

Motion One

To: The Secretary, Ontario Association of Basketball Officials (OABO)

From: Charles Freeman

Presented by : Charles Freeman

I / we wish to present the following resolution for consideration and presentation to the OABO 2024 Annual General Meeting

Be it resolved that:

Procedure 4, 4.10.2 be amended as follows

Current wording:

This body must have 7 members appointed by the OABO Board of Directors to create a pool of available people to conduct a timely investigation, should a breach of the OABO Code of Conduct be filed.

Proposed amendment:

This **committee** must have **9** members appointed annually by the OABO Board of Directors to create a pool of available people to conduct a timely investigation, should a breach of the OABO Code of Conduct be filed

Rationale:

1. The current number of 7 members has proven to be problematic due to availability of the members or the members having actual or perceived conflicts of interest in dealing with a matter.
2. The current number of 7 members has proven to be problematic due to the workload that may occur at any given time. It must be remembered that there is no ability to plan for committee workload.
3. The proper term should reflect the term used in the preamble for Procedure 4, 4.10

Dated at: Hawkesbury, Ontario

This: 6th day of January 2024

Moved By: Charles Freeman – Seaway Board

Seconded By: Jim Chmiel –

Motion Two

To: The Secretary, Ontario Association of Basketball Officials (OABO)

From: Charles Freeman

Presented by : Charles Freeman

I / we wish to present the following resolution for consideration and presentation to the OABO 2024 Annual General Meeting

Be it resolved that:

Procedure 4, 4.10.3 be amended as follows:

Current wording:

A Chair of the Committee must be selected by members of the appointed body.

Proposed amendment:

A Chair of the Committee **and a Vice Chair of the Committee** must be selected annually by members of the appointed body.

Rationale:

1. Currently there is no process should the Chair be unable to perform any of the required tasks due to absence or illness or for any other reason(s).
2. Having a Vice Chair allows for proper processing of any matters in a timely manner should the Chair be unable to do so.
3. There is currently no process in place should the Chair be the subject of a PSC Complaint

Dated at: Hawkesbury, Ontario

This: 6th day of January 2024

Moved By: Charles Freeman – Seaway Board

Seconded By: Jim Chmiel -

Motion Three

To: The Secretary, Ontario Association of Basketball Officials (OABO)

From: Charles Freeman

Presented by : Charles Freeman

I / we wish to present the following Motion for consideration and presentation to the OABO 2024 Annual General Meeting

Be it resolved that:

Procedure 4, 4.9, 4.9.5, 4.9.5 iv be amended as follows,

Current wording:

Notification of the complaint must be provided to the member identified in the complaint by the Chair of the OABO Professional Standards Committee within 96 hours of the Chair receiving the complaint.

Proposed amendment:

Notification of the complaint must be provided to the member identified in the complaint by the Chair of the OABO Professional Standards Committee **or in the absence of the Chair, by the Vice Chair of the OABO Professional Standards Committee** within 96 hours of the Chair **or Vice Chair** receiving the complaint **An email sent to the last known address on file with the OABO Secretary shall constitute notification. In the case where there is no email address information on file, contact by telephone using the last known telephone number on file with the OABO Secretary shall constitute notification.**

Rationale:

1. When the Chair is not available or unable to perform the duty as prescribed, the Vice Chair can complete the task and thus reduce delay(s) in properly dealing with any matters
2. Currently there is no direction regarding completion of this task

***NOTE: Last sentence may be removed provided there are ABSOLUTELY no members who do not have an associated email address. This can be done either BEFORE the AGM provided the information is confirmed by the OABO Secretary or during the meeting by means of a Subsidiary Motion to amend. As the mover of the Motion I can amend it BEFORE it comes to the floor so will await confirmation as to members ALL having an email address associate to them.

Dated at: Hawkesbury, Ontario

This: 6th day of January 2024

Moved By: Charles Freeman – Seaway Board

Seconded By: Jim Chmiel –

Motion 4

To: The Constitution Committee of the Ontario Association of Basketball Officials

From: Charles Freeman

Presented by : Charles Freeman

I / we wish to present the following Motion for consideration and presentation to the Ontario Association of Basketball Officials Annual General meeting.

Be it resolved that: Procedure 5, 5.5, 5.5.1 , 5.5.1 a. be amended as follows

Current wording

is responsible for ensuring the operation of the association; upholding the Constitution; act as Chairman at all Board of Directors Meetings, and all General Meetings, except as noted in 5.5.1.b.

Proposed amendment

is responsible for ensuring the operation of the association; upholding the Constitution **and the Procedures**; act as Chairman at all Board of Directors Meetings, and all General Meetings, except as noted in 5.5.1.b.

And

Be it resolved that: Procedure 5, 5.5, 5.5.2 d be created as follows

Uphold the Constitution and Procedures

And

Be it resolved that: Procedure 5, 5.5, 5.5.3 f be created as follows

Uphold the Constitution and Procedures

And

Be it resolved that: Procedure 5, 5.5, 5.5.4 g be created as follows

Uphold the Constitution and Procedures

And

Be it resolved that: Procedure 5, 5.5, 5.5.5 e be created as follows

Uphold the Constitution and procedures

And

Be it resolved that: Procedure 5, 5.5, 5.5.6 d be created as follows

Uphold the Constitution and Procedures

And

Be it resolved that: Procedure 5, 5.5, 5.5.7 c be created as follows

Uphold the Constitution and Procedures

Rationale:

- 1) It does not follow that the person in holding any of the noted positions uphold, in one case the Constitution, which is one of the two major governing documents of OABO and not uphold the other major governing document or that they are not specifically required to uphold the two documents.
- 2) In reading procedure 4, 4.1, the membership may believe that this wording is sufficient in conveying the duty to “uphold the Constitution and Procedures “in which case, this motion would be in the position of potentially falling. In such a case, a Subsidiary Motion to amend this Main Motion would be in order and that Subsidiary Motion would be to “remove the words “Upholding the Constitution”” from Procedure 5, 5.5, 5.5.1
- 3) The aim of this Motion is to bring consistency to the identified duties worded in all of the identified sections.

Dated at: Hawkesbury, Ontario

This 7th day of February 2024

Moved By: Charles Freeman – Seaway Board

Seconded By: Tino De Castro – OABO VP

Motion 5

To: The Constitution Committee of the Ontario Association of Basketball Officials

From: Charles Freeman

Presented by : Charles Freeman

I / we wish to present the following Motion for consideration and presentation to the Ontario Association of Basketball Officials Annual General meeting.

Be it resolved that: procedure 6, 6.2, 6.2.7 be amended as follows

Current wording

The Board of Directors may hold a change vote other than a vote for proposed Constitutional Amendment, by mail or by electronic means with the requirement of a simple majority of all eligible voters. A vote to which a reply is not received by the date indicated must be considered to be a vote not cast.

Proposed amendment

The Board of Directors may hold a change vote other than a vote for proposed Constitutional Amendment, by mail or by electronic means with the requirement of a simple majority of all eligible **votes cast**. A vote to which a reply is not received by the date indicated must be considered to be a vote not cast.

Rationale:

- 1) This brings the wording in the Constitution related to voting in line and uses same terminology – see Article 9, 9.2, line 2 as an example
- 2) Clarifies that when any vote is taken that all votes whether they be “in favour”, “opposed” or “abstaining” will have the right to have their vote put to the floor.
- 3) Always asking for votes “in favour” or “fore” and “against” is contained in Robert’s Rules of Order
- 4) Ensures that the voting references follow the wording from Ontario Not-for-Profit Corporations Act.

Dated at: HAWKESBURY, Ontario

This 7th day of February 2024

Moved By: Charles Freeman - seaway

Seconded By: Tino De Castro OABO VP

Motion Six

To: The Constitution Committee of the Ontario Association of Basketball Officials
From: Charles Freeman
Presented by : Charles Freeman

I / we wish to present the following Motion for consideration and presentation to the Ontario Association of Basketball Officials Annual General Meeting .

Be it resolved that:

Article 12, 12.1 be amended as follows:

Current wording

Interpretation of the OABO Constitution and Procedures when required must be by majority vote of the OABO Board of Directors.

Proposed amendment

Interpretation of the OABO Constitution and Procedures when required must be by majority **of the votes cast by** the OABO Board of Directors.

And

Article 12, 12.2 be amended as follows

Current wording

Any Item not specifically covered by the OABO Constitution and Procedures must be decided by a majority vote of the OABO Board of Directors.

Proposed amendment

Any Item not specifically covered by the OABO Constitution and Procedures must be decided by a majority **of the votes cast by** the OABO Board of Directors

Rationale:

- 5) This brings the wording in the Constitution related to voting in line and uses same terminology – see Article 9, 9.2, line 2 as an example
- 6) Clarifies that when any vote is taken that all votes whether they be “in favour”, “opposed” or “abstaining” will have the right to have their vote put to the floor.
- 7) Always asking for votes “in favour” or “fore” and “against” is contained in Robert’s Rules of Order
- 8) Ensures that the voting references follow the wording from Ontario Not-for-Profit Corporations Act.

Dated at: Hawkesbury, Ontario

This 2nd day of February, 2024

Moved By: Charles Freeman – seaway Board

Seconded By: Tino De Castro – OABO VP

Motion Seven

To: The Constitution Committee of the Ontario Association of Basketball Officials

From: Charles Freeman

Presented by : Charles Freeman

I / we wish to present the following Motion for consideration and presentation to the Ontario Association of Basketball Officials Annual Convention.

Be it resolved that:

Procedure 6, Section 6, 6.2, 6.2.5 be amended as follows

Current wording

The Secretary must announce the total number of OABO members eligible to cast votes. To approve and accept an amendment to the Articles of the OABO Constitution 2/3 majority of all eligible votes must be in favour

Proposed amendment

The Secretary must announce the total number of OABO members eligible to cast votes. To approve and accept an amendment to the Articles of the OABO Constitution 2/3 majority of all eligible votes **cast including proxy votes** must be in favour

Rationale:

- 1) Keeps the same terminology for voting as is seen in Ontario Not-for-Profit Corporations Act
- 2) Keeps the same terminology as seen throughout the Procedures – see procedure 6, Section 6, 6.2.6 as an example.
- 3) As per Procedure 6, 6.2, 6.2.4, proxy votes are an available option
- 4) The current wording is unclear as to what “all eligible votes” means...is eligible votes by those present?
Votes by those present plus all proxy votes held? Is it the entire membership? In reading Procedure 6, 6.1, 6.1.1 it could well mean all of the membership votes in which case confusion as to the required number of votes needed for a Motion or any item being voted on needs to pass.

Dated at: Hawkesbury, Ontario

This 2nd day of February, 2024

Moved By: Charles Freeman – Seaway Board

Seconded By: Tino De Castro OABO VP

Motion Eight

To: The Constitution Committee of the Ontario Association of Basketball Officials

From: Charles Freeman

Presented by : Charles Freeman

I / we wish to present the following Motion for consideration and presentation to the Ontario Association of Basketball Officials Annual General meeting.

Be it resolved that: Article 8, 8 .10 be amended as follows

Current wording

A minimum of forty-five days notice must be given to the membership, for the holding of the AGM. The notice must contain all motions, and nominations for Board of Director positions open for election. Such notice must be published in The Whistle and emailed to the last know addresses of all members.

Proposed amendment

A minimum of seventy (70) days notice must be given to the membership, for the holding of the AGM. The notice must include the date the Annual General Meeting is to be held. The notice must include, in the case of an In-Person meeting, the location of the Annual General Meeting.

And

Article 8, 8.10 be renumbered to read 8.10.1

And

Article 8, 8.10.2 be created as follows

A minimum of forty-five (45) days prior to the designated date of the AGM, the membership must be advised of all motions, and nominations for Board of Director positions open for election. Such notice must be published in The Whistle and emailed to the last know addresses of all members.

Rationale:

1. The current wording gives specific time line information however it is lacking in specific information directly related to attendance planning and meeting required time lines contained in the Constitution and Procedures.
Eg: i) An announcement at the end of the 2023 AGM "There will be an AGM in 2024" fulfills the Requirement as currently written. Difficult to meet any attendance requirements as noted in Article 8, 8.8 and exercise their right to have voice and vote.
ii) Likewise, as occurred in 2023, (AND WHY IT OCCURRED IS NOT A MATTER FOR DISCUSSION REGARDING THIS PROPOSED AMENDMENT) a date can be announced and then changed and as

long as the original date was forty five (45) days or more away, any amended date under the current wording has NO requirements.

2. ALL AGM notices would require the date of the AGM to be held as a part of the content.
3. A properly researched date for the Annual General Meeting and following Article 8, 8.3, would have all of the information as noted in the proposed amendment.
4. The use of the current forty-five day window can lead to an inability to amend Articles and to nominate candidates. Procedure 5, 5.1, 5.1.1 requires a sixty (60) day notice to file nominations. Procedure 6, 6.2, 6.2.1 requires sixty (60) day notice to file proposed amendments to the Constitution.
Eg: i) Nomination filed February 6th. Sixty day clock starts – AGM must be after April 7th to meet criteria.
ii) Proposed amendment filed February 8th . Sixty day clock starts – AGM must be after April 9th to meet criteria
iii) AGM is called on February 11th. Forty five (45) day clock starts – AGM must be after March 28th to meet criteria.
iv) IF AGM occurs any time between March 28th and April 7th – all nominations are invalid by rule
v) IF AGM occurs any time between March 28th and April 9th - all proposed amendments are invalid by rule.
v) By moving to seventy days, all members have a ten (10) day window that allows them to comply with the stated timelines and not have a situation where nomination(s) or proposed amendment(s) could be lost.
5. By adding in Article 8 10.2. information would still be disseminated to the membership as previously required

Dated at: Hawkesbury, Ontario

This 9th day of February 2024

Moved By: Charles Freeman

Seconded By: Tino De Castro OABO VP

Motion Nine

To: The Constitution Committee of the Ontario Association of Basketball Officials

From: Charles Freeman

Presented by : Charles Freeman

I / we wish to present the following Motion for consideration and presentation to the Ontario Association of Basketball Officials Annual General meeting.

Be it resolved that: Article 8, 8.3 be renumbered to read 8.3.1

And

Be it resolved that: Article 8, 8.3, 8.3 2. be created as follows

Notwithstanding Article 8, 8.3.1, the AGM may be moved to a date other than in the identified time period in the case of unforeseen circumstances. Approval for such a move may only be upon receiving a 2/3 majority of the votes cast of the Board Presidents in a recorded vote. The provisions contained in Article 8, 8.10. 1 and Article 8, 8 10. 2 would apply to any new date identified.

Rationale:

1. Allows for the AGM to be moved for reasons that are not known or should have already been known during the planning and selection of a date for the AGM.
2. By having the Board Presidents consent, this should be representative of a large percentage of the general membership.
3. Still keeps the notice requirement to allow membership to plan to exercise their right to have voice and vote.

Dated at: Hawkesbury, Ontario

This 9th day of February 2024

Moved By: Charles Freeman – Seaway Board

Seconded By: Tino De Castro – OABO VP

Motion 10

To: The Constitution Committee of the Ontario Association of Basketball Officials

From: Charles freeman

Presented by : Charles Freeman

I / we wish to present the following Motion for consideration and presentation to the Ontario Association of Basketball Officials Annual General meeting.

Be it resolved that: By-Law 6, 6.1, 6.1.1 be amended as follows

Current wording

Each OABO Member in good standing is entitled to one vote

Proposed amendment

Each OABO Member in good standing is entitled to one vote. Such vote may be by voice, show of hands, rising, ballot , electronic or telephonic means, mail ballot or by proxy.

Rationale:

1. Allows all members an ability to be able to exercise their right.

Dated at: Hawkesbury, Ontario

This 16th day of February, 2024

Moved By: Charles freeman – Seaway Board

Seconded By: Tino De Castro OABO VP

Motion Eleven

To: The Secretary, Ontario Association of Basketball Officials (OABO)

From: Charles Freeman

Presented by : Charles Freeman

I / we wish to present the following resolution for consideration and presentation to the OABO 2024 Annual General Meeting

Be it resolved that:

Article 8, 8.6, 8.6.1 be amended as follows

Current wording:

The rules contained in the Modern Edition of Robert's Rules of Order, most recent edition, will govern the OABO and in all cases where they are not consistent with the Constitution, Procedures, and any special rules of order the OABO may adopt.

Proposed amendment:

Reword to read:

The latest Edition of Robert's Rules of Order Newly Revised shall govern proceedings at all meetings of the Association. If the rules of order are in conflict with the Constitution or Procedures, the latter two documents shall prevail.

Rationale:

1. Reword clarifies what the current wording meant to say and dictates process

Dated at: Hawkesbury, Ontario

This: 5th day of April 2024

Moved By: Charles Freeman – Seaway Board

Seconded By: Don Thorne - KW

Motion 12

To: The Constitution Committee of the Ontario Association of Basketball Officials

From: Steve Wilkie

Presented by : Steve Wilkie

I / we wish to present the following Motion for consideration and presentation to the Ontario Association of Basketball Officials Annual General meeting.

Be it resolved that: By-Law 5, 5.5, 5.5.4 and 5.5.5 be amended as follows

Current wording

5.5.4 The INTERPRETER must:

- a. attend the CB Trainer meetings.
- b. provide rules, mechanics and educational clinics as requested, with the support of the Provincial Supervisor.
- c. provide regular interpretation bulletins for each publication of “The Whistle”.
- d. provide rule interpretations to Local Boards, groups as indicated in Article 3, or to individual members.
- e. provide the results of the CB FIBA on-line exam to the appropriate Local Board Secretaries
- f. Create a FIBA rules exam that, upon the approval of the OABO BOD, will be made available to OABO members after the closing date of the CB-FIBA on-line exam so that OABO members may comply with Member Classifications outlined in Procedure 2.1.

5.5.5 The PROVINCIAL SUPERVISOR must:

- a. attend the CB Trainer meetings
- b. represent Ontario at any General Meeting that the CB may hold; directing communications between the OABO Board of Directors and the CB Executive, and with the general membership through the Local Boards to explain the benefits of CB and its method of operation.
- c. co-ordinate the selection and appointment of a Referee-in-Chief and Assistants and arrange pertinent details for those tournaments handled provincially as described in Procedure 3.1 or to Local Boards who have requested the use of a Provincial Evaluator to evaluate local members. The Provincial Supervisor must provide a quote to clients prior to proceeding and must copy the Treasurer.
- d. keep a record of those individuals who are recognized and qualified to serve as a Referee-in-Chief.

Proposed amendment

5.5.4 The INTERPRETER must:

- a. attend the CB Trainer meetings.
- b. provide rules, mechanics and educational clinics as requested, with the support of the Provincial Supervisor.
- c. provide regular interpretation bulletins for each publication of “The Whistle”.
- d. provide rule interpretations to Local Boards, groups as indicated in Article 3, or to individual members.
- e. provide the results of the CB FIBA on-line exam to the appropriate Local Board Secretaries
- f. Create a FIBA rules exam that, upon the approval of the OABO BOD, will be made available to OABO members after the closing date of the CB-FIBA on-line exam so that OABO members may comply with Member Classifications outlined in Procedure 2.1.

g. coordinate and track all NOCP online, in-person and on court instruction with respect to NOCP 1, 2, & 3

5.5.5 The PROVINCIAL SUPERVISOR must:

- a. attend the CB Trainer meetings
- b. represent Ontario at any General Meeting that the CB may hold; directing communications between the OABO Board of Directors and the CB Executive, and with the general membership through the Local Boards to explain the benefits of CB and its method of operation.
- c. co-ordinate the selection and appointment of a Referee-in-Chief and Assistants and arrange pertinent details for those tournaments handled provincially as described in Procedure 3.1 or to Local Boards who have requested the use of a Provincial Evaluator to evaluate local members. The Provincial Supervisor must provide a quote to clients prior to proceeding and must copy the Treasurer.
- d. keep a record of those individuals who are recognized and qualified to serve as a Referee-in-Chief.
- e. coordinate and track all NOCP portfolio reviews and on court evaluations with respect to NOCP 1, 2, & 3

Rationale:

With the current responsibilities of both the Interpreter and the Supervisor vaguely touching on the specific roles of each position:

Interpreter – mechanics and education

Supervisor – evaluation

This clearly defines the roles for NOCP as there is currently only one person handling the entire NOCP portfolio and this splits the work up based on the already pre-defined roles. Now members will know exactly who they need to go to at what step of the NOCP process.

Dated at: Hamilton, Ontario

This 27th day of March, 2024

Moved By: Steve Wilkie – Hamilton Board

Seconded By: Peter Malcolmson, London Board

Motion 13

AMENDMENT OABO PROCEDURES 2.2.3 Transfer of Membership

Moved by: Eric Kane

Seconded by: Justin Walsh

Motion is to amend Procedures 2.2.3

Current Article

2.2.3 A Local Board must accept a member who, because of a change in his legal residence, comes within the jurisdiction of such Local Board.

Proposed Article

2.2.3 A local Board shall accept a member who, because of a change in his legal residence, comes within the jurisdiction of such Local Board. The transferring member shall provide proof they are moving from another area and into the new local Board's area. Where the local Board has a history with the transferring official, that Board shall have the right to approve or deny the application. Reasons for the denial of an application shall be provided in writing to the applicant within seven (7) days of the local Board decision.

Rationale: The Bay of Quinte Board was very surprised to find 2.2.3 had been added to the Procedures last year. The way it was written, it took away any autonomy for the local Board to make any decisions on transferring officials. Where a local Board has a history with an official it is imperative that the local Board have the right to make the best decisions for the local Board as a whole.

Just as a local Board may deny an application to join, it also needs to have the right to deny an application to transfer into the local Board if it provides a written explanation within seven days. This way transferring officials will still have rights to transfer into a Board, but the local Board will also have the right to use local information and history to do the right thing for the local Board.

Motion 14

To: The Secretary, Ontario Association of Basketball Officials (OABO)

From: Charles Freeman

Presented by : Charles Freeman

I / we wish to present the following resolution for consideration and presentation to the OABO 2024 Annual General Meeting

Be it resolved that:

Procedure 4, 4.9, 4.9.2 be amended as follows

Current wording:

Any official, Local Board, Panel/League Supervisor or the OABO itself gaining knowledge about actions which contravene the OABO Code of Conduct, must initiate a Complaint Report using the OABO Code of Conduct Form found on the OABO website.

Proposed amendment

That procedure 4, 4.9, 4.9.2 be renumbered to read 4.9.2 a)

and

Procedure 4, 4.9, 4.9.2 b) be created as follows:

Any Complaint Report(s) about action(s) which contravene the OABO Code of Conduct must be initiated within seven (7) days of the action(s) becoming known to the official, Local Board, Panel/League Supervisor or the OABO itself.

Rationale:

1. This addresses the situation where “dated” complaints are reported even though the actions are known for some time.
2. A timely report to the PSC allows for a timely investigation and timely response to the matter.
3. The optics of an “action” occurring and then not being address in a timely manner are detrimental to the Professional Conduct expected of any official, Local Board, Panel/League Supervisor or of the OABO itself

Dated at: Hawkesbury, Ontario

This: 5th day of April 2024

Moved By: Charles Freeman – Seaway Board

Seconded By: Jim Chimel - Brant/Norfolk Board