

DVUA - DELAWARE VALLEY UMPIRES ASSOCIATION, INC.

Constitution and By-Laws revised April 2022

Article I - Name

The name of the organization shall be the Delaware Valley Umpires Association, Inc., commonly referred to as DVUA.

Article II - Purpose

Section I – DVUA is a nonprofit voluntary membership organization organized under the laws of the State of New Jersey exclusively for charitable and educational purposes under section 501(c)(3) of the Internal Revenue Code of 1954, as amended (or the corresponding provisions of any future United States Internal Revenue Law).

Section II - DVUA is sanctioned by New Jersey State Interscholastic Athletic Association (NJSIAA) to provide competent certified officials for interscholastic and other organized levels of baseball/softball through the proper interpretation and enforcement of the rules of the game; and to foster and maintain the highest ideals of sportsmanship and character in softball/baseball athletics competition.

Section III – DVUA, through the activities of its association, shall:

- A. Conduct, coordinate, and seek the advancement of interscholastic softball/baseball officiating.
- B. Within the National Federation of State High Schools Associations (NFHS) and NJSIAA guidelines, conduct programs to assist officials in their professional development and skills to ensure a high level of officiating.
- C. Provide a Professional Development Program designed to educate the cadet officials of the NFHS rules and field mechanics, to continue the education through additional field mechanics training, and to create a mentoring program to provide practical experience with seasoned officials.
- D. Provide a continuing method of evaluating all member officials throughout their officiating career. The Observation and Evaluation Program is the means of evaluating the professional development of the DVUA members. DVUA provides to the NJSIAA documentation of each official listing their certification level and sport(s).

Section IV – DVUA is irrevocably dedicated to and operated exclusively for non-profit purposes. No part of the assets of the corporation shall be distributed to the benefit of any individual, officers, or other private persons, except that the organization will be

authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth. No substantial part of the activities of the corporation will be carried on for propaganda, or otherwise attempting to influence legislation, and the corporation will not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of these articles, the corporation will not carry on any other activities not permitted to be carried on (i) by a corporation exempt from Federal income tax under section 501 (c)(3) of the Internal Revenue Code of 1954 as amended (or the corresponding provision of any future United States Internal Revenue Law or (ii) by a corporation, contributions to which are deductible under section 170 (c)(2) of the Internal Revenue Code of 1954 as amended (or the corresponding provision of any future United States Internal Revenue Law).

Section V - Upon the dissolution of the corporation, the board of directors (DVUA) of the corporation will, after paying or making provision for the payment of all of the liabilities of the corporation, dispose of all of the assets of the corporation exclusively for the purposes of the corporation in such manner, or to such organization or organizations organized and at the time qualify as an exempt organization or organizations under Section 501 (c)(3) of the Internal Revenue Code of 1954, as amended (or the corresponding provision of any future United States Internal Revenue Law), as the board of directors will determine. Any such assets not so disposed of will be disposed of by the District Court of the county in which the registered office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as that court will determine, which are organized and operated exclusively for such purposes.

Article III – Organizational Structure

Section I. The organizational Structure of DVUA shall be based on a democratic model governed by the members with an agreed upon balance of power achieved between members and the elected officers. Elected officers and the Executive Board shall have authority to act on behalf of the membership on matters as outlined elsewhere in these bylaws.

Section II. The following democratic principles shall be embodied by this organization:

- A. The governing documents shall be the Constitution & By-Laws, Annual Policy Statement, Professional Development Program, Observation and Evaluation Process, and current parliamentary authority. These documents shall always be readily available for reference by the membership.
- B. All active members, in good standing, have equal rights and responsibilities; they have the right to present, speak to, and vote on ideas.

- C. Officers are elected from the membership. All active members, in good standing, are eligible to run for office provided they have been active members for three consecutive years.
- D. The organization shall be run with impartiality and fairness to all members.
- E. The organization shall operate in the spirit of openness. Members have the right to know what is going on within the organization by attending membership meetings, inspection of official records, and receiving notices and reports from committees, officers, and boards.

Section III - Parliamentary Authority

- A. The most recent version of Robert's Rules of Order shall govern the organization in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the organization may adopt.
- B. The Chair of the Constitution and By-Laws Committee, or their designee, shall serve as the body's Parliamentarian in cases where this document and its procedures outlined within require interpretation and/or clarification.

Article IV – Membership

Section I - Eligibility: Candidates

- A. Must be at least seventeen (17) years of age or a high school senior.
- B. New candidates must:
 - 1. Submit application with necessary fee.
 - 2. Complete a cadetship training which includes:
 - a). 1st year NFHS rules and mechanics instruction.
 - b). 2nd year of Professional Development instruction.
- C. Applicants who have previous officiating experience and are requesting membership in the DVUA Chapter should:
 - 1. Provide a recommendation letter from their current NJSIAA Chapter detailing experience and training; or
 - 2. Another organization detailing experience and training.
 - 3. The Executive Board shall review the resume and determine acceptance and equivalent DVUA officiating level.

Section II - Active Members

- A. All active members (certified and cadets) shall have met the requirements of the NJSIAA Handbook for Officials and be considered a member in good standing.
 - 1. For a member to be in good standing, he/she must have attended the required meetings as outlined in the Annual Policy Statement, complied with Article IX – CODE OF ETHICS, and fulfilled the financial obligations to the organization as outlined in the Annual Policy Statement.
 - 2. Members are required to be in good standing to receive assignments from the DVUA Assignor.
- B. Active members shall be part of the organization and be entitled to vote on any issue(s) that may arise.

Section III - Inactive Members

- A. An inactive member is one who is not currently officiating for the current season and has paid the inactive dues per the Annual Policy Statement. An inactive member shall become active upon payment of the active dues (this includes DVUA and NJSIAA dues). Inactive members may attend regular meetings for the purpose of participating with the organization. Inactive members cannot vote.

Any inactive member may, by the first General Meeting of the Season, submit a written request outlining their reasons and justification for voting rights for that season to the Executive Board. A two-thirds (2/3) majority vote of the Executive Board is required to grant such a request.
- B. Any member serving in the armed services shall be excused from the payment of dues and shall be considered an inactive member during the tenure of the military obligation.
- C. Any other requests for waiving dues shall be determined by the Executive Board.

Section IV - Requirements

- A. The annual dues shall be determined by the Executive Board. The annual dues for the following year shall be paid by December 31st without penalty.
- B. Active members must adhere to the attendance of meetings requirement of the Annual Policy Statement.

Section V - Revocation of Rights and Privileges

- A. All rights and privileges of membership may be denied and revoked from any member for cause upon recommendation of the Ethics Committee and a simple majority vote of the Executive Board. The process for appeals is contained in the Annual Policy Statement.

- B. Executive Board Members can be removed from Office by recommendation of the Ethics Committee and Executive Board and finally by a two-thirds (2/3) vote of the membership for removal.

Section VI – Reinstatement to the Organization

- A. Any former member who has previously left the organization and wishes to be reinstated as a member must apply for reinstatement to the Executive Board. A vote of two-thirds (2/3) of the Executive Board shall be required for reinstatement.

Article V - OFFICERS and REPRESENTATIVES

Section I

- A. The Governing Body shall be the Executive Board, and all representatives shall be voting members. The Executive Board shall be composed of three (3) Association Officers and a six (6) member Executive Committee. The Association Officers shall be a President, Vice President, and Secretary/Treasurer. Elected positions shall include those of the President, Vice-President, and the six members of the Executive Committee. All elected positions will be for a two-year term. No individual may serve in any one elected position in excess of four consecutive two-year terms. No member shall hold two concurrent positions on the Executive Board. Reasonable compensation to Executive Board members is authorized upon approval of the general membership by a simple majority vote.
- B. **President** – The President is the Chief Officer of the organization and shall preside at all meetings, shall appoint all committees, and be an ex-officio member of said committees. The president, or his designee, shall represent DVUA to all external organizations, such as NJSIAA, Umpire Association of NJ (UANJ) and the Mercer County Tournament Association (MCTA). The President shall assign one of the executive committee members the duties of a recording secretary for the purposes of recording the minutes of all meetings. The president shall be empowered to sign all contracts on behalf of the organization.
- C. **Vice President** - The Vice President shall preside over meetings, be an ex-officio member of all committees in the absence of and/or the discretion of the President, and share the leadership role with the President. The Vice President shall maintain and present the Annual Policy Statement. The Vice President shall inquire on all matters concerning officials' professional responsibilities or conduct and attempt mediation of disputes. Those matters which cannot be mediated will be presented to the Ethics Committee.

- D. **Secretary/Treasurer** - The Secretary/Treasurer shall keep current all records of the Association and shall notify all members of the time and place of meetings and other non-game activities. The Secretary/Treasurer shall be responsible for all general correspondence for DVUA and ensure all appropriate governmental forms and the yearly tax returns are filed in a timely manner. The Secretary/Treasurer shall keep all financial records, shall receive and have custody of all funds, and shall disburse monies as directed by the Executive Board. The Treasurer shall present financial reports at all meetings. The Secretary/Treasurer shall maintain and file all documents as required by any and all governmental jurisdictions. The Secretary/Treasurer shall maintain the minutes of all DVUA meetings. This position shall be appointed by the Executive Board and shall serve in this capacity at the Board's pleasure. The Secretary/Treasurer will also keep track of membership and attendance for the club. The Executive Board is authorized and empowered to pay reasonable compensation for Secretary/Treasurer services rendered.
1. The process of appointing the Secretary/Treasurer shall be to advertise the position, accept applications, interview by the Executive Board, and vote on selection.
- E. The Executive Committee shall consist of six (6) members whose terms shall be two (2) years, with three (3) members elected every year. The six-member Executive Committee shall consist of two (2) designated softball, two (2) designated baseball, and two (2) designated members at large positions (see Section II Elections, Part E). The duties of the Executive Committee shall be to advise DVUA in policy and operational matters.
- F. The Executive Board shall constitute an Emergency Committee to act on any matters demanding immediate attention between meetings and shall have authority to incur financial liabilities on behalf of DVUA within the boundaries of Article VI. Such actions must be reported to the membership at the next regularly scheduled membership meeting.
- G. The DVUA Executive Board and the MCTA shall appoint the Assignor. All matters concerning the duties, responsibilities, rights, and expectations of the Assignor, as they relate to DVUA, shall be contained in a separate governing document titled Agreement to Provide Services but commonly called the Assignor's Contract. The assignor's contract shall be for a period of one year.
- H. The delegates to the UANJ shall be the Chapter President, or his designee, and the number of delegate(s) allotted by UANJ.
- I. The Executive Board shall appoint one (1) Baseball Rules Interpreter and one (1) Softball Rules Interpreter for the group annually. The duties of the Interpreters shall be to hold a General Rules Interpretation Meeting prior to each season and to act as the Interpreter of all rules when needed throughout the season. Interpreters are required to attend the NJSIAA Interpreters Meeting. Interpreters shall be responsible

overseeing the administration of the annual Rules Examination for the sport for which they are an Interpreter. They shall follow NJSIAA guidelines for the administration of these annual exams.

- J. The Executive Board shall receive the findings and recommendations of all Committees and shall vote on the outcome of the issues as needed. The Executive Board shall present the final outcome to the membership as needed.

Section II – Elections

- A. Elections shall be held at the Annual Meeting and those elected shall take office at the conclusion of this meeting.
- B. The Nominating Committee shall present a slate of candidates at the meeting immediately preceding the Annual Meeting at which time nominations may also be made from the floor. They may nominate more than one person for each office.
- C. Voting will be held at the latter part of the Annual Meeting. Active members must be present at the Annual Meeting in order to vote in the election of Officers and the Executive Committee. (Inactive members may vote with Executive Board permission (See Article IV, Section III, Part A).)
- D. Voting shall be by secret ballot with a majority of votes cast (greater than 50%) required for decision for election. If no candidate receives greater than 50% of the vote, a second election of the highest two (2) vote getters will be conducted immediately after the first vote.
- E. Nomination process for Elections – for the purpose of determining the potential candidate's designation, the designation will be identified using the certification fees paid to NJSIAA.
 - 1. Nomination eligibility requires the candidate to be an active member for the last three consecutive years and be a member in good standing.
 - 2. Nominations can be made in person or by written request.
 - 3. Candidates who are not present at the time of nominations will be contacted by the nomination committee to verify their acceptance of the nomination.

If, during the election nomination process, the designated position (softball, baseball or member at large) does not receive a candidate, then any member from the other two designations may be elected to that position. They will be restricted to one term of office unless the next election experiences the same situation as previously discussed.

- F. Resignation of an Officer or Committee Person – All resignations must be a signed formal letter and submitted to the Secretary/Treasurer. The resignation of the Secretary/Treasurer shall be submitted to the President. At the next Executive Board

meeting, the resignation letter shall be presented and voted upon by the members. The letter of resignation may be withdrawn prior to the vote by the Executive Board members. Upon acceptance (by vote) of the resignation, the office is vacant and shall be immediately filled.

G. Order of Succession – vacant offices and positions are to be filled as follows:

1. Office of the President is filled by the Vice-President.
2. Office of the Vice-President is filled from the Executive Committee through a vote.
3. Executive Committee positions are filled by appointment by the President in accordance with Article V, Section I, Part E.
4. In the event of more than one vacant office, the highest office shall be filled first.
5. Those positions appointed under Article V, Section II, Part G shall serve until the next election.

Article VI - FINANCE

Section I - The funds of DVUA shall be derived from:

- A. Annual membership dues, examination fees and other lawful activities as per the authority of the governing body, and,
- B. Fines and penalties as recommended by the Ethics Committee and imposed by the Executive Board.

Section II - Purchasing Policy.

- A. The Executive Board Members can obligate up to \$500.00 for services and/or materials for the organization. All purchases must be reported to the Executive Board with an original written receipt.
- B. Any obligation for services and/or materials in excess of \$500.00 requires Executive Board approval.
- C. Any obligation for services and/or materials in excess of \$2000.00 requires membership approval.
- D. All purchases over \$500.00 require three written bids for services and/or materials. All purchases must have a written receipt and be provided to the Secretary/ Treasurer.

Article VII - MEETINGS

Section I - Regular Meetings

- A. Regular meetings shall be for the purpose of providing the membership with annual rule changes/clarifications, inform the membership of the latest Annual Policy Statement changes, provide latest chapter financial status, report to the membership any NJSIAA policy changes, provide instructional sessions to reinforce rules and applications, inform membership of any service school changes, provide information and status from committees, and offer opportunities for the membership to address the Executive Board, committees, and special assignments (i.e. Professional Development Program Instructors and Rules Interpreters).

Section II - Special Meetings

- A. All special meetings may be called by the President or by written request for a special meeting from at least twenty percent (20%) of the membership. Requests for special meetings shall be presented to the President. Notice must be given to all members seven (7) days in advance of a special meeting.

Section III - The Annual Meeting

- A. The final meeting of the year shall be known as the Annual Meeting and shall be for the purpose of electing Officers and the Executive Committee, receiving annual reports, and any other business not provided for at other meetings.

Section IV - Quorum

- A. Those present at any meeting shall constitute a quorum for the transaction of business. Unless otherwise specified, a simple majority shall be required to pass any issue placed to a vote.

Article VIII - COMMITTEES AND SPECIAL ASSIGNMENTS

Section I - There shall be the following Committees (as needed) filled by volunteers from the membership. Committee chairs shall be appointed by the President.

- A. Recruit-Retention-Membership Committee whose duty shall be to actively solicit new members, survey the membership for retention ideas, and make recommendations regarding same to the Governing Body.
- B. Ethics / Grievance Committee which shall consider and dispose of all matters concerning ethics and grievances regarding members of DVUA. The Ethics and Grievance Committee shall consist of three members appointed by the President who shall serve for a period of one (1) year. The Ethics and Grievance Committee shall present their findings and recommendations to the Executive Board.

- C. Fundraising Committee shall organize and operate all fundraising activities. This committee shall elicit support from the membership to help operate such activities. This committee shall report to the Executive Board and the membership after the completion of any fundraising activities.
- D. Nominating Committee shall survey the membership for possible candidates for the next upcoming election. The Nominating Committee shall present their slate to the Executive Board and the membership.
- E. Constitution & By-Laws Committee shall review the current constitution, revise the document, and present the recommended changes to the membership for acceptance.
- F. Purchasing Committee shall be empowered to make all purchases for the association by eliciting multiple bids and recommending such purchases to the Executive Board and finally the membership. This committee shall organize, purchase, and present service awards.

Section II – Special Assignments - The executive board is authorized and empowered to pay reasonable compensation for individuals providing services for special assignments.

- A. NFHS Professional Development Program Instructors whose duties shall be outlined in the Professional Development Program, as approved annually by the Executive Board. These positions are as follows:
 1. Cadet Instructors (rules) for baseball and softball.
 2. Cadet Instructors (mechanics) for baseball and softball.
 3. Ranking Committees (baseball and softball).
 4. Mentoring Chair.
- B. DVUA Interpreters and Assistants, baseball and softball, shall be appointed by the Executive Board. These positions shall attend the state interpretation meetings and shall hold interpretation classes at the DVUA meetings to instruct the membership of the latest rules information.

Article IX – CODE OF ETHICS

Section I – Officials and Violations of the Law

A. Current members

1. Any violation of the chapter’s ethics code shall place the member in “Not in good standing” with the chapter. Violations of Chapter Code of Ethics, Chapter Policy,

and Chapter Membership Guidelines are outlined in the Annual Policy Statement including but not limited to the conditions below:

- a) A DVUA member who is indicted or charged with a violation of any state or federal statute pertaining to sexual misconduct, minors, drugs, or possession or distribution of a controlled dangerous substance will be automatically suspended, pending resolution of the indictment or charge. Conviction of the charge(s) shall result in immediate expulsion from DVUA
- b) In addition, all DVUA members shall inform the President of an indictment or felony charge immediately upon receipt of or having knowledge of such indictment or felony charge. Failure to notify the President of an indictment or felony charge shall be a cause for immediate and automatic expulsion from DVUA membership

B. Membership reinstatement

1. A member who has been suspended or expelled from DVUA may petition the Executive Board for reinstatement based on the following criteria:
 - a) If suspension or expulsion is based on the conviction of an indictable or felony offense, the official may petition the chapter for renewed membership one (1) year after the completion of the parole or probation period.
 - b) If conviction involved illegal drugs or a controlled dangerous substance, the DVUA probationary period shall be no less than five (5) years.
 - c) If a criminal conviction involved a minor or sexual misconduct offense, reinstatement would not occur until the proper authority having jurisdiction over the matter has reversed such offenses.

C. New members

1. DVUA will not permit any new member to enter the cadet class if:
 - a) He or she have been charged or convicted of an offense against a minor or any sexual misconduct offense until such offense(s) has been reversed by the proper authority.
 - b) He or she is convicted of any offense involving possession or distribution of illegal drugs, narcotics, or a controlled dangerous substance in the preceding five (5) years. If more than five (5) years has passed since conviction, the applicant shall prove that he or she has successfully completed their parole or probation requirements before applying.
 - c) He or she is currently serving a sentence or is on parole or probation for any criminal offense imposed by a court, judge, or duly authorized administrative body. Applicants do not have to disclose non-criminal traffic violations to DVUA.

Article X- Amendments

Section I: Amendments to this Constitution and By-Laws.

A. Requirements:

1. Amendment proposals may be presented at any General Meeting of DVUA.
2. The primary sponsor of the proposed Amendment must be a member in good standing, and the cosponsors of the proposed Amendment must also be members in good standing.
3. The quantity of the sponsorships and co-sponsorships must total at least twenty (20) in order to be considered on the floor of the Association.
4. An Amendment Proposal shall only include one (1) amendment. No package amendment proposals will be considered. An Amendment Proposal may include multiple changes, but those changes must be similar in nature. The Chair of the Constitution and By-Laws Committee shall be the sole authority on whether an Amendment Proposal fulfills this obligation. If a proposal is in violation of this rule, it shall not be able to be brought the floor.

B. Process

1. Members

- a) The member proposing the Amendment must send the final proposal to the President, Secretary/Treasurer, and Chairperson of the Constitution Committee at least three (3) days prior to the next General Meeting. All requirements listed in Section 1, subsection 1 of Article XI must also be met three (3) days prior to the meeting.
- b) During the General Meeting, time shall be set aside so that the Amendment proposal can be presented. This shall be considered the first reading of the proposal.
- c) After the proposal has been presented and read to the membership at a general meeting, the proposed Amendment shall be sent to the Constitution Committee.
- d) The Constitution & By-Laws Committee shall review the proposal, and it may make changes to the proposal, insofar as to keep the spirit and original intent of the proposed Amendment intact.
- e) The Constitution & By-Laws Committee shall make a statement to the Executive Board in support of or not in support of the proposed Amendment. If the Committee supports the proposal, it shall be returned to the membership

and be voted upon at the next meeting. If the proposal does not pass through the committee, then the proposal shall be considered “dead in committee.” A proposal that is dead in committee may be brought back to the floor, by way of a two-thirds (2/3) majority of the members present.

- f) After the second reading of the proposal, a vote shall ensue. A two-thirds (2/3) majority of the members present shall be required to pass the proposal.
- g) Upon passage, the Amendment shall take effect immediately.

2. Executive Board

- a) The Executive Board can ask the Constitution & By-Laws Committee to review the Constitution in total to make sure it is current and reflects the goals of DVUA.