

# Gymkhana Association

## **Board of Governors Procedure Manual**

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# Table of Contents

Section 1. Overview of the California Gymkhana Association Procedure manual.....	3
1.1 Purpose of the Board Procedures. ....	3
Section 2. Eligibility, Nomination and Election Procedure.....	3
2.1 Eligibility Criteria .....	3
2.2 Nomination Procedure.....	4
2.3 Election Procedure .....	4
Section 3. Removal of Officers or Directors .....	5
Section 4. Complaints and Discipline.....	5
4.1 Appeal procedure .....	6
Section 5 Judges Disciplinary Procedure and Ruling Body .....	7
5.1 Definition .....	7
5.2 General Responsibilities.....	7
5.3 Judges Responsibility .....	7
5.4 Violations .....	7
5.5 Removal of Judges .....	8
5.6 Hearing Process.....	8
5.7 Appeal Procedure .....	9
Section 6 Organizational Program and Rule Changes.....	9
6.1 Disagreement on rules changes. ....	9
Section 7 Show district affiliation .....	10
7.1 District Penalties .....	10
Section 8 Special Board of Director Meetings .....	10
8.1 Notice of Special Meetings .....	10

## **Section 1. Overview of the California Gymkhana Association Procedure manual.**

### ***1.1 Purpose of the Board Procedures.***

It is the intent of the CGA Board of Governors to maintain a Manual of Procedures. This document shall contain the current procedures of the California Gymkhana Association and shall be the final authority as to those procedures. This Manual shall serve as a resource for current members of the Board of Governors, the Board of Directors and the membership of CGA.

## **Section 2. Eligibility, Nomination and Election Procedure**

### ***2.1 Eligibility Criteria***

- a) To be eligible to hold the office of President or Vice President or Board of Governors, a CGA member shall be a member in good standing for a period of two years; twenty-one years of age or older; have served as a member of the Board of Directors or as a CGA officer for one full term (typically two years), and have demonstrated in one or more capacities his/her capability to get along with people and to be proficient in achieving CGA objectives.
- b) All other officers and directors must be members in good standing and must be eighteen years of age or older.
- c) Each member of the Board of Governors must be a CGA member in good standing and shall have demonstrated in one or more capacities his/her capability to get along with people and to be proficient in achieving CGA objectives. No member of the CGA Board of Governors may simultaneously hold the office of Vice President, Secretary, Treasurer, Appointed Board Member or Elected Board of Directors.
- d) Have not resigned or had any disciplinary action against them by the CGA Board of Governors, Board of Directors or Master Judges Advisory Committee, resulting in suspension or expulsion, in the past five (5) years.

## ***2.2 Nomination Procedure***

- a) All nominations for officers and elected Directors shall be accepted at CGA State Office starting ninety (90) days prior to the annual election and will close forty-five (45) Days before the annual election. All Nominations must be in writing. Any member may nominate another member or themselves, who meets the qualifications of the office. All candidates must submit their nomination acceptance in writing to the State Office by the close of nominations.
- b) Board of Governor replacements will be nominated by any Board of Director or district delegate. The nominee must meet the qualifications for the BoG members.
  - 1) Nominations for BoG regular term expiring replacements shall be accepted at CGA State Office starting ninety (90) days prior to the annual election and will close forty-five (45) Days before the annual election. All Nominations must be in writing. All candidates must submit their nomination acceptance in writing to the State Office by the close of nominations period. The election will be held at the first board meeting at Convention.
  - 2) In the case the BoG position is vacated mid-term, the BoG replacement will be nominated and elected at the next available Board of Directors meeting. The replacement shall fulfill the remainder of the vacated term.

## ***2.3 Election Procedure***

- a) All members requesting and absentee ballot must register to vote through the CGA office. Registration will occur via a formal written request to the CGA State Office. The deadline for requesting absentee ballots will coincide with the close of nominations. The CGA Office Manager shall prepare ballots. Requested absentee ballots will be mailed to all registered members in good standing over the age of 12 years.
- b) The election of officers shall be by the majority votes of all ballots cast. Absentee ballots will be returned in the CGA provided envelope to the State Office. All ballots will remain unopened until the election Officials meet to count them.
- c) The President shall appoint three (3) no more than five (5) election officials who shall count the votes at the time of balloting for the officers and directors. No election official shall be a candidate.
- d) No voting by proxy shall be allowed.
- e) Annual CGA elections will occur at CGA Convention.
- f) The officers/directors elect will be sworn in and installed at the BoD meeting held at the annual CGA Awards Convention.
- g) The election of the replacement member of the Board of Governors will occur at the first Board of Directors meeting following the vacancy.

### **Section 3. Removal of Officers or Directors**

Any officer or director may be removed from office because of failure to fulfill the duties of said office or for conduct detrimental to the best interests of the organization. Removal from office shall be in accordance with this procedure.

- a) The secretary shall notify each member of the Board of Directors at least thirty (30) days before the question is to be heard by the Board of Directors. Said officer or director shall be given written notice of the charges thirty (30) days before the question is to be heard by the Board of Directors. Should said office be the Secretary, the Treasurer shall perform the above actions.
- b) The President shall preside during all removal proceedings. Should the accused be the President, the Vice President shall preside during the removal proceedings.
- c) Said officer or director shall have an opportunity to give rebuttal on charges at said meeting.
- d) Two-thirds of those voting shall be necessary to remove said officer or director from office.
- e) No removal proceedings shall be based more than once on the same evidence.

### **Section 4. Complaints and Discipline**

When a complaint is filed by any member or district against another member or district, the following procedure is used for resolution.

- a) All complaints must be received in the CGA State Office within 30 days of the violation accompanied by a check for \$200.00. All charges for any violation must be filed in writing by a member in good standing with the CGA State Office, and must be witnessed and signed by at least one (1) member in good standing 12 years of age or older besides the complainant. The State Office shall immediately forward such complaints to the Board of Governors. After the Board of Governors reviews the complaint, if appropriate, the President will then attempt to resolve the problem through mediation. The President may attempt mediation or will appoint a mediator. If the problem is not resolved to the satisfaction of all parties within 30 days that the mediator receives the request, then the problem shall go to the Board of Governors for resolution. If the complaint is resolved in mediation the complainant will receive a refund of \$100.00. If the governors rule in favor of the complainant they will receive a full refund of \$200.00.
- b) Whenever a member or district is accused of a violation, he or she shall be given not less than thirty (30) days' notice of a time and place for hearing such accusations by the Board of Governors, at which time he or she shall have an opportunity in person or by counsel to be heard and to present evidence in his or her behalf and to hear and refute evidence presented against him or her.

- c) All evidence must be given in person or by written deposition with the accused party having the right to cross-examine. Note that all discussion is directed to the chairperson of the hearing body, not among participants. It shall be the chairperson's responsibility to get answers to questions. All witnesses will be allowed to enter the room and heard individually.
- d) After hearing all evidence, it shall be the duty of the Board of Governors to rule on the violation and to take the proper action it deems necessary in accordance with the rules of the association.
- e) The hearings shall be conducted according to this organization's By Laws, Policy and Procedure.

#### ***4.1 Appeal procedure***

If the accused or accuser disagrees with the Board of Governors ruling, they may appeal using the following procedure.

- a) The appeal must be in writing and contain specific reasons for their disagreement with the Board of Governor's ruling. It must be accompanied by an appeal fee of \$300.00. This fee will be returned if the decision by the Board of Governors is overturned by the Board of Directors. The appeals letter must be postmarked within 30 days of the Board of Governors ruling and be addressed to the CGA President with copies to the Board of Governors. The President shall confer with the Board of Directors within 30 days. If a majority of them agree, the petitioner will be notified within 45 days of the scheduled date for the hearing. If a majority the Board of Directors does not agree that there are grounds for an appeal, then the decision of the Board of Governors is final.
- b) If an appeal hearing is scheduled, all parties shall be given not less than thirty (30) days' notice of a time and place for the hearing by the Board of Directors, at which time all parties shall have an opportunity to represent their case.
- c) After hearing all evidence, it shall be the duty of the Board of Directors to rule on the violation and to take the proper action it deems necessary in accordance with the rules of the association. There is no appeal process, and the decision of the Board of Directors is final. Members of the Board of Governors who heard the initial complaint may participate in the discussion, but may not vote at an appeal hearing.
- d) The hearings shall be conducted according to this organization's By Laws, Policy and Procedure.

## **Section 5 Judges Disciplinary Procedure and Ruling Body**

### ***5.1 Definition***

The Ruling Body of the Judges of the California Gymkhana Association consists of all the active Master Judges, also known as the Master Judge Advisory Committee (MAC). The spokesperson of the MAC is elected from the MAC membership and shall serve as the Rules Chairperson for that year.

### ***5.2 General Responsibilities***

It is the responsibility of the MAC to interpret CGA Rules whenever there are ambiguities. The MAC will oversee all CGA Judges to make sure they are enforcing the rules fairly and correctly. Master Judges are assigned to individual show districts, and have responsibility for the judges in those districts.

### ***5.3 Judges Responsibility***

No Judge shall refuse any reasonable request to assist the association, its officers, committees, or show management in the proper conduct of the shows or affairs of the association.

### ***5.4 Violations***

Any CGA Judge may be disciplined, and/or suspended whenever it shall have been established by satisfactory evidence to the MAC or other body that such CGA Judge performed any one or more of the violations described in the following listing of violations. Failure to understand these violations shall not be accepted as an excuse.

**5.4.1 Intoxication** – Being intoxicated or under the influence of illegal drugs or consuming alcohol while performing the duties of a CGA Judge.

**5.4.2 Coercion** – Attempting to threaten, bribe or unduly influence other judges, horse show management, or timing secretaries at any CGA sanctioned function. Harassing riders or taking punitive action against a rider that is not in accordance with CGA Rules.

**5.4.3 Fraud** – Falsifying or withholding any times or records of any CGA sanctioned function. Deliberately making bad or incorrect rulings to influence the outcome of an event.

**5.4.5 Causing a Disturbance** – Willfully causing trouble inside or outside the ranks of the CGA by constant complaining, causing disturbances or deliberately aggravating judges, horse show managers, secretaries, or members. Accusing or making derogatory statements relative to the performance of judges, secretaries, or officers that is detrimental to the CGA or the person involved.

**5.4.6 Fighting** – Physically disturbing or fighting at any CGA function.

**5.4.7 Disloyalty** – Disloyal acts like giving CGA proprietary information to other organizations such as membership lists, administrative data, or other information, which could decrease the competitive advantages of the CGA.

**5.4.8 Illegal Acts** – CGA has the right if deemed warranted, to request any Judge to provide background information of any criminal history. Such history may be sufficient grounds to suspend a Judge's card.

**5.4.9 Incompetence** – Frequently making rulings that are contradictory to CGA's Rule Book. Inability to correctly interpret the rules.

## ***5.5 Removal of Judges***

a) Any CGA Judge may have their judge's card suspended by a Master Judge. The Master Judge shall notify the Judge and the CGA State Office of such suspension. This suspension is permanent unless the Judge requests a hearing by the Master Judge Advisor Committee (see section 5.2 Hearing Procedure).

b) Any Charges for any violation may be filed in writing by a member in good standing Of CGA and witnessed by another member in good standing 12 years of age or older. Such charges shall be given to the CGA State Office who will forward them to the Rules Chairperson. Should the complaint be against a Master Judge, the charge will be forwarded to the Board of Governors. The appropriate body will schedule a hearing according to section 5.2 (hearing Procedure).

## ***5.6 Hearing Process***

a) Following the filing of said complaint, a hearing will be scheduled and the accused will be given not less than thirty (30) days' notice of the time and date for the hearing.

b) The Rules Chairperson shall preside during all suspension hearing proceedings. Should the accused Judge be a Master Judge, the hearing shall be conducted by the Board of Governors.

c) The accused Judge shall have an opportunity to give rebuttal on charges at said meeting either in person or in writing.

d) No hearing proceedings shall be based more than once on the same evidence.



## ***5.7 Appeal Procedure***

If the accused Judge or the accuser disagrees with the MAC or the Board of Governors ruling, they may appeal the decision.

- a) If the accused Judge did not attend the hearing by the MAC or Board of Governors, or was not otherwise represented, no appeal shall be granted.
- b) The appeal must be in writing and contain specific reasons for the disagreement with the MAC or Board of Governors ruling. It must be accompanied by an appeal fee of \$300.00. This fee will be returned if the decision by the MAC or Board of Governors is overturned by the Board of Directors. The appeal letter must be mailed to the CGA state office, be postmarked within 30 days of the MAC or Board of Governors ruling. The letter should be addressed to the CGA President with copies to the Board of Governors. The President shall confer with the Board of Directors within 30 days of the receipt of the letter. If a majority of the directors agree, the petitioner will be notified within 45 days of the scheduled date for the hearing. If a majority of the Board of Directors does not agree that there are grounds for an appeal, then the decision of the MAC or Board of Governors is final and no further appeals will be accepted.
- c) If an appeal hearing is scheduled, all parties shall be given not less than thirty (30) days' notice of a time and place for the hearing by the Board of Directors, at which time all parties shall have the opportunity to represent their case. The hearings shall be conducted according to CGA's bylaws, Policy and Procedure.
- d) After hearing all evidence, it shall be the duty of the Board of Directors to rule on the violation and to take the proper action it deems necessary in accordance with the rules of the association. There is no further appeal process, and the decision of the Board of Directors is final.

## **Section 6 Organizational Program and Rule Changes**

### ***6.1 Disagreement on rules changes.***

- a) In the event that members disagree with a "Rules and Judges meeting decision to forward an issue to the General Membership meeting or the Board of Directors the members may submit a petition. The petition must be signed by 5% of the current active CGA membership to have the request presented to the General Membership or Board of Directors in spite of the meeting's decision. The petition will be submitted to the General Manager who will validate that there are sufficient valid signatures on the petition.
- b) The petition will also state whether the request should be submitted to the Board of Directors or be put on the agenda for the General Membership meeting.
- c) The proponents and opponents of the issue will be provided an opportunity to make their case at either meeting.

## **Section 7 Show district affiliation**

### ***7.1 District Penalties***

- a) The Board of Governors will determine possible district penalties or actions on a case by case basis. Districts do not have an appeal process and all decisions by the Board of Governors are final.

## **Section 8 Special Board of Director Meetings**

### ***8.1 Notice of Special Meetings***

- a) Per CGA Bylaws, Article 6. The President and three members of the Board of Directors have the power to call special meetings. Notice of the special meeting (time, place and agenda) will be mailed to each member of the Board of Directors, each district and be posted on the CGA website 30 days prior to the meeting. Per CGA bylaws the members in attendance shall constitute a quorum and a majority vote of those members in attendance shall prevail.