

MID-HUDSON BOARD OF VOLLEYBALL OFFICIALS INC.
BY-LAWS

ARTICLE I: ORGANIZATION

SECTION 1:

The name of this organization shall be the MID-HUDSON BOARD OF VOLLEYBALL OFFICIALS, INC. (MHBVO.)

SECTION 2:

MHBVO, Inc shall be a not-for-profit 501 (c) (3) organization, incorporated in the State of New York.

SECTION 3:

The Organization shall have a corporate seal, to be maintained by the Secretary or the President.

SECTION 4:

The territory of MHBVO shall be the following counties: Dutchess, Ulster, Orange, Putnam and Sullivan. Additionally MHBVO shall certify PAVO officials, and may also provide PAVO coverage for Dutchess, Ulster, Orange, Rockland, Putnam, Sullivan and Westchester Counties in the State of New York.

SECTION 5:

The fiscal year shall be June 1 through May 31.

SECTION 6:

The Organization may at its pleasure, by vote of the membership body, change its name.

ARTICLE II: PURPOSE

SECTION 1:

To be a Professional Association of Volleyball Officials board (PAVO) and a New York State Certified Volleyball Officials' Association Inc (NYSCVOA) Board and uphold their respective policies and procedures.

SECTION 2:

To provide competent officials for volleyball by:

- A. Prescribing and setting forth standards for rating and examination procedures for officials.
- B. Providing for the training of officials in volleyball.
- C. Standardizing and improving officials through clinics and rules interpretation sessions.
- D. Providing evaluations of officials during the volleyball season(s).
- E. Encouraging and prompting the use of rated officials.
- F. Adapting and evaluating the needs and problems of officiating in the geographical area serviced by MHBVO.
- G. Providing a listing of rated volleyball officials to area assignors, schools, groups and organizations.

SECTION 3:

To promote the highest level of volleyball in our geographical territory

ARTICLE III: MEMBERSHIP

SECTION 1:

Membership in this Organization shall be open to all who observe the policies and regulations as prescribed in the By-Laws. Members shall conduct themselves in such a way to avoid any action that might be deemed a violation of the professional code of the Professional Association of Volleyball Officials (PAVO).

SECTION 2:

Classes of Membership:

- A. **ACTIVE:** anyone who has passed the regular PAVO and/or NYSCVOA Theoretical and Practical examinations of this or any other recognized PAVO or NYSCVOA board of volleyball officials, has paid the dues specified by the Board of Directors to MHBVO .
- B. **INACTIVE:** any member who has paid the full fees of MHBVO, but who has not passed the Theoretical or Practical examinations, who have not attended a current rules interpretation clinic, or that have been made inactive by the Board of Directors for disciplinary reasons. An inactive member may choose to become an Associate member by written application to and approval by the Board of Directors, and have up to one half of paid dues refunded, Expenses and dues that have been paid to State or National organizations will be deducted from any refund. This application must be submitted within one week of the Fall General Meeting, and before working any matches that were derived from MHBVO membership. An INACTIVE member will not be eligible to cast any votes at any time.
- C. **ASSOCIATE:** Anyone who has the purpose of the Organization at heart and desires to use his or her influence to promote this purpose without assuming the duties of active officiating. An active member may become an Associate member upon application to, and acceptance by the Board of Directors and upon payment of one half the annual dues. An ASSOCIATE member would not have insurance coverage proved by NYSCVOA. An Associate member will not be eligible to cast any votes at any time.D.
- D. **DUAL:** any member of another NYSCVOA chapter who is accepted as member of MHBVO by the Board of Directors, but who maintains primary membership with another Board, DUAL members will meet Theoretical and Practical examination, and other standards set by the Board of Directors, but will not be eligible to cast any votes at any time.**PAVO ONLY:** an ACTIVE member with a PAVO rating who does not maintain NYSCVBOA membership, or participate in the NYSPHSAA five point plan through MHBVO. PAVO Only members will meet Theoretical and Practical examination, and other standards set by the Board of Directors and PAVO.
- E. **DUAL PAVO:** A rated PAVO official who is a member of another board, but who wishes to also be associated with MHBVO, may apply to the PAVO Committee for Dual membership. When accepted and dues specified by the Executive Board have been paid, shall have the same privileges and obligations of membership as PAVO ONLY members. DUAL PAVO members will not be eligible to cast any votes at any time.
- F. **INSTITUTIONAL PAVO:** members who wish to be associated with PAVO for the purpose of receiving the benefits of that organization without receiving a rating. Institutional PAVO membership will be required of any MHBVO member without a PAVO rating who accepts any college assignment. These officials must meet theoretical and practical standards set by the Board of Directors.
- G. **EMERITUS:** A member who has retired with 30 or more years of service as a member of MHBVO, or other member who is recognized by the Board of Directors for meritorious service to MHBVO. EMERITUS members will pay no dues, and may attend meetings and other MHBVO functions. They may receive a rulebook, and attend the annual dinner meeting by paying the appropriate fee. EMERITUS members will not be eligible to cast any votes at or hold office at any time.

SECTION 3:

Members transferring from any other NYSCVOA Board will be accepted as an MHBVO member after a successful MHBVO practical evaluation session and meeting all MHBVO and NYSCVOA requirements.

SECTION 4:

Only Active members are entitled to vote and hold office.

SECTION 5:

Active NYSCVBOA members must attend the required number of meetings as designated by MHBVO and abide by the NYSPHAA. Inc. "Five Point Program", i.e.,:

1. Observe the constitution and by-laws of their local and state officials' organization.
2. Attend interpretation meetings and clinics of the local organization each year.
3. Give satisfactory evidence of proficiency in the mechanics of officiating and of competent performance related to the specific sport.
4. Pass the National Federation, State, (NYSCVOA), or other approved rules examination.
5. Are listed with the N.Y.S.P.H.S.A.A., INC. Executive Director.)

SECTION 6:

- A. NYSCVOA Members must pay annual dues by the November annual meeting, for the following year.
- B. PAVO members and will pay their dues online through the PAVO website. PAVO ONLY members whose primary membership is with another Board will pay dues to MHBVO by the deadline established by PAVO.

SECTION 7:

- A. Active NYSCVOA members must take and pass the State written examination annually. Test scores not appropriate for current level will result in an adjustment in rating.
- B. Members must pass a renewal review as required by NYSCVOA or PAVO. Failure to renew at the current level, as specified by the Renewal Committee, will result in an adjustment in the member's rating or being made an ASSOCIATE member.

SECTION 7:

- A. Members must report to assigned matches on time and wear the appropriate uniform for contest
- B. League, Sectional and Regional play-offs may only be officiated by first or second referee members with a Varsity rating.
- C. Other official positions when assigned may be filled by an active member of any rating.

ARTICLE IV: BOARD OF DIRECTORS

SECTION 1:

The business and policy of this organization shall be managed by a Board of Directors of seven members- three officers, three Regional Representatives and the Past President. Elected members of the Board of Directors shall be Active members of this organization.

SECTION 2:

The Directors (officers and At Large Representatives) to be chosen for the ensuing year shall be chosen at the annual meeting in November of the Organization and they shall serve a term of two (2) years. The election of the Regional Representatives shall be concurrent with the election of the President (elected on odd years). The election of the Vice-President and the Secretary-Treasurer shall be concurrent with each other (elected on even years).

SECTION 3:

The Board of Directors shall have control and management of the affairs and business of this Organization. Such Board of Directors shall only act in the name of the Organization when it shall be regularly convened by its Chair after due notice to all the Directors of such meeting.

SECTION 4:

Five of the seven of the members of the Board of Directors shall constitute a quorum and the members of the Board of Directors shall be held at the call of the President.

SECTION 5:

The President shall cast a vote only as a tiebreaker and the Past President - Emeritus will be a non-voting Director. All other Directors shall have one vote and such voting may NOT be done by proxy.

SECTION 6:

The Board of Directors may make such rules and regulations covering its meetings as it may in its discretion determine necessary.

SECTION 7:

The Board of Directors shall meet in person to discuss the business of the organization at a date set by the President, with due notice to the Board of Directors between the November General meeting, and the end of the fiscal year (May 31st).

SECTION 8:

Special Meetings of the Board of Directors may be called at other times as necessary, and may be held by electronic means (such as e-mail or other Internet communication systems, telephone conferences, video conferences, facsimile, etc.) subject to the following:

- a. All members shall have access to the appropriate electronic meeting media, as verified by their response to a call for any particular meeting. Five of the seven Board of Directors members shall constitute the quorum for the meeting and, once established, shall be assumed present until the meeting is adjourned.
- b. The technology used for the electronic meetings shall allow the members full access to and full participation in all meeting transactions either continuously or intermittently throughout the specified time of the meeting.
- c. The affirmative vote of a majority of the quorum shall be the minimum vote requirement for the adoption of any motion. A majority of the votes cast, or a greater proportion as indicated by the adopted Parliamentary Authority, shall be necessary for the adoption of motions.
- d. Procedural rules related to the conduct of electronic meetings shall be established and promulgated by the Board of Directors.

SECTION 9:

Vacancies in the said Board of Directors shall be filled by a vote of the majority of remaining members of the Board of Directors for the balance of the term.

SECTION 10:

The Past President shall be the active member who most recently held the position of President.

SECTION 11:

The President of the organization by virtue of this office shall be Chair of the Board of Directors. The Board of Directors shall select from one of their number a recording secretary.

SECTION 12:

A Director may be removed when sufficient cause exists for such removal. The Board of Directors may entertain charges against any Director. A Director may be represented by counsel at any removal hearing. The Board of

Directors shall adopt such rules, as it may in its discretion consider necessary for the best interest of the organization for this hearing.

ARTICLE V: OFFICERS

SECTION 1:

The officers of the organization shall be as follows:

- A. President - To be elected on odd years
- B. Vice President - To be elected on even years
- C. Secretary-Treasurer - To be elected on even years
- D. At Large Representatives - to be elected on odd years
- E. Past President

SECTION 2:

The officers of the organization shall serve a term of two (2) years and assume their duties at 12:01 A.M. January 1 of the next year (following the November election).

SECTION 3:

The President shall;

- A. Preside at all membership meetings
- B. By virtue of the office Chair the Board of Directors.
- C. Present at each General meeting of the organization an annual report of the organization.
- D. Appoint all committees, temporary or permanent.
- E. See all books, reports and certificates as required by law are properly kept and filed.
- F. Be one of the officers who may sign the checks or drafts of the organization
- G. Act as official representative of MHBVO to the affiliated boards of officials.
- H. Have such powers as may reasonably construed as belonging to the Chief Executive of any organization.

SECTION 4:

- A. The Vice-President shall: In the event of the absence or inability of the President to exercise the duties of the office become acting president of the organization with all rights, privileges and powers as if they had been the duly elected President.

SECTION 5:

The Secretary-Treasurer shall:

- A. Keep the minutes and records of the Organization in appropriate books
- B. Give and serve all notices to the members of this organization.
- C. File any certificate required by any statute, federal or state.
- D. Be the official custodian of the records and seal of this Organization.
- E. Be one of the officers required to sign the checks and drafts of the Organization.
- F. Present to the members of the Board of Directors any communication addressed to the Secretary/Treasurer of the Organization.
- G. Attend to all correspondence of the Organization.
- H. Have the custody of all monies belonging to the Organization and be solely responsible for such monies or securities of the Organization.
- I. Cause to be deposited in a regular business bank or trust company all the monies of the Organization and no special fund may be set aside that shall make it unnecessary for the Secretary-Treasurer to sign the checks issued upon it.

- J. Render at stated periods a written account of the Organization's finances and such report shall be physically affixed to the meeting minutes of MHBVO.
- K. Maintain an accurate and up to date list of names, addresses and ratings of members of MHBVO.
- L. Send a list of all certified officials, with up-to-date ratings to the assignors representing the schools in Section I and IX of the NYSPHAA, Inc, by the date set forth in the Agreement between the Sections and the Officials Associations and update this list as necessary, and also provide a list of certified / rated officials to area colleges, clubs and organizations as needed.
- M. Collect dues from all members of MHBVO by the November annual meeting of each year.
- N. Obtain and disburse current Guide Books, plus make available necessary patches for rated officials.

SECTION 6:

The At-Large Representative(s) - shall:

- A. Be a liaison between the Board of Directors and general membership.
- B. Serve on or Chair committees as requested by the President.

SECTION 7:

The Past President

- A. Shall serve in an advisory capacity to the Board of Directors,
- B. Shall not cast any vote of the Board of Directors
- C. Serve on or Chair committees as requested by the President.

ARTICLE VI: DISCIPLINARY ACTION

SECTION 1:

Fines or other disciplinary action will be levied for:

- A. Violation of the policies, regulations, and/or procedures of the MHBVO or the facility used in conjunction with a sanctioned event. (It is the responsibility of the individual to be familiar with applicable specific policies, regulations and procedures.)
- B. Failure to pay dues by the November annual meeting for the following year. A fine of \$10.00 a week after the November annual meeting until paid. If not paid by December 31st following the November Annual meeting of that year, membership will be forfeited. Written application must be made to the Board of Directors for approval if the member desires reinstatement after that date.
- C. Failure to Report for assigned games (penalty to be decided, weighing the extenuating circumstances, by the Board of Directors.)
- D. Failure to Wear the proper uniform while officiating assigned games, or for wearing the NYSCBVOA uniform to officiate any match other than a NYSPHSAA match. (Written complaint must be sent to the President within three days. The Board of Directors shall decide Penalty).
- D. Failure to attend the required MHBVO meetings.
- E. Failure to Attend a Rules Interpretation meeting, annually. Acting as one's own agent or taking actions not the best interests of MHBVO
- F. Use of a recognized identification card by anyone other than the individual described on the card.
- G. Physical damage to a facility or theft from another person.
- H. Any action considered to be an offense under Federal, State or local law ordinances.
- I. Physical or verbal intimidation of any individual.
- J. Conduct which is inappropriate as determined by comparison to normally accepted behavior.
- K. Failing to adhere to the PAVO Code of Ethics. NOTE: Failure to pay assessed fine within one week after notification shall result in suspension of all MHBVO privileges and revocation of assigned games.

SECTION 2:

Membership shall be forfeited for:

- A. Failure to pay dues by December 31st following the November annual meeting of that year.
- B. Repeated or serious infractions of the Organization's By-Laws.

ARTICLE VII: DUE PROCESS

SECTION 1:

The MHBVO shall initiate disciplinary procedures in matters of breaches of conduct or non-compliance with general policies and procedures as stated in the MHBVO Articles of Incorporation and bylaws, published policies and procedures, or any standing rules. Upon recommendation by and at the discretion of the Ethics Committee and or the Board of Directors, acts of misconduct may result in reprimands, fines, sanctions, suspensions or expulsions, and or including the revocation of one's certification.

SECTION 2:

All complaints and misconduct shall be submitted in proper written format to the President. After evaluation, if the complain is found to have sufficient merit for review, the President will form an Ethics Committee which will gather information, hear the complaint, and decide upon an appropriate sanction.

SECTION 3:

Any member shall reserve the right and maintains the privilege to appeal decisions made or sanctions levied by the Ethics Committee. No action will be taken until all appeal procedures have been exhausted, or the member has stated their acceptance of the sanction in writing, unless the nature of the misconduct is deemed to be potentially harmful to another person or the conduct becomes repeated.

SECTION 4:

All appeals must be properly submitted in writing to the President who will then present the appeal(s) to the Board of Directors, or further review and possible action(s).

SECTION 5:

Due Process – Any official receiving a sanction has the recourse of submitting a written appeal. A letter must be received by any MHBVO officer within ten business days of receipt of notification of the sanction.

- A) Copies of all appeals/grievances shall be immediately distributed to all officers. If the appeal is deemed to have merit, a Review Committee will be formed, different from the original Ethics Committee.
- B) The Review Committee will convene within thirty business days from receipt of said letter to address the appeal.
- C) Unresolved issues by either party shall be presented to the President for review. The Board of Directors will convene to consider the unresolved issues within fifteen business days from notification by the Review Committee.
- D) The Decision of the Board of Directors shall be final.

SECTION 6:

Participation by all parties in the procedure set forth for addressing inefficiencies and misconduct are bound by the provisions and result of this procedure, without further recourse, including arbitration or lawsuit.

SECTION 7;

Members who wish to rejoin MHBVO after fulfilling disciplinary sanctions must comply with membership eligibility as per the MHBVO Articles of Incorporation and Bylaws.

ARTICLE VIII: MEETINGS

SECTION 1:

The general mandatory membership meetings of this Organization shall be held on a date(s) set by the Board of Directors. Other required meetings shall be at the call of the President. The Secretary shall notify every member in good standing at their e-mail address as it appears in the membership roll book of this organization a notice telling the time and place of such meetings.

SECTION 2:

The presence of not less than three-fifths (3/5) of members shall constitute a quorum and shall be necessary to conduct the business of this organization. Roll call will be taken at all meetings. Attendance is mandatory except with written notice explaining the absence and the approval by the Board of Directors.

SECTION 3:

The President may call special meetings of all the members of this Organization or of the Board of Directors when it is deemed to be in the best interest of the Organization. Notice of such meetings shall be e-mailed to the members at their address as it appears in the membership roll book at least seven (7) days but not more than twenty-one (21) days before the scheduled date set for such special meeting.

SECTION 4:

At the request of 5 of the 7 of the members of the Board of Directors or three fifths (3/5) of the active members of this Organization, the President shall cause a special meeting to be called but the request must be made in writing at least fourteen (14) days before the requested scheduled date.

SECTION 5:

No other business but that specified in the notice may be transacted at such special meeting without the unanimous consent of all present at such special meetings.

ARTICLE IX: VOTING

SECTION 1: At all meetings all votes shall viva voca - except for elections of officers where ballots shall be provided and there shall not appear any place on such ballot any mark or markings that might tend to indicate the person who cast such ballot.

SECTION 2: At all votes by ballot the Chair of such meeting shall immediately prior to the commencement of the balloting, appoint a committee of three who shall act as inspectors of the election(s) and who shall at the conclusion of such balloting certify in writing to the Chair the results and a certified copy shall be attached to the minutes of that meeting.

Article X: Parliamentary Authority

All questions of procedure not provided for in this document shall be decided according to Robert's Rules of Order [Newly Revised Edition].

ARTICLE X: ORDER OF BUSINESS

- A. Roll Call
- B. Reading of the minutes of the last meeting
- C. Reports of committees

- D. Reports of officers
- E. Old and unfinished business
- F. New Business
- G. Good and Welfare
- H. Election (Fall Meeting).
- I. Adjournment

ARTICLE XI: SALARIES

SECTION 1:

The Board of Directors shall hire and fix the compensation of any and all employees, which they in their discretion may determine to be necessary in the conduct of the business of the Organization.

SECTION 2:

No officer, other than the Secretary-Treasurer, shall for reason of their office be entitled to receive any salary or compensation, but nothing herein shall be construed to prevent any member, officer or director from receiving reimbursement for expenses incurred in meeting the needs of the Organization. The annual stipend of the Secretary-Treasurer shall not exceed \$300.00

ARTICLE XII: COMMITTEES

SECTION 1:

The President shall appoint all committees of the Organization and their term of office shall be for a period of one fiscal year or less, if terminated by action of the Board of Directors.

SECTION 2:

The permanent committees shall be:

- A: Negotiation
- B: Budget, Finance and Audit.
- C: Rules Interpretation
- D: Clinic
- E: Examination, Evaluation and Review (MHBVO will follow the designated procedures for rating officials as outlined by NYSCVBOA, Inc.)
- F: PAVO (MHBVO will follow the designated procedures for rating officials as outlined by PAVO)
- F: Nominating
- G: Ethics and Review

SECTION 3:

- A, Permanent committees will be Chaired by a members of the Board of Directors. Committee members may be any active member.
- B. Ad hoc committees may be chaired by any member, and any member can serve on these committees.

ARTICLE XIII: DUES AND FEES

SECTION 1:

The dues of this organization shall be set annually by the Board of Directors and shall be payable by the November meeting, for the coming fiscal year.

SECTION 2:

As part of the dues, each member will receive a current RULE/ book and liability insurance as provided by NYSCVBOA and or PAVO.

SECTION 3:

Dues for PAVO rated officials shall be an additional fee, said fee to be set annually by the Board of Directors, paid to PAVO and due at the deadline established by PAVO

ARTICLE XIV: NEW CANDIDATES AND UPGRADE.

SECTION 1:

Test fees for new candidates will be (non-refundable). The fee includes a clinic, a theoretical and practical examination and a Rule/Guide book.

SECTION 2:

Officials who want to be considered for a higher rating (upgrade) must pay a fee set by the Board of Directors (non-refundable) to the Secretary/Treasurer prior to the practical rating session. To be eligible for upgrading the member must attain the required scores on the written test in the same year as the upgrade.

SECTION 3:

To be eligible for upgrading, an official must make application to the Examination, Evaluation and Review Committee Chair, and the Board of Directors for approval to attend a practical rating session. It is recommended that the member have had two years membership in their current rating level. Dual members will retain their current ratings for membership.

Article XV: STATEMENT OF DISSOLUTION

Should MHBVO wish to dissolve or disband after (1) determining the organization no longer meets criteria to service the parties stated herein or (2) determining it can no longer function in an appropriate manner, a statement of dissolution shall be filed with the NYSCVOA and NYSPHAA, setting forth:

SECTION 1:

A certified statement by the Chairperson including the name of the organization and Board of Directors members;

SECTION 2:

The report of the expenses, debts, obligations and liabilities of the Association, including conditions of any property and assets available to satisfy the same – provisions to be made for satisfaction of outstanding liabilities and performance agreements; and the estimated time for completion of its dissolution;

SECTION 3:

Any pending litigations or contingent liabilities;

SECTION 4:

The Association resolution providing for such dissolution and the date(s) and proceedings leading toward its adoption whenever the dissolution be voluntary;

SECTION 5

A list of persons to be notified upon completion of dissolution.

SECTION 6:

Upon dissolution, all remaining assets and property of the Association shall be distributed to one or more organizations qualifying under section 501 (c) (3) of the code organized and operated exclusively for one or more exempt, charitable, scientific or educational purposes. The recipients shall be chosen by the existing Board of Directors.

SECTION 7:

Once filed and accepted, the existence of the organization shall cease. It shall be understood, that the MHBVO shall not dissolve or file a statement of dissolution as stated above and reorganize under a modified name, charter, or organizational structure merely as a subterfuge to avoid the reporting and other requirements of said dissolution and is thereafter recreated with substantially the same membership and purposes with the intent to avoid the requirements of said statement, shall be deemed not have been dissolved and shall be subject to provisions of the Association as if no dissolution had taken place.

ARTICLE XVI: AMENDMENTS

These By-Laws may be altered, amended, repealed or added to by affirmative vote of not less than two-thirds (2/3) of the membership of MHBVO. Any amendment of the By-Laws will require written notification of at least two weeks prior to the meeting that the amendment(s) is to be voted on.

Amendments to by-laws, approved by the membership at the fall meeting to be held at New Paltz High School, Wednesday, August 29th, 2012.



MHBVO