

potential problems.”

In the matter of recruiting and retention, the group took a unique approach by naming Oliva Haring its recruiting and retention director. Haring is a student at Northwood University in Midland.

“She has the exact profile of the official we’re looking to recruit,” Moore said. “She’s been great at relating to that age group. We think this was really a smart hire by our board.”

The merging of four separate officials associations into what is now the Tri-Cities Area Officials Association has altered the landscape in that part of Michigan, and officials and assigners are doing things differently as a result. But Moore

thinks things are going in the right direction, particularly in the area of officials training.

“Our training has become very consistent across all members of each sport,” he said.

Moore believes the merger decision was a win-win for all parties concerned. “It was something that made a lot of sense for us,” he said, “and that really was our defining moment, to realize it was better for our members, better for the schools that we service by coming together as one association.”

Rick Woelfel is a writer, broadcaster and podcaster based in Willow Grove, Pa. He works various levels of softball and has previously worked football, basketball and baseball. ■

MICP Q&A: WHEN THE BYLAWS AREN'T CLEAR

By Donald C. Collins

Q Can a non-officiating member, who was made an honorary member by the board due to a medical waiver, run for an elected position? A disagreement in our association arose over that question, so we referenced our bylaws that stated only a “qualified” member can run for a board position. We think qualified means a paid member who currently officiates, but it isn’t defined in our bylaws. What should we do?

A We’re supposed to follow the bylaws, but sometimes they’re not clear. Associations sometimes forget to define terms, or the members don’t agree on what the terms mean. There are even times parts of the bylaws contradict each other. These problems are solvable without resorting to litigation, but your association has to be thorough.

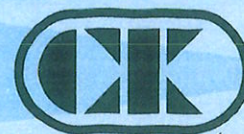
Association bylaws are a contract

between the association and the members. No association wants to be in a dispute over a vague term that might not be defined in the bylaws, but is understood by everybody in the association. This is where association records come in.

Associations have a lot of records. They have board minutes, committee minutes, minutes from member meetings and records of hearings. Sometimes these records shine the light on association buzzwords that are constantly bandied about but may not be defined in the bylaws. If an association is thorough, phrases such as “full member,” “qualified member” and the frequently used “member in good standing” will be clarified in these records.

Association records are just the beginning though. The existence of records is evidence the board understood the undefined term. However, an association needs to have enough records to make it clear

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THE PULSE

LOCAL ASSOCIATION NEWS NATIONWIDE

TASO Assists in Passing Legislation

The Texas Association of Sports Officials (TASO) legislative team was among those active in the passing of HB 2721, which addresses an assault of a sports official in Texas. The new law prohibits a student from participating in future extracurricular activities for certain conduct involving the assault of an extracurricular activity official. The student may request to be reinstated after a set period of time. TASO said it was grateful to Representative Eddie Lucio III for introducing HB 2721 and Senator Eddie Lucio Jr. for bringing the bill to the Senate. This law is effective for the 2021-22 school year.

Umpires Association Awards Scholarships

The Lehigh Valley (Pa.) Softball Umpires Association recognized athletes and sportsmanship efforts in July. It awarded five student-athletes an \$800 post-secondary school scholarship for excellence on and off the field. The five honorees were Zoey Ritter, Southern Lehigh; Matison Piripavel, Freedom; Madison Smith, Pocono Mountain East; Lindsey Nemeth, Northampton and Jade Hofman, Freedom. The association also awarded William Allen High School and Coach Karen Nilson with the sportsmanship award for the 2021 season.

Young Umpire Earns BCUBA Award

Nathan Dann of Trail, British Columbia, was honored with the BC Baseball Umpires Association's (BCUBA) Junior Umpire of the Year Award in late June. The award is not given annually but only when there is a deserving individual who shows a serious dedication to umpiring and improving their craft on and off the field.

"I was really surprised," Dann said. "I had no idea it was going to happen."

The 17-year-old started umpiring when he was 13 and has been calling balls and strikes for Trail Little League and Trail Youth Baseball's Minor Division since then.

SOURCES: TASO, THE MORNING CALL (ALLENTOWN, PA.), ROSSLAND (BRITISH COLUMBIA) NEWS

the members should have understood the term, too. An association will want records that show the undefined term was clarified in member meetings and in past elections.

If there are too few records, members disputing the undefined term will claim the board never defined the term, and they and other members have no idea what it means. This sounds like an informal disagreement, but it's actually a legal defense since a contract requires both parties to agree. Members can't agree on a bylaw term unless they know or should know what the term means.

If the association doesn't have records that make it clear what a qualified member is, the honorary board member will have a chance at winning in court. Still, this type of dispute should never get to court. A well-run association won't let that happen. Yes, litigation is a possibility, but it's not the worst thing that can happen. Festering election disputes create internal tension that can split an association into factions. These disputes can be ugly and can cause long-term business damage to an association.

Associations need to stop disputes before they start by periodically

reviewing bylaws. Associations should check their member categories and see if they're well defined. If not, an association should amend the bylaws well before disputes arise as to which category of members can run for office.

Associations should also have internal grievance procedures that allow a member to air bylaw disputes. Such procedures let potentially ugly election and other disputes get heard early before things fester. Also, good internal hearing procedures reduce the chances of lawsuits as they give members a forum to air their grievances, and courts will usually require people to go through the association's hearing procedure before a court will hear their case.

Vague terms can lead to ugly association disputes. These disputes can lead to litigation, but the well-run association will engage in an ongoing review of the bylaws and have internal grievance procedures. It's just good management and can keep you out of court.

Donald C. Collins is the commissioner of the San Francisco Section of the California Interscholastic Federation. He is a longtime basketball official and lawyer. This article is for informational purposes and is not legal advice. ■

SURVEY SAYS ...

Keeping the officials
you've got.

WHICH DO YOU
CONSIDER A
BIGGER ISSUE
FOR YOUR
ASSOCIATION?

SOURCE: NASO CLICK POLL
WITH 92 RESPONSES.

