conduct of their business. Association membership and the Executive Committee Members may attend the meetings at the Board's discretion, but which shall be denied only under extraordinary circumstances;
7. Perform their duties in good faith, in a manner such Directors believe to be in the best interests of the Association, and with such care, including reasonable inquiry, as an ordinarily prudent person in a like position would use under similar circumstances;
 - a. In performing the duties of a director, a Director shall be entitled to rely on information, opinions, reports, or statements, including financial statements and other financial data, in each case prepared or presented by:
 - i. One or more officers of the Association whom the Director believes to be reliable and competent in the matter presented;
 - ii. Counsel, public accountants, or other persons as to matters which the Director believes to be within such person's professional or expert competence; or
 - iii. A committee of the membership upon which the Director does not serve, duly designated in accordance with a provision in the articles of incorporation or bylaws, as to matters within its designated authority, which committee the director believes to merit confidence; so long as, in any such case, the director acts in good faith, after reasonable inquiry when the need therefore is indicated by the circumstances and without knowledge that would cause such reliance to be unwarranted.

Section 4.8 – Removal of Directors

Directors may be removed from office by two-thirds (2/3) vote of active and inactive membership. Provided no such person may be recalled or voted out of office unless 25% of the active membership so petitions in writing.

Section 4.9 – Vacancies

Any vacancies in the Board of Directors will be filled by a majority vote of the active Association membership present at the next scheduled regular business meeting following said vacancy. The Executive Committee may appoint a member in good standing to fill the vacancy with an agreement by majority vote of the Executive Committee, with membership confirmation or replacement of said appointed director at the next scheduled regular business meeting of the association.

Section 4.10 – Board of Directors, Chairperson

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In January of each new year, after the completion of the annual audit of the Association's financial records as required in December of the preceding year, the Board of Directors will elect from among themselves a representative to serve as the Board's Chairperson.

The Board of Directors Chairperson will serve a term of one year and will be re-elected or replaced, as determined by the current elected board members, no sooner than the completion date of the annual audit of the Association's financial records.

The Board of Directors Chairperson is responsible to the Association's membership for the conduct and coordination of the Board's activities and duties as specified in Section 4.7.

ARTICLE V **MISCONDUCT AND DUE PROCESS**

Section 5.1 - Association Procedures

The Association, having reasonable cause to believe that an official is ineligible to officiate in an interscholastic activity under the Rules and Regulations of the WIAA/WOA, any contest under the Rules and Regulations of this association and/or local league, or has committed misconduct (as defined under Section 5.3), shall provide the member with notice of his/her ineligibility or violation either by certified mail or by delivering said notice in person with return receipt showing to whom delivered and the date.

The notice shall: (a) specify the reason(s) for the alleged ineligibility or violation and the rule being violated (where applicable); (b) advise the official of his/her opportunity to request a hearing at the local level in order to contest the reason(s) for or the allegation(s) of such alleged ineligibility or violation; (c) state that a written petition for a hearing must be postmarked or received by the local Association, on or before the expiration of the seventh (7th) calendar day after notification of ineligibility or violation; (d) specify how the petition for hearing can be served upon the Association; and (e) provide the official with the form(s) necessary to petition for a hearing pursuant to the procedure provided herein (if necessary).

An official making petition for a hearing with the Association may not officiate in interscholastic athletic activities, under the Rules and Regulations of the WIAA/WOA, for a period of fourteen (14) calendar days from the date the petition is received by the Association. If the Association fails to grant a hearing to the ineligible official within fourteen (14) calendar days from the date of the petition, the official shall thereafter be deemed eligible to officiate until a decision to the contrary is made.

Section 5.2 - Misconduct

Misconduct can be charged for, but is not limited to the following:

1. Using abusive language or distasteful gestures.
2. Degrading fellow association members.

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3. Providing unwarranted, derogatory news media releases and/or interviews.
4. Using mood-altering substances the day of the game that could potentially impair judgment (i.e. alcohol, drugs, or even certain prescription drugs).
5. Undercutting the established WIAA/WOA or association official's contest fees.
6. Failing to show up for a contest assignment previously accepted.
7. Violating any section of the association Constitution and By-Laws, Policy and/or Procedures.
8. Intentionally deviating from enforcement of approved rules.
9. Failing to wear the proper association uniform.
10. Being charged with a felony criminal act or a misdemeanor act involving use or distribution of mind or body altering drugs, theft or acts involving moral turpitude (Emergency suspension before the hearing is permissible if serious charges warrant it).
11. Being convicted of a criminal act.
12. Requesting to officiate a game from any coach, league or administrative official thereof.
13. Obligating themselves to any person affiliated with any contest they might be assigned to officiate.

Section 5.3 - Dispute Resolution

The Association's Executive Committee and/or Board of Directors have the authority to resolve any dispute, whether it is between Association members and serviced organizations or between two Association members. Any such dispute must be submitted in writing to the Executive Committee or the Board of Directors in accordance with Section VI for resolution. The Association Executive Committee or the Board of Directors will determine the process for resolving the dispute. The Association's Executive Committee or the Board of Directors may cause resolution through fact-finding or mediation, as allowed for under this Associations By-Laws. Should binding arbitration be necessary, the affected parties shall be responsible for obtaining and paying the cost of the services of a binding arbitrator who is a neutral party.

ARTICLE VI APPEALS

Section 6.1 – Right to Appeal

Any active member will have the right of appeal to any action imposed by the Executive Committee or the Board of Directors. Appeals to the Executive Committee or the Board of Directors must be filed, in writing, within fourteen (14) calendar days of notification of the action by the Executive

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Committee. Subsequent appeals to the Board of Directors must be made, in writing, within fourteen (14) calendar days for receipt of response from the Executive Committee upon the first appeal. Appeal resolution by the Board of Directors is final for all local Association matters. At the discretion of the Board of Directors, the matter may be referred to a Grievance Committee, as allowed for under the Association By-Laws.

Section 6.2 – Methods of Appeal

1. Initial written appeal request to the Executive Committee.
2. Subsequent written appeal request to the Board of Directors.

All written appeal requests will be a one (1) time procedure. Responses to appeals presented to the Executive Committee or the Board of Directors will be accomplished within fourteen (14) calendar days from receipt. Responses will be presented in writing upon request of the appellant.

Section 6.3 – WIAA Appeals

For WIAA sanctioned contests, the appeal process as outlined by the current WOA handbook will be followed.

ARTICLE VII **AMENDMENTS TO THE CONSTITUTION**

Section 7.1 – Amendments

Amendments to the Constitution of this organization shall be made as follows:

1. By a majority vote of the membership when a quorum is present at any regularly scheduled meeting, provided the membership shall have had copies of said proposed amendment made available at least one regularly scheduled meeting prior to the meeting at which said proposal shall be voted upon and said proposal shall be also read at the same prior meeting; provided, further, said proposed amendment shall also have been posted on the Association website (if applicable) at least 2 weeks before said vote.
2. Emergency amendments may be submitted to the membership the day of the meeting for discussion and vote. In order to be considered as an emergency amendment it must be approved by the Executive Committee, signed by the President, and voted to be brought to the floor by a two-thirds (2/3) vote of the membership in attendance.

The effective date of each amendment shall be the date of the ratification vote unless stipulated differently within the amendment.