



OFFICIALS' DUE PROCESS

- I. **DUE PROCESS PROCEDURES** - The following sections are the procedures for a registered official to appeal a suspension, expulsion, or disciplinary action to officiate a sports activity.
- II. **PURPOSE** - The purpose of these provisions is to prescribe in detail the procedure whereby an official who wishes to contest the reason(s) for his/her suspension, expulsion, or disciplinary action to officiate a sports activity under standards established by the Washington Officials Association. The official shall be afforded a fair opportunity to petition the appropriate governing board(s) of the local Association/Board and/or request the WOA to obtain a full and open review.
- III. **PROCEDURE FOR THE SUSPENSION OR EXPULSION OF AN OFFICIAL - WAIVER** - Each Officials' Association/Board President or his/her designee(s) having reasonable cause to believe that an official is ineligible to officiate in or continue as an official under the Rules and Regulations of the WOA shall provide the official with notice of his/her ineligibility either by certified mail or by delivering said notice in person. The notice shall:
 - A. Specify the reason(s) for the suspension, expulsion and the rule being violated;
 - B. Advise the official of his/her opportunity to request a hearing in order to contest the reason(s) for or the allegations of such suspension or expulsion;
 - C. State that a written petition for a hearing must be postmarked or received by the local association/board president or designee, on or before the expiration of the third business day after receipt of the expiration of the third business day after receipt of the Notice or Opportunity for a Hearing;
 - D. Specify how the petition for hearing can be served upon the local association/board president or designee by providing an address;
 - E. Provide the official with the form(s) necessary to petition for a hearing pursuant to the procedure provided herein.

Failure to request a hearing in the manner hereinafter described within three (3) business days following the date of receipt of the written notice of suspension, expulsion shall be deemed a waiver of the right to a hearing and the appeal procedures which govern determinations of suspension, expulsion under the standards established by the WOA.

- IV. **NOTICE AND DECISION PROVISIONS - CONSTRUCTION OF DATES** - The notice and decision provision contained in the hearing and appeals procedures as herein set forth shall correspond with calendar days. In computing any period of time prescribed or allowed by these rules the day of the act or event from which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included, unless it is a Saturday, Sunday or legal holiday, in which event, the period runs until the next day which is neither a Saturday, Sunday nor a legal holiday.
- V. **OFFICIALS DISCIPLINARY COMMITTEE** - The governing board in each Association/Board shall appoint a committee composed of (assoc/bd board members) _____ which shall be known as the (name) _____.

The Ethics and Grievance Committee shall be authorized to hear and decide cases involving the suspension or expulsion of officials to officiate in sports activities pursuant to the standards established by the WOA.

VI. (name) _____ **COMMITTEE - THE PETITION** - Any official may request a hearing before the (name) _____ Committee in order to contest the reason(s) for any alleged violation under the standards established by the WOA. The person(s) requesting such a hearing shall be known as the petitioner. A request for a hearing in the form and manner described herein shall be known as a petition. A petition shall: (a) be written; (b) set forth the specific reason(s) supporting the officials eligibility in response to the allegation of violations; (c) be signed by the petitioner(s), and (d) be submitted to the (name) _____ Committee with such completed forms prescribed herein.

VII. (name) _____ **COMMITTEE - THE HEARING** - Upon receipt of a petition properly submitted in the manner described above, the (name) _____ Committee shall schedule a hearing as expeditiously as possible. Written notice of the time and place of the hearing shall be delivered to the petitioner in person or by certified mail, with return receipt requested, no later than three (3) calendar days prior to the date of the hearing. The hearing may be open or closed upon request of the petitioner.

The petitioner may represent himself/herself or be represented by such other person as he/she may desire. The Petitioner shall have the opportunity to testify, present and cross examine witnesses, as well as to introduce affidavits, exhibits and such other evidence as may be deemed relevant and material by the Committee.

The (name) _____ Committee may continue the hearing once for a reasonable period of time when in the judgment of the Committee such a continuance is determined to be necessary to a fair and proper disposition of the petition.

A tape recording or verbatim record of the hearing shall be made in connection with each petition considered by the (name) _____ Committee.

VIII. (name) _____ **COMMITTEE - THE DECISION** - At the conclusion of the hearing and after a full and complete consideration of the evidence presented in support of the petition, the (name) _____ Committee shall either (a) grant the petition, (b) deny the petition, or (c) take the petition under advisement for a period not to exceed two (2) calendar days. The decision of the (name) _____ Committee shall be written and shall include specific findings and conclusions which support the particular determination. A copy of the decision of the (name) _____ Committee shall be delivered to the petitioner in person or sent by certified mail, with return receipt requested, within two (2) calendar days following the date of the hearing.

The decision of the (name) _____ Committee shall be based solely upon the facts and arguments presented during the hearing.

In the case of a decision of the (name) _____ Committee to deny the petition for eligibility, the Petitioner shall be provided, in addition to a copy of the written decision, copy of the procedure and forms required in order to appeal to the Regional Committee.

When the (name) _____ Committee denies the petition, the official is ineligible for (sport) _____.

IX. **APPEAL TO THE WOA REGIONAL COMMITTEE** - Any official aggrieved by a decision from the (name) _____ Committee may appeal to a Regional Committee using the same procedure as previously stated beginning **6.16** - _____ **Committee - The Petition.**

- X. APPEAL TO THE WOA EXECUTIVE BOARD** - Any official aggrieved by a decision of the (name) _____ Regional Committee may appeal to a panel of the Executive Board of the WOA. The Executive Board shall be divided into two panels for the purpose of hearing and deciding appeals. Panel 1 shall consist of those members elected from Region 1, 2, 3, and 4. Panel 2 shall consist of those members elected from Regions 5 and 6. A majority of at least three (3) members is necessary to hear and decide an appeal. Any member of the panel who has previously been involved either as a witness, advisor or decision-maker in an appeal prior to its reaching the Executive Board shall disqualify himself/herself and the remaining members of the panel or 50 percent of them may appoint either the (name) _____ or an (name) _____ to hear and decide the appeal as a panel member.

Upon receipt of a notice of appeal in the form and matter provided herein, the Executive Board may, upon the written request of the petitioner-appellant, stay the decision of the (name) _____ Regional Committee. A decision to stay the decision of the (name) _____ Regional Committee shall be written and delivered to the petitioner-appellant in person or by certified mail, with return receipt requested, no later than five (5) calendar days following the date of receipt of the notice of appeal.

- XI. APPEAL TO THE WOA EXECUTIVE BOARD - THE NOTICE OF APPEAL** - An aggrieved official wishing to appeal the decision of the (name) _____ Regional Committee shall file a notice of appeal with the Chairman of the Executive Board on or before the tenth (10th) calendar day following the date of receipt of the written decision of the (name) _____ Regional Committee denying the petition. Failure to file a notice of appeal in the form and manner described herein shall be deemed a waiver of the right to appeal, and the decision rendered by the (name) _____ Regional Committee shall constitute the final determination in the case. The notice of appeal shall (a) be written, (b) be signed by the petitioner-appellant, (c) set forth the specific error(s) complained of which form the basis of appeal, and (d) be accompanied by such completed forms as the Executive Board of the WOA may prescribe as now or hereafter amended.

An appeal to the Executive Board shall require the Board to schedule a hearing to commence on or before the tenth (10th) calendar day following the date of receipt of the written notice of appeal. Written notice of the time and place of the hearing shall be delivered to the petitioner-appellant in person or by certified mail, with return receipt requested, no later than five (5) calendar days prior to the date of the hearing.

- XII. EXECUTIVE BOARD - THE HEARING** - The hearing before the Executive Board shall be limited to a review of the record of the hearing conducted before the Committee.

In the review of the record the decision of the Executive Board shall be based solely upon the record of the hearing conducted by the (name) _____ Regional Committee and may include additional evidence oral or written when in the opinion of the Executive Board, such evidence is deemed relevant and material to a fair and proper disposition of the appeal. Upon receipt of additional evidence by the Executive Board, the parties shall be afforded a reasonable opportunity to contest such evidence.

A tape recording or verbatim record shall be made of the hearing.

- XIII. EXECUTIVE BOARD - THE DECISION** - The decision rendered by the Executive Board shall be written and shall include specific findings and conclusions which support the particular determination. The decision of the Executive Board shall either affirm or reverse the decision of the Regional Committee solely upon the facts and additional evidence, if any, presented in each case.

A copy of the written decision of the Executive Board in each case shall be delivered to the petitioner-appellant in person or by certified mail, with return receipt requested, as expeditiously as possible but in no case later than five (5) calendar days following the date of the conclusion of the hearing.

Any official who remains aggrieved by a decision of the Executive Board may appeal to the Superior Court.



OFFICIALS' GRIEVANCE PROCEDURES

- I. **GRIEVANCE PROCEDURE** - The following sections are the procedures for a duly registered official to initiate a grievance against policy and procedures of a local Association/Board in relationship to his/her duties as a sports official.
- II. **PURPOSE** - The purpose of these provisions is to prescribe in detail the procedure whereby an official wishes to initiate a grievance against his/her officials Association/Board.
- III. **DEFINITIONS** - A **grievant** shall mean a registered, active member official making an allegation of a violation, misinterpretation, or misapplication of the specific Association/Board adopted policies and/or constitution.

A **grievance** shall mean an allegation by a grievant that a specific provision (or a lack of a provision) in the policies and/or constitution of the Association/Board has been violated, misinterpreted, misapplied (or simply not addressed.)

Days shall mean calendar days, unless otherwise specified in these procedures.
- IV. **LIMITATIONS** - All formal grievances shall be initiated by a grievant within five (5) days of the date such grievance is discovered or reasonably should have been discovered. A grievance not presented in accordance with the foregoing shall be considered waived by the grievant and will be denied. The grievance procedures herein shall be the method by which grievances are resolved.
- V. **INFORMATION PROCEDURES** - A grievant shall attempt to resolve the situation by an informal conference with the appropriate Association/Board officer(s) or designee(s).

Two (2) days shall be allowed for this informal process and possible resolution.

A grievance involving more than one member, shall be dealt with as one grievance, unless separate and specified allegations are evidenced by the grievance.
- VI. **FORMAL PROCEDURE** - Within the time period the grievant shall present in writing the specified allegations on the proper forms. The date for a hearing will be set within five (5) days after receipt of the written allegations. A decision on the grievances shall be within two (2) days. A written decision to the grievant shall be forthcoming within three (3) days following the hearing.

The Association/Board Grievance Committee shall hear the grievance.
- VII. **APPEAL** - If the decision of the Grievance Committee is not accepted, or the decision fails to meet the above deadlines, or the grievance procedures have not been adhered to, the grievant shall have five (5) days to file an appeal.

An appeal hearing shall be set by the Regional Grievance Committee within ten (10) days upon receipt of the appeal.

The appeal shall be heard by the Regional Grievance Committee. A decision of this committee shall be forthcoming within two (2) days and a written resolution to the grievant shall be sent within five (5) days following the conclusion of the hearing.

VIII. APPEAL- If the decision of the Regional Grievance Committee is not accepted, or the decisions fails to meet the above deadlines, or the grievance procedures have not been adhered to, the grievant shall have five (5) days to file an appeal.

An appeal hearing shall be set by the WOA Executive Board Grievance Committee within ten (10) days upon receipt of the appeal.

The appeal shall be heard by the WOA Executive Board Grievance Committee. A decision of this committee shall be forthcoming within two (2) days and a written resolution to the grievant shall be sent within five (5) days following the conclusion of the hearing.

WOA Appeals Process for Situations Involving an Association/Board

1. The WOA Commissioner investigates potential misconduct involving a local association/board.
2. The WOA Commissioner notifies the local association/board of a potential violation and schedules a meeting for a local hearing panel.
3. A local hearing panel, consisting of three representatives (three non-sport specific representatives, if football, then three non-football representatives) to hear the potential violation.
4. The decision of the local hearing panel may be appealed to a regional appeal panel.
5. The regional appeal panel will consist of three representatives (three non-sport specific representatives, if football, then three non-football representatives).
6. The decision of the regional appeal panel may be appealed to the WOA Executive Board.
7. WOA Executive Board rulings are final.

The WOA Commissioner shall appoint the necessary hearing panel members in consultation with the WOA Contact for the respective associations/boards. Panel members must be rotated and no one association/board may be utilized more than once until all potential associations/boards have been used and/or declined. A record of whom and the number of times a representative from an association/board has served on this panel shall be kept track of by the WOA Commissioner for review upon request.

OTHER INCLUSIONS IN THE GRIEVANCE BYLAWS

1. **REPRESENTATION AT HEARINGS** - Spell out who may be allowed to be present at the hearing and whether open or closed by choice of grievant or hearing body.
2. **DELIBERATIONS DURING EXECUTIVE SESSION** - Is grievant allowed to be at these sessions?
3. Will there be any time limit exceptions. Must spell out allowable exceptions.
4. There must be a statement of no reprisals for filing a grievance.
5. Copies of grievances shall be maintained in the Association/Board grievance file (not in the grievant's file) with copies to the WOA Grievance Committee file located in the WIAA office.
6. In processing and filing grievances, the proper forms shall be used.

Consistent with the above rule, please be advised that the undersigned has reasonable cause to believe that you are presently ineligible to officiate in an interscholastic activity _____ (name of interschool activity) under the rules of the WOA for the following specific reasons:

Please be advised that you have a right to request a hearing before the _____ Committee for your Association/Board in order to contest the above reason(s) for alleged ineligibility. Failure to request hearing with in three (3) business days following the date of receipt of this written notice of alleged ineligibility shall be deemed a WAIVER of the right to a hearing and the appeal procedures which govern determinations of eligibility under the standards established by the WOA.

Attached to this written notice you will find the necessary forms which must be completed and forwarded in a timely manner to the _____ Committee in order to contest the reason(s) of alleged ineligibility set forth in this written notice.

This petition must be mailed to the Secretary of the _____ Committee for your Association/Board whose name and address is: _____

Dated this _____ day of _____, 20__.

President Assoc./Bd. or his/her Designee

Signature of Official

Date

(Assoc./Bd. should retain a copy of this form or record the official date of its completion.)



**WASHINGTON OFFICIALS ASSOCIATION
(From Official to Local Association / Board)**

2

Notice of Appeal to the _____

The person(s) subscribing their names below hereby appeal the decision of the _____ Committee to the _____

This notice of appeal is submitted pursuant to the appeal procedures established by the Washington Officials Association and set forth in the _____ of Rules and Regulations, and is based upon the facts stated and/or alleged as follows:

Name of (Petitioner/Appellant) _____

Present Address _____ Zip _____

Association/Board _____

Date upon which the petitioner/appellant received the written decision of the _____
_____ Committee which denied eligibility _____
_____.

The following written information must accompany this NOTICE OF APPEAL:

(a) A copy of the written decision of the _____ Committee.

(B) An explanation of the specific error(s) complained of by the petitioner/appellant which form the basis of the subject appeal.

Dated this _____ Day of _____, 20____.

Signature of Petitioner/Appellant
or Attorney Representative

This NOTICE OF APPEAL must be mailed to:

PLEASE NOTE THAT FAILURE TO ESTABLISH FACTS AND PROVIDE COPIES OF DOCUMENTS AS REQUIRED BY THIS NOTICE OF APPEAL WILL PREVENT THE _____ BOARD FROM EXERCISING JURISDICTION AND CONDUCTING A HEARING ON THE MATTER.

SHOULD THE PETITIONER/APPELLANT WISH TO REQUEST A STAY OF THE DECISION OF THE _____ COMMITTEE, SUCH A REQUEST MUST BE WRITTEN AND ATTACHED TO THIS NOTICE OF APPEAL WHEN MAILED TO THE _____.



**WASHINGTON OFFICIALS ASSOCIATION
(Association/Board to Official)**

3

**From _____ Committee
Notice of Hearing, date and time
for the local Official Association**

To:

Official _____

The following notice of hearing is hereby provided pursuant to the petition submitted to the _____ Committee by _____ dated _____, 20__, and received by the _____ Committee on _____, 20__.

Please be advised that at _____ (a.m.) (p.m.) on _____ 20__, at _____ a hearing will be conducted by the _____ Committee pursuant to the procedures set forth in the Rules and Regulations of the Washington Officials Association.

Signature of _____ Committee

Date



**WASHINGTON OFFICIALS ASSOCIATION
(From Official to Regional Committee)**

4

Notice of Appeal to the _____

The person(s) subscribing their names below hereby appeal the decision of the _____ Committee to the _____

This notice of appeal is submitted pursuant to the appeal procedures established by the Washington Officials Association and set forth in the _____ of Rules and Regulations, and is based upon the facts stated and/or alleged as follows:

Name of (Petitioner/Appellant) _____

Present Address _____ Zip _____

Association/Board _____

Date upon which the petitioner/appellant received the written decision of the _____
_____ Committee which denied eligibility _____
_____.

The following written information must accompany this NOTICE OF APPEAL:

(a) A copy of the written decision of the _____ Committee.

(B) An explanation of the specific error(s) complained of by the petitioner/appellant which form the basis of the subject appeal.

Dated this _____ Day of _____, 20____.

Signature of Petitioner/Appellant
or Attorney Representative

This NOTICE OF APPEAL must be mailed to:

PLEASE NOTE THAT FAILURE TO ESTABLISH FACTS AND PROVIDE COPIES OF DOCUMENTS AS REQUIRED BY THIS NOTICE OF APPEAL WILL PREVENT THE _____ BOARD FROM EXERCISING JURISDICTION AND CONDUCTING A HEARING ON THE MATTER.

SHOULD THE PETITIONER/APPELLANT WISH TO REQUEST A STAY OF THE DECISION OF THE _____ COMMITTEE, SUCH A REQUEST MUST BE WRITTEN AND ATTACHED TO THIS NOTICE OF APPEAL WHEN MAILED TO THE _____.



**WASHINGTON OFFICIALS ASSOCIATION
(Regional Committee to Official)**

5

**Notice of Hearing by
Washington Officials Regional Committee**

To:

Official _____

The following notice of hearing is hereby provided pursuant to the notice of appeal submitted by _____ dated _____, 20__, and received by the _____ on _____, 20__.

Please be advised that at _____ (a.m.) (p.m.) on _____ 20__, at _____ a hearing will be conducted by the _____ pursuant to that body's Handbook of Rules and Regulations.

Signature of Chairman

Address

Date



WASHINGTON OFFICIALS ASSOCIATION
(From Official to _____ State Executive Board
or _____ Commissioner) *please check one*

6

Notice of Appeal to the _____

The person(s) subscribing their names below hereby appeal the decision of the _____ Committee to the _____

This notice of appeal is submitted pursuant to the appeal procedures established by the Washington Officials Association and set forth in the _____ of Rules and Regulations, and is based upon the facts stated and/or alleged as follows:

Name of (Petitioner/Appellant) _____

Present Address _____ Zip _____

Association/Board _____

Date upon which the petitioner/appellant received the written decision of the _____ Committee which denied eligibility _____

The following written information must accompany this NOTICE OF APPEAL:

(a) A copy of the written decision of the _____ Committee.

(B) An explanation of the specific error(s) complained of by the petitioner/appellant which form the basis of the subject appeal.

Dated this _____ Day of _____, 20____.

Signature of Petitioner/Appellant
or Attorney Representative

This NOTICE OF APPEAL must be mailed to:

PLEASE NOTE THAT FAILURE TO ESTABLISH FACTS AND PROVIDE COPIES OF DOCUMENTS AS REQUIRED BY THIS NOTICE OF APPEAL WILL PREVENT THE _____ BOARD FROM EXERCISING JURISDICTION AND CONDUCTING A HEARING ON THE MATTER.

SHOULD THE PETITIONER/APPELLANT WISH TO REQUEST A STAY OF THE DECISION OF THE _____ COMMITTEE, SUCH A REQUEST MUST BE WRITTEN AND ATTACHED TO THIS NOTICE OF APPEAL WHEN MAILED TO THE _____.



WASHINGTON OFFICIALS ASSOCIATION
(_____ State Executive Board or _____ Commissioner to Official)
please check one

7

**Notice of Hearing by
Washington Officials Association Executive Board of Directors**

To:

Official _____

The following notice of hearing is hereby provided pursuant to the notice of appeal submitted by _____ dated _____, 20____, and received by the _____ on _____, 20____.

Please be advised that at _____ (a.m.) (p.m.) on _____ 20____, at _____ a hearing will be conducted by the _____ of the _____ pursuant to that body's Handbook of Rules and Regulations.

Signature of Chairman

Address

Date