

San Diego Water Polo Officials Association

BY-LAWS

ARTICLE I - NAME & JURISDICTION

Section 1. Name.

The name of this association shall be San Diego Water Polo Officials Association, herein after referred to as SDWPOA.

Section 2. Office.

SDWPOA may have offices at such places as the Board may from time to time determine.

Section 3. Geographic Area.

SDWPOA provides officiating services for all high school and community colleges within San Diego County.

Section 4. Organizations Served.

SDWPOA provides officiating services for all County High Schools and State Community Colleges within San Diego County.

ARTICLE II – GOVERNING DOCUMENTS

Section 1. BY-LAWS.

The formation and guidance of SDWPOA will be set forth in the BY-LAWS. This document provides the membership and affiliated organizations with a statement as to purpose, general membership guidelines, and authority necessary to govern the association.

Section 2. Policies & Procedures.

Specific rules of operation, policy, and procedures will be set forth in a set of documents known as the Policies & Procedures of SDWPOA. These documents provide detail on how members interact with the Executive Board, responsibilities of the Executive Board, and policies pertinent to conducting business and providing officiating services for the organizations served. As deemed necessary by the Executive Board, the Policies & Procedures will be periodically amended to update information documents (hereinafter referred to as EXHIBITS) containing Fee Schedules, Assignment Policies, etc.

Section 3. Communication.

At the Annual Business Meeting, the Secretary will distribute to each member a copy (or make notice of via the association web-site) of the current BY-LAWS, Policies & Procedures, and EXHIBITS. Meeting notices as required by the BY-LAWS or referenced within the Policies & Procedures may be provided by mail, electronic mail, or via the association web-site.

Section 4. Competition.

The playing rules for each organization will serve to govern the authority and responsibilities of officials during competition.

Section 5. Ratifying the BY-LAWS.

The BY-LAWS may be ratified by a two-thirds majority of active members provided a quorum is present.

Section 6. Amending the BY-LAWS.

The BY-LAWS may be amended, altered, or repealed by a two-thirds majority of active members provided a quorum is present. Any proposals or motions to amend or change the BY-LAWS must be presented in writing at one meeting with voting on same being deferred until the next, or a future meeting, with written notice of the proposed changes being duly given.

Section 7. Amending the Policies & Procedures.

The Policies & Procedures may be amended or altered by a majority of the Executive Board. Any proposals or motions to amend or change the Policies & Procedures must be presented in writing at one meeting with voting by the Executive Board on same being deferred until the next or a future meeting with written notice of the proposed changes being duly given.

ARTICLE III - AFFILIATIONS

Section 1. Affiliations.

SDWPOA is affiliated with the California Community College Association – Pacific Coast Conference, the California Interscholastic Federation – San Diego Section, Mountain Pacific Sports Federation (MPSF), American Water Polo and the National Collegiate Athletic Association (NCAA).

Section 2. Evidence of Liability Coverage

SDWPOA requires that members purchase personal liability insurance through the National Interscholastic Swimming Coaches Association (NISCA) and/or the National Association of Sports Officials (NASO). Liability coverage for officers and Board members is secured through the Local Officials Association Network (LOAN), a service of NASO. LOAN provides coverage for these members for actions taken in their respective capacities.

ARTICLE IV - PURPOSE

Section 1. Purpose.

The purposes of the organization are to provide leadership and development through the general supervision of water polo technical officials for all sanctioned events staged in San Diego County and to work for the betterment, development, and growth of water polo at all levels in San Diego County.

The objectives for which SDWPOA is organized include, but are not limited to, the following:

- a. Further the interests of water polo officials;
- b. Maintain the highest standard of water polo officiating;
- c. Promote the welfare of the game of water polo, its players, administrators, fans, the press, and officials;
- d. Encourage the spirit of fair play and sportsmanship;
- e. Work with organizations to further development of all persons involved with water polo;
- f. Provide educational programs to advance the skills of water polo officials; and

- g. Work with water polo administrators to provide qualified water polo officials to officiate water polo.

ARTICLE V - MEMBERSHIP

Section 1. Membership.

SDWPOA shall be comprised of the following persons within the following classes of membership:

- a. Active: Comprised of individuals who are qualified water polo officials who have complied with all the membership requirements of SDWPOA, who are in good standing, and who officiate water polo matches.
- b. Inactive: Comprised of individuals who were formerly qualified water polo officials who are in good standing when they cease to be Active members and who now no longer officiate water polo matches.
- c. Honorary: Comprised of individuals upon whom SDWPOA desires to confer such status according to criteria to be established by SDWPOA. Honorary members are exempt from paying annual dues.
- d. Suspended: Comprised of individuals who are temporarily removed from active status pending an investigation by the Judicial Committee or the Board, or who have been sanctioned as a result of such investigation. Sanctioned members may be suspended for a period of up to one year from the date of Judicial Committee or Board action.

Section 2. Discrimination.

No person shall be denied membership or access due to race, color, creed, religion, sex, or national origin. None of the above shall be criteria for the receiving of assignments, level of assignments received, or as criteria for holding office. Race, color, creed, religion, sex, or national origin shall not be a factor in any portion of the membership, operation, and governance of SDWPOA.

Section 3. Membership Requirements.

Members are expected to conduct themselves in a professional manner consistent with the purpose and objectives of this association, and abide by the language set forth in the governing documents. Members must

- a. Pay dues as proscribed by Article V, Section 5.
- b. Complete seasonal availability forms indicating their desire to be assigned to officiate athletic contests.
- c. Be approved by the Board for membership within SDWPOA.
- d. Complete an annual certification program or be duly certified by the Evaluation Committee.
- e. Comply with State and Federal Laws with respect to providing their services.
- f. Comply with California State law with respect to their status as independent contractors.
- g. Comply with BY-LAWS and Policies & Procedures established by SDWPOA.

Section 4. Employment Status of Members.

All members of SDWPOA are independent contractors in their officiating capacities and not employees of SDWPOA, or of any officer of SDWPOA, or of any other person or entity for whom the members provide their services. All members of SDWPOA recognize this status and understand that neither SDWPOA nor its officers are employers, and therefore, the members may not collect worker's compensation from SDWPOA or any other person or entity for injuries sustained while officiating.

Section 5. Annual Dues and Assignment Fees.

The Executive Board will establish annual dues to be used to provide for the financial management of the association and in furtherance of its goals. The Executive Board will establish reasonable assignment fees to compensate the Assignment Secretary, or his designate, for the administrative requirements of assigning referees. Annual dues and assignment fees will be set forth in the Policies & Procedures.

Section 6. Guest Members.

Individuals traveling from other geographic areas who are members in good standing with credentials from other recognized water polo associations may be admitted as active members, providing they meet all other membership requirements and their membership is approved by the Executive Board. Guest Members are exempt from Annual dues and Assignment fees, provided that the annual number of days refereeing does not exceed five days.

Section 7. Leave of Absence and Resignation.

A leave of absence may be requested by submitting a request in writing to the Executive Board. If accepted the member will be considered inactive for up to one year. The member may petition the Executive Board to return at the end of one year or sooner if circumstances permit. If granted, the member returns with all previous benefits, unless other reasons limit these benefits. A member may voluntarily resign at any time. If a resigned member reapplies, the application would be treated as a new member.

Section 8. Remediation and Due Process.

The Judicial Committee will convene periodically to review formal grievances, complaints, allegations, and other actions of any member that are not consistent with the SDWPOA BY-LAWS or Policies & Procedures. All formal grievances, complaints, allegations, and other actions to be considered by the Judicial Committee must be forwarded in writing to the President. Any SDWPOA member, administrator of an affiliate organization, or head coach of an organization served may prepare such writing. The Committee will conduct an investigation, administer hearing(s) as it deems necessary, and render a decision as outlined within the Policies & Procedures. All members will be accorded full due process and confidentiality.

Section 9. Appeals.

Upon a decision by the Judicial Committee to sanction, suspend, or expel a member, the member will be granted ten days to appeal. This appeal may be made orally and/or in writing to the Executive Board. The Executive Board will review the appeal and actions of the Judicial Committee and then make a determination to uphold the sanction, suspension or expulsion, or render the decision invalid. All sanctions, suspensions, and expulsions will follow guidelines as outlined in the Policies & Procedures.

Section 10. Reinstatement.

Any member who has requested a leave of absence may re-apply as described in Article IV Section 7. A member who has been sanctioned, suspended, or expelled may petition the Executive Board upon completion of the judgment of the Judicial Committee.

Section 11. Good Standing.

Any active member in good standing is an active member who has timely paid the dues, passed the requisite tests, timely paid any fines, penalties and assessments, and has observed and complied with the BY-LAWS and Policies & Procedures of SDWPOA and all other requirements established by SDWPOA.

Section 12. Conflict of Interest of Member.

If a member is presented with SDWPOA business issue in which the member's personal or financial interests (not related to SDWPOA) may be, or become, cause for real or perceived influence on that member's ability to carry out their duties, he/she shall abstain from any vote, committee position, or public statements in support/non-support of that business issue.

ARTICLE VI - OPERATION

Section 1. Calendar & Seasons.

SDWPOA operates on a fiscal calendar from March 1 through February 29 of each year. SDWPOA recognizes that the sport of water polo is played throughout the year and that we must maintain continuous operation to serve the needs of the water polo community. The majority of meetings, training, and instructional programs coincide with the primary seasons of competition. The primary seasons for competition are as follows:

High School – Boys	September through November
Community College – Men & Women	September through November
Major College – Men	September through November
High School – Girls	November through February
Major College – Women	February through April

Section 2. Meetings.

SDWPOA shall hold no less than six regular meetings during each fiscal year. There shall be one annual business meeting per fiscal year. Special meetings of the members may be called from time to time by the Secretary at the request in writing, or by electronic means, of a majority of the Board. Such a request for a special meeting shall state the purpose or purposes of the proposed meeting.

A) Regular Meetings. The affairs of SDWPOA shall be handled at regular meetings of the members. These meetings shall be held at a time and place to be determined by the President. Written, electronic, or verbal notice stating place, date, and hour of meeting shall be given not less than 24 hours prior to such meeting.

B) Annual Business Meetings. Written notice of an annual business meeting of members, stating the time, place and object, shall be mailed to each member at such address as appears in the records of SDWPOA, no less than fourteen (14) days before such meeting. The Annual Business

Meeting will be scheduled during the month of February. Notice may also be given via the association web-site and/or via e-mail.

Section 2. Books and Records.

- A) Association records are maintained by the secretary.
- B) Finance records are maintained by the treasurer.

Location. The books, accounts, and records of SDWPOA may be kept at such place or places as the Board may from time to time determine.

Inspection. The books, accounts and records of SDWPOA shall be open to inspection by any member of the Board at all times, and open to inspection by the active members at such times, and subject to such regulations as the Board may prescribe, except as otherwise provided by statute.

Audit. The accounts of SDWPOA shall be audited periodically, but not more than annually. The President shall appoint a certified public accountant or registered agent, with the approval of the Board, who shall provide a report to the Executive Board and which also will be provided to the active members at the subsequent annual meeting.

Section 3. Annual Dues.

Annual dues will be established annually by the Executive Board and will be collected by the treasurer. These funds will be maintained in the SDWPOA bank account.

Section 4. Arbitration.

Upon the exhaustion of all grievance and appeal procedures, any claim or dispute between members, or against any organization served, officer, affiliate, or assign of the other, whether related to this agreement or otherwise, and any claim or dispute related to these BY-LAWS, Policies & Procedures or other agreements that define a relationship between the aforementioned, including the validity of this arbitration clause, shall be resolved by binding arbitration. Any award of the arbitrator(s) may be entered as a judgment in any court of competent jurisdiction. The arbitration will comply and be governed by the provisions of the California Arbitration Act, Sections 1280 through 1294.2 of the California Code of Civil Procedure.

Section 5. Governance Procedures.

The Executive Board will be responsible for policy and decision making by the individual officers in the execution of their duties and for any designated committees. Any decision of the Board may be appealed to the general membership upon a written request of ten (10) members. Any decision of the Board regarding sanction, suspension, expulsion, or reinstatement will follow Article V Sections 8 and 9.

Section 6. Voting Procedures.

The presence of fifty-one (51) percent of the active membership constitutes a quorum. A majority vote of such members where a quorum is present is necessary to make a decision, except where some other number is required by law or by this written constitution. Neither proxy voting nor mail voting is permitted. Voting on any issue brought before the general membership shall be by a public show of hands, by only those active members present and in good standing. If the membership desires to

conduct a vote on a specific topic by secret ballot then a majority of the active members must approve such action.

ARTICLE VII – OFFICERS and GOVERNANCE

Section 1. Elected Officers.

The elected officers of SDWPOA shall be a President, a Vice President, a Secretary, a Treasurer, Assignment Secretary, Member-at-Large and an Instructional Chairperson. The officers shall serve a two (2) year term and be elected on a staggered basis to assure continuity in the operations of SDWPOA. They shall be elected on an odd/even year system as listed below:

- a. To be elected for term beginning in even number years;
 1. President
 2. Secretary
 3. Assignment Secretary
 4. Member at Large
- b. To be elected for term beginning in odd number years.
 1. Vice President
 2. Treasurer
 3. Instructional Chair

The officers shall be elected at the annual business meeting and assume office at the conclusion of the Girls High School season, or on March 1, of each year.

Section 2. Qualification for Elected Officers.

All active members of SDWPOA are eligible to be elected as officers.

Section 3. Duties of Officers.

Each officer will carry out his/her respective duties subject to the guidelines and authority as detailed within the BY-LAWS and Policies & Procedures of the association.

Section 4. Executive Board.

The Executive Board shall consist of the officers as defined in Article VII, Section 1.

Section 5. President.

The President shall be the chief executive officer of SDWPOA and shall be responsible for all management functions. He shall have executive authority to see that all orders and resolutions of the membership are carried into effect and are subject to the control vested in him by the BY-LAWS and Policies & Procedures.

Section 6. Vice President.

The Vice President shall have duties as specified in the Policies & Procedures.

Section 7. Secretary.

The Secretary shall have duties as specified in the Policies & Procedures.

Section 8. Treasurer.

The Treasurer shall have duties as specified in the Policies & Procedures.

Section 9. Assignment Secretary.

The Assignment Secretary shall have duties as specified in the Policies & Procedures.

Section 10. Instructional Chairperson.

The Instructional Chairperson shall have duties as specified in the Policies & Procedures.

Section 11. Member-at-Large.

The Member-at-Large shall have duties as specified in the Policies & Procedures.

Section 12. Subordinate Officers.

The Board may appoint such Assistant Secretary, Assistant Treasurer, Controller, and other officers and such agents as the Board may determine, to hold office for such a period and with such authority and to perform such duties as the Board may from time to time determine.

Section 13. Elections.

Election of officers shall be held annually with active members being given at least ten (10) days notice of such election meeting and the candidates for each office. Voting for officers at elections will be conducted at the annual business meeting. The order of elections will be by order of office with the standing President or Vice President conducting the proceeding. No mail or proxy votes may be tendered.

Section 14. Voting by Executive Board.

Four (4) members of the Executive Board must be present to constitute a quorum. A majority of all elected Board officers is necessary for any official business requiring the authorization of the Executive Board.

Section 15. Conflict of Interest of Officer.

If an officer is presented with SDWPOA business issue in which the officer's personal or financial interests (not related to SDWPOA) may be, or become, cause for real or perceived influence on that officer's decision making ability, or appear to be at variance with his/her board member responsibilities, he/she shall abstain from any vote, committee position, or public statements in support/non-support of that business issue.

Section 16. Resignations.

Any officer may resign at any time by giving written notice to the Board. Such resignation shall take effect at the time specified therein. Unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

Section 17. Vacancies.

Any vacancy occurring in any office shall be filled by a majority vote of the Board. Each officer so appointed shall hold office for the unexpired term of his predecessor and he shall be appointed to hold such office until the next election of officers or until his successor, if any, shall be similarly appointed or until his death, resignation, or removal.

Section 18. Removal of Officer.

Upon a majority vote of the Executive Board, any officer may be removed from office. Upon a majority vote of the active members, any officer may be removed from office, provided a quorum is held.

Section 19. Disbursements.

The President or his designee shall be authorized to make payments on behalf of SDWPOA. The President may authorize expenditures at his sole discretion up to an amount of \$150. Any disbursements in excess of \$150 shall require two (2) signatures or approvals, (President, Vice President, Secretary, or Treasurer). In cases where extraordinary circumstances exist or time is of essence, the President may authorize expenditures at his sole discretion. His action must be nonetheless authorized by the Board Post Facto, at the next scheduled meeting of the Board.

Section 20. Term Limits.

There are no specified term limits for members holding office.

ARTICLE VIII - SPECIAL AND STANDING COMMITTEES**Section 1. Judicial Committee.**

The President shall appoint, with the approval of the membership of SDWPOA, two (2) members to serve as the Judicial Committee, with the Vice President serving as chairperson. The committee shall serve for the same terms and pursuant to the same conditions as the appointing President. Decisions of the Judicial Committee may be appealed to the Board of SDWPOA. Procedures for operation of the Judicial Committee are detailed within the Policies & Procedures.

Section 2. Evaluation Committee.

The President shall appoint, with the approval of the Executive Board, one (1) member (not currently on the Board) to serve on the Evaluation Committee. The President and the Instructional Chair shall also serve on the Evaluation Committee, with the President serving as chairperson. The Evaluation Committee will have duties as proscribed in the Policies & Procedures.

Section 3. Special Committees.

The President shall appoint such other committees, subcommittees, or task forces as are necessary and which are not in conflict with other provisions of the BY-LAWS or Policies & Procedures, and the President shall proscribe the duties of such committee.

ARTICLE IX - RULES OF PROCEDURE**Section 1. Rules of Procedure.**

Unless specifically called out in the BY-LAWS Policies & Procedures, or in state or national association rules, Robert's Rules of Order (current edition) shall apply to conduct business at regular or special meetings.

ARTICLE X – ASSIGNMENT, TRAINING AND RECRUITING

Section 1. Assignment.

Assignment of members to competitive contests is the responsibility of the Assignment Secretary or his/her designee. The member must complete an availability form for each season he is active or make such communication with the Assignment Secretary that it is clear when the member is or is not available for assignment. The Assignment Secretary or his/her designee will assign games in a fair and equitable manner. The member has the right to refuse any assignment for any reason. It shall be the member's responsibility to become familiar with all policies pertaining to assignment procedures, turn-backs, cancellations, and inclement weather. The Executive Board and its officers make no guarantees, nor representations, as to the quantity of assignments or the competitive level of assignments to which a member shall be assigned. It shall be the sole province of the Assignment Secretary, or his designee, and the Executive Board to determine assignment procedures. Individual game assignments, post season and championship assignments are set forth in the Policies & Procedures.

Section 2. Training.

Training sessions are provided throughout the calendar year. All members are required to participate in a minimum number of classroom sessions, pool-side instruction, and counseling activities. Standards are set forth in the Policies & Procedures.

Section 3. Recruiting.

SDWPOA will actively seek new referee members. The Board will actively communicate with the administrators, coaches, and senior players within to advise them of opportunities to become referees. Annual recruiting goals are to be established by the Board, and new recruits actively counseled throughout their initial season of participation.

Section 4. Fairness & Equity.

All members, organizations served and affiliations will be accorded the professional services of this association, without bias, without prejudice, and with full objectivity in the conduct of our business. Members will conduct themselves in a manner that does not create any false perception of bias or undue influence. Members will not exhibit inappropriate behavior detrimental to the purposes and objectives of this association. Members are accountable to the Executive Board for their actions in and around water polo events, meetings of the water polo community or other organizations that we provide services to.

Section 5. Underrepresented Populations.

SDWPOA is open for membership to all persons from the community that we serve. Race, color, creed, religion, sex or national origin shall not be a factor in any portion of the membership, operation, and governance of SDWPOA.

ARTICLE XIV – DISSOLUTION

SDWPOA may be dissolved by a two-thirds vote of any general membership meeting. In the event of dissolution, all funds remaining after payment of any debts shall be divided equally among all members in good standing at the time of dissolution.