

UTAH COLOR GUARD CIRCUIT CONSTITUTION AND BYLAWS

ARTICLE I - NAME

Section 1. Our organization shall be known as the “Utah Color Guard Circuit” and shall do business as or may be referred to as either the “Circuit” or “UCGC” in the following document.

ARTICLE II - PURPOSE

Section 1. UCGC is to support a youth-educational organization to foster growth for performers, instructors, and designers of winter guard. It is the mission of the UCGC to provide all of our units with an educationally sound competitive environment.

Section 2. We wish to build strong relationships with school administrators, band directors, unit directors, parents, and students. It is our goal to promote winter guard in Utah and provide opportunities for all interested parties to learn from each other, as well as compete against each other in a friendly and fair environment.

Section 3. It is our pledge to nurture and educate our beginner units, encourage our intermediate units, and help prepare our more advanced units for competition at the local and national levels. It is our goal to meet the competitive needs of each of our units, helping them to grow as performers, team members, and most importantly, contributing members of society who recognize the positive impact that the pageantry arts and other performing arts have on our communities.

Section 4. The UCGC is organized and operated exclusively to support and benefit the member organizations that engage in winter guard sponsored activities according to these Bylaws. The UCGC is an organization and as such, is governed by the membership and elected Board of Directors.

Section 5. The UCGC is financed through UCGC membership fees, ticket sales, souvenir merchandise sales, and the generosity of sponsors, benefactors, and grants.

Section 6. Said corporation is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

Section 7. No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article III hereof. No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these articles, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or (b) by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

Section 8. Upon the dissolution of the corporation, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by a Court of Competent Jurisdiction of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

Section 9. UCGC and its' Board of Directors, will engage in the following activities in the name of the organization:

- Refrain from supporting or opposing candidates in political campaigns in any way.
- Ensure that your net earnings do not insure in whole or in part to the benefit of private shareholders or individuals (that is, board members, officers, key management employees, or other insiders).
- Not further non-exempt purposes (such as purposes that benefit private interests) more than insubstantially.
- Not be organized or operated for the primary purpose of conducting a trade or business that is not related to your exempt purpose(s).
- Not devote more than an insubstantial part of your activities attempting to influence legislation or, if you made a section 501(h) election, not normally make expenditures in excess of expenditure limitations outlined in section 501(h).
- Not provide commercial-type insurance as a substantial part of your activities.

ARTICLE III - MEMBERSHIP

Section 1. Any competitive winter guard (“unit”) is eligible for membership upon receipt of the membership registration form. Membership registrations must be submitted by December 1st of that competitive season. Membership is granted upon receipt of unit registration and entitles unit up to 1 full year of membership.

Section 2. To be a unit in “good standing” and eligible to participate in Circuit Championships, Junior and Cadet units must participate in at least three (3) UCGC contests. Scholastic and Independent units must participate in at least (4) UCGC contests or three (3) UCGC contests and one (1) Winter Guard International Regional. Any unit must have no outstanding fees owed to UCGC to be in “good standing”. UCGC has an Emergency Clause in place for extreme circumstances that occur within 48 hours of any contest. With approval of a quorum of the board of directors, units may remain in “good standing”, even when the above requirements are not met.

2.1 Background Checks. Any group participating in UCGC events is required to obtain a national criminal background check (or some satisfactory equivalent for employment) for any adult instructional or managerial staff having regular contact with or authority over participants. Any independent group participating in UCGC events is also required to obtain a national criminal background check or satisfactory equivalent for any adult participants. Such background checks shall be performed at the discretion of the participating groups director, but in no event less than every two (2) years.

It is the directors responsibility to ensure all staff have met the Background Check Requirements prior to working with participants. Directors will list all staff on their Staff Eligibility Form and submit to UCGC with an authorized signature before the first competition.

2.2 Independent Unit Insurance. Groups participating in all independent classes must provide proof of \$1,000,000 general liability coverage and adequate accident medical coverage (suggested limit of \$5,000) per school or organization on file with the Circuit no later than thirty (30) days after membership registration. All independent groups using scholastic insurance to fulfill this insurance requirement must use the school district/educational institution in their official name and must have an employee (not an independent contractor) authorized to bind the school district/educational institution to the terms of membership registration and be the signatory on the registration.

Section 3. To be in “good standing”, all staff members of all registered circuit units must complete the free online training course “Preventing Child Abuse: Keeping Kids Safe” by

Preventing Child Abuse Utah (PCA-U) and mandatory reporting laws or provide proof of completion from their District or the WGI “SafeSport Trained” training course. A certificate must be obtained and submitted to the UCGC board prior to the start of the competitive season.

Section 4. Additional training (webinars put on by UCGC, by WGI, or other training) are mandatory to be completed by at least one staff member for each unit to be considered in “good standing” before the first UCGC contest. This will be completed on a word of honor basis.

Section 5. Any staff member of a unit may attend UCGC meetings as a representative of their unit. A unit director or representative is required to attend one of the bi-annual UCGC general membership meetings to be eligible to compete in the upcoming season. These two meetings will be held one (1) week after WGI Color Guard World Championships and one (1) week after Bands of America (BOA) Grand National Championships. UCGC will only recognize unit directors that are 18 years or older and are not a member of a scholastic unit for voting purposes. Units may be exempt for extenuating circumstances if approved by a quorum of the board of Directors.

Section 6. UCGC discourages independent winter guards from utilizing high school students who were previously enrolled in an active high school winter guard program and have not yet received a high school diploma.

Section 7. All performers of any winter guard unit competing in any scholastic class must be approved for participation by the principal or an administrator of the sponsoring school. Each scholastic winter guard unit shall submit a Scholastic Eligibility Certification Form provided by UCGC and signed by the authorizing school principal or administrator listing all approved participants of that school's winter guard unit to the UCGC.

Section 8. Independent and Scholastic units wishing to use a student from another school other than their own that has an established winter guard program must receive two (2) signatures from any of the following representatives from the affected schools: Principal, Administrator, Band Director and/or Winter Guard Director. Transferring unit members must fill out a Member Transfer form (available on the UCGC website) and submit said form to the UCGC Board before the first UCGC competitive contest.

Section 9. In compliance with (WGI) rule 1.2.1, winter guards may combine from multiple schools (including public, private, charter, and home school) provided the winter guard unit competes under the name of a single school or the school district name. Winter guard units may not combine names or use any other fictional name.

Section 10. UCGC also discourages any winter guard units from utilizing performers who have

outstanding monies owed to a previous winter guard.

ARTICLE IV - MEMBERSHIP FEES

Section 1. The Board of Directors will set UCGC membership fees based upon the budget approved by the Circuit Membership. Membership fees shall be paid according to the following schedule:

- First half of fees to be postmarked or electronic receipt dated by December 15th or next business day if it falls on a weekend or holiday. (can pay in full by this date)
- Final half of fees to be postmarked or electronic receipt dated by January 15th or next business day if it is a weekend or holiday. (must be paid in full by this date)

Section 2. UCGC will provide a current Constitution and Bylaw, as well as WGI Rules and Regulations, available on the Circuit website.

Section 3. Membership Fees will be used by the Circuit to purchase airline tickets, provide housing, and pay fees for the Design Analysis, General Effect, Movement, Equipment, Judge Coordinator, and Timing & Penalty judges for all UCGC events. Fees will also be used to pay the tabulator, audio technician/announcer. Circuit educational resources, clinicians, Championship and Evaluation venues, airfare, housing, and other transportation costs can also be paid for by the circuit.

3.1 Judge Coordinator. The Judge Coordinator will be CONTRACTED by the Board yearly, and be a paid position. THIS IS NOT A BOARD POSITION. The Judge Coordinator will be responsible for coordinating the available judges for the upcoming UCGC contests and presenting them to the Board along with a running log of contact information for each judge. This will include assigning judges to the appropriate contests, booking airfare, arranging hotels and appointing the Chief Judge for each contest with the approval of the UCGC Board. They will be responsible for compiling and distributing the judge contest prep notes for each contest. The Judge Coordinator will oversee judge feedback and concerns contacting judges directly or through their certifying organizations.

Section 4. “Good Standing” membership also encompasses behavior by a unit’s staff and members as defined by the WGI Instructors’ Code of Conduct.

ARTICLE V - CODE OF CONDUCT

Section 1. Each unit's staff and members must abide by the WGI Instructors' Code of Conduct.

Section 2. If undue and unfair pressure is applied to judges and/or UCGC staff through inappropriate behavior, then this places the competitive experience at risk. Inappropriate conduct of any unit's staff or members includes but is not limited to:

- Shouting at judges, Board of Directors, or UCGC staff.
- Inordinate or unauthorized contact with competition judges or the Chief Judge.
- Disruptive or unsportsmanlike behavior at a UCGC event.

Section 3. The managing UCGC administrator of a situation warranting discipline will determine the application of the discipline. The UCGC administrator relating to judging issues is the Chief Judge. The designated UCGC Contest Director deals in situations pertaining to contest personnel. The UCGC Board of Directors is the administrator in matters of poor sportsmanship.

Section 4. Social media platforms include but are not limited to Facebook, Twitter, discussion forums, blogs, wikis, virtual worlds, or any other form of user-generated media. UCGC Board of Directors will determine whether a unit's staff member, UCGC staff, Board Member, or contractor has been appropriate in their public online behavior with respect to their UCGC related responsibilities. Those aforementioned people must represent appropriate, sportsman-like conduct for a competitive, scholastic-based activity. Violation of these guidelines can lead to disciplinary action including suspension and/or termination from the UCGC by a quorum of the Board of Directors.

Section 5. Whistleblower and Non-Retaliation Policy. This is intended to encourage and enable directors, employees, volunteers, and Board members to raise concerns within the UCGC Bylaws, Code of Conduct or laws without fear of retaliation.

5.1 Reporting Responsibility. It is the responsibility of all directors, employees, volunteers, and Board members to comply with and to report violations of the UCGC Bylaws and Code of Conduct or laws in accordance with state policy.

5.2 Non-Retaliation. No director, employee, volunteer, or Board member, who in good faith, reports a violation of the code or law shall suffer harassment, retaliation or adverse status consequences. A director, employee or board member who retaliates against someone who has reported a violation in good faith, is subject to discipline up to and including termination of a unit in good standing, employment, or term in office.

5.3. There will be a link to the WGI Participant Protection/Report a Concern link posted on the UCGC website. This will be easily accessible by all who visit the UCGC website.

ARTICLE VI - THE BOARD OF DIRECTORS

Section 1. The authority of the Circuit will be vested in the Board of Directors, which will be elected by the membership. This Board will include the Circuit Administrator, Assistant Circuit Administrator, Education Specialist, Communications Director, Contest Director, Assistant Contest Director, Treasurer, and Assistant Treasurer.

Section 2. All officers must be at least 18 years of age prior to the date of the election and be willing to fulfill the responsibilities as required by their elected office. No member of the Board of Directors shall hold more than one Board position. To fairly represent the circuit, a majority of board members will not be affiliated with the same school or feeder system.

Section 3. All board members must be notified of all meetings. Any UCGC officer absent for three (3) UCGC board meetings per term can be removed from office and another person will be elected by the membership to fill the vacancy at the next meeting. If a UCGC Board of Directors office becomes vacant for any reason, the remaining officers of the Board may appoint an interim officer to maintain the duties of the vacated office until the next meeting in which an election can be held to fill the position.

Section 4. A majority or half the number of Board members plus one (1), will constitute a quorum at any Board meeting.

Section 5. UCGC Board meetings must have an option for in-person or virtual viewing for the membership. Those viewing will not be allowed to speak or join the discussion unless asked specifically to do so by a member of the Board. Those viewing will be asked to leave or be put in a virtual waiting room, during discussions requiring discretion or sensitivity.

Section 6. No one serving on the Board will receive any compensation for any service to this organization.

Section 7. The Judge Coordinator will be appointed by the board. This will be done at the end of the Spring meeting after the new board has been appointed.

Section 8. The Board shall be responsible for the interpretation and enforcement of all rules and regulations as set forth in the Constitution and Bylaws. They shall further have the responsibility

to decide on all issues not specifically covered by the bylaws. The Board shall act as an appeals board for the membership on matters of a UCGC rule. All appeals must be submitted to the Communications Director in writing and must be acted on by the Board within 72 hours while in season (January-April) and within 10 days while out of season (May-December).

ARTICLE VII – RESPONSIBILITIES OF THE BOARD OF DIRECTORS

Section 1. The Circuit Administrator will oversee all the business and affairs of UCGC and will preside at all UCGC meetings.

Section 2. The Assistant Circuit Administrator will perform the duties of the Circuit Administrator in the absence of the Circuit Administrator. They will oversee the selection and management of the contest staff (which includes but is not limited to Tabulators, Audio Technicians, Announcers, and Judge Coordinator). They will oversee the creation, distribution, and review of contest host applications, and present those to the board. They will also record the minutes of all general Circuit and Board meetings and see those minutes posted publicly within seven (7) days.

Section 3. The Communications Director will be responsible for initiating and maintaining communications between the Board and circuit members through mass email and social media. They will be the first point of contact by all circuit members in all matters. They will also communicate the purpose and philosophy of the UCGC to the community at large.

Section 4. The Treasurer is the custodian of all finances of the UCGC. They will keep a record of the accounts of the Circuit, deposit all monies of the Circuit in the name of the Utah Color Guard Circuit in a bank designated by the board and subject to withdrawal for authorized purposes upon the signature of the Treasurer and a second board member. The Treasurer will also post publicly a budget seven (7) days before the fall meeting and the End-of-Year Financials seven (7) days before the spring meeting.

Section 5. The Assistant Treasurer is to provide support to the Treasurer and fulfill duties given to them.

Section 6. The Education Specialist will oversee the educational opportunities for UCGC units. They will also oversee the classification of units based upon input from the other board members and adjudicators.

Section 7. The Contest Director will oversee the tabulation process, the performance schedule of Circuit-sponsored contests, and the communications with the contest host. They will meet with appointed contest hosts prior to their contest to review how the contest is set-up and perform a

walk through before the contest begins. During the contest, be available in the gym within view of the performance area. In the case of an absence, they will designate a fellow board member as a replacement. They will also oversee the tabulation and judges' comments tables.

Section 8. The Assistant Contest Director is to provide support to the Contest Director and fulfill duties given to them. They will be responsible for the necessary Circuit equipment for the operation of the contest and oversee the maintenance of the Announcer's Handbook.

Section 9. In the event of a tie during a vote of the UCGC Board of Directors, the Circuit Administrator will be the deciding vote.

ARTICLE VIII - OPERATIONS

Section 1. Voting Eligibility

1.1. Any new unit added to the membership will be extended voting privileges after becoming a unit in "good standing" as defined in Article Third.

1.2. As of the Championship contest, those units who are no longer considered a unit in "good standing" will lose their voting privileges. Any unit whose membership has lapsed may be considered for future membership as a new unit.

1.3. Each unit must have one delegate. Each unit will have only one vote and must be present to vote.

Section 2. Election Process

2.1. Elections shall happen in the yearly Spring Circuit Meeting as follows:

2.1.1 Circuit Administrator, Contest Director and Treasurer shall be elected to a term of three (3) years on the following cycle:

- Circuit Administrator to be elected in 2024, 2027, 2030, etc.
- Contest Director to be elected in 2025, 2028, 2031, etc.
- Treasurer to be elected in 2023, 2026, 2029, etc.

2.1.2 Assistant Circuit Administrator, Assistant Contest Director, and Assistant Treasurer shall be elected to a term of two (2) years, with the election held in the odd years, 2023, 2025, 2027, etc.

2.1.3 Education Specialist and Communications Specialist shall be elected to a term of two (2) years, with the election held in the even years, 2024, 2026, 2028, etc.

2.2. Elections will be done by an anonymous ballot. Ballot may be paper or electronic. Ballots will be tallied by one (1) board member and one (1) non board member in an open forum.

2.3. During the Spring Meeting, the election of the Board of Directors open positions will take place. The electee shall take office immediately following elections. Anyone present at this meeting can be nominated and voted into office. Any individual nominated must accept their nomination before a vote can be held.

2.4. In the case of an electoral tie vote, the unit delegates must re-vote until one (1) candidate receives a majority of the vote.

2.5. Any of the elected officers can be removed from office by two-thirds vote of the quorum at any meeting.

2.6. Any Board member elected to an unexpired term of office due to the resignation or removal from office of the previous Board member, will serve the remainder of the unexpired term.

Section 3. Meetings of Members

3.1. A semi-annual meeting will be held every fall prior to the competitive season and every spring following Circuit Championships.

3.2. Voting on UCGC issues can take place at both semi-annual meetings.

3.3. If an emergency arises, the Board may call for a discussion and vote, if need be, through electronic means.

3.4. At least 50% plus one (1) of Circuit units in good standing present shall constitute a quorum for the transaction of business at the semi-annual meetings.

3.5. Robert Rules of Order will be used at both semi annual meetings.

3.6. All general membership meetings will be audio recorded and made available publicly with the minutes within (7) days following the meeting.

3.7. Order of Business at the meetings called shall be as follows:

- A. Meeting called to order
- B. Approval of meeting agenda
- C. Reading of minutes from previous meeting
- D. Approval of previous meeting minutes
- E. Report of Circuit Administrator
- F. Report of Communications Director
- G. Report of Treasurer
- H. Reports of committees (if any)
- I. Old Business
- J. New Business
- K. Adjournment

3.8 Headings. The descriptive headings of the sections and subsections of this document or the *UCGC Rules and Procedures* are for convenience only, and do not affect the construction or interpretation of those documents.

ARTICLE IX – FINANCES

Section 1. All contracts or other formal financial agreements between UCGC and other parties, within or outside the association, must have the approval of a simple majority of the Board of Directors of UCGC. The written contract or agreement must be archived with the UCGC Assistant Administrator for no less than seven (7) years after the execution/ completion date of the agreement.

Section 2. All checks drawn on the UCGC account will require two (2) signatures.

Section 3. All Circuit expenditures will require Board approval and a signed expense report before they are executed.

ARTICLE X – CONFLICT OF INTEREST

Section 1. Purpose. The purpose of the conflict of interest policy is to protect this tax-exempt organization's (UCGC) interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of the Organization or

might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

Section 2. Definitions

- Interested Person. Any director, board member, or member of a committee with governing board delegated powers, who has a direct or indirect financial interest, as defined below, is an interested person.
- Financial Interest. A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:
 - An ownership or investment interest in any entity with which the Organization has a transaction or arrangement,
 - A compensation arrangement with the Organization or with any entity or individual with which the Organization has a transaction or arrangement, or
 - A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Organization is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial. A financial interest is not necessarily a conflict of interest.

Section 3. Procedures

- Duty to Disclose. In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the directors and members of committees with governing board delegated powers considering the proposed transaction or arrangement.
- Determining Whether a Conflict of Interest Exists. After disclosure of the financial interest and all material facts, and after any discussion with the interested person, they shall leave the governing board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall decide if a conflict of interest exists.

Procedures for Addressing the Conflict of Interest

- An interested person may make a presentation at the governing board or committee meeting, but after the presentation, he/she shall leave the meeting during the discussion

of, and the vote on the transaction or arrangement involving the possible conflict of interest.

- The chairperson of the governing board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
- After exercising due diligence, the governing board or committee shall determine whether the Organization can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
- If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the governing board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the Organization's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination, it shall make its decision as to whether to enter into the transaction or arrangement.

Violations of the Conflicts of Interest Policy

- If the governing board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
- If, after hearing the member's response and after making further investigation as warranted by the circumstances, the governing board or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

Section 4. Records of Proceedings

The minutes of the governing board and all committees with board delegated powers shall contain:

- The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the governing boards or committee's decision as to whether a conflict of interest in fact existed.
- The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the

proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

- Videos and/or audio recordings of all meetings may be kept as a public record in addition to all meeting minutes.

Section 5. Compensation

- A voting member of the governing board who receives compensation, directly or indirectly, from the Organization for services is precluded from voting on matters pertaining to that member's compensation.
- A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Organization for services is precluded from voting on matters pertaining to that member's compensation.
- No voting member of the governing board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Organization, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

Section 6. Annual Statements

Each director, principal officer, and member of a committee with governing board delegated powers shall annually sign a statement which affirms such person:

- Has received a copy of the conflicts of interest policy,
- Has read and understands the policy,
- Has agreed to comply with the policy, and
- Understands the Organization is charitable and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

Section 7. Periodic Reviews

To ensure the Organization operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

- Whether compensation arrangements and benefits are reasonable, based on competent survey information, and the result of arm's length bargaining.

- Whether partnerships, joint ventures, and arrangements with management organizations conform to the Organization's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes and do not result in inurement, impermissible private benefit or in an excess benefit transaction.

Section 8. Use of Outside Experts

When conducting the periodic reviews as provided for in Article VII, the Organization may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the governing board of its responsibility for ensuring periodic reviews are conducted.

ARTICLE XI – AMENDMENTS

Section 1. The UCGC Board of Directors and membership may amend, revise, add to, repeal, or rescind these Constitution/Bylaws/Rules and/or adopt new by a majority of the assembled quorum of circuit members. Minor revisions to the language of the bylaws can be made by a majority vote of the UCGC Board of Directors. Any changes made by the UCGC Board of Directors can not change the original intent of the bylaws. Circuit members will be informed of any changes made by the UCGC Board of Directors at the next circuit meeting.

UTAH COLOR GUARD CIRCUIT RULES AND PROCEDURES

1.0 Supervision and Competition Rules

1.1. Contests will be supervised by UCGC under the current competitive rules of Winter Guard International (WGI) except as noted herein.

2.0 Hosting an UCGC-Sanctioned Competition

2.1. UCGC units that wish to host a contest must submit an application form to the Contest Director by August 15th. There is no fee to submit an application. Units that meet the following minimum requirements will be eligible for contest host consideration.

Minimum requirements:

- A. Must be a member unit in good standing.
- B. Need to have three (3) separate rooms for judges, contest staff and tabulator. The tabulator room needs to be close to the performance area.
- C. Adequate parking for spectators and performing groups.
- D. Availability to transport judges and contest staff from/to hotel, airport and contest site.
- E. Floor folding area, indoor is ideal.
- F. Performance area with a minimum of seventy feet by one hundred feet (70' x 100') to accommodate a "safety zone" of five feet (5') from any spectator seating. This will ensure the minimum sixty-foot by ninety-foot (60' x 90') competition area within the minimum seventy feet by one hundred feet (70' x 100') of the performance area.
- G. Electricity available on both front and back sides of performance area.
- H. Adequate indoor warm-up facilities.
- I. Doors with a removable bar or double doors that will allow entering and exiting the performance area and the building for props and floor carts.
- J. Hallways, foyers, or rooms for storage of guards' equipment, props, and floors.

The following will be taken into consideration when choosing which applicants will be chosen to host a show:

- A. Did the applicant complete the application fully and turn it in on time? This is NOT first come, first chosen.
- B. Does the applicant meet all the minimum requirements?

C. Are there more than one (1) applicant requesting the same date?

If more than one (1) applicant is requesting the same date and they meet the minimum requirements, the decision will be put before the Circuit Membership for a vote on which applicant should host the show. This vote will be done by electronic means.

2.1.1. Friday evening shows may be conducted for Elementary and Junior Divisions when facilities are available. Scholastic units may perform at this contest as well, however the total number of performances is not to exceed twenty-five (25) total performances for the evening with priority given to Elementary and Junior Division units. Elementary and Junior units attending Friday evening contests will be granted entrance to Saturday shows to spectate at no additional charge with proper contest credentials.

2.2. The competition season will begin no earlier than the weekend following January 1st and extend no later than the week before WGI Color Guard World Championships.

2.3. The Contest Director must provide and publicize a performance order for each UCGC contest. All Independent programs will perform last within their respective classifications in UCGC competitions.

2.4. Non-member units will be charged an entry fee of \$200. It is the Treasurer's responsibility to inform units of any additional fees.

2.5. Non-member units will be scheduled to perform in their class before member units.

2.6. The contest host is responsible to pay 20% of their gate to UCGC.

2.7. Contest sponsors must abide by the UCGC contest sponsorship guideline and procedural packet of rules and responsibilities for running/hosting a contest from UCGC. Fines assessed for non-compliance are found in said packet.

2.8. Vendors will be allowed to sell souvenir merchandise at all regular UCGC-sanctioned contests for a fee decided by and paid to the host school.

3.0 Unit Classifications

3.1 Independent Color Guard

3.1.1. Color guards in the Independent A Classes from the United States composed of performers not over 22 years of age as of 12:01 a.m. on April 1, of the current competition year, shall be permitted to compete in contests governed by WGI. Independent Open Class color guards from the United States may utilize performers not over 23 years of age as of 12:01 a.m. on April 1, of the current competition year. Independent World Class Color guards may compete with performers of any age. Each color guard appearing in a WGI contest shall be prepared to show proof of age. International independent color guards are not bound by any age limit except for U.S. citizens performing with that group. U.S. citizens performing with an international group may not exceed the age allowed for that classification.

3.1.2 World Class. Adjudicated on the WGI World sheet. Performers demonstrate the highest degree of physical development. They are very experienced and fully trained. Programs are unique and innovative, and these components are important at this level. Some very sophisticated challenges will be placed on the performers who are often over 21 years of age. When judging this class, the judge becomes the “critic” and should respect the knowledge of the instructors and designers. Dialogs should be a learning exchange between instructor and judge. Interval time is 10 minutes, performance time is 4-7.5 minutes, and equipment time is 3.5 minutes.

3.1.3 Senior Class. Adjudicated on the WGI A sheet. A place to allow teams to compete World in a more respectful and competitive environment. There is greater consistency in the range of skills and physical development. Programs are unique. A few individuals will demonstrate a high level of skills. Some advanced challenges will exist. Interval time is 10 minutes, performance time is 4-7.5 minutes, and equipment time is 3.5 minutes.

3.1.4 Open Class. Adjudicated on the WGI Open sheet. Still contains a wide range of age and some skill differences. There is greater consistency in the range of skills and physical development. Programs are unique. A few individuals will demonstrate a high level of skills. Some advanced challenges will exist. Interval time is 9 minutes, performance time is 4-6.5 minutes, and equipment time is 3.5 minutes.

3.1.5 A Class. Adjudicated on the WGI A sheet. Contains the widest range of age and skill differences. A wide range of skills and physical development can exist, creating a challenging situation to evaluate. Programs are usually unique. Occasionally a few individuals will demonstrate a high level of skills. Interval time is 8 minutes, performance time is 4-5.5 minutes, and equipment time is 3.5 minutes.

3.1.6 Regional A Class. Adjudicated on WGI Regional A sheet. This classification is for units with basic beginning programs, which demonstrate basic skills and levels. Interval time is 7 minutes, performance time is 3-4.5 minutes, and equipment time is 3 minutes.

3.2 Scholastic Color Guard

3.2.1 World Class. Adjudicated on the WGI Scholastic World sheet. This classification is for units that display the highest possible caliber nationally. This classification is for units with programs that include a highly advanced level of equipment and movement technique. This class is for units who compete at the WGI World Class level nationally. This class is for performers grades K-12. Interval time is 10 minutes, performance time is 4-7.5 minutes, and equipment time is 3.5 minutes.

3.2.2 Open Class. Adjudicated on the WGI Open sheet. This classification is for units whose program includes an intermediate level of equipment and movement technique. This class is for units who compete at the WGI Open Class level nationally. This class is for performers in grades K-12. Interval time is 9 minutes, performance time is 4-6.5 minutes, and equipment time is 3.5 minutes.

3.2.3 A Class. Adjudicated on the WGI A sheet. This classification is for units whose program includes a higher level of basic equipment and movement technique. This class is recommended for those units who compete at the WGI A Class level nationally or regionally. This class is for performers in grades K-12. Interval time is 8 minutes, performance time is 4-5.5 minutes, and equipment time is 3.5 minutes.

3.2.4 AA Class. Adjudicated on the WGI A sheet. This classification is for local UCGC units whose program includes a high level of basic equipment and movement technique. This class is for performers in grades K-12. Interval time is 8 minutes, performance time is 4-5.5 minutes, and equipment time is 3.5 minutes.

3.2.5 Regional A Class. Adjudicated on WGI Scholastic Regional A Sheets.

This classification is for units with more experienced programs, which demonstrate basic skills and levels. This class is for performers in grades K-12. Interval time is 7 minutes, performance time is 3-4.5 minutes, and equipment time is 3 minutes.

3.2.6 Regional AA Class - Adjudicated on the WGI Scholastic Regional A sheets.

This classification is for units whose program includes the very beginning levels of equipment and movement technique. This class is for performers in grades K-12. Interval time is 7 minutes, performance time is 3-4.5 minutes, and equipment time is 3 minutes.

3.2.7 Cadet Class. Adjudicated on the UCGC Cadet Sheet. This classification is for units whose program includes the very beginning levels of equipment and movement technique. This class is defined as a PreK-12 program with members in Kindergarten through 12th grade only. Interval time is 7 minutes, performance time is 3-4.5 minutes, and equipment time is 3 minutes. No scores or placements will be announced for this class. Gold, Silver and Bronze ratings will be given instead.

3.2.8 Junior A Class: Adjudicated on the WGI A sheet. This classification is for units whose program includes a higher level of basic equipment and movement technique. This class is for performers in grades K-8 and is adjudicated on the Scholastic A sheet. Interval time is 8 minutes, performance time is 4-5.5 minutes, and equipment time is 3.5 minutes.

3.2.8 Junior Regional A Class. Adjudicated on the WGI Regional A sheet. This classification is for units whose program includes the higher levels of equipment and movement technique. This class is defined as a K-8 program with members in Kindergarten through 8th grade only. Interval time is 7 minutes, performance time is 3-4.5 minutes, and equipment time is 3 minutes.

3.2.9 Junior Regional AA Class. Adjudicated on the WGI Regional A sheet. This classification is for units whose program includes the moderate levels of equipment and movement technique. This class is defined as a K-8 program with members in Kindergarten through 8th grade only. Interval time is 7 minutes, performance time is 3-4.5 minutes, and equipment time is 3 minutes.

3.2.10 Junior Cadet Class. Adjudicated on the UCGC Cadet sheets. This

classification is for units whose program includes the very beginning levels of equipment and movement technique. This class is defined as a K-8 program with members in Kindergarten through 8th grade only. Interval time is 7 minutes, performance time is 3-4.5 minutes, and equipment time is 3 minutes. No scores or placements will be announced for this class. Gold, Silver and Bronze ratings will be given instead.

3.2.11 Elementary Cadet. Adjudicated on the UCGC Cadet sheets. This class is defined as an Elementary school program with members in Kindergarten through 6th grade only. Interval time is 7 minutes, performance time is 3-4.5 minutes, and equipment time is 3 minutes. No scores or placements will be announced for this class. Gold, Silver and Bronze ratings will be given instead.

4.0 UCGC Championships

4.1. The Circuit Championships is hosted by the UCGC. The Board of Directors will determine the site of this competition.

4.2. UCGC is responsible for all Championship judging expenses, regardless of panel size or prelims/finals format.

4.3. Championships format will be determined by a membership vote at the spring meeting.

4.3.1. If there wasn't a vote to decide the format of Championships at the Spring Meeting, an online electronic vote can be used before the Fall Meeting. If electronic vote is not used, then we will use the previous year's format.

4.4. UCGC will receive 70% of the revenue from the gate for Circuit Championships. The hosting site is required to get all volunteers needed to run the contest and will receive all revenue from concessions and 30% of the gate.

4.5. UCGC will be responsible for all custodial costs of championships.

4.6. If Circuit Championships is set up as a prelims/finals format, units that do not proceed beyond the prelims will be requested to attend finals retreat and be recognized for their participation in the season. This will be done prior to the handing out of the Championship awards. Trophies, plaques, medals, and any other awards will ONLY be distributed during the final awards.

4.6.1. Order for championship prelims will be decided by the average of the top three (3) scores of all competitions, including the local WGI regional. The teams will be seeded within their division with the lowest average performing first, going up in order with the highest average performing last. The seeding and scoring will be updated on CompetitionSuite so that teams can stay updated on the scores and s at all times in a secure, controlled environment.

4.7. If Circuit Championships is set up as a regular contest (all units performing once), the top 3 highest scores from each unit's current division will be averaged for finals and performance order.

4.8. Championship finals will be the only competition to have a full retreat where an entire unit will line up for the awards ceremony.

4.9. For those units that do not qualify for finals, tickets for front side seating will be available at full cost and back side seating tickets available for \$2. Any member of a Unit that is found in front side or back side seating without paying will be penalized 1 point per person. If the infraction takes place after the Unit's awards ceremony, the penalty will be given at the next UCGC contest. If the infraction takes place during Championships, the Unit will be fined \$20 per infraction and will not be considered a member in good standing until the fine is paid.

5.0 Class Reclassifications

5.1. In all Winter Guard Classes, the process for reclassification will be based on WGI Reclassification at Regionals, WGI Policy 4.113 Classification Review (WGI Policy 2022). UCGC will ask the judges at the first three (3) competitions a unit attends to review the units for possible misclassification. If the Chief Judge informs the Contest Director or the Circuit Administrator that a unit is misclassified, action will be taken to put the unit in the classification the Chief Judge determines to be correct. If the director believes this reclassification to be inaccurate, the director may submit a video and explanation of extenuating circumstances detailing the reasons they believe the unit should stay in their current classification. This must be done within two (2) days of being notified of reclassification. Upon receiving the video and explanation, the Contest Director or Circuit Administrator will contact the Chief Judge to see if reclassification is in error. If the Chief Judge is not available we will consult with our UCGC Judge Coordinator. The director will be notified within two (2) days.

5.2. Reclassifications can occur up to one (1) week AFTER the third (3rd) regular season

contest a unit attends.

5.3. The UCGC Board of Directors will recognize units that are reclassified during the regular season.

5.4. Units reclassified mid-season will not be required to change their show length to meet the timing requirements of the new class.

5.5. The first place finalist in all regional classes (JRAA, SRAA, SRA, SAA) from the circuit championships will be promoted to the next higher class of competition for the following season. Units will not be promoted into a class for which they are not eligible. The director of a promoted guard may submit a letter on extenuating circumstances as to why this promotion adversely affects their guard. In addition, the director may submit a video of the guard twenty-one (21) days prior to their first UCGC competition for consideration to return to the lower class of competition.

6.0 Penalties

6.1. UCGC units will be assessed a fine, paid to the contest host with the UCGC treasurer notified of \$75 if they pull out of a contest after January 15th. The fine will increase to \$150 if the unit notifies the contest host less than two weeks prior to the contest date, even if the unit pulls out before January 15th. The unit will not be allowed to participate in any additional UCGC contests until the fine is paid.

6.2. If UCGC has not received the first payment for membership fees postmarked or electronic receipt dated by December 15 or next business day if it falls on a weekend or holiday, a \$25 late fee will be assessed. If UCGC still has not received any payment by postmarked or electronic receipt dated by January 15 or next business day if it falls on a weekend or holiday, an additional \$25 late fee will be assessed. ALL fees must be paid by the first competitive contest in order to compete. If fees are not paid by the premiere contest, there will be an additional \$100 late fee assessed. Fees will not be assessed to units deemed by the board ineligible to perform.

6.3. UCGC will have an Emergency Clause in place for the extreme circumstances that occur within 48 hours of a contest with approval of the Contest Director.

7.0 Director's/Staff Passes

7.1. Each unit will be provided with one (1) Director's badge along with (3) staff passes

per unit. All names listed on the badges must submit proper documentation as outlined by the UCGC Bylaws and Constitution prior to badges being issued to units. Additionally one (1) generic administrator pass will be provided for exclusive use by a school administrator, band director or Independent unit equivalent.

7.2. Additional staff passes are available for purchase at a fee of \$20 each. These passes are only for use by staff members.

7.3. Said passes will allow the holder to sit in the front bleachers during the contests and must be displayed at all times.

7.4. Replacement fee for lost passes will be \$5.

8.0 Timing and Penalties Warnings

8.1. After the premiere Show, there will be no T & P warnings; penalties will be assessed as need be from that point on.

8.2. Hosts will provide information in their packet regarding what the equipment check expectations are. If there is an issue during a show, directors should reach out to the board or host to get instant clarification.

8.2. Tips on both ends of rifle and flag poles must be padded or taped. Sabre-blade tips must be padded and taped. The bottom of all props and scenery made of wood, metal or PVC type plastic must be padded or taped so as not to damage the floor. All wheels will be inspected. If a unit's wheels cause damage, they will be subject to a penalty and/or fine to cover the cost of repair for said damages.

8.3. Sitting in front of any regular season competition as well as Circuit Championships without a wristband or director badge is not allowed. This offense will result in a penalty as outlined in section 4.8 and ejection of any offending spectators.

8.4. Per WGI rules, the ballooning of floors is grounds for immediate disqualification. A floor is considered ballooned when the floor continues moving after those pulling it have stopped and a pronounced air bubble is created.

9.0 Critique

9.1. Critique will be on a first-come-first-serve basis. There will be enough time for half

of the competition's participants and will be available for units to sign up via electronic format. Directors will sign up to meet with the upstairs or downstairs judges for a total of 5 minutes. Critique will be available for the first half of the UCGC contests. Units attending WGI World Championships will be given a 5 minute full panel critique after each UCGC show which will be based on the performance order set by the competition schedule.

10.0 Scholarships

10.1. Scholarships will be awarded to applicants at the discretion of the scholarship committee. Said committee will consist of the UCGC Board of Directors, and two (2) non-biased public members. The Christensen and Raymond families will be asked to appoint the public members first. If they are not able to fill the spots the board will appoint these members.

10.2. The maximum amount of money awarded to the Heather Christensen Scholarship recipients will be \$3000 with one \$2000 and one \$1000 award each. This scholarship is for any UCGC unit members graduating from high school. The scholarship is made payable only to a higher-education institution.

10.3. The maximum amount of money awarded to the Sara Raymond Scholarship recipients will be \$4000 allowing for four (4) \$1000 awards. This scholarship is to be for any UCGC member continuing their winter guard education outside the circuit and may include higher-education institutions. This award can be for directors, staff, and unit members and can also include judge's training, WGI educational seminars/clinics, and marching with other units (DCI and WGI). This award may be payable directly to institutions, units, airlines, or hotels. It may also be payable to the scholarship recipient upon submitting approved receipts for food, transportation, lodging and other related expenses.

10.4. Applications will be accepted from February 1 to March 1 of each season.

10.5. All scholarship-awarded funds must be used within the next UCGC Fiscal year, which is April 1st to March 31st.

10.6. All scholarship applications must include a video submission. Video submissions must be no less than 1 minute and are not to exceed 1 minute 30 seconds. All submissions must include a minimum equipment time of 45 seconds. All videos must be submitted by the appointed deadline to be eligible for consideration.