

BY-LAWS OF THE FORT SMITH OFFICIALS ASSOCIATION, INC.

ARTICLE I. NAME

1.01 Name. The name of the Corporation shall be known as the Fort Smith Officials Association, Inc., d/b/a Fort Smith Officials, hereinafter referred to as the "Chapter."

ARTICLE II. PURPOSE

2.01 Purpose. The Chapter is duly formed and organized and shall be operated as a non-profit corporation. Except that the Chapter shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of such purposes, no part of its net earnings shall inure to the benefit of, or be distributable to, any member or individual. No part of the activities of the Chapter shall be carrying on propaganda, or otherwise attempting to influence legislation, and the Chapter shall not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of or in opposition to any candidate for public office.

The purpose of this Chapter shall be to promote Amateur Sports Competition in the game of football by advancing the ideals of good sportsmanship and fair play through qualified officiating in football, and respect for the authority of sports officials at all levels of competition. The Chapter shall promote its purpose by exercising the following:

- (A) Maintaining a membership consisting of capable and experienced officials whose integrity is above reproach and who are actively engaged each year in officiating inter-scholastic and/or inter-collegiate football games;
- (B) Providing education and training programs, including programs that develop knowledge and skill of the rules and the mechanics of officiating. A point of emphasis will be to stress the training and development of inexperienced and new officials;
- (C) Fostering a high standard of ethics, while encouraging fair play and good sportsmanship not only among the youth of the nation, both as competitors and spectators, but also by promoting closer cooperation and understanding among football officials, players, coaches, team physicians, trainers, school authorities, and other persons affiliated with the teams, parents and the media; and
- (D) Conducting studies and analyses of the rules of amateur football to identify sources of problems and seek out solutions in cooperation with rule making bodies.

ARTICLE III. GENERAL OFFICERS

3.01 Number, Election and Tenure, Resignation, and Removal

- (a) **Number.** The officers of this Chapter shall be a President, a Vice-President, an Administrative Secretary, Treasurer, Immediate Past President, and a Non Referee at Large.
- (b) **Election and Tenure.** Officers of the Chapter shall be elected by a majority vote of the Chapter membership present at the last regularly scheduled meeting annually as further defined below. Each officer shall serve for a term of two (2) years, (except for the position of the Non Referee At Large, which is elected annually), from January 1 of the current year succeeding election through December 31 of the second succeeding calendar year; or, in the event of a resignation or other vacancy in office, until their successors are elected or appointed and take office in accordance with the By-Laws. The Non Referee At Large position is not a voting board position even though it is an annual elected position.
- (c) **Resignation.** Any officer may resign at any time by giving written notice thereof to the President or Administrative Secretary of the Chapter. Unless otherwise specified in the notice, the resignation shall take effect upon receipt thereof, and the acceptance of such resignation shall not be necessary to make it effective.
- (d) **Removal.** If the duties set forth herein of any elected officer is not being performed, and, if in the opinion of the Board of Directors this nonperformance is detrimental to the Chapter, the officer elected or appointed by the Chapter and/or the Board of Directors may be removed by a two-thirds (2/3) vote of the full or complete Board of Directors passing a resolution to consider such office to be vacated. Removal of an officer shall be without prejudice to the contract rights, if any, of the officer.
- (e) **Vacancies.** A vacancy in any office shall be filled by the Board of Directors for the unexpired portion of the officer's term as provided in the Chapter Bylaws, as amended.

3.02 Attendance at Meeting. The President, and in his absence the Vice President, shall call meeting of the Board of Directors to order, and the President (or Vice President) shall act as Chairman of such meetings, and the Administrative Secretary, of the Chapter shall act as Secretary of all such meetings, but in the absence of the Secretary, the Chairman may appoint any person present to act as Secretary of the meeting.

3.03 Duties. The principal duties of the several officers are as follows:

- (a) **The President.** The President shall be the chief executive officer of the Chapter. The President shall supervise and control all of the business and affairs of the Chapter. The President shall preside at all meeting of the members and of the Board of Directors. The President may execute any contracts or other instruments that the Board of Directors has authorized to be executed. However, the President may not execute instruments on behalf of the Chapter if this power is expressly delegated to another officer or agent of the Chapter by the Board of Directors, the Bylaws or statute. The President shall perform other duties prescribed by the Board of Directors and all duties incident to the office of President.
- (b) **Vice President.** When the President is absent, is unable to act, or refuses to act, a Vice President shall perform the duties of the President. When a Vice President acts in place of the President, the Vice President shall have all the powers of and be subject to all the restrictions upon the President. A Vice

President shall perform other duties as assigned by the President or Board of Directors.

(c) Administrative Secretary. The Administrative Secretary shall:

- (1) Give all notices as provided in the Bylaws or as required by law.
- (2) Take minutes of the meetings of the members and of the Board of Directors and keep the minutes as part of the corporate records.
- (3) Maintain custody of the corporate records and of the seal of the Chapter.
- (4) Affix the seal of the Chapter to all documents as authorized.
- (5) Keep a register of the mailing address of each director, officer and member of the Chapter.
- (6) Perform duties as assigned by the President or by the Board of Directors.
- (7) Perform all duties incident to the office of Secretary.

(d) Treasurer. The Treasurer shall:

- (1) Have charge and custody of and be responsible for all funds and securities of the Chapter.
- (2) Receive and give receipts for moneys due and payable to the Chapter from any source.
- (3) Deposit all moneys in the name of the Chapter in banks, trust companies or other depositories as provided in the Bylaws or as directed by the Board of Directors or President.
- (4) Write checks and disburse funds to discharge obligations of the Chapter.
- (5) Maintain the financial books and records of the Chapter.
- (6) Prepare financial reports at least annually.
- (7) Perform other duties as assigned by the President or by the Board of Directors.
- (8) Perform all duties incident to the office of Treasurer.

(e) Immediate Past President. The Immediate Past President shall be the former President of this Chapter who was replaced and is immediately succeeded in office by the current President of this Chapter. If the Immediate Past President does not serve in this office, then an Acting Immediate Past President may be selected to perform the duties and obligations of the Immediate Past President by a majority vote of the complete Board of Directors. An Immediate Past President shall perform other duties as assigned by the President or Board of Directors.

(f) Non Referee At Large. The Non Referee At Large position will be an elected position ANNUALLY and will serve ONLY on the Assignment Committee. This position will not be a Board of Directors voting position. By definition, the Non Referee At Large shall be a person who does not serve as a Referee (white hat) on a full time Varsity crew.

ARTICLE IV. BOARD OF DIRECTORS

4.01 Number, Tenure, Removal, Resignation and Vacancies.

(a) Number. Except as otherwise provided in these Bylaws, the direction and management of the affairs of the Chapter, and the control and disposition of its assets shall be vested in the Board of Directors (the "Board of Directors"). The Board of Directors shall be comprised of the President; the Vice-President; the Administrative Secretary, the Treasurer; and, the Immediate Past-President of this Chapter. No director, merely as such, shall receive a salary. The Chapter may reimburse the directors for the ordinary expenses incurred in performing the business of the Chapter. The Board of Directors is empowered, authorized and charged to supervise and manage the affairs and business of the Chapter and to determine and enforce its policies. The presence of a majority of the directors at any board meeting shall constitute a quorum for the transaction of business.

(b) Tenure. Each director shall serve for his or her term of office and until his or her successor shall have been duly elected and qualified unless sooner resigns in the manner specified in subparagraph (c) of this paragraph 4.01 of these Bylaws. Each director of the Board of Directors shall serve a two (2) year term. The terms of the directors shall be staggered in accordance with paragraph 5.02(a) and (b) so that the terms of the President and the Treasurer, shall begin in odd numbered years, and the terms of the Secretary and Vice President shall begin in even numbered years and the Non Referee At Large position shall be elected annually.

(c) Resignation. Each director shall have the right to resign at any time upon written notice thereof to the President or Administrative Secretary of the Chapter. Unless otherwise specified in the notice, the resignation shall take effect upon receipt thereof, and the acceptance of such resignation shall not be necessary to make it effective.

(d) Vacancies. A vacancy shall be declared in any seat on the Board of Directors upon the death, resignation or incapacity or removal of the occupant thereof. A vacancy may be filled by the affirmative vote of a majority of the remaining directors by the election of a new director who shall take office on the date of his or her election and shall hold such office until the date of the next general meeting of the membership of the Chapter in which a quorum is present and the appointment is ratified by a majority vote of the Chapter membership, and thereafter until his or her successor shall have been duly elected, qualified and verified. A director elected to fill a vacancy shall be elected for the unexpired term of the predecessor in office.

4.02 Election.

A person who meets any qualification requirements to be an officer and who has been duly nominated may be elected as an officer. Officers shall be elected by the membership of the Chapter as set forth in the Chapter's Bylaws. Each officer shall hold office until a successor is elected and qualified.

4.03 Annual Meeting.

The annual meeting of the Board of Directors may be held without notice other than these Bylaws.

4.04 Regular Meetings.

The Board of Directors may provide for regular meetings by resolution stating the time and place of such meetings. The meetings may be held either within or without the state of Arkansas and shall be held at a location designated by the Administrative Secretary if the resolution does not specify the location of the meeting. No notice of regular meetings of the Board is required other than a resolution of the Board of Directors stating the time and place of the meetings.

4.05 Special Meetings.

Special meetings of the Board of Directors shall be held whenever called by or at the request of the President of the Chapter or any two (2) directors. A person or persons authorized to call special meetings of the Board of Directors may fix any place within Arkansas as the place for holding a special meeting. The person or persons calling this special meeting shall notify the Administrative Secretary of the information required to be included in the notice of the meeting. The Administrative Secretary shall give notice to the directors as required in the Bylaws.

4.06 Quorum for Meetings.

The presence of a majority of the number of directors fixed by these Bylaws as constituting the Board of Directors shall be a quorum for the transaction of business at all meetings convened according to these Bylaws. If at no time during a meeting a quorum is present, a majority of the directors present may adjourn and reconvene the meeting one time without further notice.

4.07 Voting.

The affirmative vote of a majority of the directors present at a meeting at which a quorum is present shall be the act of the Board of Directors, except as may be otherwise specifically provided by law, or these Bylaws.

4.08 Proxies.

A director may vote at a meeting of the Board of Directors by proxy executed in writing by such director and delivered to the Administrative Secretary of the Chapter at or prior to such meeting; however, a director present by proxy at any meeting of the Board of Directors may not be counted to determine whether a quorum is present at such meeting. Each proxy shall be revocable unless expressly provided therein to be irrevocable, and unless otherwise made irrevocable by law.

4.09 Action by Written Consent.

Any action required or permitted to be taken at any meeting of the Board of Directors or of any committee designated by the Board of Directors may be taken without a meeting if a consent in writing or affirmative email response, setting forth the action to be taken, shall be signed or approved by email response by all members of the Board of Directors or of such committee, and such consent shall have the same force and effect as a unanimous vote at a meeting.

4.10 Compensation.

Directors shall not receive salaries for their services. The Board of Directors may adopt a resolution providing for payment to directors of a fixed sum for expenses of attendance. A director may serve the Chapter in any other capacity and receive compensation for those services. Any compensation that the Chapter pays to a director shall be commensurate with the services performed and shall be reasonable in amount.

4.11 Removal of Directors.

If the duties set forth herein of any elected director is not being performed, and, if in the opinion of the Board of Directors this non-performance is detrimental to the Chapter, the director elected or appointed by the Chapter and/or the Board of Directors may be removed by a two-thirds (2/3) vote of the full or complete Board of Directors passing a resolution to consider such office to be vacated. Removal of a director shall be without prejudice to the contract rights, if any, of the director.

ARTICLE V – ELECTION OF OFFICERS

5.01 General. The Officers shall be elected by a method of majority vote on the last regularly scheduled meeting of the year. Each Officer shall serve for a term of two (2) years from January 1 of the calendar year of the election through December 31 of the succeeding calendar year; or, in the event of a resignation or other vacancy in office, until their successors are elected or appointed and take office in accordance with the Bylaws.

5.02 Officers. The elections of Officers for the chapter shall be as follows:

- (a) Odd Years. President, Treasurer, and the Non Referee At Large shall be elected in odd years.
- (b) Even Years. Administrative Secretary, Vice President, and the Non Referee At Large shall be elected in even years.

5.03 Eligibility. To be eligible to be elected to and hold any office set out in this Chapter's By-Laws, either elected or appointed, all candidates must:

- (1) Be, at the time the election is held, and remain throughout any term or terms in office, a member in good standing, as that term is defined in the Chapter By-Laws, as amended, of the Chapter;
- (2) Must have met the meeting attendance requirement of this Chapter required by the By-Laws for the year in which the election is held;
- (3) Must have paid their current Chapter dues on time;
- (4) Must be listed as a member in the AOA Association.

5.04 Additional Eligibility Requirements. In addition, the candidates for President, Vice President and Administrative Secretary must each have five (5) years of officiating in AOA, and shall have been a member in good standing, as that term is defined in the Chapter's By-Laws as amended, of this Chapter for three (3) consecutive years immediately preceding the calendar year of the election. Exceptions to this requirement will have to be made for the first three (3) years of the Chapter's existence and can be made under special circumstances at the Board of Directors discretion and any time where it deems needed in the future.

ARTICLE VI – NOTICES AND GENERAL PROVISIONS

6.01 Form of Notice. The Board of Directors is empowered to schedule and designate regular or special meetings at such places and times as it deems appropriate. Notice of regular meetings shall be given to the membership by the Board of Directors and the Chapter membership as provided herein. Whenever under the provisions of these Bylaws, notice is required to be given to any director, officer or the membership of the Chapter, and no provision is made as to how such notice shall be given, such notice may be given personally, including, but not limited to, telephone communication or email transmission, or such notice may be given in writing, by mail, postage prepaid, addressed to such member, director or officer, as the case may be, at such address as it appears on the books of the Chapter.

6.02 Waiver. Whenever any notice is required to be given to any director, officer or member of the Chapter under the provisions of these Bylaws, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be equivalent to the giving of such notice.

6.03 Committees. The President is empowered and authorized to appoint various committees he believes will assist the Chapter in achieving its purposes as designated in the Chapter By-Laws and to assign responsibilities to each committee. The President may establish a Committee which shall consist of not less than two (2) members who shall be elected by the Board of Directors at any regularly scheduled board meeting, annual meeting, or a special meeting called for such purpose. Such Committees and members thereof shall be appointed for such terms not exceeding two (2) years and shall have the authority and perform such duties as shall from time to time be prescribed by the President. The term of any committee and/or member thereof can be extended or renewed for subsequent additional two (2) year terms, as needed. All appointive Committee members shall hold their respective positions at the pleasure of the President and Board of Directors, and may be removed from the Committee or the Committee dissolved at any time with or without cause.

6.04 Amendments. Any proposed amendment to the By-Laws must be signed by the person requesting the change, and submitted in writing to a member of the Board of Director or Bylaws Committee, no later than two (2) weeks prior to the first scheduled Chapter Meeting. The proposed amendment will be submitted to the Chapter membership at the next regular membership meeting, and the proposed amendment shall be voted upon by the Chapter membership at the regular meeting next following the initial submission of such proposed amendment. The presence of at least fifty percent (50%) of the members in good standing on record shall constitute a quorum to vote on such proposed amendment, and the affirmative vote of at least two-thirds (2/3) of the members in good standing present shall be required to adopt such proposed amendment. If less than fifty percent (50%) of the members in good standing on record are present at this second meeting, a majority of those present may adjourn the vote to another meeting without further notice.

6.05 Conduct of Meetings. In the absence of a specific provision to the contrary contained in these By-Laws, all meetings and activities of this Chapter, whenever applicable, shall be governed by Robert's Rules of Order. Revised, or as amended from time to time.

6.06 Fiscal Year. The fiscal year of the Chapter shall begin on the 1st day of January and end on the December 31 of each calendar year.

ARTICLE VII – GAME ASSIGNMENT COMMITTEE

7.01 Assignment Committee. A Game Assignment Committee composed of the President, the Vice President, the Immediate Past President, and the Administrative Secretary (as Chairman), and the elected position of Non Referee At Large shall make all game and scrimmage assignments.

- (1) Members in good standing according to by-laws will receive preference in receiving assignments from the Assignment Committee.
- (2) Crews/officials that regularly attend training sessions in and out of the season will receive preference in receiving assignments from the Assignment Committee.
- (3) Members will not be discriminated against, in assignments, on the basis of race, religion, sex or national origin.

7.02 Game Assignment. To accept an assignment from this Chapter, each member shall agree to the following in writing:

- (1) Service will be as an independent contractor, and not as an employee of the Chapter with respect to any assignments accepted;
- (2) The official will hold the Chapter, its officers and Board of Directors harmless from any and all liability for injury or damage sustained as the result of that member's Acceptance of any game assignment;
- (3) Acceptance of games is limited to the current football season: and
- (4) The member will uphold and abide by the By-Laws of the Chapter, the AOA, and the AAA. Failure to abide by the By-Laws of the Chapter or of the AOA or AAA shall be grounds for cancellation of game assignments in addition to any further penalties at the discretion of the Board of Directors.

7.03 Eligibility. A member must have attended the state clinic or online rules meeting, taken and passed the certification test by Friday of week 1 of the current year and must meet all AAA requirements, including passing the background check, to receive varsity assignments.

7.04 Game Assignment Considerations. The Assignment Committee will consider all of the following factors when making all game assignments:

- (1) Member's Availability.
- (2) Coaches ranking of officials and their scratch lists.
- (3) Game knowledge and mechanics skill of member.
- (4) Officiating Experience.
- (5) Training needs of new or inexperienced members.
- (6) Fair distribution of games to all members.
- (7) Committee discretion - including but not limited to location, travel considerations for the week

ARTICLE VIII – MEMBERSHIP

8.01 Membership. This corporation shall be comprised of the following persons within the following classes of membership:

A. Active. Comprised of individuals who are duly qualified sports officials, have complied with all the membership requirements of this Chapter, and officiate athletic contests. The membership year shall be begin on July 1 and shall end June 30. Membership may be renewed from year to year in a manner prescribed by policy.

1. Active Member in Good Standing. A member shall be considered to be an Active Member in Good Standing if the member has no unpaid dues or fines, has properly executed an annual membership agreement, has completed all paperwork required by policy and procedure, and is not under suspension or expulsion. Assignment Committee may schedule only Active Members in Good Standing. Active Members in Good Standing shall have full voting rights and privileges during meetings of the membership.

2. **Active Member Not in Good Standing.** Comprised of members who do not meet the requirements of any other class of membership. Active Members Not in Good Standing shall have no voting rights or privileges during meetings of the membership.

B. **Inactive.** Comprised of individuals who were formerly duly qualified sports officials who were Active Members in Good Standing when they ceased to be Active members and who were granted a Leave of Absence by the Board of Directors. Inactive members shall have no voting rights or privileges during meetings of the membership.

C. **Affiliate.** Comprised of individuals or businesses entities who are not Active or Inactive members, but who have a special interest in the purposes of this Chapter. Affiliate members shall have no voting rights or privileges during meetings of the membership.

D. **Honorary.** Comprised of individuals upon whom this Chapter desires to confer such status according to policies and procedures established by the Chapter. Honorary members shall have no voting rights or privileges during meetings of the membership.

8.02 Records of Membership. At the beginning of each membership year or immediately upon joining as a new member or immediately upon rejoining from inactive membership, each member shall verify and maintain complete and accurate personal information (e.g., phone numbers, email address, etc.) for the membership rolls—including prompt notification of change(s) in personal information.

8.03 Qualified Membership. This Chapter may accept individuals for membership pursuant to criteria to be established by this Chapter and such application for membership can be accepted or rejected by a majority vote of the Board of Directors.

8.04 Resignation. Any member may resign by filing a written resignation with the Administrative Secretary, which resignation shall be presented to the Board of Directors by the Administrative Secretary at the first meeting after its receipt, but such resignation shall not relieve the member so resigning of the obligation to pay any dues, assessments or other charges previously accrued and unpaid prior to the receipt of such resignation.

8.05 Reinstatements. Upon written request signed by a former member and filled with the Administrative Secretary, the Board of Directors may, by the affirmative vote of a majority of the Directors, reinstate such former member to membership upon such terms as the Board of Directors may deem appropriate.

8.06 Standard of Conduct by Membership. Every member of the corporation is expected at all times to adhere to the cardinal principles of officiating, maintain a professional demeanor, and act in the best interests of the corporation. Additionally:

A. **Unauthorized Officiating by Member Prohibited.** A member shall not participate as an on-field athletic contest official in a sport or conference that the Chapter involves itself without being scheduled by Assignment Committee of the Chapter. The Board of Directors, at its discretion, shall be granted the sole authority to waive this

restriction. Such a waiver must be granted prior to any such participation by a member. Game assignments from conference Assignors are not considered violations of these parameters. No member shall solicit games from Athletic directors or coaches for their own personal, or crews, gain.

B. Notice of Changes. Each member is deemed to have been served notice of changes in or additions to the bylaws, guidelines, regulations, policies and/or procedures of the Chapter by announcement thereof at any regular or special meeting of the membership (whether or not he is present) or by notification thereof mailed to his address contained in the membership records.

C. Game Assignment Rejection. Each member may reject game assignment(s) from the Assignment Committee. A member may decide to accept or reject game assignments, but may subject to disciplinary action for turning a game back after accepting the assignment. Doing so will be considered a breach of contract.

D. Disciplinary Authority. The Board of Directors, at its discretion, shall also be granted the sole authority to discipline any member(s), according to Article 9, who does officiate outside the given Chapter parameters of said above Standards of Conduct.

8.07 Equal Opportunity. Membership in this Chapter shall be based on qualifications previously stated herein and in no way shall factors of race, creed, color, national origin, or sex be considered in such qualifications. All references of "he", "him", "his", and "-man" in these Bylaws shall refer to both genders equally and does not imply a requirement of gender.

8.08 Status of Members. All members of the Chapter are independent contractors in their officiating capacities and not employees of the Chapter, or of any officer(s) or assignor(s) of games of the Chapter, or of any other person or entity for whom the members work as officials and as such no deduction of any taxes will be taken out of any payment to them. All members of the Chapter recognize this status and understand that the Chapter, nor its officer(s) or assignor(s) of games, are employers, and therefore, the members may not be able to collect worker's compensation from the Chapter or any other person or entity for injuries sustained while performing or traveling to and from officiating, assigning or officiating-related or assigning-related work. Each member should obtain and maintain disability insurance for injuries arising out of the member's work.

Article IX Discipline of Members

9.01 Grounds for Discipline. For failure to comply with these Bylaws, established authority, guidelines, regulations, policies, procedures, or regulations of the Chapter, or for delinquency in payment of authorized charges, fines, penalties or assessments, or for any other conduct contrary to the best interests of the corporation, a member may be disciplined as provided in this article.

9.02 Notification of Charges. Any alleged violation shall be reported to the President (any member filing a protest concerning the actions of another member(s) shall submit in writing a full statement of the facts over his/her signature to the President). Upon receipt of such a report or based upon the President's own observations, the President shall have sole authority to initially investigate all alleged violations and invoke appropriate penalty(-ies) in accordance with the

policies of the Chapter and recommend the penalty(-ies) to the voting members of the Board of Directors for final approval. The President shall determine penalties for violations not specifically covered by policy and recommend the penalty(-ies) to the voting members of the Board of Directors for final approval. The charged member shall then receive a written notice of the charges against him indicating the alleged violation with specific reference to item(s) in 9.01, the alleged violating conduct, where and when the alleged violating conduct occurred, the person or entity who filed the charge (if not originated by the President), the findings of the investigation, the penalty(-ies) invoked (if any), and references to the procedural rights afforded by these Bylaws.

9.03 Effective Date of Penalty. So that a member shall have the opportunity to appeal the President's findings prior to effectuation of the penalty, the effective date of any penalty awarded to a member shall be fifteen (15) business days from the date of the President's notification letter/email is mailed/emailed to the member, unless the finding shall be appealed—resulting in an effective date of when the appeal is finalized. The duration of all penalties shall be from the effective date.

9.04 Appeal of Penalty and Due Process Procedures for Member.

A. Notification of Appeal of the President's Decision. Any member determined by the President to be in violation of the rules of this corporation, whether or not such finding results in imposition of penalty, may appeal the finding of the President if s/he takes issue with it, or may appeal the penalty imposed, if any, if s/he, while not disagreeing with the finding, believes the penalty to be too severe. The appeal must be in writing, state the objection and desired recourse, pay the appeal deposit, and filed so that it is received by the President within ten (10) business days of the member's receipt of the President's finding and/or notification of the imposition of penalty. Failure to file an appeal so that it is received by the President within the ten (10) business days allowed shall be deemed a waiver of the right to appeal as granted herein.

B. Recommendation of the Grievance Committee. Upon receiving an appeal, the President shall immediately forward the member's appeal to a created Grievance Committee, and the effective date of the penalty is indefinitely postponed pending further review. The Grievance committee shall promptly conduct a due process hearing and, by majority vote, present a written recommendation to the Board of Directors. At the hearing before the Grievance Committee, the person or entity bringing the charges and/or the President (or his designee) and the appellant member shall be present and both sides may present any information or documents. Each party may ask questions of the other party and the other party's witnesses. Questions from the committee member(s) shall be permitted. Legal counsel for the appellant member may be present and fully participate if the Chapter is notified at least five (5) business days prior to the date of the hearing so the Chapter may elect to have its legal counsel present (which may be present with or without legal counsel for the member). Each such legal counsel shall be bound by the Chapter's Bylaws while representing a member. The committee's recommendation and a copy of all written documentation submitted to the committee

shall be forwarded by the Grievance Committee to the Board of Directors within ten (10) business days of the hearing.

C. Action of the Board of Directors. Upon receipt of the Grievance Committee's recommendation, the Board of Directors shall review the appeal in executive session and determine a date for oral arguments before the Board of Directors. The Board of Directors shall give the appellant member notice of at least ten (10) business days of the date for oral arguments. At the hearing before the Board of Directors, the person or entity bringing the charges and/or the President (or his designee) and the appellant member shall be present and both sides may present any oral information. Each party may ask questions of the other party and the other party's witnesses. Questions from the director(s) shall be permitted. Legal counsel for the appellant member may be present and fully participate if the corporation is notified at least five (5) business days prior to the date of the hearing so the Chapter may elect to have its legal counsel present (which may be present with or without legal counsel for the member). Each such legal counsel shall be bound by the Chapter's Bylaws while representing a member. The Board of Directors, by majority vote, is empowered to sustain, modify or overturn the decision of the President in each case that comes before it. The President will notify the member of the Board of Directors' decision. The member may appeal the decision of the Board of Directors. The appeal of the Board of Directors' decision must be in writing, state the objection and desired recourse, pay the appeal deposit, and filed so that it is received by the President within ten (10) business days of the member's receipt of the Board of Directors' decision. Failure to file an appeal so that is received by the President within the ten (10) business days allowed shall be deemed a waiver of the right to appeal as granted herein (with the effective date of the penalty being the tenth (10) business day after the member's receipt of the Board of Directors' decision).

D. Notification of Appeal of the Board of Director's Decision. Upon receipt of the appeal of the Board of Directors' decision, the President shall give notice to the membership and the membership shall hear the matter at the next regular or special meeting of the membership for which notice can reasonably be given as determined by the President. The effective date of the penalty remains indefinitely postponed pending further review by the membership. At the hearing before the membership, the person or entity bringing the charges and/or the President (or his designee) and the appellant member shall be present and both sides may present any information or documents. Each party may ask questions of the other party and the other party's witnesses. Questions from the membership shall be prohibited. Legal counsel for the appellant member may be present and fully participate if the Chapter is notified at least five (5) business days prior to the date of the hearing so the corporation may elect to have its legal counsel present (which may be present with or without legal counsel for the member). Each such legal counsel shall be bound by the Chapter's Bylaws while representing a member. The membership is empowered to sustain or overturn the Board of Directors' decision in each case that comes before it. To overturn the Board of Directors' decision, the membership must vote by two-thirds (2/3) majority of the Active

Members in Good Standing present in favor of the appellant member. If the Board of Directors' decision is sustained, the effective date of the penalty shall be immediate.

E. Cost of Appeals. The appellant member's cost of all appeal(s) shall be borne by the member. For each appeal and each level of appeal, the appellant member shall pay an appeal deposit of fifty dollars (\$50) to the Chapter. Should the appellant member's appealed penalty(-ies) be overturned in its entirety, the appeal deposit shall be returned to the member; otherwise, the appeal deposit shall be permanently retained by the corporation for its general use unless a majority vote of the membership or Board of Directors shall otherwise direct.

9.05 Penalty Invoked Upon Member. One or more of the following penalties may be invoked against a member(s) found to have committed violations:

A. Reprimand—An official letter of censure to the member(s) concerned in regard to the offense committed and warning against further acts of a detrimental nature that are contrary to the best interests of the corporation. This letter of reprimand becomes a part of the file of the member(s) involved for three (3) years (and shall be removed after that time).

B. Fine—A monetary payment.

C. Forfeit—The forfeiture of games currently scheduled and the right to be scheduled in the future, up to twelve (12) months.

D. Probation—Types of probation that may be imposed on a member are as follows:

1. Administrative Probation—The member is reprimanded, fined and served notice that he is in a period of warning for one calendar year and additional violation(s) during this period may result in the member being placed on restrictive or suspension probation or expulsion from membership in the Chapter.

2. Restrictive Probation—The member is reprimanded, fined and restricted in some manner for one calendar year. The member is further served notice that he is in a period of warning for a period of twelve (12) months and additional violation(s) during this period may result in the member being placed on suspension probation or expulsion from membership in the Chapter.

3. Suspension Probation—The member is fined, reprimanded and suspended from being scheduled for all athletic contests by the Chapter for a period of up to twelve (12) months. The member is further served notice that he is in a period of warning for a period of twelve (12) months and additional violation(s) during this period may result in expulsion from membership in the Chapter.

E. Expulsion—Involuntary termination of a member’s membership in the Chapter.

F. Suspended Penalty—Invoking one or more of (A) through (E) and suspending all or part of that penalty. The member is further served notice that he is in a period of warning for one calendar year and additional violation(s) during this period may result in all or part of the suspended portion of the penalty being invoked effective from and beginning from the date of the subsequent violation in addition to any penalty awarded for the subsequent violation.

9.06 Statute of Limitations. No investigation shall take place into, and no penalties shall be invoked against any member(s), for violations of the Chapter’s rules which are alleged to have occurred prior to six months of the investigation—except as a consequence of an investigation initiated during that period or except as a consequence of a periodic review of the previous calendar year conducted during this period. In all cases, an investigation shall last no longer than six months.

9.07 Compliance with Decisions. All members shall accept the administrative decisions of the President, the Board of Directors, and the membership during membership meetings in good faith. Any member who, by any act or attitude, shall refuse to accept, or shall hold in contempt or derision, or shall permit or acquiesce in such contempt or derision on the part of any group or other member of this Chapter shall subject himself to further penalty, including expulsion from this Chapter. These provisions are not to be construed as preventing the member from exercising her/his right to due process by appealing the decisions of the President or the Board of Directors.

DATED: _____

Administrative Secretary