

NASSAU VOLLEYBALL OFFICIALS, INC.

OPERATING CODE

AMENDED AND ACCEPTED:

May 13th and 25th. 2021

October 26th. 2021

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DEFINITIONS PAGE FOR NVO OPERATING CODE

“IN WRITING” -	Print or Electronic
“WRITTEN” -	Print or Electronic
“NVO” -	Nassau Volleyball Officials’ Inc.
“NYSCVOA” -	New York State Certified Volleyball Officials’ Association
“Rule Specific Group” -	NYSCVOA, NCAA, COACHES ASSOCIATIONS
“SCBD” -	School Calendar Business Days
“SEASON” -	School Year
“YEAR” -	July 1 st . through June 30 th .

NASSAU VOLLEYBALL OFFICIALS INC.
GIRLS DIVISION AND BOYS DIVISION
OPERATING CODE

Amended and Accepted:

May 13th and 25th, 2021

October 26th, 2021

ARTICLE I. Revised 5/13/21.
NAME OF THE ORGANIZATION

Nassau Volleyball Officials, Inc. – Girls Division and Boys Division
Herein referred to as “NVO”.

ARTICLE II. Revised 5/13/21.
PURPOSE OF THE ORGANIZATION

- A. To provide qualified, rated, rule specific volleyball officials for boys’ and girls’ volleyball programs in Nassau County, New York.
- B. To interpret the rules and officiating techniques of a rules specific group.
- C. To encourage that competitive events be conducted with full consideration given to the “nature and spirit of the rules.”
- D. To participate in the review and revision of rules by suggesting names of persons to serve on state committees and/or initiating suggestions and recommendations through the rule specific group.

ARTICLE III.
MEMBERSHIP:

- A. **Active members are those who:**
 - 1. Fulfill the NVO Inc. requirements in order to be a member in good standing; must hold current rating to officiate.
 - 2. In order to remain “in-good-standing”, members must be current regarding payment of dues, attendance at general and mandatory meetings, and be responsive for assisting the organization in ways that advances the goals and fulfills the needs of the organization. Such examples shall include but not be limited to help with rating sessions, sportsmanship voting, and committee work as needed.
 - 3. The fulfillment of these requirements and responsibilities shall be reflected annually in the member’s 30% rating.
- B. **Dual Members are those who:**
 - 1. Are current, active Varsity, Junior Varsity members in good standing of an affiliated board and are recognized by the NYS Volleyball Officials and/or the NVO.
 - 2. Must declare a “Home Board” for the purpose of written testing and payment of state dues and must present a letter from the “Home Board” which certifies their status as a member in good standing to the Secretary and Chairperson. Home board is where member receives original rating and where exams are taken and the secretary/treasurer of this board must receive a completed signed N.Y.S. Dual Membership form from the requesting member’s home chairperson.

3. Must be rated by our home board by three varsity officials. Cannot work tournaments for at least two years unless needed by assignor and current association members are not available.
4. Must attend an interpretation meeting at our board or home board. A written statement affirming attendance at home board must be given to secretary.
5. Must meet written and practical requirements for current rating.
6. Must attend mandatory meetings.
7. Must fulfill the requirements of Article III, A.

C. Inactive members are those who:

1. Submit written notification to the Chairperson and Secretary requesting inactive status.
 - a. Inactive status shall be granted for a period of one year.
 - b. If inactive status coincides with year of renewal, the official may request an additional one-year extension for the purpose of renewing their status. Such request will be made in writing to the Chairperson and Secretary.
 - c. Any extension of inactive status shall require further written notice to the Executive Board for review.
 2. Pay full dues.
 3. Meet all the above-mentioned requirements and are unable or unavailable to officiate.
 4. Must be re-rated before returning to active status; rating may change depending on the result of the practical exam.

D. New Candidates:

1. Must be at least 18 years of age.
2. Are required to attend a number of instructional clinics as set forth by the division.
3. Are required to pay a clinic fee as set forth by the division.
4. Must attend matches and have attendance cards signed and dated by officials as set forth by the division.
5. Must successfully complete all phases of instruction set forth by the division.
6. Must pass both written and practical examinations as set forth by the division.
7. Upon successful completion of the above steps, a new candidate may become a member in good standing of the Volleyball Division by payment of the appropriate dues and fulfillment of provisions of Article III, A.
8. New candidates who qualify for Junior High rating must spend two calendar years actively working, minimum total of at least 8 matches, in the division before upgrading their rating.
9. No person shall be accepted for membership in the organization unless such person agrees to be subject to the provisions of the operating code.

E. Transfer Members are those who:

1. Have a New York State Varsity or Junior Varsity Rating and are requesting transfer from another New York State Board.
 2. Said member must have a written notification stipulating “member-in-good-standing” status from home board.
 3. Transfer members must meet the requirements of Article III, A.

F. Lifetime Members are those who:

1. Have been active members in good standing with the division for at least 25 years.
2. Said member will be excused from paying set dues.

G. Suspended Members:

1. Must be re-rated before returning to active status; rating may change depending on the result of the practical exam.
2. When returning to active status, will be on probation for one year. Another incident causing suspension will result in termination from board.
3. Must fulfill the requirements of Article III, A

ARTICLE IV. Revised 5/13/21 and 10/26/21.

OFFICERS:

A. The officers of each division shall be:

1. Chairperson (2 years) AKA Director
2. Chairperson Elect (2 years)
3. Past Chairperson (2 years)
4. Recording Secretary (2 years)
5. Secretary/Treasurer (2 years) serving both divisions. AKA Director

B. The Executive Board:

1. Shall consist of the four officers and two members at large from each Division plus the Secretary/Treasurer. One member at large (each division) to be elected each year for a 2-year term. In addition, the following appointed positions would be non-voting members of the Executive Board: Commissioner of Volleyball (2 years), Rules Interpreter (2 years), Assistant rules Interpreter if appointed (2 years) and one O.C.C. representative for each division (term to coincide with ratification and signing of the O.C.C. contract.)
2. Each officer and member at large of the executive board shall have one vote with a simple majority vote needed for decisions. Chairperson to vote only in case of tie or for unanimous decisions.
3. Shall act to manage the affairs and carry out the functions of NVO.
4. Shall discuss issues.
5. Shall make decisions and report policy recommendations to the membership.
6. Shall seek to promote professionalism and ethical conduct.

C. Election of officers:

1. An election shall be held for the office of Chairperson Elect, Recording Secretary, Secretary/Treasurer and Member at Large before term expires.
2. Shall take place at a mandatory meeting by a secret ballot. Secret ballot may be waived if position for election is uncontested.
3. The past Chair shall act as Nominating Chairperson.
4. The nominating chairperson shall submit a slate of candidates to the Secretary/Treasurer for the elective offices to be filled.
5. Nominations will also be accepted from the floor and may be added as a write-in on the ballot with candidate's acceptance.
6. The Nominating Chairperson shall organize and preside over elections and all election-related matters.
7. A simple majority of voting members attending is needed for election.
8. Elected officers and executive board members shall assume office on July 1 following election.
9. No member of the Executive Board may hold more than one position and may not leave a position for another during their term of office.
10. Any member resigning from a position on the Executive Board may not run for any office during the duration of their original term of office.
11. To be eligible to be nominated and or voted to an elected position, a member must carry a rating of Junior Varsity or Varsity and be a member in good standing within the specified division of NVO.

D. Vacancies:

1. Vacancies on the Executive Board occurring between elections shall be filled by appointment by the Executive Board.
2. Except for the office of Chair-Elect, the appointee shall serve the balance of the term remaining. An appointed Chair-Elect shall serve only the remainder of the term in question and will NOT have the right of automatic succession.
3. The purpose of this provision is deemed to maintain full membership on the Executive Board.
4. No member of the Executive Board may be appointed to another position.
5. Any member resigning from the Executive Board may not be appointed to any office during the duration of their original term of office.
6. As the office of Chair Elect, Chair, Past Chair is a SIX (6) year commitment. The holder of the same may not resign from their office and subsequently run for, or be appointed to, any other office during the duration of said SIX (6) year term.

ARTICLE V. Revised 5/25/21.

DUTIES OF EXECUTIVE BOARD MEMBERS:

A. Commissioner

1. Will be the liaison between the boys' and girls' volleyball divisions.
2. Will be part of the Ethics Committee.

B. Chairpersons:

1. Will preside over NVO Executive Board and General Membership meetings.
2. Will nominate candidates for appointed positions on the Executive Board, said nominees to be approved by the Executive Board.
3. Will administer the written exam.
4. Will be responsible for carrying out the purposes of the organization stated in Article II.
5. Will attend NYSCVOA state meetings and/or send a duly appointed representative.
6. Will appoint committees to help carry out NVO duties as necessary.
7. Will serve as liaison between assignors and other rule-specific groups.
8. Will keep an up-to-date file of pertinent activities, policies and other volleyball-related information to be passed on to new chairperson.
9. Has the authority to call special meetings of the membership and/or the executive board.
10. Will set pre-season meeting with assignors prior to schedules being sent to membership and will set post-season meeting with assignors to discuss problems that may have arisen.
11. Will attend pre-season coaches meeting to discuss pertinent issues between NVO and the coaches and/or schools.
12. Automatically succeeds to office of Past Chairperson at expiration of current Past Chairperson's term.

C. Chairpersons-Elect

1. Will assist Chairperson in duties related to NVO business.
2. Will be the Rating Committee Chairperson and will conduct, monitor and execute the rating, upgrade, recertification or returning from inactive status sessions for members and new candidates of NVO, Girls and Boys Divisions.
3. Will communicate in writing, letters with the results of the practical test to all candidates and officials tested, no later than three (3) weeks from completion of each rating session and forward all rating sheets and result letters to the Secretary/Treasurer.
4. Automatically succeeds to office of Chairperson at the expiration of current Chairperson's term of office.

D. Past Chairpersons

1. Will perform the duties of Chairperson in his or her absence.
2. Act in an advisory capacity to insure a smooth transfer of leadership.
3. Assist Chairperson in any aspect deemed necessary for the good and welfare of NVO.
4. Act as Chairperson of the Division Ethics Committee.
5. Act as Division Nominating Chairperson.

E. Secretary/Treasurer

1. Will keep accurate attendance records.
2. Will collect all dues and monies and disburse funds as directed by the executive board.
3. Will record all monetary transactions both in-coming and out-going.
4. Will submit an annual report as to the financial position of NVO, with a budget forecast to the membership at mandatory meeting.
5. Will maintain an up-to-date membership list.
6. Will attend spring NYSCVOA state meeting.
7. Shall make all records and books available for audit at the end of each fiscal year (July 1 to June 30).
8. Shall mail and or electronic mail pertinent information to membership and help executive board with correspondence.
9. Shall work in conjunction with Executive Board to notify any member in jeopardy of loss of membership because of violations of the operating code.

F. Recording Secretary

1. Shall keep accurate minutes of all general, executive board and ethics meetings. Copies of said meeting minutes will be electronically forwarded by the Secretary/Treasurer to the appropriate parties.

G. Rules Interpreter

1. Shall carry out Article II Section B of this operating code.
2. Shall pass any pertinent information concerning rules or techniques of officiating onto the membership and other rule-specific groups serviced by NVO.
3. Shall seek to clarify all rules, mechanics and/or related problems that may arise.
4. Shall be the Clinic Committee Chairperson and be responsible for coordinating and implementing new candidates' clinic and all related duties.
5. Shall attend the NYSCVOA state rules interpreter meeting.

H. Assistant Rules Interpreter if appointed:

1. Shall assist rules interpreter in fulfilling his/her responsibilities.

I. Members at Large:

1. Shall represent their membership division in decision-making policies of NVO.
2. Shall serve as members of the ethics committee.
3. Shall help NVO with any tasks deemed necessary by the Executive Board.

J. O.C.C. Representative:

1. Shall attend all O.C.C. meetings and report all findings to the members.
2. Shall represent the volleyball division appointed to concerning contractual issues and/or problems that arise with assignors, with approval of the Chairperson and/or Executive Board.

ARTICLE VI. Revised 5/25/25 and 10/26/21.

COMMITTEES

A. Rating Committee:

Objective: To conduct, monitor and execute the rating, upgrade, and recertification sessions for Members of the association, for both Girls and Boys Division.

1. The Rating Committee will consist of the following individuals:
 - a) Boys' and Girls' Rating Chairperson
 - b) Rules Interpreter, which will have the responsibility as the Rating Team Coordinator.
 - c) Assistant rules interpreter (note: if one is assigned)
 - d) Boys' and Girls' Chairperson(s) (non-voting position).
 - e) Rating Team
2. The Rating Chairpersons will conduct, monitor, and execute the rating, upgrade, and recertification sessions for members of the association, for both Girls' and Boys' Division, respectively.
3. The rating Chairpersons will submit a final report with recommendations to the Division Chairperson and respective board for final approval.
4. The Rating Chairpersons will handle all correspondence to the individual being rated and observed.
 - a) The rating Chairpersons will provide the Secretary/Treasurer copies of the final report, evaluations sheets and letters forwarded to each rated/evaluated individual(s) for record.
5. The selection of the rating team will be conducted by the rating committee: Boys' and Girls' Rating Chairpersons, Rules Interpreter and assisted by the Chairpersons (non-voting position).
 - a) Rating chairpersons can be on rating team with no compensation.
 - b) Rating chairperson may not serve as a rater and may only do so in case of an emergency with no compensation.
 - c) Rules Interpreter may not serve as a rater and may only do so in case of an emergency with no compensation.
 - d) Rating Team member are non-gender specific raters and may rate either boys' and/or girls' officials.
6. The following criteria will be used to select the individual(s) for the rating team:
 - a) Minimum of four (4) years as a varsity boys' and/or girls' official,
 - b) Member in good standing with the association,
 - c) Rating Team Member will accept to serve a minimum of a two (2) year term.
 - d) Rating team member will have a strong skill set and knowledge in the following subjects:
 - i. Communication
 - ii. Knowledge of rules
 - iii. Professionalism
 - iv. Proper Mechanics
 - v. Scoring / Libero Tracking
 - vi. Line Judging
 - vii. Spirit of the Rule
7. Individuals on the rating team would require additional instruction in the proper rating procedures.
8. Rating Team Training / Format: The rating team will have a mandatory minimum of 2-3 training sessions consisting of theoretical, practical and court drills.
 - a) The following documents will be used as guidance in the procedure to train rating team members:
 - i. NCAA Women's Volleyball Rules & Interpretations
 - ii. NCAA Women's Volleyball Officiating Manual & Casebook
 - iii. NYSCVOA Practical Rating Rater Instruction Sheet
 - iv. NYSCVOA Practical Exam Rater Instruction Sheet
 - v. NYSCVOA Annual Rules Interpretation
 - vi. NYS Modified School Rules

- vii. NYSCVOA Rules and Procedures Manual
 - viii. NYSPHSAA Handbook
 - ix. NYSCVOA By-Laws
 - x. NVO Operating Code
- b) Officiating techniques and mechanics will be the only format that may be used and disseminated to the candidates and associations' officials.
9. Rating team member is expected to:
- a) Participate in the team rating training sessions,
 - b) The length of service by a rating team member would be determined by:
 - i. Their performance as a rating team member,
 - ii. Dismissal due to lack of participation as a rating team member,
 - iii. A request by the team member that he/she no longer will like to be considered as a rating team member.
10. The rating team members will be compensated based on the number of hours and/or days in a rating session. The executive board will approve the rating team budget (presented by the Rating Chairpersons), compensation adjustments on a biannual basis for the rating services per rating session:
- a) Rating Chairpersons will present the Budget Report and updates to the general membership for the Rating Team.
 - b) Rating Chairpersons will manage the budget throughout the rating period and request additional funds if necessary, from the executive board.
11. Compensation will be made from the associations' funds and will be approved by the executive board and may be subject to change.
12. Rating Chairpersons would report and recommend ratings, upgrades, recertification, and evaluation results to the executive board as previously delegated according to the operating code.
13. The rating committee will convene in the fifth month of the year (May) to select replacement of any team member that is excused from the team due to not being able to meet the criteria of the rating team (as outlined in the section above, paragraph 6) or voluntary resignation from the team.

B. Clinic Committee:

- 1. Shall consist of the Rules Interpreter as Chairperson, and any number of members needed to carry out the work of the committee.
- 2. Shall assist the Rules Interpreter in the following:
 - a. Organize and preside over new candidates' clinics.
 - b. Organize a curriculum for new candidates.
 - c. Coordinate assignment of instructors for new candidates' clinics.

C. Ethics Committee of each Division

- 1. Shall consist of a Chairperson, who will be the Past Chairperson of the Division, Commissioner, Recording Secretary and the two members at large of the Division.
- 2. Shall report all activity to the Executive Board.
- 3. Shall comply with guidelines set forth in the Ethics Code and Procedures Article X.
- 4. Should any member of the Ethics Committee be the subject of an action referred to the Committee or makes the initial complaint, such member will recuse themselves. If that member is the Chairperson, the Commissioner will take over the duties of Chairperson

ARTICLE VII. Revised 5/25/21.

MEMBERSHIP PROCEDURES FOR VOLLEYBALL DIVISION:

A. Parliamentary Authority

1. Question will be decided according to Roberts Rules of Order [Newly Revised Edition].

B. Meetings:

1. Mandatory meeting dates will be set by the Chairpersons prior to the start of the season.
 - a. One of the first two mandatory meetings will consist of rule interpretations only. An official MUST attend a NYSCVOA High School rules interpretation meeting prior to working any NYSPHSAA contest.
 - b. If special arrangements are made to accommodate an official to have a rules interpretation, that official must pay a fee determined by the Executive Board.
 - c. The last mandatory meeting will be held to evaluate the past season and make recommendations for the coming season.
 - d. A member may be excused from attendance at a mandatory meeting if a valid reason is submitted in writing to the secretary prior to the meeting date. The Executive Board will review reasons and determine what is deemed "valid reason". Each case will be reviewed separately.
 - e. The Executive Board will make a periodic review of the attendance records.
 - f. Any binding decisions concerning NVO shall become effective if agreed upon by a simple majority of members at a meeting.

2. Special Meetings:

- a. May be called by the Chairpersons for the furtherance of NVO business, providing that prior written notice is sent to the membership.
- b. May be called by the Ethics Committee for the purpose of impeachment of an officer in the division.

C. Clinics to Be Made Available:

1. New candidate clinic.
2. Refresher clinics for general membership.

D. Written and Practical Examinations:

1. Opportunities to take practical examinations will be provided by the Division.
2. Written exams will be provided through NYSCVOA.
3. All officials must take a written examination each year and pass with a mark corresponding to their rating.
4. Officials who do not attain a passing grade on either the written or practical examinations in their renewal year, in keeping with their current rating, shall have their rating adjusted accordingly for the following July 1st through June 30th and be informed in writing of such change.
5. Officials who wish to upgrade their ratings shall pass the written and practical examinations with a grade in keeping with their desired, upgraded rating.
6. Practical examinations shall be taken as required by NVO.

E. Ratings:

1. A member eligible for upgrade must have fulfilled all NVO requirements as outlined in Article III A for a minimum of one year prior to the practical rating session.
2. All new NVO officials will start with a Modified rating. This rating is good for 3 years. Modified officials will attend a rating session each of the first two (2) years. Modified officials will be eligible to upgrade to Junior Varsity level at the end of their second active working year (minimum of eight (8) matches each working year at the Modified

or above level). An official MUST upgrade by the fourth active working year or go through the next new candidates' clinic.

A Modified official may be rated for an upgrade to Junior Varsity after only one (1) working year, if said official fulfills the following requirements:

- a. Is recommended to the Clinician/rules interpreter to be considered for an upgrade to Junior Varsity and rated by a minimum of 3 working varsity officials, in good standing, during the candidates first rating,
- b. Passes their first practical rating,
- c. Passes their first written exam with a minimum score of 85%.
- d. Officiate a minimum of twelve (12) matches, eight (8) modified plus a minimum of four (4) junior varsity matches,
- e. Observe a complete varsity match/tournament by each varsity official recommending the candidate, which includes participating in the pre-and post-match meetings,
- f. Attend two (2) rating sessions, participating, and volunteering as needed,
- g. After meeting all criteria mentioned in Article VII, Section E2 a-e, must make a written request with "cc" to Sec/Treasurer, to the Boys' and/or Girls' Chair Elect (Rating Chairperson)' by July 15th, asking to be selected and evaluated during the next scheduled rating session.

Chair Elects will be responsible to administer, coordinate and evaluate all candidates that are being considered for an upgrade to JV under Article VII, Section E.2.

3. Junior Varsity (JV) rating is good for three (3) years. JV official should attend a rating session for helpful suggestions the first two (2) years. All JV officials will be eligible to upgrade to Varsity level at the end of the second active working year (minimum of eight (8) matches at the JV or Varsity level per year). Official MUST upgrade by the fourth active working year or go through the next new candidates' clinic. A JV official may be rated for an upgrade to Varsity after only one (1) year, if said official fulfills the following requirements:

- a. Is ranked in the top three (3) first year officials at the end of their first season as a JV official,
- b. Passes their first practical/evaluation as a JV official,
- c. Passes their theoretical examination with a minimum score of 90%,
- d. Officiate a minimum of twelve (12) matches, eight (8) JV plus a minimum of four (4) varsity matches as a down official,

The JV official after meeting all criteria mentioned in Article VII, Section E 3 a – d, must make a written request with "cc" to Sec/Treasurer, to the Boys' and/or Girls' Chair Elect (Rating Chairperson), by July 15th, asking to be considered and selected for evaluation during the following rating session scheduled.

Chair Elects will be responsible to administer, coordinate and evaluate all candidates that are being considered for an upgrade to Varsity under Article VII, Section E.3.

4. Varsity Rating is good for 3 years. First time varsity official must attend a rating session in their third working year before the expiration of their current rating. Ratings may change depending on the results of the practical exam.
5. Upon ratification by the Executive Board, all upgraded and recertified ratings will take effect July 1st following the rating session.
6. All new candidates and officials that are scheduled to appear at a rating session and are absent without a legitimate reason approved by both the division rating Chairperson and Chairperson prior to 14 days from the rating session date, may be fined (see handbook) for their action.

F. Uniforms-- Per NYSCVOA BY-LAWS Article IV

ARTICLE VIII. Revised 5/25/21.

FINANCES

A. Annual Dues:

1. Will be assessed on a yearly basis for the upcoming year (in advance).
2. Dues to be received by the secretary treasurer with a postmark of no later than June 1 or a date specified by the secretary/treasurer. Dues received later than this date shall be subject to a late fee to be determined by the executive board.
3. Annual dues and fines not received by the secretary/treasurer postmarked by June 1st or a date specified by the secretary/treasurer may result in forfeiture of membership in the division. Extenuating circumstances must be documented in writing and submitted to the executive board for review prior to the due date.
4. The Executive Board will set annual dues for active members.
5. Dues for inactive members will be 1/2 the current Varsity fee to next highest dollar.
6. Transportation and meal allowance will be approved by the Executive Board prior to attendance at state meetings. Transportation allowance will concur with current NYS IRS automobile mileage allowance. Meal allowance will be reviewed yearly by Executive Board. Receipts for meals and tolls are required for reimbursement.
7. NVO will supply the membership with a rulebook.
8. The executive board may make assessments when necessary to maintain an acceptable balance in the treasury.

ARTICLE IX. Revised 5/25/21.

AMENDMENTS TO THE OPERATING CODE AND IMPEACHMENT

A. Amendments:

1. Any portion of the operating code may be amended by a 2/3 affirmative vote of the general membership in attendance at a mandatory meeting or a special meeting called for that purpose.
 - a. Proposed amendments to the operating code must be submitted to the Chairpersons in writing.
The Chairpersons will then advise the general membership.
 - b. The Chairpersons must advise the general membership of the proposed change in writing, at least two weeks prior to such a meeting.

B. Impeachment:

1. Any officer may be removed from office for incompetence, at any time during his/her term of office.
 - a. Proposal for impeachment shall be handled through the Ethics Committee.
 - b. Impeachment shall be accomplished by a 2/3 affirmative vote of the general membership present at a special meeting called for that purpose.

ARTICLE X. Revised 5/25/21.

ETHICS CODE AND PROCEDURES:

A. Purpose:

1. The purpose of the Ethics Code and Procedures is to state the philosophy of NVO regarding the desired and acceptable behavior of its members and to establish procedures to evaluate and resolve alleged improper, incompetent or unethical violations as per NVO Handbook.

B. Conduct. Moved to NVO Handbook.

C. Ethics Committee:

1. The Ethics Committee shall be empowered to act in accordance with the procedures set forth herein whenever a matter of alleged improper, incompetent or unethical conduct is presented to the Executive Board. (Article VI – C).

D. Official Notice

1. An allegation of any improper, incompetent or unethical conduct may be lodged against any member for engaging in conduct, which is in violation of the prohibitions or mandates of this operating code.
2. An allegation of unethical conduct shall be made in writing to the Ethics Committee Chairperson and shall be postmarked within ten (10) school calendar business days (SCBD) of the Occurrence of alleged improper, incompetent or unethical conduct. The allegation shall be specific and shall include the respondents name, nature of the conduct, the date of the occurrence, the location, the names of any other person(s) involved, and any witnesses or any other pertinent information that would be useful.
3. The Chairperson of the Ethics Committee will then convene a meeting of the Ethics Committee.
4. The Ethics Committee shall evaluate the allegation and determine whether the conduct or actions in the complaint is in violation of this code or in any way prejudicial to the interests of NVO, a member or the membership in general.
5. The Ethics Committee shall decide as to whether the evidence provided is of such weight as to permit a preliminary finding or to compel a hearing to investigate further. Notice of allegation, preliminary finding or compelled hearing shall be sent to member via a vehicle that provides a return receipt within ten (10) (SCBD) of such determination. The hearing, if compelled, shall be set no less than ten (10) nor more than thirty (30) (SCBD) from receipt of notification by member.
6. The member, after being notified of allegation or preliminary finding may either plead guilty to such allegation or preliminary finding or request a hearing. Such plea/request to be in writing, returned to the Ethics Chairperson via a vehicle that provides for a return receipt within ten (10) (SCBD) of receipt of original notification.
7. The Ethics Committee shall notify the member of the hearing date set via a vehicle that provides a return receipt.

E. Hearing:

1. The Chairperson of the Ethics committee shall preside at the hearing and shall make all determinations as to the proper conduct of the hearing.
2. All parties may present evidence and/or witnesses in support of their position and the Ethics Committee may on its own motion, seek the attendance of witnesses or the presentation of evidence which the committee, in its discretion, deems material to the proper determination of any issue.
3. Questions of fact at the hearing shall be determined by preponderance of evidence.
4. The decision of the Ethics Committee shall be based on a majority of the members present at the hearing.
5. Upon a finding that a member is guilty, the Ethics Committee may assess a reprimand, a fine, probation, suspension, and/or dismissal or any combination thereof, depending upon the nature of the conduct.
6. The Ethics Committee shall record its decision and shall notify the member concerned by registered mail within fifteen (15) (SCBD) of the hearing Date.

F. Appeal:

1. A member found to have violated this code shall have the right to appeal such decision in writing to the Chairperson of the Ethics Committee within fifteen (15) (SCBD) days of the post date of the notification provided in Article X, Section E.6. Such appeal shall fully describe in writing, members' grounds for appeal to include any newly acquired evidence. The Chairperson of the respective division shall determine whether a meeting of the Appeals Committee shall convene to hear such appeal. Any such appeal has the right to be made in front of the Appeals Committee, which is a different pool of members. The Appeals Committee is chaired by the division Chairperson-Elect and a pool of four (4) additional members different from the original committee. (All members of the division who have been members of the association for a minimum of five (5) years are ELIGIBLE TO SERVE ON THIS COMMITTEE. The selection of this committee shall be made at random at an Executive Board meeting of NVO.

2. The Appeals Committee shall, upon being convened, consider the new evidence and may either affirm or overrule the prior decision and/or penalty previously assessed by the majority vote of the Ethics Committee. The Appeals Committee shall notify the member concerned, in writing, of its decision within fifteen (15) (SCBD) of receipt of the request for review of the new evidence. As provided in section 1, the decision of the Appeals Committee shall be final and shall be the decision of NVO.

G. Records and Fines:

1. Complete records shall be maintained, and all actions taken under the Ethics Code and Procedure and upon disposition of a matter shall be filed with the Secretary/Treasurer.
2. All fines shall be payable to the Secretary/Treasurer and shall be placed in the operating treasury of NVO within twenty (20) (SCBD) after the final decision is rendered.
3. A failure to pay a fine assessed, as provided herein, shall result in the member's name being deleted from the listing of members in good standing in NVO.

THE EXECUTIVE BOARD SHALL HAVE THE POWER TO RULE ON ALL ISSUES NOT SPECIFICALLY COVERED WITHIN THIS OPERATING CODE.