

Cum-Cape District #196
International Association of Approved Basketball officials

Constitution and By Laws
Revised 11/01/2014

Constitution

Article I

Section 1 – Name

The name shall be CUMBERLAND-CAPE MAY DISTRICT BOARD # 196 OF THE INTERNATIONAL ASSOCIATION OF APPROVED BASKETBALL OFFICIALS, also known as : **CUM-CAPE BASKETBALL DISTRICT 196 INC.**

Section 2 – Purpose

The purpose of this organization shall be:

1. To promote the welfare of the game of basketball, it's players, school officials and basketball officials.
2. To maintain the highest standard of basketball officiating.
3. To encourage the spirit of fair play and sportsmanship.
4. To have available at all times an adequate number of thoroughly trained and capable officials.
5. To cooperate with all organizations officially connected with the game of basketball in furthering its interest and ideals.

Article II – Membership

Section 1- Organization

This board shall be composed of all duly qualified and regularly approved members currently in good standing in this board. All members are considered independent contractors.

Section 2 – Eliminated Eligibility

This board shall classify their members as follows:

1. **New**– a member who has met the requirements of Article I section 2 of the By - Laws
2. **Active** – A member that continues to work within the organization.
3. **Active non- Working** – This status can only be granted to a person who has been an active member for at least three years immediately preceding his application for such status, unless prevented from remaining a working member because of a physical disability. Dues for a member of this status shall be 85% of an active member.
4. **Dual Active** - A member in good standing with their parent board may apply for dual membership. Such dual membership shall have all the privileges of the board except that of holding office. He/She shall not be subject to any rules or

regulations greater than that required of a regular member of this board. NOTE: A dual member must meet the requirements of their parent board and such requirements of attendance as stipulated by this board.

5. **Honorary Life-** Elected by the international assembly. In accordance with the requirements set forth in the handbook.
6. **Board # 196 Life-** Elected by the board in accordance with the following requirements:
 - a. An Active member of IAABO # 196 for at least 20 years.
 - b. Retired from active officiating
 - c. Must have made an outstanding or definite personal contribution to the game of basketball.
 - d. Not more than one person can be elected in any one year.
 - e. All nominations and recommendations are to be approved by the executive committee.
 - f. Nominees shall be approved by two -thirds vote of the membership present at a regularly scheduled meeting.

Section 3- Duties of Membership

All members shall submit in writing a list of all self-contracted assignments to the Secretary, no later than October 1st of each year. Furthermore, as games are contracted during the season they should be submitted in writing to the Secretary.

Article III – Duties and Privileges of Members

Section 1 – Required Attendance

All active members including dual members of this board shall be required to attend three meetings of this board during basketball season, one of which will be designated a rules interpretation meeting.

Penalty

- A. Failure to attend an interpretation meeting will prohibit the member from officiating high school games for that season. As per NJSIAA By-laws.
- B. An active member not satisfying the meeting requirements will be penalized, such penalty is to be established by the executive committee. They shall also be put in not good standing for the following three years. If the said member misses the required number of meetings in that time they will not be issued a schedule the following year.

Section 2 – Financial Obligation

- A. Members shall be required to pay all financial obligations prior to April 15th of that year, after April 15 there is a \$25.00 late fee. June 1st of that year requires a \$25 dollar late fee plus \$15.00 per month after this.
A certified letter will be sent to those in arrears with a deadline date of July 1st of that year for payment. If payment is made after July 1st, the member will not be issued a first half schedule the following season and be placed active non-working status. All fees must be paid to return to good standing.
- B. Members shall be required to pay dues by February 1st the year prior for the

following dues year. Failure to satisfy this responsibility shall result in a late fee of \$50 which was established by the membership of the organization.

Section 3 – Governing Authority

Members shall comply with the requirements of this constitution and by-laws and the constitution and by-laws of the International Association of Basketball Officials

Section 4 – Rights of the Members

Members of this board may wear the official uniform of the international association. They shall receive annually a membership card and handbook of the association. They may officiate with other members of the association and shall receive such other benefits as may be provided by the Cum-Cape #196 Board and the association.

Section 5 - Paper Work Requirement

A.) All members must turn into the secretary the required paperwork necessary to officiate basketball for the organization

- 1.) General Release
- 2.) NJSIAA Required Concussion Certification
- 3.) IAABO Refresher Test
- 4.) Certification letter for the constitution
- 5.) Certification of following harassment policy**

Penalty

You are not allowed to officiate that year and will be placed in active non-working status.

Article IV – Officers

Section 1 – Titles

The officers of this board shall be as follows:

- a. President
- b. Vice-President
- c. Secretary
- d. Treasurer
- e. Supervisor of Officials
- f. Rules Interpreter
- g. Past President (non- voting)

The elected officers of this Board are also considered the Executive Board of Directors for this Corporation.

Section 2 – Terms of Office

The term of office for all executive positions can be unlimited consecutive terms. All elected terms of office shall be for a 2 year term. Elections for the following offices shall be held in alternating years: President, Supervisor of Officials, Interpreter, the following year Secretary, Treasurer, Vice- President.

Section 3 – Nominations

The president shall appoint a nominating committee consisting of no less than three members in good standing. The nominating committee shall prepare and submit a list of nominees for each of the elected offices in February from the list they receive. All nominations must be in writing by February 1 of that year giving the Secretary time to distribute sample ballots two weeks prior to the election. A copy of the slate of nominees shall be mailed or emailed to each member two weeks prior to the election meeting. Since there is a procedure for nomination, there will be no nominations from the floor. A candidate may nominate themselves under this process.

Section 4 – Elections

Election of officers shall take place at the last meeting in February or first meeting in March and newly elected officers shall take office on April 15 for two consecutive years. If there shall be more than one nominee for any office, a written ballot shall be taken for that office. If there is not a contested election, the Election Chairman shall cast a lone vote electing those officers nominated.

Section 5 – Vacancy

In case there are any vacancies between the annual elections, an election shall be held at a time designated by the officer acting as the president. The president may appoint an interim officer until a special election is held.

Section 6 – Eligibility of Officers

Only active members both working and non-working, who are in good standing in the board may hold office. No dual member can hold office.

Section 7 – Eligibility of Voters

Only those active members in good standing and present at the meeting when elections are held are eligible to vote, with exception of members who are absent because of officiating duties dealing with board business, (or with certified just cause accepted by the executive committee prior to the meeting.) Such members may submit an absentee ballot which must be in writing, including a signature and in the possession of the election chairman two days or 48 hours prior to the election. Any absentee ballots received after the collection of the ballots time period will not be counted. Absentee ballots must follow the procedures in Article VIII of this constitution and By-laws.

Article V – Duties of Officers

Section 1 – Duties of the President

The president shall preside at all meetings of the board and shall appoint committees and supervise the activities thereof.

Section 2 – Duties of the Vice-President

In case of absence or disqualification, the vice president shall assume the responsibility of the president. The vice president shall also chair the fines committee. He is in charge of taking attendance at meetings.

Section 3 – Duties of the Secretary

He/She shall keep minutes of the executive meetings and all meetings of the board. Minutes of regularly scheduled meetings shall be read at the next meeting of the board. They are responsible for duly processing any correspondence as may be necessary for transmitting any action taken by the board. They shall inform the membership of any correspondence pertinent too the board. He/She shall transmit all required or requested information of our insurance company within 48 hours of receipt. **He/She is also responsible for providing a scheduling/assigning provider for the Board.**

Section 4 – Duties of the Treasurer

He/She shall be responsible for the collection and safe keeping of all fees. He/She shall pay outstanding obligations as directed by the board and prepare an annual budget. He/She shall submit all books and records to be annually internally audited. He/She shall utilize funds on hand for current operating expenses.

Section 5 – Duties of the Supervisor of Officials

He/She shall train and instruct new and cadet officials under the direction of the executive board. He/she shall qualify himself by attending an official rules and mechanics conference held under the jurisdiction of the international association of basketball officials or the NJSIAA.

Section 6- Duties of the Rules Interpreter

He/She shall hold meetings of uniformity and strict interpretation of the rules, mechanics and techniques of good officiating before and during the basketball season as a means of educating officials, coaches, players and others interested in the fundamentals of good officiating. He/she shall qualify himself by attending the annual conference or a regional conference for official interpreters held under the jurisdiction of the international association of approved basketball officials or the NJSIAA..

Article VI – Executive Committee/Board of Directors

Section 1 – Members of the Executive Committee/Board of Directors

The members of the executive committee shall be as follows:

1. President
2. Vice- President
3. Secretary
4. Treasurer
5. Supervisor of Officials
6. Rules Interpreter
7. Past President (non- voting)

Section 2- Powers of the Executive Committee

1. The executive committee shall interpret and execute the board's constitution and by-laws. The executive committee shall interpret the policy manual of Board #196.
2. To impose such restriction on members as may be considered necessary for the best interest of the organization.
3. The committee shall rule on all matters not specifically covered by the constitution, by-laws and policy manual.
4. No financial obligations shall be incurred by any officer, committee or member. The executive committee is authorized to approve expenditures up to \$1000.00 per expenditure. Expenditures exceeding \$1000.00 must be approved by the membership at an official meeting of the general membership.

Article VII – Meetings

Section 1- Number of Meetings

There shall be a minimum of three meetings yearly.

Section 2 – Notice of Meetings

A notice of meeting dates shall be sent out by the secretary to all members of the board prior to the start of the season.

Section 3 – Attendance

Active members must attend at least three meetings of Board #196, one of which must be a rules interpretation meeting.

Section 4 – Order of Business

1. Approval of the minutes of the previous meeting
2. Treasurer's report
3. Communications
4. Committee Reports
5. Old Business
6. New Business
7. Rules Interpretation and officiating techniques
(exception: designated business and or special meeting)
8. Adjournment

Article VIII- Parliamentary Authority

Section 1

All meetings shall be conducted according to parliamentary law as set forth in Robert's Rules of Order, current edition.

Article IX- Suspension of the Rules

Section 1

These rules may be suspended for any regular or special meeting of the board by a two thirds vote of the membership present at the meeting.

Article X – Amendments to the Constitution

Section 1

This constitution and by-laws may be amended, added to or repealed by two thirds vote of the members present at any duly constituted meeting, provided written notice of the changes have been sent by the secretary to each member at least one week before the meeting.

By-Laws

Article I – Qualifications of Membership

Section 1 – Who May Apply?

Membership in this association is acquired through becoming a member in good standing of a local, district or state board.

Section 2 – How to Apply?

Applicants for active membership must be eighteen years of age. They shall indicate their desire to the board secretary and shall successfully pass the following requirements:

1. Establish a satisfactory record of health and character
2. Pass the international and federation written exams with a grade of 86 and 70 respectively.
3. Pass an oral test given by recognized authority of the board.
4. Pass the international practical floor test approved by the executive committee with a minimum grade of 86.

Section 3 – Terms of Membership

Subsequently and as long as such member shall remain in good standing, he/she shall be entitled to rights and privileges of membership and shall be bound by rules and regulations of the constitution, by-laws and policy manual.

Section 4 – Lapsed Membership

A member who has allowed membership to lapse for two years shall no longer be considered as a member and must follow the same procedures as any new applicant in order to again become a member of this board.

Section 5 – Examination

Every active member shall take the written international refresher exam provided by the international association. Such exam shall be taken subsequent to the time on which the exam is taken by the cadets. Any member who fails to take the test will be ineligible to work varsity assignments.

Section 6 – Dual Membership

Dual members MAY be accepted on a yearly basis, but do not have to be accepted according to the association constitution.

Article II – Transfer of Membership

Section 1- Acceptance of Transfers

In the case of a member of a board changing his residence to the jurisdiction of another board, they shall be accepted to full membership and be subject to the rules and regulations of this board.

Section 2 – Transfer of Authority

In the event of change of residence of a board member, upon request, the secretary of the original board shall notify the secretary of the board into whose jurisdiction the official is transferring of such change in writing.

Section 3- Members of Standing

Any official who is not in good standing as a member of a chartered board of the international association of officials cannot be accepted as a transfer into membership of another chartered board, except by the rules of the International Association constitution.

Article III – Discipline of Members

Section 1 – Grounds for Discipline

For failure to comply with established authority or regulations of the board, executive committee, international association, for delinquency in payment of authorized charges or any other conduct conclusively established to be contrary to the board for not more than one year may be expelled.

Section 2 – Appeal

Any member suspended by the board shall have the right of appeal in writing to the Executive Committee, N.J. State Board #1 or the International Association.

Section 3 – Right of Hearing

A member charged with an offense shall have the right to be heard in person or by written statement made by him in his own defense.

Section 4 – Discipline Notice

When a member is suspended or expelled, the executive committee shall notify all concerned that such a member is no longer able to accept assignments or officiate as a member of this board. No member shall officiate knowingly with a suspended or expelled member.

Article IV – Fees, Dues and Assessments

Section 1 – Board Fees

The board shall determine its own initiation fees and annual membership dues. The initial registration fee for the annual dues for active, inactive and dual members shall be determined on a yearly basis by a two thirds vote of the executive committee and members present at a regularly scheduled meeting.

Section 2 – Assessment

The president shall appoint a fines committee on a yearly basis. The fine committee is responsible for developing rules of conduct for the membership and establishing guidelines for assessing fines. Each rule of conduct and or fine shall be approved by a two -thirds vote of the membership present at a regularly scheduled meeting.

Section 3 – Game Assessment

There will be a 5.5% assessment on each game the member officiates as a member of this board. This includes all solicited games. The board is responsible for all high school and junior high given to the association for dispersal. This fee will be used for the running of the board. The percentage will be reviewed on a yearly basis. **Part of this fee will be payment to the assigning provider, which will amount to a minimum of 3% of the total assessments.**

Article V – Director Fees

Directors shall be given a fee in accordance with the amount of meetings attended.

Section 1 – President

The President as director shall receive a fee of \$19.00 per meeting attended.

Section 2 – Vice President

The Vice President as director shall receive a fee of \$19.00 per regular meeting attended.

Section 3 – Supervisor of Officials

The Supervisor of Officials as director shall receive a fee of \$26.00 per meeting attended both regular and candidate meetings.

Section 4 - Secretary

The Secretary as director shall receive a fee of \$85.00 per regular meeting attended.

Section 5 - Treasurer

The Treasurer as director shall receive a fee of \$85.00 per regular meeting attended.

Section 6 – Interpreter

The Interpreter as director shall receive a fee of \$19.00 per regular meeting attended.

Section 7

The executive committee shall determine the method of raising money to meet the above expenses.

Article VI – Rules of Procedure

Section 1 Quorum

A quorum for the transaction of business shall be a majority of the total membership present in a regularly scheduled meeting of the board.

Article VII – Amendments

Section 1

These by-laws may be amended by a two thirds majority vote of the members in good standing of the board at any meeting, provided written notice of the proposed amendments shall have been mailed to all members at least one week prior to such meeting.

Article VIII- Absent Tee Balloting

Section 1

- A.) Any member in good standing may vote absentee if:
- 1.) They apply for an absent tee ballot to the Executive Committee by February 1 for that year and is approved by the same for just cause.
 - 2.) They will receive an approved ballot from the Secretary prior to the election by mail or email.
 - 3.) They must place said ballot in a blank envelope marked ballot on the outside.
 - 4.) They will place said envelope in another envelope and mail it to the election Chairperson with a return address.
 - 5.) This must be received prior to 48 hours of the election or it will be disqualified.

Article IX – Policy Prohibiting Discrimination

The purpose of this policy is to provide guidance to IAABO Cum-Cape Board 196, when reporting alleged incidents of discrimination, harassment and inappropriate comments or actions.

Section 1 - Policy

It is the policy of IAABO Cum-Cape Board 196 to review and investigate any alleged incidents of discrimination, harassment and inappropriate comments and or actions.

Section 2 – Prohibited Conduct

It is a violation of this policy to use derogatory or demeaning references regarding a person’s race, gender, age, religion, disability or sexual orientation or background. Examples of behaviors that may constitute a violation of this policy include but are not limited to:

- 1. Discrimination against an individual with regard to potentially becoming a member of IAABO Cum-Cape Board 196 as a cadet.**
- 2. Treating an individual differently because of their race, color, national origin or gender.**
- 3. Discriminating against an individual who is a certified member in good standing with IAABO Cum-Cape Board 196.**
- 4. Using derogatory language /references or telling inappropriate jokes pertaining to ones gender or ethnicity.**

Section 3 – Sexual Harassment

It is a violation of this policy to engage in sexual (or gender based) harassment of any kind, including hostile work environment harassment, quid pro quo harassment or same sex harassment. For the purpose of this policy, sexual harassment is defined as unwelcomed sexual advances, request for sexual favors, and verbal or physical conduct of a sexual nature when for example:

- 1. Submission to such conduct is made either explicitly or implicitly a term or condition to work as an independent contractor or be placed in the cadet Program of IAABO Cum-Cape Board 196.**
- 2. Submission or rejection of such conduct by an individual is used as a basis to work as an independent contractor or be placed in the Cadet Program of IAABO Cum-Cape Board 196.**
- 3. Such conduct has the purpose or effect of unreasonably interfering with an individual’s referring performance or creating an intimidating, hostile or offensive environment.**

Examples of prohibited behaviors that may constitute sexual harassment and are therefore a violation of this policy include but are not limited to:

- 1. Generalizes gender-based remarks or comments;**
- 2. Unwanted physical contact such as intentional touching, grabbing, pinching, brushing against another’s body or impeding or blocking movement;**
- 3. Verbal, written or electronic sexually suggestive or obscene comments, jokes or propositions including letters, notes, email, text messages, invitations, gesture or inappropriate comments about a person’s clothing;**
- 4. Visual contact, such as leering or staring at another’s body; gesturing; displaying sexually suggestive objects, cartoons, posters,**

- magazines or pictures of scantily-clad individuals; or displaying sexually suggestive material in meetings or classes;
5. Or continuing to engage in certain behaviors of a sexual nature after an objection has been raised by the target of such inappropriate behavior.

Section 4 – Cadet and Independent Contractor Responsibilities

Any cadet or independent contractor who believes that he or she has been subjected to any form of prohibited discrimination/harassment, or who witnesses others being subjected to such discrimination/harassment is encouraged to report the incident(s) to a supervisor or directly to a member of the Executive Board promptly.

All cadets and independent contractors are expected to fully cooperate with investigations undertaken by the Executive Board. Failure to cooperate in an investigation will result in disciplinary action, up to and including termination for IAABO cum-Cape 196.

Section 5 - Supervisor Responsibilities

Supervisors shall make every effort to maintain an environment that is free from any form of prohibited discrimination/harassment. Supervisors shall immediately refer allegations to prohibited discrimination/harassment to the President of IAABO Cum-Cape 196 or his designee in writing and via telephone. A supervisor's failure to comply with these requirements may result in administrative and /or disciplinary action, up to and including termination from this Board. For our purpose, a supervisor is described as any member of the Executive Board who has the authority to control the environment; for example, (Cadet Program instructor).

Section 6 – Dissemination

Each year this Board shall distribute the policy described in this section to all its members, including cadets either at a general meeting or on the arbiter.

Section 7 – Complaint Process

Upon receiving the complaint, the President and/or Executive Board shall appoint individuals to receive the complaint, investigate such complaints of discrimination/harassment and make recommendations of appropriate remediation of such complaints.

All investigations of discrimination/harassment claims shall be conducted in a way that respects, to the extent possible, the privacy of all the persons involved. The investigation shall be conducted in a prompt, efficient and impartial manner. The results of the investigation shall be forwarded to the President or designee for

dissemination to the Executive Board to make a final decision as to whether a violation of the policy has been substantiated.

Where a violation of this policy is found to have occurred, the Executive Board shall have the authority to keep separate the persons involved apart until a final determination has been made regarding whether a violation of this policy has occurred.

The remedial action taken may include counseling, training, intervention, mediation and up to an including termination from the Board.

The Secretary of this Board shall maintain a written record of the discrimination/harassment complaints received. Written records shall be maintained as confidential records to the extent practicable and appropriate.

Section 8 – Prohibition Against Retaliation

Retaliation against any person(s) who alleges that he or she was the victim of discrimination/harassment, provides information in the course of an investigation into the claims of discrimination/harassment or opposes a discriminatory practice, is prohibited by this policy. No cadet or independent contractor bringing a complaint, providing information for an investigation, or testifying in any proceeding under this policy shall be subjected to adverse actions based upon involvement or be the subject of other retaliations.

Section 9 – False Accusations and Information

Any cadet or member of IAABO Cum-Cape Board 196 who knowingly makes false accusations of prohibited discrimination/harassment or knowingly provides false information in the course of the investigation of a complaint, may be subjected to administrative and /or disciplinary action, up to and including termination. Complaints made in good faith, however, even if found to be unsubstantiated, shall not be considered a false accusation.

Section 10 – Administrative and /or Disciplinary Action

Any cadet or independent contractor found to have and portion of this policy may be subject to appropriate administrative and /or disciplinary action which may include, but which shall not be limited to: referral for training, referral for counseling, written or verbal reprimand, suspension, removal from office or termination.

Section 11 – Training

The Cadet Supervisor shall provide all new cadets with a copy of this policy and shall review this policy with them within the first two weeks of the cadet class. Refresher training shall be provided to all members of this Board annually.

Section 12 – Outcome

A final letter of determination to both the complaint and the person against whom the complaint was filed, setting forth the results of the investigation and the right to appeal according to the bylaws of the Board.

The letter shall include, at a minimum, a brief summary of the parties position; a brief summary of the facts developed during the investigation; and an explanation of the determination, which shall include whether the allegations were either substantiated or not; and a violation of this policy did or did not occur.

The investigation of a complaint shall be completed and a final letter of determination shall be issued no later than 90 days after the initial intake of the complaint. However, it must be noted that completion of the investigation and issuance of a final letter of determination may be extended for up to 60 additional days.

In a case where a violation has been substantiated, and no disciplinary action is recommended, the party(s) against whom the complaint was filed may appeal the determination to the IAABO State Board 1 of New Jersey within 30 days of receipt of the final determination letter. In a case where the allegations have been substantiated, he or she may appeal the determination to IAABO State Board 1 of New Jersey with 30 days of receipt of the final letter of determination.