

CONSTITUTION OF THE SOUTHWEST MISSOURI FOOTBALL OFFICIALS ASSOCIATION

ARTICLE I - NAME

The name of this Association shall be the *Southwest Missouri Football Officials Association, Inc.*, a not for profit corporation for the State of Missouri.

ARTICLE II - PURPOSE

The purposes for which this Association was organized include the following:

- (a) To encourage the spirit of fair play and sportsmanship;
- (b) To aid all officials, coaches, and players in acquiring a thorough working knowledge of the rules, ethics, and mechanics of football officiating;
- (c) To promote uniformity in mechanics of football officiating;
- (d) To encourage the development and recruitment of qualified football officials for football contests governed by the rules of National Federation of State High School Associations (NFHS) and the Missouri State High School Activities Association (MSHSAA);
- (e) To provide services to schools and officials for assigning officials to football contests governed by NFHS and/or MSHSAA rules; and
- (f) This Association shall not discriminate against any prospective member or member because of race, color, religion, sex, national origin, ethnic or cultured background.

ARTICLE III - JOINING

Section 1 - Before any person may seek to join this Association, he/she shall first be registered as a football game official with the Missouri State High School Activities Association (MSHSAA).

Section 2 - Any person who desires to become a member of this Association shall present a written application to the Executive Director along with the first year's dues for probationary members. Upon receipt of the application and dues, such person shall become a Probationary Member of this Association.

ARTICLE IV – MANAGEMENT

Section 1 - The operation and management of the Association shall be vested in the *Executive Committee* which shall be composed of the Executive Director and six Representatives elected as herein provided, provided that each such representative remains a Regular Member of this Association, he/she shall continue in office until their successor is installed.

Section 2 - The Executive Committee shall be responsible for the execution of the express desires of the membership and for the general direction of the policies and the activities of the Association. Its Executive Committee shall manage the property, business and affairs of the Association. The Committee may adopt By-Laws governing the activities of the Association. Such By-Laws may be enacted or modified by a majority vote of the Representatives. The Representatives may not change the annual dues of or the game fees to be charged per contest of the members without the majority vote of the members present at the season-ending business meeting or a specially called business meeting. The Executive Committee shall also be responsible for approving crews, crew transfers, membership renewals and disciplinary appeals.

Section 3 - The term for each Representative shall be for three years and they will take office at the end of the last meeting of the year and keep their office until their successor is installed. No more than two Representatives shall be elected each year by a majority vote among the members present at the season-ending business meeting each year. Each Representative, unless removed or disqualified, shall be elected for a three year term.

Section 4 - In case of a vacancy on the Executive Committee, the remaining members of the Executive Committee shall fill the unexpired term of such Representative by appointment.

Section 5 - The Executive Committee shall conduct at least one (1) meeting per year. Notice of any Executive Committee meeting shall be given as is practicable. A quorum at any Executive Committee shall consist of the members of the Committee present at such meeting. The Executive Committee may act by written resolution or by email approved by a majority of all members of the Committee.

Section 6 - The Executive Committee shall conduct a season-ending business meeting for all members of the Association for purposes of ratifying the acts of the Executive Committee for the preceding year, considering amendments to the Constitution, considering any increase in dues, electing Officers and Representatives for the succeeding year, selecting persons to be honored, approving probationary members for regular membership, and for the consideration of any other business as required. The date of such a meeting shall be announced prior to August 1st each year. Such a notice shall state the subject matter of any proposed change in dues or to the Constitution. The Executive Committee shall also conduct an informal crew chief meeting each year to discuss activities, ideas, and plans for the succeeding year. A representative of each organized crew of officials must attend this crew chief meeting. A Specially Called Membership Meeting may be called by the Executive Committee provided that Notice of such meeting is given by email or by regular, first-class mail, at least 15 days prior to the date of the proposed special meeting. Only issues set forth in the Notice shall be decided at such a special meeting.

ARTICLE V – OFFICERS

Section 1 - The elected Officers of this Association shall be a *President, President-Elect and Executive Director*. Each officer shall take office at the end of the last meeting of the year and retain his/her office until his/her successor is installed. After the election of the Executive Committee, the membership shall each year at the season-ending meeting, elect a President-Elect from the Executive Committee Representatives who have two or more years remaining in their terms. The membership shall also elect an Executive Director at the season ending business meeting. The President Elect for the preceding year shall become President of the Association following such election provided he/she remains a Representative of the Executive Committee. Only active Regular Members of the Association are eligible to be elected as Officers. Any vacancy occurring in any office shall be filled by majority vote of the Executive Committee to fill any unexpired term of such officer. Each officer so appointed shall hold such office until the next election of officers or until his/her successor, if any, shall be similarly appointed or until his/her death, resignation or removal.

- (a) **President** The President shall be the chief executive officer of the Association and shall be responsible for all management functions. He/she shall have executive authority to see that all orders and resolutions of the Executive Committee are carried into effect and subject to the control vested in the Executive Committee by statute, the Articles of Incorporation or by these bylaws, he shall administer and be responsible for the overall management of the business affairs of the Association.
- (b) **President-Elect** The President-Elect shall be responsible for such duties as are individually assigned to him by the President. Following the subsequent election of a President-Elect at the season ending business meeting of the Association, the President-Elect shall become President.
- (c) **Executive Director** The Executive Director shall serve as the Secretary of the Association by keeping the minutes of the meeting of the Association and Executive Committee, seeing that all notices are duly given in accordance with the provisions of these bylaws or as required by law, being custodian of the records and of the seal of the corporation, by seeing that the seal or facsimile or equivalent, thereof is affixed to or reproduced on all documents, execution of which on behalf of the corporation under its seal is duly authorized, and he will have charge of the membership records of the corporation. In addition, the Executive Director shall act as the Treasurer and shall receive and be responsible for all funds of and securities owned or held by the Association and, in connection therewith, among other things, keep or caused to be kept full and accurate records and accounts for the Association, deposit or caused to be deposited to the credit of the Association, all monies, funds, and securities so received in such bank or other depository as the Board of Directors or an officer designated by the Board of Directors may from time to time establish, and disburse or supervise the disbursement of the funds of the Association as may be properly authorized, to render to the Board of Directors or membership at meeting, when asked, financial and other appropriate records on the conditions of the Association. In addition, the Executive Director shall perform all duties incident to the office of Executive Director and such other duties that from time to time may be assigned by the Executive Committee or the President of the Association.

ARTICLE V – OFFICERS (Continued)

(d) Past-President The President who has been replaced at the season ending business meeting by the president elect shall become Past-President of the association. In the event such Past-President's term as a director expired at the season ending business meeting, he will remain an Ex-Officio member of the Executive Committee and shall be responsible for such duties as are individually assigned to him by the President. His term as Past-President shall expire when the current President is replaced by the President Elect.
(Added November 2, 2004)

Section 2 - The Executive Committee may appoint such other officers and agents as the Board of Directors may determine to hold office for such a period and with such authority and perform such duties as the Executive Committee may from time to time determine. At a minimum, the Executive Committee shall, each year, appoint a Training Faculty Chairperson and Assignor.

(a) Training Faculty Chairperson (Trainer) The Trainer must be certified as a trainer in football by the Missouri State High School Activities Association after having taken any offered certification course. The Trainer shall be responsible for scheduling and organizing meetings in the interest of uniformity and strict interpretation of the rules, mechanics and techniques of good football officiating before and during the season as a means of providing education to officials of the fundamentals of good officiating.

(b) Assignor The Assignor of the Association shall be certified by the Missouri State High School Activities Association as an assignor after having completed the educational requirements of the Missouri State High School Activities Association for certification. The Assignor shall, upon receiving solicitations from area schools desiring to participate in the booking program of the Association, book crews acceptable to said schools for all football contests in a manner that the Assignor, consistent with the requirements of the Missouri State High School Activities Association, shall determine subject to the approval of the Executive Committee. Said assignment process shall give equal right to games to all regular members first and then to probationary members. With respect to non-varsity games, the Assignor shall use any method deemed necessary by him/her, subject to the approval of the Executive Committee, in order to provide officials for games for which schools have solicited the assignment of officials from the Association at such non-varsity contests.

ARTICLE VI - MEMBERSHIP

Membership shall be divided into two classes which shall include Regular Members and Probationary Members.

Section 1 - Regular Members: Include all members of the Association who are duly qualified to officiate football contests governed by the NFHS and/or MSHSAA rules who have complied with all of the continuing membership requirements of this Association, who are in good standing with the MSHSAA to officiate football contests, and who are not probationary members. Applicants who were previously a member of the Association, and who left the Association while in good standing, may return and join the Association as a regular member in good standing.

Section 2 - Probationary Members: *A Probationary Member is:*

- (a) An official who has not been in the Association for at least one season and has not been approved for regular membership by a favorable vote of 75% of the Regular Members present at the season-ending business meeting, provided, that no Probationary Member shall be voted on for regular membership, unless and until, at least 12 probationary official report forms covering at least 12 games (only 1 form per Probationary Member per game) signed by the regular members of the Association who worked the game with such official have been filed with the Association by its Regular Members, or;
- (b) An official who has failed to comply with the continuing Membership requirements set out in Article V, Section 3, below, for the preceding year. Upon compliance with said requirements for the current year such member shall be returned to regular membership for the succeeding year, or;
- (c) A Transfer Member coming from other football official associations who has not been voted on at any business meeting by the membership. A Transfer Member must have been an official for more than one season and either (1) have 3 letters of recommendation on file with the Executive Director of the Association from officials, coaches or school officials that have knowledge of the official's experience, or (2) have at least 12 probationary official report forms covering at least 12 games (only 1 form per Probationary Member per game) signed by the Regular Members of the Association who worked the game with such probationary official filed with the Association by its Regular Members. On meeting this requirement and being voted on favorably by 75% of the Regular Members at season-ending business meeting, the Transfer Member will become a Regular Member of this Association for the succeeding year, or;
- (d) Any other official who has not been approved by a favorable vote of 75% of the Regular Members who seeks regular membership with the Association, or;
- (e) Any other member who has been placed on probation as a result of the discipline pursuant to the requirements of Section 4 of this Article.

ARTICLE VI – MEMBERSHIP (Continued)

Section 3 - Continuing Membership Requirements: All members must abide by this Constitution, the By-Laws, and the following rules to maintain regular membership in this Association:

- (a) Must attend a minimum number of regular membership meetings as determined by the Executive Committee. The Executive Committee will provide a schedule of the regular membership meetings meeting this requirement and the number of meetings for which attendance is required prior to each football season. Absences from any meeting may be excused if (1) the official has provided documentation of the reason for his/her absence, and (2) the Executive Committee approve such absence;
- (b) Must pay current years dues by March 1st of each year for the succeeding football season. If dues are paid after March 1st, but before April 1, a late fee of \$15 shall be due, in addition to the current year's dues. Late fee and dues shall only be accepted with the approval of the Executive Committee. The late fee is not applicable to new officials who do not join the Association until after March 1st of such year;
- (c) Must maintain registration with the Missouri State High School Activities Association as an official and meet the minimum standards for renewing such registration. An official who does not maintain such registration or who is placed on probation by the Missouri State High School Activities Association shall become a Probationary Member for the duration of such period as the Missouri State High School Activities Association has such official on a probationary status;
- (d) Must agree that members shall only accept game assignments for regular season football contests involving schools belonging to the Missouri State High School Activities Association from the Assignor of this Association. Games involving other organizations, non-MSHSAA schools, MSHSAA playoffs, or championships which are assigned by other organizations are not subject to this prohibition; and
- (e) Must agree that (1) all members of the Association are independent contractors in their officiating capacities and are not employees of the Association, or of any officer of the Association, or of any other person or entity for whom the members work as officials; (2) all members of the Association recognize this status and understand that the Association, nor its officers are employers and therefore, the members may not collect workers' compensation benefits from the Association or any other person or entity for injuries sustained while officiating; and (3) the Association is not a party of any ultimate contract between an official who is a member of this Association and the school for which a game has been assigned and therefore, the Association shall not be responsible to its members, in any way for payment of game fees for which games the Association has assigned the officials.

ARTICLE VI – MEMBERSHIP (Continued)

Section 4 - Discipline for Failure to Comply With Membership Requirements:

- (a) For violation of any requirements under *Section 3 herein* or *for any other conduct conclusively established to be contrary to the best interest of the Association* a member may be placed on probation or expelled from the Association subject to the following procedure:
- (1) A member who is charged with a violation shall receive a written notice by certified, first class mail, of the specific violations alleged to have been made by him/her with specific reference to the Constitution, By-Laws, National Federation Rule Book, National Federation Football Case Book, National Federation Official's Manual, Missouri State High Schools Activities Association's Handbook, provision, rule or regulation allegedly violated, the specific alleged violate conduct, and the proposed discipline for the violation.
 - (2) Unless the member files a request for hearing in writing or by email with the Executive Director of the Association within 10 days of the date of the letter, the proposed disciplinary action shall be taken against the member.
 - (3) Hearing. A member charged with any violation shall have the right to be heard in person or by written statement made by him/her in his/her own defense before the Executive Committee provided that a notice requesting such hearing or objecting to the proposed discipline is received by the Executive Director prior to 10 days after the date of the letter referenced above. At the hearing, the member shall present any information or documents relevant to the alleged charge and any regular member may be heard regarding the charges. A written decision shall be made and sent to the member within 60 days of the hearing date. A majority vote of the Executive Committee shall determine its decision.
- (b) Any Member who fails to pay dues by March 1 or dues with late fee by April 1 will not be eligible to be assigned games for the current calendar year.
(Added November 2004)

Section 5 - All Regular Members desiring to work as a crew, shall, no later than January 1st submit to the Association a crew agreement form as approved by the Executive Committee for the succeeding year. Such crew agreement form shall be submitted to the Executive Committee. For continuity and balance, the Executive Committee shall preserve the right to approve the formation of any crew as well as to approve the replacement for any member leaving a crew. Any proposed change to a crew after submission of the crew agreement shall be approved by the Executive Committee. Any crew failing to obtain the Executive Committee's approval for the formation or change of such crew is subject to discipline as set forth in Section 4 herein and/or may be considered by the Assignor in limiting the number of varsity games to be assigned to such crew in the following year.

ARTICLE VII - AMENDMENTS

Section 1 - Amendments to the Constitution may be made by a favorable vote of 75% of the members present at the season-ending business meeting or a special meeting of the Association provided that Notice of such special meeting is given by email or by regular, first-class mail, at least 15 days prior to the date of the proposed special meeting.

Section 2 - A quorum shall consist of all Regular Members present at any regular business meeting. Probationary Members shall have no vote at any time.

The Southwest Missouri Football Officials Association was incorporated on August 23, 1999 as a Missouri Non-Profit Corporation. The Constitution was ratified in August, 1999. ARTICLE IV, Sections 2, 5, and 6 were amended in December, 2000. ARTICLE VI, Section 3(b) and Section 4 were amended in November, 2003. ARTICLE VI, Section 2(c) and Section 5 were Amended November 2, 2004. Article IV, Sections 5 & 6; Article VI, Section 4(2); and Article VII, Section 1 were Amended October 30, 2007 to permit the use of email.

BY-LAWS of the SOUTHWEST MISSOURI FOOTBALL OFFICIALS ASSOCIATION

ARTICLE I – ANNUAL DUES: Annual dues shall be \$50.00 for renewal memberships and \$25 for first year memberships. *(Amended 10/24/18)*

ARTICLE II – SALARIES:

- (a) The Executive Director and Varsity Assignor of the Association shall receive a fee of \$500.00 per year as reasonable compensation for services rendered to the Association.
- (b) The Sub-Varsity Assignors of the Association shall each receive a fee of \$1,000.00 per year as reasonable compensation for services rendered to the Association.
- (c) The Trainor shall have a budget of \$500.00 to spend on training materials each year
- (d) The Recruiting Coordinator shall have a budget of \$500.00 to spend on recruiting materials each year.

(Amended 10/24/18)

ARTICLE III – GAME FEES:

2023-2025 Fee Schedule

Varsity (5 Officials)		\$140.00
Junior Varsity and/or Freshman:		
	4-Officials*	3-Officials
9 Minute Quarters	\$65.00	\$85.00
10 “ “	\$70.00	\$90.00
11 “ “	\$75.00	\$95.00
12 “ “	\$80.00	\$100.00
Junior High = 4-Officials		\$60.00
3-Officials		\$80.00

Note: For Doubleheaders add the game fees together; if only one game (JV-F-JH) is played add \$25.00 per official. (not for Varsity Games)

* Games will be filled with four-official crews if officials are available.

Mileage: .50 cents per mile roundtrip.

5th Quarter and 6th Quarter are charged as a Doubleheader

Jamboree: 1 crew \$95.00 per official
2 crews \$55.00 per official

School Assigning Fee: \$125.00 SMFOA
\$150.00 JFOA

ARTICLE IV – SCHOOL BOOKINGS & GAME ASSIGNMENT: The Association shall solicit from all area schools desiring to participate in the Association's booking program, their schedules for the following season. Games shall be assigned in accordance with the Constitution by the Assignor or other individual designated by the Executive Committee to book such crews.