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Association Advantage is capable of providing immediate turnkey training solutions for football and basketball groups, and other sports will be added in the near future.

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MICP Q&A

It's All Relative

By Donald C. Collins

Q: The assigner for basketball officials in our area has a brother and nephew who recently moved to our area and are basketball officials. The assigner has been in his position for 10 years and has done a good job. However, some officials in our association are upset because the assigner recently selected his brother over other quality officials in the area for a huge rivalry game. Although the brother has a lot of experience and a quality resumé, he has not worked in the area very long. Is it a conflict of interest for the assigner to continue to assign games now that his relatives are officiating in the area?

A: It is a conflict of interest for an assigner to assign games to his brother. Indeed, that is nepotism — a specific type of conflict of interest. However, the key issue is not whether there is a conflict of interest. A conflict of interest is not an absolute bar to someone assigning. Rather, the key issue is how each association handles the various types of conflicts it confronts.

Conflict of interest policies are not an end; rather, they are a means to an end. When we officiate, our end is to ensure that we don't create an appearance that an official has a bias against a school. The means to that end can vary drastically from place to place.

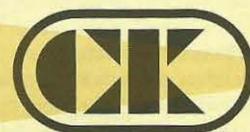
At one extreme, it may be safe to say that virtually no association would let an official work a game if the official's spouse was coaching one of the teams. We have no tolerance for such a conflict.

On the other hand, we're all over the map with some conflicts. For example, we can acknowledge that it is a conflict of interest to officiate one's alma mater. Some associations won't let an official work his alma mater. However, many associations will. Other associations might make officials wait a few years before they officiate their alma mater. We can be responsible without having a one-size-fits-all policy as long as each association's policy meets the standards of our profession and the needs of its client schools.

We see similar issues in association management. People in association management have fiduciary duties to their associations. One of those duties requires them to disclose situations where the association may be considering a business transaction with a business that an association board member or a board member's relative may have control over. But the conflict is not an end. It is identified so the association managers can conduct business in a manner that best serves the association. The legal fix for a "self-dealing" situation or a situation where a board member's relative may end up doing business with the association is often just having the board member disclose the conflict, and then recuse themselves from voting and discussions on the matter.

Associations need to address assigners who assign themselves and assigners who assign relatives because those assigning conflicts cut to the heart of an association's credibility with its members, and they increase the likelihood of disputes over game assignments. Such

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THE PULSE

Local Association News Nationwide

Bishop Receives Dick Knox Distinguished Service Award

Early August, veteran sports official Chip Bishop was presented the Dick Knox Distinguished Service Award at a Northeastern Athletic Officials Association meeting.

The award is named after the former supervisor of officials for the North Carolina High School Athletic Association. It is presented on behalf of the North Carolina Athletic Officials Association.

The award recognizes Bishop for his years of service and dedication. In addition to officiating, Bishop is the athletic director at Fayetteville Academy.

MHSAA Website Targets Prospective Officials

Starting the week of Aug. 25, the Michigan High School Athletic Association (MHSAA) website began featuring content aimed at educating visitors about officiating high school sports and recruiting people into the officiating ranks.

"Be the Referee" is the title of the one-minute audio vignettes and companion text content suitable for on-air use by radio/audio outlets, or reproducing in print. The Referee is presented by MHSAA Assistant Director Mark Uyl, who oversees the MHSAA officials' program.

The series will run through the end of the spring sports season. Be the Referee will also have an archive page on the MHSAA website.

Louis ASA Hosts All-Star Games

When the Metro Amateur Softball Associations' Illinois vs. Missouri All-Star games were held in St. Louis at the end of July, the winners were the umpires in the St. Louis area.

That's because the games – and skills competitions associated with them – are for the benefit of the local umpires.

"We take the proceeds for the game, and we use it to pay for umpire education," said Dick Cohen, one of the event organizers. "Not all umpires are made of money. We'll pay for umpire expenses to get to ASA national tournaments."

The three-year-old event is completely run by the umpires, including setup and concessions, many of which are donated, increasing the profit for the umpires' fund. The 2014 event raised nearly \$4,000.

"When I first started umpiring seven or eight years ago, we literally had three or four umpires that did high-level softball (men's fast pitch or major NCAA conferences)," Cohen said. "Now we have a good dozen."

SOURCES: THE FAYETTEVILLE (N.C.) OBSERVER, MHSAA

disputes could end up in court, and if they touch upon breaches of assignment policies or allegations of discrimination an association could lose the lawsuit.

Associations have options. They can bar assigners from assigning themselves and/or certain relatives. But that may not be practical or necessary in some places. Alternatively, associations can create evaluation policies that define who is eligible to be assigned certain games, and back those policies up with close monitoring of the assigner. That would allow associations to review the games the assigner assigns to himself or relatives. Associations can also develop policies on playoff assignments. Further, if the association works in an area where a very small subset of games are defined

as "big games," the association can develop policies on how to assign those games.

Associations have a lot of options; there's no one answer for dealing with an assigner's relatives. However, associations can't hide from the issue. They must have some policy and they must monitor and enforce it. If they do so, they will protect their assigners from charges of self-dealing when they assign themselves and nepotism when they assign a relative.

Donald C. Collins is executive director of the San Francisco section of the California Interscholastic Federation. He is a longtime basketball official and lawyer. This material is for informational purposes only and is not legal advice. ☐

MICP Step by Step

Titanium and Diamond Association Advantage members receive free access to NASO's Member Information & Consultation Program (MICP), which provides invaluable information and guidance.

Officials often face business and legal matters they never thought they would encounter. Ask anyone who has ever served on the board of an officials association about administrative questions that arise from time to time (or time after time)! Having an expert source to go for advice and direction has helped many officials, and officiating groups, over the years.

MICP is a service that is broken up into two parts: The first is a free information program handled by the NASO staff. The second is a free consultation program handled by both the NASO staff and consultants to whom the staff may direct members. The information program can be used anytime and the consultation program can be used up to three times per year. So how does it work if you have a question?

STEP 1: CONTACT THE NASO STAFF.

That can be done either via a phone call at 262-632-5448 or email at naso@naso.org. Explain your question or situation.

STEP 2: NASO WILL REVIEW INQUIRY.

The inquiry will be discussed and evaluated in a timely manner. More

information will be gathered, if necessary, through a follow-up call or email.

STEP 3: A PLAN OF ACTION WILL BE DETERMINED.

In cases where information is being sought, Association Advantage members will be provided with, subject to availability, generic forms and documents that will attempt to answer the questions at hand. Those may be model bylaws for associations, codes of conduct, reprints of relevant and topical articles, sample contracts or other generic documents and forms. NASO maintains an extensive legal library, which holds information and articles on a number of issues that members have had in the past. If something has happened to an official, there is a good chance that someone else has had a similar experience. ☐

BYLAW BIT

Bylaws define the relationship between the organization and its members and among the members themselves.