

PROPOSED CONSTITUTION REVISIONS

PROPONENT:

Quincy Johnson, quincy.johnson121@gmail.com, MVBOA Member

PREMISE:

This document proposes three amendments to the MVBOA Constitution. (A) Add three additional offices to the Executive Board and modify the board's voting quorum. (B) Require Executive Board members to attend scheduled board meetings. (C) Change the voting requirements to amend the Constitution by requiring proposals to be posted to the membership prior to voting and passing amendments with 2/3 of the members present at a regular meeting.

SUMMARY:

- A. Add three offices to the Executive Board:
 - i. Past President, who could be the most recent President, or if they decline, any current member who previously held the office of President at some point in the past;
 - ii. Clinician, who shall be responsible for training 1st and 2nd year members; change the requirement for training clinics to be separate from regular meetings; and
 - iii. Junior Member-At-Large, who shall have been a member for no more than five years to provide a youthful perspective and focus on recruitment of new officials.

Modify the voting requirements for the Executive Board. This proposal also changes the quorum to six and raises the voting threshold for executive action to be a simple majority of the entire Executive Board, not just a majority of the quorum present.

- B. Require board members to attend scheduled Executive Board meetings. If a board member misses more than two scheduled Executive Board meetings, they shall resign their office which can be accepted or rejected by the Executive Board.
- C. Proposals to amend the Constitution must be written and posted to the membership at least six days prior to the meeting at which those amendments are discussed and voted on. Electronic and absentee votes must be submitted by the end of the meeting in which voting occurs. Amendments can be passed by a 2/3 majority vote of the members present at a regular meeting.

RATIONALE:

- A. Increasing the size and composition of the Executive Board promotes diversity and improved management of the association. Adding back a one-year term Past President ensures an experienced member serves on the board. A Training Clinician can focus on training newer and less experienced officials. Requiring 1st and 2nd year officials to attend training clinics is already

required, and this proposal requires that those clinics do not conflict with regular meetings. A Junior Member-At-Large is an additional Member-At-Large who must be a newer member to represent the interests of novice officials, as well as, focus on recruiting new members.

Currently, a quorum of the Executive Board consists of the President, or President-Elect, and three or more of the other voting members; totaling at least four. A simple majority of the present quorum may conduct business; 1 no and 3 yes votes can enact a decision. This proposal changes the requirement that any Executive Board action must be approved by at least six Executive Board members, regardless of quorum; instead of allowing four of six to pass, six of ten must vote yes.

- B. Currently, the Executive Board must schedule at least two Executive Board meetings. Other meetings may be held beyond what is normally scheduled. Attendance can be in person or via remote teleconference. If a board member misses two Executive Board meetings that were scheduled and known at the start of the season, then that board member must submit their resignation to the Executive Board. The board may choose to accept or reject such resignation. This promotes attendance at board meetings and holds board members accountable to their office with allowances for extenuating circumstances where the board can reject a resignation.

- C. Currently, the process to amend the Constitution is lengthy and allows for absentee voters ten days to submit their vote after the meeting in which proposals are discussed and voted upon in-person. This proposal changes the requirements to a front-loaded approach that requires proposals to be posted and the membership notified at least six days prior to a scheduled regular meeting. This allows members to review the proposals and ask informed questions at the meeting in which the amendments are formally proposed and subsequently voted on. This change also allows absent members to pre-cast their vote by the end of the meeting in which in-person voting occurs. Additionally, since regular meetings are mandatory, constitutional amendments can only be ratified at a regular meeting, with appropriate prior notice, and therefore only 2/3 majority of the members present should be enough to enact change, rather than 2/3 of the entire membership as currently required. Most votes in the United States have a specific voting deadline and do not allow voting after all others have cast their vote. This proposal is more inline with our country's current and familiar voting process. Voting results would also be determined immediately after the in-person ballots are counted and added to pre-cast votes.

EFFECTIVE:

- A. Effective 2020-21 membership year, officer positions to be added and voted on at the next election held in February 2020.
- B. Effective immediately.
- C. Effective immediately.

REQUIREMENTS:

Proposed amendments to the MVBOA Constitution become effective with a 2/3 majority vote of the entire membership. Members who are eligible to vote and not present at the vote in-person shall be notified of the proposal and allowed ten days to vote electronically. [Const. XI-2]

PROPOSED LANGUAGE:

Language to be removed

Language to add

MVBOA Constitution

[...]

ARTICLE IV – OFFICERS

Section 1

The elected officers of the MVBOA shall consist of the President-Elect, Secretary, Treasurer, Parliamentarian, Trainer, *Clinician*, ~~and~~ Member-At-Large, **and Junior Member-At-Large**. The President is a non-elected officer who serves after completing a one-year term as President-Elect. ***The Past President is either a non-elected officer who serves after completing their one-year term as President or an elected officer who has previously served as President.***

} A

[...]

Section 4

The Past President will provide continuity with history of past proceedings. The Past President office shall be initially available to the immediate President after their term is expired. If declined, the office is to be filled by an elected member who has previously served as President at some point in the past.

} A

[...]

Section 6

The Junior Member-At-Large will represent the interests of newer members. The Junior Member-At-Large shall reach out to newer members, work to help recruit new members, and bring to the Executive Board’s attention any ideas, criticisms, or concerns from the membership; anonymity if requested, is guaranteed. The Junior Member-At-Large office shall be filled by a member with fewer than six years of MVBOA membership at the time of nomination.

} A

[...]

Section 8-10

The Trainer will keep the total membership updated on any rule or mechanic changes, additions, or interpretations. The Trainer shall **oversee the Clinician, assist with lead** training clinics, and be responsible for leading regular meetings’ training segments concerning play situations, mechanics, signal questions, and other general training topics.

} A

Section 11

The Clinician shall be primarily responsible for training and educating first and second year members and leading training clinics. The Clinician may also assist the Trainer with other training duties.

} A

ARTICLE V – TERMS OF OFFICE, ELECTIONS, AND VOTING

Section 1

All officers of the MVBOA shall serve a term of two years beginning April 1 and ending March 31 of the second calendar year-; **except for the office of Past President, which shall be a one-year term.**

} A

[...]

Section 3

Upon completion of their one-year term as President-Elect, the President-Elect subsequently assumes the office of President for a one-year term. **Upon completion of their one-year term as President, the President has the option to continue serving on the Executive Board as the Past President for a one-year term. If the outgoing President declines the office of Past President, then the President vacates their office and is eligible to be nominated to another elected office. The office of Past President is then filled by a member who has previously served as the MVBOA President and is voted on by the membership in the same way as described in Section 4.**

} A

Section 4

Nominations for the elected officers listed in Article IV, Section 1 shall occur during the regular meeting prior to the last scheduled regular meeting. Nominations may only be made from members in attendance at the meeting. The President-Elect office shall be voted upon every year. Other elected offices shall be voted upon in offsetting years: Secretary, **Junior Member-At-Large**, and Trainer on odd years; Member-At-Large, **Clinician**, Treasurer, and Parliamentarian on even years.

} A

[...]

Section 8

Any officer may resign their office by providing a written resignation to the Secretary, **or other board member as necessary. Any officer missing more than two scheduled Executive Board meetings shall submit their resignation. Resignations may be accepted or declined by the Executive Board.**

} B

[...]

ARTICLE VI – THE EXECUTIVE BOARD

Section 1

The Executive Board is composed of ~~seven~~ **ten** voting officers: President, President-Elect, **Past President**, Member-At-Large, **Junior Member-At-Large**, Secretary, Treasurer, Parliamentarian, and Trainer, **and Clinician** as described in Article IV. The Commissioner shall be a non-voting member of the Executive Board.

} A

[...]

Section 4

A quorum of the Executive Board shall consist of the President (or President-Elect in the President's absence) and any ~~three~~ **five** other voting Executive Board members. **Executive Board actions must be approved by a simple majority of the entire Executive Board.**

} A

[...]

ARTICLE VIII – MEETINGS

[...]

Section 4

The Executive Board shall meet a minimum of two times each year: once prior to the start of the membership year (November 1) and once before officer term expirations (March 31). **The minimum of two Executive Board meetings must be scheduled and posted prior to the start of the OSAA basketball season. Executive Board members must attend scheduled Executive Board meetings.** The Executive Board may hold additional, **ad-hoc** meetings at the President’s discretion or when requested by at least two other Executive Board members. Executive Board meetings are open to any member; however, the Executive Board may deliberate in closed sessions for confidential or sensitive matters.

} B

Section 5

The MVBOA shall hold at least five training clinics. These meetings shall take place throughout the winter basketball season (including the pre-season), **shall be scheduled as to not conflict with regular meetings**, and be included on the published meeting schedule. Attendance is mandatory for new officials, second year officials, and transfer officials; others may optionally attend.

} A

[...]

ARTICLE XI – AMENDMENTS

Section 1

Amendments to this Constitution may be proposed by the Executive Board or any member ~~at any scheduled regular meeting or at the annual business meeting.~~

- A. *Proposed changes must be presented in writing.***
- B. *Proposals must include any current language with article and section references and all proposed additions, subtractions, and/or modifications must be indicated with a differentiating font style.***
- C. *Proposals must be posted and the membership informed with at least six days prior notice to the regular meeting where the proposals will be voted upon.***

} C

Section 2

Proposed amendments to this Constitution shall become effective upon a two-thirds majority vote of the ~~entire~~ membership ***present***. Voting shall be conducted in person at the same ***regular*** meeting as an amendment was proposed, ***unless tabled***. Members not in attendance shall ~~be notified of the proposed changes the same day by the Executive Board and allowed ten days to cast their vote electronically.~~ ***have the option to pre-cast their vote electronically, if their absence has been excused. The deadline to submit pre-cast ballots is by the end of the meeting in which in-person voting on the amendments occurs. Pre-cast ballots for a proposal that was materially changed by in-person amendment shall be excluded.***

} C