

# CONSTITUTION

## Section V N.Y.S.P.H.S.A.A., Inc.

### Article I - Name

The name of the organization shall be the Athletic Council of Section V, New York State Public High School Athletic Association, Incorporated.

### Article II - Purpose

It shall be the purpose of this organization to formulate and adopt policies that will enable the Association to administer and govern interscholastic athletics in accordance with sound educational practices.

### Article III - Membership and Representation

Section 1 - Any school in Section V which is a member of the New York State Public Athletic Association automatically comes under the jurisdiction of the Athletic Council of Section V.

Section 2 - Membership shall require each school to:

- A. Abide by the Constitution, rules and regulations of the N.Y.S.P.H.S.A.A., Inc., and of Section V, Inc.
- B. Pay dues to N.Y.S.P.H.S.A.A., Inc.
- C. Specify the sports and levels of competition in which that school will compete.
- D. Insure that no athlete will receive any type of financial assistance from the school for athletic participation.

Section 3 - The League is the basis of organization and representation of member schools.

Section 4 - Each League serving boys and girls shall be represented in the Athletic Council by a chief school officer, secondary school administrator, male representative and female representative. For Leagues serving only boys or only girls, there will be three representatives. For example: Rochester League is girls only: chief school officer, secondary school administrator, and female representative.

Section 5 - For leagues serving only boys or only girls there will be two representatives. One shall be a chief school officer or secondary school administrator and the other shall be a male or female representative.

Section 6 - The Executive Director of the Section shall be notified of these designations.

Section 7 - Friends and Neighbors schools shall select one representative to attend Athletic Council meetings as a guest of Section V.

## **Article IV - Membership Voting**

Section 1 - The vote of the Athletic Council:

- A. League delegates shall have one (1) vote.
- B. The following members of the Executive Committee shall have one vote each (president, president-elect, past president, boys' vice president, girls' vice president, four representatives to the central committee. The President votes only in case of a tie.)

Section 2 - When determined by the Athletic Council, member schools shall be called upon to vote by written ballot. Each member school will have one (1) vote on any proposition affecting that school. (A school will vote on a specific sport question only if the school has a team in that sport. For example, only ice hockey playing schools vote on an ice hockey question.) The ballot must be signed by the chief school officer, secondary school principal, male physical education representative and female physical education representative in order to be valid. A majority of the schools voting will pass any motion. In certain instances, the President may be called for a telephone /electronic vote. Said votes shall be confirmed by a written statement within 48 hours.

Section 3 - On sports specific issues a league may vote only on an issue if the school or schools in that league have a team in that sport. (Rochester League may not vote a baseball issue.)

## **Article V - Meetings**

Section 1 - The Athletic Council shall regularly meet a minimum of four (4) times during the school year upon the call of the President or by a vote of the Council at the preceding meeting. Special meetings may be called by the President.

Section 2 - The Executive Committee shall meet immediately prior to all Athletic Council meetings. Special meetings may be called by the President.

Section 3 - Attendance at Section V Athletic Council meetings shall be open to any person delegated the responsibility for the Athletic program of any member school. The person shall have no voting privileges.

## **Article VI - Officers**

Section 1 - The Officers of the Athletic Council shall be the President, President-Elect, Past President, Secretary, Treasurer, Vice President for Boys' Sports and Vice President for Girls' Sports.

Section 2 - Election of officers will occur by referendum after the March meeting for a term of two (2) years and will take office July first of the election year. The President-Elect and Vice President for Boys' Sports shall be elected in even years and Vice President for Girls' Sports shall be elected in odd years.

Section 3 - In the event that an elected official is unable to fulfill his/her term, the Executive Committee may recommend to the Athletic Council either the appointment of a person to complete the unexpired term or that a special election be held.

Section 4 - The Executive Director and Treasurer shall be appointed by the Executive Committee. The salary of the Executive Director and Treasurer shall be determined annually by the Executive Committee and approved by the Athletic Council.

## **Article VII - Duties of the Officers and Executive Committee**

### **Section 1 - President**

- A. Presides at all meetings and performs such duties as common to the office of the President.
- B. Call special meetings whenever necessary.
- C. Appoint all standing committees, special committees and sports coordinators subject to the approval of the Athletic Council.
- D. Represents Section V at State and local meetings.
- E. Serves as ex-officio member of all committees except the Nominating Committee.
- F. Appoint the At-Large Representative to the Executive Committee.
- G. Call the annual meeting of the Council of League Representatives for the Boys' and Girls' Sports prior to the September Athletic Council meeting.
- H. Sends messages of congratulations and condolences as needed.

### **Section 2 - President-Elect**

- A. Presides at all meetings in the absence of the President.
- B. Succeeds to the Presidency at the expiration of the two year term.
- C. Serve as Chairperson of the Constitution and Handbook Revision Committees.
- D. Serve as interpreter of the Constitution.

### **Section 3 - Immediate Past President**

- A. Presides at all meetings in the absence of the President and President-Elect.
- B. Serve as Chairperson of all Election and/or Nominating Committees for the Section.

### **Section 4 - The Vice President for Boys' and Girls' Sports (one male and one female):**

- A. Communicate with all Section V Sport Coordinators and Committees.
- B. Receive, review and submit sport coordinator reports prior to Executive Committee meetings
- C. Develop a schedule for sport coordinators reports to the Executive committee and Athletic Council.
- D. Serve as liaisons to the Officials Organization in respective sports.
- E. In conjunction with sport liaisons conducts an annual review of each sport coordinator.

### **Section 5 - The Executive Director**

- A. Serves as liaison between Section V, N.Y.S.P.H.S.A.A., Inc., Officials' Organizations, and the respective leagues within Section V.
- B. Responsible for the supervision of all Section V coordinators including but not limited to their sport Handbook
- C. Attends appropriate meetings as a representative of Section V that are designated by the Executive Committee.
- D. Screens all grievances, protests, and/or similar disputes for non-league and sectional contests and takes appropriate actions.
- E. Acts as interpreter for both the Section V and N.Y.S.S.P.H.S.A.A., Inc., handbooks.
- F. Prepares for all Executive Committee, Athletic Council and special meetings which includes preparing agendas and supporting documents.
- G. Records and distributes minutes of all Executive Committee, Athletic Council and special meetings if so designated.
- H. Oversees the positions of Treasurer and Web Site manager.
- I. Distributes sectional passes.
- J. Distributes ballots and other material to member schools.
- K. Updates the Section V Handbook posted on the website.

- L. Administers, processes, and maintains records for:
  - (a) the Transfer Waiver Applications
  - (b) Senior All-Star Contests Applications
  - (c) Athletic Eligibility
  - (d) Classifications
  - (e) Minutes of all Section V business meetings
- M. Supervises the organization, preparation, and administration of the Section V budget in conjunction with the treasurer and the finance committee.
- N. Provides appropriate materials to the web master or designee to keep the site current.
- O. Oversees the negotiation, approval and signing of all facility contracts in conjunction with the treasurer.
- P. Performs such other tasks and responsibilities as may be assigned by the Section V President and the Section V Executive Committee.

#### Section 6 - Treasurer

- A. Receives all income, keeps a careful record and statement of same and submits a report at each meeting of the Athletic Council.
- B. Disburses money only on vouchers properly accepted. The treasurer's record shall be audited by a C.P.A. prior to the annual January meeting of the Association.
- C. Presents an estimated budget to the Executive Committee in September; and to the Athletic Council at the annual November meeting for the approval of the Athletic Council.
- D. Acts as financial consultant to Section V.
- E. Order and distributes to the sports coordinators all trophies, award certificates, and shields of the Section. Oversees the purchase and sale of athletic merchandise, which includes but is not limited to t-shirts, hats and sweatshirts.
- F. Receives, oversees and approves the sport coordinator budgets.
- G. Prepares and distributes all quote requests for awards and supplies.
- H. Prepares ticket packages for all sports.
- I. Receives and computes all data regarding State semi's and final contests.
- J. Collects monies from Sectional contests as required.
- K. Computes regional contest splits.
- L. Executes ccontracts for State Tournament transportation.
- M. Completes other projects as assigned by the Executive Committee or Athletic Council.

#### Section 7 - The Executive Committee

- A. Acts on all matters not provided for in this Constitution and such emergency business as may arise between regular meetings of the Athletic Council.
- B. Has final authority in all matters pertaining to appeals protests.
- C. Appoints the Executive Director and Treasurer.
- D. Conducts an annual review of the Executive Director and Treasurer. The review will be conducted by the President, immediate Past President and the President Elect and will be submitted to the Executive Committee by July 1<sup>st</sup>.
- E. Recommend an annual Section V budget to the Athletic Council for approval.
- F. Recommend to the Athletic Council approval of such items as Sports Coordinator appointments, organization of tournaments, Sports Coordinators' budgets, and tournament dates.

#### Section 8 – Central Committee

Section V is entitled to four (4) representatives to the Central Committee of NYSPHSAA., Inc. Committee members shall be elected each year as designated by the NYSPHSAA, Inc. Constitution. Central Committee members must attend required state meetings. Information from these meetings is to be communicated back to the Section and their respective groups. Central Committee members will take office on September 1<sup>st</sup>.

## **Article VIII - The Athletic Council**

Section 1 - The governing body of the Association and control of Athletics in Section V shall be the Athletic Council.

Section 2 - The Athletic Council shall consist of voting members (see Article IV, Section 1, Item #3) of the Executive Committee and representatives from each league selected by the member schools in each league as described in Article III, Section 4, 5, and 7.

Section 3 - Election of Representatives

- A. Representatives shall be elected to two (2) year terms and representative of the following groups:
  - A. Chief School Officer
  - B. Secondary School Administrator
  - C. Boys' Representative
  - D. Girls' Representative
- B. The Chief School Officer and Girls' Representative shall be elected the even years and the Secondary School Administrator and Boy's Representative shall be elected in the odd years.
- C. Each of the representatives shall be a member of his/her respective groups in his/her league. Retired persons serving as a league representative shall be permitted to continue for the duration of their tenure and also be permitted to serve in that capacity if so elected by the league. A representative appointed by Rochester's Chief School Officer may serve at his/her discretion.

Section 4 - Alternates

Each league shall submit to the Executive Director, the name of an alternate for each representative who would function as the representative in the event the duly elected representative is unable to attend the regular meeting of the Athletic Council. This alternative shall possess the same qualifications as the representatives.

Section 5 - Quorum

- A. Regular business may be conducted with fifty per cent (50%) of the representatives present.
- B. Six (6) leagues must be represented prior to transacting any business.
- C. A simple majority vote will determine the outcome of any issue.
- D. Absentee voting will not be permitted.

Section 6 - Single Vote

Each member of the Athletic Council having voting power shall have only one (1) vote on any proposition.

## **Article IX - Executive Committee**

Section 1 - The Executive Committee shall consist of fourteen (14) members: President, President-Elect, Immediate Past President, Female Vice President, Male Vice President, Secretary, Treasurer, four (4) Central Committee members, one (1) At-Large Representative and two (2) League Representatives (one male and one female).

Section 2 - The League Representatives for Boys' and Girls' Sports will meet annually in September. The Section V President will call a meeting prior to the first Athletic Council meeting of the school year to elect the two representatives to the Executive Committee. These representatives to the Executive Committee may continue to serve as League Representatives. Additional meetings of the Council of League Representatives may be held as deemed necessary.

- Section 3 - The Executive Committee shall manage of the affairs of the Section during the interval between meetings of the Athletic Council. It shall have the power to act on all matters not covered by the Constitution. It shall have jurisdiction in all appeals, protests, and questions of eligibility when the Athletic Council is not in session. All action will be reported at the next Athletic Council meeting.
- Section 4 - Business may be conducted when nine (9) members of the Executive Committee are present.
- Section 5 - A simple majority votee is necessary to act on any matter brought before the committee.
- Section 6 - The Section V Executive Committee is the Board of Directors for the Section V of the N.Y.S.P.H.S.A.A., Inc.
- Section 7 - Persons retiring from active public education employment currently serving as a member of the Executive Committee shall be permitted to continue for the duration of their tenure, and also be permitted to serve in that capacity if so elected or appointed.

#### **Article X - Sports Coordinators**

- Section 1 - The Sectional Sports Coordinators shall be appointed by the President with the approval of the Executicve Committee and the Athletic Council.
- Section 2 - The Sports Coordinators will chair the Sectional Advisory Committee comprised of representatives selected by individual leagues, not the Sport Coordinator. Independent schools may select a representative for each Sport Advisory Committee.
- Section 3 - A Sectional Sport Coordinator shall be the official sectional representative of his/her sport. With the Advisory Committee, the Coordinator shall make decisions related to his/her sport in the best interests of the Section, subject to review and approval of the Executive Committee and the Athletic Council.
- Section 4 - Any member of a professional or retired staff of a member school in good standing may serve as a Sport Coordinator.
- Section 5 - There shall be one Sport Coordinator for each sport (Boys and Girls) and may have an assistant coordinator to be approved by the Executive Committee and the Athletic Council.
- Section 6 - Each Sport Coordinator and his/her Advisory Committee are responsible for the organization of their own activity and shall have the approval of the Athletic Council. The Coordinator must follow to the rule, the sport rules of the Athletic Association, if applicable, the rules of the Commissioner of Education, and the rules of the N.Y.S.P.H.S.A.A., Inc.
- Section 7 - Each Sport Coordinator and Advisory Committee may organize and conduct a Sectional Tournament and will enforce the policies and the rules governing each sport as set up by the Athletic Council. Any sports changes must be approved by the Executive Committee and the Athletic Council.
- Section 8 - Each Sport Coordinator shall prepare a complete written report of his/her sport and forward a copy to the Vice President and liaison, and to the State Sport Coordinator. This report shall be completed in accordance to a schedule developed by the respective vice-President.

- Section 9- Each Sport Coordinator shall prepare a Sports Policy Booklet (Handbook) updated annually governing the athletic activity. These policies shall be approved by the Executive Committee and the Athletic Council.
- Section 10- The Sport Coordinator will organize and supervise the officials' draw in those sports where it's appropriate.
- Section 11- Participation in intersectional contests shall have the approval of the Athletic Council.
- Section 12- A copy of the proposed sport budget must be in the hands of the Treasurer not later than sixty (60) days after the close of that sport's season.
- Section 13- All Sports Coordinators have a voice but may not vote at Athletic Council meetings.
- Section 14- A Sport Coordinator shall develop a handbook on a time schedule with a job analysis and turn it over to the successor. The previous coordinator to voluntarily remain on call for one (1) year in an ex-officio capacity for advice.
- Section 15- On an annual basis and prior to August 1<sup>st</sup>, each Sport Coordinator and his/her Advisory Committee shall recommend classifications based on the enrollments relative to the number of schools involved for Athletic Council approval.
- Section 16- Each Sport Coordinator shall be responsible to assure contesting teams that facilities are properly prepared according to appropriate sport rule book.
- Section 17- For historical purposes, all records (handbooks, budgets, programs, reports) shall be kept on file by each sport coordinator. On an annual basis, this information shall also be provided to the Executive Director.

#### **Article XI - Committees**

- Section 1 - Special Committees shall be created by the President as the need arises. Each is appointed for a specific duration and duty.
- Section 2 - Standing Committees shall be: Classification, Eligibility, Modified Sports, Finance, Safety, Officials' Coordinator, Policy Handbook. (Chairpersons to these committees shall be appointed by the President to serve for the duration of the President's term.)

#### **Article XII - Nominating and Voting Procedures Committee**

- Section 1 - The immediate Past President shall serve as the chair of this committee.
- Section 2 - Each league's boys and girls sport representative or his/her designee shall serve on the nominating committee. Leagues that represent only boys or girls shall designate one representative.
- Section 3 - Qualifications for office: All elected positions of the Executive Committee shall be members of a professional staff of a member school in good standing and who have served in some capacity at the Athletic Council level prior to election. Persons retiring from active service as a member of the Executive Committee shall be permitted to continue for the duration of their tenure and also be permitted to serve in that capacity if so re-elected or appointed.

Section 4 - Qualified candidates will be selected by the Nominating committee and their names presented at the March Executive Committee meeting. With the support of the Executive committee. These nominees will be announced at the March meeting. Nominations may also be accepted from the Council floor. After a Council vote to accept or move the nominations, a referendum ballot will be prepared and distributed to all member schools.

Section 5 - A majority of members voting shall determine the outcome of the election. In the event no candidate receives a majority vote, the top two candidates shall be placed on a referendum. Voting must be completed before June 1.

### **Article XIII - Fiscal Year**

The Fiscal year shall be September 1 to August 31 of the following year.

### **Article XIV - Amendments**

Section 1 - Proposed amendments to the Constitution must be presented in writing to the Secretary at least twenty-one (21) days prior to the next Athletic Council meeting.

Section 2 - After consideration at League meetings and approved by the Athletic Council, the proposed amendment will be sent to all schools for referendum vote. A two-thirds (2/3) majority of the member schools is required for approval.

### **Article XV - Appeal Procedure**

Section 1 - If in the opinion of school administrative personnel (Chief School Officer, High School Principal, Athletic Director, and Coach involved) an undesirable competitive situation exists, the problem shall be presented for review and decision to the League involved.

All differences between school should be referred to the League President for decision. The League President should be guided by Association rules and by-laws and may request help in their interpretation from the Executive Director, Athletic Committee or Athletic Council.

If an appeal is between members of the same league, the league must render a decision. If the appeal is between schools of two separate leagues, the appeal should go directly to the Section V Executive Director

Section 2 - Any and all questions and/or protests as to the contest rules or as to the conduct of the contest during a Sectional Athletic Contest shall be heard and decided by the Sports Coordinator/Sports Advisory Committee.

Section 3 - Any appeal of a decision rendered by a League President or Sport Coordinator of a regular season or Sectional Athletic Contest must be made in writing signed by the Chief School Officer, Principal, Athletic Director, and Coach and submitted to the President with a \$50.00 non-refundable filing fee. The appealing school will also be responsible for any expenses incurred to hold a special meeting.

## **Article XVI - Eligibility**

- Section 1 - All questions of an athlete's eligibility shall be referred to the Section V Executive Director.
- Section 2 - Decisions of the Executive Director shall be rendered directly to all parties involved.
- Section 3 - Appeals of decisions of the Executive Director shall be directed to the Executive Committee as per Article 9, Section 3 of the Constitution.
- Section 4 - A decision on an appeal shall be made by a majority of those Executive Committee members present at the Hearing. Should any member of the Executive Committee disqualify him/herself due to a conflict of interest, the decision will be based on the majority of those remaining at the Hearing. No Hearing can be held unless seven (7) members of the Executive Committee are present.

## **Article XVII - Rules of Order**

The current edition of Roberts Rules of Order shall govern Section V, Inc., in all parliamentary situations that are not provided for in the Constitution.

Adopted - July 1984

Amended - November 1985

Proposed - October 1987

Amended - January 1988

Proposed - October 1991

Amended - March 1992

Amended - September 1994

Amended – June 1998

Amended – May 2003

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