

## PREAMBLE

We, the members of this Chapter, in order to improve officiating through a better understanding of the rules and officiating mechanics of basketball, do ordain and establish this Constitution.

## CONSTITUTION AND BYLAWS OF THE LUBBOCK BASKETBALL OFFICIALS CHAPTER, INC.

September 1, 2009

### Article I: NAME

The name of this organization shall be the Lubbock Basketball Officials Chapter, Inc. This will be referred to hereafter as LBOC.

### Article II: PURPOSE

The purpose of this organization shall be the promotion and welfare of the interscholastic game of basketball by:

- A. Developing and maintaining the membership of experienced and capable basketball officials whose integrity is above reproach and who are actively engaged each year in officiating basketball games.
- B. Fostering and encouraging a high standard of ethics, fair play, and sportsmanship while maintaining a close cooperation and better understanding among officials, coaches, players, athletic directors, fans, and the media.

### Article III: GOVERNMENT

- A. The Government of this chapter shall consist of the Officers and the Board of Directors (referred to hereafter as the Board).
- B. the Officers of this chapter shall be: one President, one Vice-president, one Secretary, And one Treasurer. These four shall be elected and shall hold office as prescribed in this Constitution and Bylaws.
- C. The Board shall consist of ten members: the four officers, the five division representatives and the Immediate Past President. They shall be elected to their respective positions (except the Immediate Past President) and shall serve in these positions as prescribed in this Constitution and Bylaws. Any elected state representative from our chapter shall be an ex-officio member of the board without voting privileges.
- D. The qualifications for membership, and the duties of Officers and Representatives, and Such regulations as may be necessary and proper for the conduct of the business and affairs of the Chapter, shall be provided for in the Bylaws of the Chapter Constitution, with such bylaws serving as an addendum to this Constitution.
- E. All meetings of this Chapter shall be held in accordance with Robert's Rules of Order.

### Article IV: AMENDMENTS

This Constitution and Bylaws may be amended at any chapter meeting by an affirmative vote of three-fourths of members present, in good standing and voting provided that a copy of the proposed amendments shall have been made available at a regularly scheduled chapter meeting or by some other means of delivery to the general membership at least two weeks prior to the chapter

meeting at which the vote on the amendments is to be taken.

- A. Proposed amendments to the Constitution shall be presented to the Board in written form. Proposals may be modified by the Board with the consent of the presenter.
- B. Action upon amendment requests shall not be taken prior to two weeks or one chapter meeting after the request is made.
- C. Any alterations to the proposed amendment at a chapter meeting constitute a new amendment proposal.

#### Article V: ELECTIONS

The election of the Officers and Board Members shall be held each year during the last regularly scheduled meeting. **This shall be held not later than the last scheduled girl's regular season game.** Nominations and elections shall be conducted as follows:

- A. The election of officers and representatives will be by secret ballot prepared by the Immediate Past President. The Immediate Past President will be the election judge unless nominated for an office. A nominated officer may not serve as election judge. Any officer or representative except the Secretary and the Treasurer may succeed himself only once in succession. All nominations for officers and representatives except the Secretary will be made from the floor and can only be made at **the regularly scheduled meeting** preceding their elections. Any member wishing to run for the office of Secretary must submit a letter of intent to the President prior to the last regularly scheduled meeting preceding the election. A member may be nominated for only one office and may hold only one office in the Chapter. An officer or representative must resign his present office if elected to another position. **A nominee must accept or decline the nomination at the meeting when he/she is nominated.**
- B. The nomination of officers shall be held in the following order:
  - Secretary (letter to President)
  - President
  - Vice - President
  - Treasurer
  - Representatives by division beginning with Division 5.
- C. Each member in good standing will receive one ballot after paying dues for the upcoming year. If members are unable to attend the meeting on the night of the election, then the members must adhere to the following policy to have an absentee vote.
  - 1.) Members must submit to the election judge, in writing at least 24 hours prior to published meeting time, a letter stating his or her intention to vote with an absentee ballot.
  - 2.) Reason for absence must be approved by board policy, constitution, or accepted practices according to Board.
  - 3.) An official ballot, or copy thereof, shall be submitted by hand, US Mail, or other approved means to the election judge no later than the published meeting time.
  - 4.) Vote submitted in absentia must name only one candidate for each office and shall be allowed to count for stated candidate in any run-off.
  - 5.) On the night of the election, the election judge will verify that the absentee ballot is valid. If the member is able to attend the meeting, his/her absentee ballot **shall be voided and shall be accorded the right to vote as any other member present.**

- D. Each member elected to the Board must have a majority of the votes on any ballot. If there is not a majority, a runoff election shall be held between the two candidates receiving the higher number of votes on the ballot. To fill a vacancy in any office, the President or ranking officer may announce at any regularly scheduled meeting that an election will be held at the next regularly scheduled meeting to fill said vacancy. Nominations and elections will be held during the same meeting in filling vacancies.  
Exception: If any current board member is nominated and elected to a new office, thereby causing him/her to resign their current office, there will be an immediate nomination and election for the balance of their term.
- E. The term of office for the division 5 representative shall be for one year. The remaining division representatives and officers shall serve a term of two years. The voting for officers, division 1 and 3 representatives shall be held during odd years and the voting for division 2 and 4 representatives shall be held during even years. If an elected representative accumulates enough points to advance to a higher division, he or she will continue to serve in the elected position until the term expires. This term shall begin after the last scheduled chapter meeting after his/her election.

Article VI: GENERAL MATTERS

The Chapter shall abide by the LBOC Constitution and the Bylaws, and all members in good standing shall receive full rights and privileges as provided by the State and Chapter.

CODE OF ETHICS

Section I: POLICY

The designation “basketball official” must be a pledge of honesty, dedication, and fairness. Integrity and fidelity to the game of basketball and a sense of great responsibility to the players, coaches, fans, schools, and fellow officials must transcend the thought of material gain or recognition.

In the fulfillment of the purpose to which it is dedicated, this Chapter charges its membership with strict observance of this Code of Ethics. If an incident occurs which is beyond the scope of this Chapter’s Code of Ethics, the Chapter shall refer to the State Code of Ethics and/or its current amendments to properly handle such an incident.

Section II: VIOLATIONS

A member shall have violated the Code of Ethics by:

- A. Breach of contract by failure to fulfill his/her Chapter approved schedule without just cause.
- B. Falsification of reports in any manner.
- C. Verbal or physical abuse to coaches, players, or fans.
- D. Procurement of games by member solicitation with school officials.
- E. Open criticism of fellow officials in any manner.
- F. Any conduct which is contrary to or inconsistent with the Constitution or policies adopted

by the Board.

- G. Falsification of application in any manner. Also the Board will not admit a member of poor standing from another chapter or state. The Chapter membership reserves the right to make the final decision.

### Section III: OFFENSES, DISCIPLINARY ACTION, AND PROCEDURES

If any member violates any of the rules or ethics of the Chapter or any of the provisions of the Constitution or Bylaws, or conducts himself/herself in a manner likely in the opinion of the Board, to injure or discredit the reputation or standing of this Chapter, or a formal complaint is made against a member in writing, upon review of an investigative committee and based on it's recommendation, the Board shall have the power, by two-thirds vote of those Board members present and voting, to impose such member sanctions, and/or expel him/her from membership in the Chapter, subject to the following procedures:

- a. If a member is convicted of a Class C Misdemeanor, excluding traffic violations, the LBOC will hear the matter and take appropriate action. Copies of all documentation shall be forwarded to the UIL Director. Appeals will be to the chapter level.
- b. If a member is convicted of a Class A or Class B Misdemeanor, the LBOC will hear the matter and take appropriate action. Copies of all documentation shall be forwarded to the UIL Director. Appeals will be to the chapter level. Chapter decisions may be appealed to the UIL.
- c. If a member is charged or indicted of a felony, the member is automatically suspended. This action is to be taken by the local chapter with a copy of the suspension letter forwarded to the UIL. Suspension is to remain in effect until the charge or indictment is resolved.
- d. If a member is convicted of a felony or pleads guilty or no contest to a felony, membership is automatically terminated. NO APPEAL! LBOC will notify and forward copies of all documentation to the UIL.

### DUE PROCESS

- A. An investigative committee, which will include the President, Vice President, Secretary, and the member's Division Rep. will go to the individual in question and verify the situation to determine if further action is necessary by the entire board. If a member of the investigative committee needs to be excused from the committee due to conflict of interest, another member will be appointed by the remaining members of the committee.
- B. Written notice of the charges and the time and place of the meeting of the Board to consider such charges shall be given to the accused member not later than one week prior to that meeting. Notice means written notice, mailed "Certified Mail Return Receipt Requested" to the respondent at the most recent address furnished to the chapter secretary.
  - 1) Date or dates of alleged infraction(s)
  - 2) Description of alleged infraction(s)
  - 3) Name of person initiating action unless determined to be confidential in accordance with following rules governing same;
  - 4) Identification of provision of constitution, bylaws, or rules involved;
  - 5) The day, time and location of the hearing;
  - 6) The range of action that may be taken as a result of the proceedings;
  - 7) In the absence of good cause shown, that failure to attend the hearing will terminate the respondent's rights to appeal any discretionary decision of the Board.

Notice by "Certified Mail Return Receipt Requested" shall be presumed to be received by a respondent 5 days after deposit in the U. S. Mail, postage prepaid and addressed to the respondent's address contained in the official roster on the website.

C. At the hearing before the Board to consider such charges:

ARTICLE 1: At any stage during which new testimony or evidence is to be presented to a decision making body, the respondent shall be afforded a reasonable opportunity to be present during all proceedings involving evidence or testimony, the right to have another person represent them or to be represented by legal counsel, the right to a full disclosure of all evidence presented to the decision making body or a member of the decision making body, the opportunity to controvert all evidence against them, the opportunity to present witnesses on their behalf, and the right to cross-examine all adverse witnesses, subject to the limitations necessary to protect the confidentiality of a complainant or witness to be set out below.

ARTICLE 2: Persons who initiate an ethics inquiry shall be afforded a reasonable opportunity to be present during all proceedings involving evidence or testimony, the right to have another person represent them or to be represented by legal counsel, the right to a full disclosure of all evidence presented to the decision making body or a member of the decision making body, the opportunity to present witnesses on their behalf, and the right to cross-examine all respondent's witnesses, subject to the limitations necessary to protect the confidentiality of a complainant or witness to be set out below.

ARTICLE 3: The hearing should be conducted generally in accordance with Robert's Rules of Order, Newly Revised. However, bearing in mind the requirement of a basic sense of fairness, the chair may conduct the meeting in any way that results in a fair and orderly proceeding.

ARTICLE 4: Rules of Civil or Criminal Courts do not apply and hearsay evidence, affidavits, parole, and other forms of evidence not normally admissible in courtrooms may be admissible, provided disclosure is made to the respondent who shall have a reasonable opportunity to controvert such evidence.

ARTICLE 5: The presiding officer is responsible for insuring an accurate record is made of all hearings and that such record be available to all parties so long as an appeal is permissible under these guidelines. Failure to make and maintain an adequate record may be grounds for dismissal of a matter and/or the initiation of a separate ethics procedure against the person who failed to maintain accurate records.

ARTICLE 6: Any person displaying disruptive conduct, including legal counsel, may be barred from the proceedings.

#### CONFIDENTIALITY OF CERTAIN COMPLAINANTS OR WITNESSES

ARTICLE 1: The Board shall determine that in the best interest of the sport (not chapter or individual members), the identity of a complainant or witness should not be disclosed to a respondent or other persons provided the respondent shall be furnished with the full statement of such undisclosed person(s) as used by the decision making body and the respondent shall

be provided the opportunity to submit written questions to the decision making body for submission to the undisclosed person(s).

ARTICLE 2: The Board may alter or modify the questions submitted to clarify or to eliminate duplicate, argumentative, or irrelevant questions, as well as questions designed to primarily to determine the identity of the undisclosed person before submission to the undisclosed person. The respondent shall be provided with copies of the questions as submitted and an opportunity to supplement. Questions that go to the heart of the respondent's defense may be reworded but not omitted. Questions may be added provided both questions and answers are made available to the respondent in a timely manner.

ARTICLE 3: The Board shall not consider the testimony or evidence of an undisclosed person who did not provide written responses to questions propounded to them under this section.

### TIME LIMITS

ARTICLE 1: In the absence of a specific request from the University Interscholastic League, a chapter may not discipline a respondent for an event that occurred more than one year prior to the initiation of the request.

ARTICLE 2: The Board may not initiate a request for an investigation or chapter action that might result in disciplinary action to a respondent more than one year after the occurrence of the event charged or more than 90 days after the Board discovers the occurrence, whichever is later.

ARTICLE 3: In the absence of good cause shown, the Board should complete its investigation and hearing process within 180 days of the occurrence of the event or within 90 days of the disclosure of the event on which the charge is made, whichever is later. Good Cause shown would include delays requested by the respondent or necessitated by verified illness sufficient to prohibit participation by necessary persons.

ARTICLE 4: At the chapter level, a respondent shall have not less than 30 days within which to perfect an appeal to the next highest level of the decision resulting in action detrimental to the respondent.

ARTICLE 5: The respondent's chapter representative shall review all appeals to the Board for compliance with these procedures and to insure basic fairness to all parties and within 10 days shall either return the appeal to the Board with a written explanation of the procedures the Board failed to follow or serve the decision to the respondent.

### COSTS

The Board may charge the costs of the due process to either the individual or the chapter, whichever is the non-prevailing party, or apportion the costs according to basic equity and fairness founded upon the evidence and testimony. Costs include all expenses necessarily incurred as a result of the process, to include long distance telephone expense, copies, postage, travel, meals, and lodging for hearing committee members, costs of transcripts, video or sound recordings, court reporters, and any other expense to the Chapter made necessary by the due process.

In the event a situation arises which is not covered in these procedures or guidelines, the UIL shall determine the proper procedure or procedures in such case.

#### Section IV: APPEALS

Any member disciplined by the Board for any reason may appeal the decision of the Board to the Chapter membership.

- A. In order to appeal to the Chapter, the disciplined member must give written notice of appeal to the President (or the highest ranking officer or Board member if the President is not available) within fifteen days after receiving written notice of the Board's decision.
- B. Any penalty imposed by the Board shall remain intact pending the result of the appeal.
- C. The President shall schedule a hearing of the appeal before the Chapter membership at the soonest possible regularly scheduled Chapter meeting after notice of the appeal is received.
- D. A two-thirds majority of the members present and voting is necessary to overturn and rescind a decision of the Board regarding a matter of discipline.

#### **SECTION V CODE OF ETHICAL CONDUCT**

**ARTICLE 1.** Each member of the LBOC shall:

- a. Put loyalty to the highest moral principles and to LBOC above loyalty to persons or individual gains.
- b. Uphold the Bylaws and legal regulations of the LBOC and support members therein and never be a party to their evasion.
- c. Never discriminate unfairly by the dispensing of special favors or privileges to anyone, whether for remuneration or not, and never accept, for self or family, favors or benefits under circumstance which might be construed by reasonable persons as influencing the performance of LBOC duties.
- d. Make no private promises of any kind binding upon duties of office since a LBOC member has no private word which can be binding on public duty.
- e. Engage in no business with nonmembers, either directly or indirectly which is consistent with the conscientious performance of LBOC principles.
- f. Expose corruption wherever discovered.
- g. Uphold these principles ever conscious that membership is a basic human trust.
- h. The official shall be a member in good standing of his/her Chapter each year.
- i. The official uniform and patches as designated by the Chapter shall be worn.
- j. No official shall partake of any substance prior to officiating a game/match which would impair his/her physical or mental performance. An official shall not compromise the integrity of the LBOC while in any article of clothing identifying themselves as an official following a game/match.
- k. Every member's conduct, speech, and actions during or enroute to and from a game/match shall be above reproach and should always demonstrate the example of sportsmanship, courtesy, and self control.
- l. The official should arrive at the game/match with sufficient time to inspect facility and equipment, discuss ground rules, instruct supplementary officials, and discuss any pertinent information with the coaches.
- m. No official shall criticize any other official or any individual association within State of Texas in the presence of coaches, players, spectators, or the news media before, during, or after a game/match.
- n. No official shall cancel on officiating assignment to accept another more advantageous UIL sanctioned assignment. Each chapter should establish policy regarding upgrading assignments (such as college, etc.)

- o. No official shall fail to honor an officiating contract. Whenever it becomes impossible to fulfill any officiating assignment, the official involved shall notify the chapter secretary, or assigner, in sufficient time that a replacement may be obtained.
- p. No official shall seek to influence a coach for the purpose of promoting personal officiating opportunities.
- q. Every official shall seek to possess and demonstrate a comprehensive knowledge and understanding of the letter and intent of the playing rules and officiating mechanics.
- r. No official shall solicit games.
- s. No official shall falsify records or reports for personal gain.
- t. No official shall engage in scouting activities or engage in conversation with coaches regarding officiating assignments.

ARTICLE 2. Each member of the LBOC must avoid any action, whether or not specifically prohibited by this code, which might result in or create the appearance of a violation of these standards of conduct which include but are not restricted to:

- a. Using LBOC for private gain.
- b. Losing complete independence or impartiality.
- c. Making an LBOC decision outside official channels.
- d. Affecting adversely the confidence of the public, schools, and universities in the integrity of the LBOC.
- e. Solicitation of, or accept any gift, favor, entertainment, meal, loan, or anything of value from any person seeking contractual or other business with LBOC and supporting members.
- f. No member will engage in criminal, dishonest, notoriously disgraceful, or immoral conduct or other conduct prejudicial to the LBOC.
- g. Use tobacco products on school property.
- h. Use of illegal drugs which may be grounds for removal from LBOC.
- i. Consume alcohol the day of the game prior to the end of the contest.
- j. Consume alcohol on school property.

## BYLAWS

### Article I: BOARD OF DIRECTORS

- A. The Board shall have full power to act and pass on all matters of business. The minutes of the board meeting shall be made available to the general membership during any regular (or special) general meeting. Should any action of the Board receive a call for a ballot by any member and a quorum of the membership is present, a vote must be taken with a simple majority necessary to confirm the Board action.
- B. The Board may remove any board member who misses two consecutive regular board meetings or three in one year by a two-thirds vote of members present and voting.
- C. The President shall be directed by and report all Chapter business to the Board.
- D. The Board shall provide documented copies of the latest revision of the Constitution each year. Availability on the website shall meet this requirement.

### Article II: MEMBERSHIP

- A. All members of the Lubbock Chapter will become members of the state association or

affiliation as decided by the chapter membership.

- B. Only paid members in good standing will be allowed to vote regarding matters concerning the Chapter. Good standing is defined as having no sanctions, outstanding dues or fines, and having met all membership requirements.
- C. A quorum for holding an official meeting of this Chapter shall be two-thirds of the Board or 40 percent of the membership. The quorum for year-end election shall be two-thirds of the Board or 40 percent of the paid membership for the upcoming year.
- D. All classifications used by the Lubbock Chapter shall be according to UIL or the state association or affiliation guidelines and regulations.

#### Article III: MEMBERSHIP REGISTRATION AND DUES

- A. One month prior to the state dues deadline shall be the deadline for paying dues to the Lubbock Chapter. Payment of dues to the state association or affiliation shall be governed by the regulations of the state association or affiliation. Names of members who have not paid their dues will not be on any list sent to coaches for the coming year. No members will be assigned any games by the Secretary or placed on any mailing list unless his/her dues and applicable fines have been paid and is a member in good standing.
- B. All members must take and pass by a score of 70 or better the basketball rules test specified by the state association or affiliation.
- C. Dues for Chapter membership shall be set by the Board.
- D. The Board may expel or suspend any member at any time for gross violation of rules and ethics of the LBOC Constitution and/or the state code of ethics. Reinstatement of any expelled or suspended member shall be possible only by written request to the Board and favorable action on that request by the Board.

#### Article IV: PRESIDENT

- A. Qualifications:
  - 1. Must be a Division 1 or 2 official when nominated.
  - 2. Must have been a member in good standing of the Chapter and the Association for the three previous consecutive years prior to his/her election.
- B. Shall preside at all meetings of the Chapter and of the Board.
- C. Shall appoint all committees as directed by the Board.
- D. Shall execute the will of the Board in all matters pertaining to the Chapter.
- E. Shall maintain fiscal responsibility for the chapter and shall submit an annual budget to the Board prior to September 1.
- F. Shall hold office for two years beginning after the last scheduled chapter meeting following his/her election.

#### Article V: VICE-PRESIDENT

- A. Qualifications shall be the same as the President.

- B. Shall preside at all Chapter and Board meetings in the absence of the President.
- C. Shall succeed the President without reservation whenever, for any reason, the office of President is vacated.
- D. Shall serve as Program chairman for all Chapter meetings.
- E. Shall keep the **current** Constitution and Bylaws **available to the membership**.
- F. Shall hold office for two years beginning after the last scheduled chapter meeting following his/her election.

Article VI: SECRETARY

- A. Qualifications:
  - 1. Must be a Division 1 or 2 official when submitting letter of intent.
  - 2. Must have been a member in good standing of the Chapter and the Association for the three previous consecutive years prior to his/her election.
  - 3. Shall live in the Lubbock **geographic officiating area** during the entire term of office.
- B. Shall hold office for a term of two years beginning after the last scheduled regular season UIL game following his/her election. Outgoing secretary shall assign all playoff games for the current term.
- C. Shall maintain a complete roster of members of the Chapter, and shall **make** this roster **available** to such coaches, school officials, or other persons as directed by the Board.
- D. Shall administer all examinations as required by the **chapter and the state association or affiliation**.
- E. Shall present to the Board all documented grievances pertaining to working relationships of members with schools, coaches, and/or fellow officials.
- F. Shall, upon request of school officials, assign members to officiate at specified games.
- G. Shall maintain a master schedule of all games assigned to the Chapter and of members assigned to those games for the current season.

Article VII: TREASURER/RECORDER

- A. Qualifications
  - 1. Shall be a Division 1 or Division 2 Level official during his/her term of office.
  - 2. Shall have been a member in good standing of the Chapter and the Association for the three previous consecutive years prior to the election.
- B. Shall collect all dues and fines of the Lubbock Chapter.
- C. Shall be in charge of all funds of the Lubbock Chapter and shall maintain a record of Chapter funds and have it available on request.

- D. Shall draw up checks when presented with bills **and the** expenses have been approved by the Board. All checks will have two signatures. These signatures will be either President, Vice-President, Secretary, or Treasurer. **A funds recipient may not sign the check.**
- E. Shall be responsible for keeping the minutes of each Board meeting and each Chapter meeting. Minutes shall be approved at each Chapter meeting. Typed copies shall be made a part of the Chapter's permanent records and must be available to any member of the Chapter upon request. Availability on the web shall satisfy this requirement.
- F. Shall be the administrative officer of the attendance records and regulations of the Chapter, check the roll at each meeting, notify each member when his/her absenteeism begins to be excessive, and notify the Board of the same.
- G. Shall act as reporter.
- H. Shall work with the Secretary to maintain a complete roster of Chapter members.

Article VIII: GENERAL

- A. **Each member shall keep his/her profile current on the web-based assignment program.** It shall be the responsibility of each member to communicate to the Secretary regarding his/her specific schedule—in particular toward the end of the season during playoff time. (This pertains to varsity games.)
- B. Dues for the membership of the Chapter Secretary shall be paid from the funds of the Lubbock Chapter. This would exempt the Secretary from chapter dues and pay his/her **the state association or affiliation** dues. The Secretary must be a member of **the state association or affiliation** even though he/she need not be a working official.
- C. The Secretary shall receive a monthly salary on a twelve-month basis as set by the Board each year.
- D. Each year the President and the Secretary shall attend the general meeting of **the state association or affiliation** with reasonable expenses paid by the Lubbock Chapter as approved by the Board. In the event that one or both are unable to attend, the President shall appoint appropriate substitutes with the approval of the Board.
- E. All Chapter members shall conform to the uniform requirements of **the state association, affiliation or UIL** while representing the Chapter in any official capacity requiring the use of the officiating uniform. Each member shall keep his/her uniform clean and neat and shall replace worn items as necessary to maintain a professional appearance.
- F. The Secretary shall have the authority to contact area athletic directors or representatives regarding fees and travel allowances for sub-varsity basketball games.
- G. Board policy can be changed or amended by the Board at any time.
- H. **An audit of chapter funds may be performed at any time at the request of the Board or two-thirds of the chapter members in good standing.**

This Constitution and By-Laws submitted by Committee.

Chair - Ken Carter

Members – Gary Johnson  
Janda Jackson  
Pat Shelby  
Gary Reed  
Joe Torres  
Tom Gregory  
Colby Sharp  
Marcy Bradford  
Dennis Goheen

Submitted August 19, 2009