



# Section IX

# Constitution

Revised: March 4, 2014

**SECTION IX  
NEW YORK STATE PUBLIC HIGH SCHOOL ASSOCIATION  
CONSTITUTION AND BY-LAWS**

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## STATEMENT OF PHILOSOPHY

A united and concerted action on the part of all school members to Section IX is necessary to have a successful program of Interscholastic Athletics.

Section endeavors are geared to provide all children in the athletic community with an inspiration and an environment best adapted to wholesome growth and development, stressing our belief in the democratic way of life and encouraging mental and physical alertness and independent thinking.

It is thus the philosophy of the section that we attempt through athletics to provide an educational experience to assist students in becoming contributing members of society.

Compatible with this philosophy, it is the firm belief of Section IX and New York State Public High School Athletic Association, that:

1. All students are important, and meeting the needs and interests of all students is the challenge to all within the educational community.
2. To appropriately meet the needs and interests of the many public schools of our section, we must provide activities that are coordinated, serviced, and controlled by our schools, leagues and section.
3. All schools appreciate that all cannot be totally satisfied on any given issue; however, all schools through an active system of representation and cooperation can assist in developing sound educational policies for athletic activities.
4. It is of primary importance of the section to organize responsibility and authority within this complex program. Also, it is the effectiveness of such organization that contributes to establishing a pattern for a "statewide" program of interscholastic activities.

## **CONSTITUTION AND BY-LAWS**

### **ARTICLE I NAME**

The name of this organization shall be “Section IX of the New York Public High School Athletic Association, Inc.”

### **ARTICLE II STATEMENT OF PURPOSE**

This consortium of public high schools shall provide a central association through which the member schools in Section IX will cooperate for the following objectives:

1. To strengthen the work of the member schools in developing good sportsmanship and high ideals among and between contestants and teams.
2. To promote all forms and phases of athletics for secondary students, and to enact policies and regulations in the interests of the general welfare of Section IX athletics.
3. To establish uniformity concerning eligibility rules governing participation in interscholastic athletics in each league in the section.
4. To plan and conduct all sectional athletic activities through its appointed leadership structure and governing body and to arrange, when necessary, entrance to participation in intersectional activities.
5. To enforce the Constitution, by-laws, rules, regulations and game standards adopted by the Commissioner of Education, the New York State Public High School Athletic Association, Section IX, and the leagues within the section.

### **ARTICLE III MEMBERSHIP**

A school is eligible for membership if:

1. It is a member in good standing of the New York State Public High School Athletic Association, Inc.
2. The Section IX Athletic Council has assigned it to membership in a league.

The Superintendent of a school seeking admission to the section must apply to the Secretary of the section in writing by November 30<sup>th</sup> for admission September 1 of the next year. The secretary will present the name of the school to the Athletic Council for its decision on acceptance or rejection, which will be a 2/3 vote. Application by a school to join or to withdraw from a league within Section IX (full or partial membership) must be submitted in writing by November 30<sup>th</sup> of the year before the implementation date, to the Section IX Athletic Council with copies of the application simultaneously forwarded to the leagues affected. It is acknowledged that the section has the authority to assign league affiliation to a school, by sport,

but that such an action will be taken only after due process hearings including all leagues involved. Schools becoming members of Section IX:

1. Agree to abide by the rules adopted by the Commissioner of Education, the Central Committee, New York State Public High School Athletic Association, Inc. and Section IX in all interscholastic competitions.
2. Agree that dues will be paid to the section in an amount determined annually by the Athletic Council not later than November 1<sup>st</sup>.

Any member school found in violation of the Constitution, by-laws, rules, regulations or game standards of the section may be suspended by the Athletic Council, barred from participation in any of the interscholastic activities or subjected to such a lesser penalty as may be found appropriate by the Athletic Council.

#### **ARTICLE IV GOVERNANCE**

The governing body of Section IX of the New York State Public High School Athletic Association, Inc. will be the Athletic Council.

The Athletic Council will consist of the following members. Each member may hold only one position on the Council and will have ONE vote on all matters:

Executive Director  
President  
Past President  
1<sup>st</sup> Vice President  
2<sup>nd</sup> Vice President

Central Committee (4 members) Superintendent, Principal, Female & Male Representative.

Superintendent Representatives (4 members) – one (1) sitting Superintendent from each of the following counties, Dutchess, Orange, Sullivan and Ulster, will serve on the Section IX Athletic Council. Each Superintendent will be selected by the respective Superintendents of their County. These 4 Superintendents will determine which one of them will also fill the position of Superintendent Representative on the NYSPHSAA Executive Committee listed in the paragraph above.

League Representatives (6)

Additionally, the following will be members of the Athletic Council with the right to speak on all issues or questions, but without voting powers:

Secretary  
Treasurer

The terms of office for all Athletic Council members will commence on July 1<sup>st</sup>.

## ARTICLE V SELECTION AND DUTIES OF COUNCIL MEMBERS

The Athletic Council will have general management of the affairs of the section, shall have the power to act in all matters not covered by the Constitution or by-laws and shall have the jurisdiction in all appeals and protests.

All Athletic Council meetings will follow Roberts' Rules of Order. A quorum of 2/3 of the Athletic Council will be necessary to conduct a meeting.

A 2/3 affirmative vote (12 votes) will be necessary to pass issues placed before the Athletic Council.

Members of the Athletic Council:

The terms of office for all Athletic Council members will be 2 years. The offices of Past-President, President, 1<sup>st</sup> Vice President and 2<sup>nd</sup> Vice President will be divided equally and alternated between the MHAL and OCIAA to assure an orderly rotation. The leagues will make recommendations for appointment to the Athletic Council.

1. Executive Director
  - a. Will be appointed by, and serve at the pleasure of, the Athletic Council, and will be paid a salary established annually by the Council. Recommendations to fill this position will be made by the Nominating Committee to the Athletic Council.
  - b. Will have the duty to coordinate and make consistent the activities and recommendations of all Sport Chairpersons; will bring to each meeting of the Athletic Council all matters to be heard or decided upon by the Council; and additionally to perform all those duties specified in the by-laws of the section or as assigned by the Athletic Council.
  - c. Will be an ex-officio member of all committees.
  - d. The term of office will be 2 years. A written evaluation of the performance of the Executive Director must be made by the Athletic Council every 2 years and must be done before a vote can be done to consider reappointment.
2. Past President
  - a. May attend and participate at all Athletic Council meetings.
3. President
  - a. In the absence of the Executive Director, will preside at all meetings and will perform such duties as usually associated with the office, including the development of the agendas for Athletic Council meetings.

4. 1<sup>st</sup> Vice President
  - a. Will assume the duties of the President in the event of the absence or incapacitation of the President.
5. 2<sup>nd</sup> Vice President
  - a. Will assume the duties of the President on the event of the absence or incapacitation of the President and 1<sup>st</sup> Vice President.
6. Central Committee Members:
  - a. Will have 4 members consisting of a superintendent, principal and 1 each of a representative of **male** and **female** physical education.
 

**The Superintendents of the Section IX Athletic Council will determine who will serve on the NYSPHSAA Central Committee as the Superintendent Representative.**
  - b. The Nominating Committee will make recommendations for appointment to the Athletic Council.
7. League Representatives
  - a. These will be apportioned based on the percentage of schools in each league that comprise the section. The OCIAA will have 4, the MHAL will have 2. The leagues will select their own representatives to the section. It is recommended that the representatives be selected by the leagues based on the class structures in each league.
8. Secretary to the Section
  - a. The Nominating Committee will recommend a candidate to the Athletic Council. The appointment will be for 2 years. The Athletic Council will do a review every 2 years. The Secretary will be paid a salary established annually by the Council.
9. Treasurer for the Section
  - a. The Nominating Committee will recommend a candidate to the Athletic Council. The appointment will be for 2 years. The Athletic Council will do a review every 2 years. The Treasurer will be paid a salary established annually by the Council.

## **ARTICLE VI            COMMITTEES**

### **A.     Nominating Committee**

A Nominating Committee consisting of 5 members will make recommendations for necessary appointments to the Athletic Council. The committee members will be: The

President, who will be the chair, the 1<sup>st</sup> Vice President, 2 representatives from the OCIAA and 1 from the MHAL. The league representatives will be selected by their leagues.

B. Eligibility Committee

The Eligibility Committee will consist of the following 5 members: a chair who will be nominated by the Nominating Committee for appointment by the Athletic Council for a term of 2 years; and; 2 members each from the OCIAA and MHAL League representatives will be selected by their leagues. The Athletic Council will do a review of the chair position every 2 years. The chair will be paid a salary established annually by the Council.

It is the responsibility and duty of the Eligibility Committee to receive, hear and decide upon all questions of eligibility that arise within the section. Further, it is the responsibility of the Committee to develop and circulate the rules, regulations and procedures including time considerations for its functions.

C. Safety Committee

A person who has been recommended by the Nominating Committee and appointed by the Athletic Council will chair the Safety Committee.

D. Officials' Coordinating Committee

The committee will be chaired by a person who has been recommended by the Nominating Committee and appointed by the Athletic Council for a term of 2 years. The Athletic Council will review the chair every 2 years. The chair will be paid a salary established annually by the Council.

It is the responsibility of this committee to:

1. Prepare for and conduct negotiations of terms and conditions with officials' organizations.
2. Provide a liaison between the section and the officials' organizations.
3. Assist in developing coordination among Sport Chairpersons and officials' organizations for matters of rule interpretations, clinics and other pertinent data.
4. Represent Section IX at appropriate statewide meetings of the Officials' Coordinating Federation.
5. Report to the Athletic Council when necessary or called upon.



E. Other Committees

The Athletic Council will appoint other committees as necessary.

**ARTICLE VII SPORT CHAIRPERSONS**

There will be a Sport Chairperson for each boys' and girls' sport, appointed as needed by the Athletic Council. The Sport Chairperson for each sport will report to and work directly under the Executive Director, and will be expected to develop and make recommendations regarding the sport.

The Sport Chairpersons will conduct meetings with the coaches in the section and be a liaison for them to the Athletic Council. Each sport will have a committee composed of the Section IX Sport Chairperson and the chair from each league. Individual sports may apply to the Athletic Council for an exception to this standard.

It will be the responsibility of the Sport Chairpersons, working with the Executive Director, to develop and recommend to the Athletic Council the By-laws governing individual sports.

The Sport Chairpersons will represent Section IX at all N.Y.S.P.H.S.A.A. meetings pertaining to their sports.

**ARTICLE VIII PROCEDURE, GRIEVANCE AND APPEAL**

It is the intent of Section IX that a process of appeal is used that effectively provides review of all matters of complaint or conflict within the section.

Recognizing that matters of conflict are often best solved at the level closest to the conflict, the section encourages and supports its leagues in maintaining resolution procedures.

In matters of eligibility, the section will be the level of initial jurisdiction. All questions and grievances regarding eligibility are thus to be submitted to the Eligibility Committee. This committee will arrange its function in a timely fashion. The procedures and practices of the Eligibility Committee are attached as By-laws.

All appeals of any matter must be submitted to the President of the section in writing, on school stationery if initiated by a member school and over the signature of the Chief School Officer. Appeals will outline the facts and make specific requests for relief. The appeal must be postmarked within FIVE SCHOOL DAYS of the date the appellant knew of, or had occasion to know of, the conflict subject of the appeal.

## **ARTICLE IX            AMENDMENT PROCEDURE**

### A.        Amendments to the Constitution

1.        A proposal to amend must be submitted in writing to the Secretary by a member school on letterhead, and signed by the Chief School Officer and Director of Athletics.
2.        The proposed amendment will have a FIRST READING at the next meeting of the Athletic Council. The reading will be duly recorded in the minutes of the Council.
3.        The Secretary will cause notification of the proposed amendment in writing to all member schools.
4.        At the next meeting, upon an affirmative vote of 2/3 of the Athletic Council, a written ballot will be forwarded to each member school. Each member school will have one vote. The ballots must be signed by the Chief School Officers, High School Principals and Athletic Directors. There will be a submission deadline of not less than 20 school days after its mailing.
5.        A majority of 2/3 or more of the member schools voting will be required for approval of the amendment.
6.        An amendment will become effective immediately upon its approval.

### B.        Amendments to By-laws

1.        A proposal to amend a By-law must be submitted to the Secretary for placement on the next agenda.
2.        A proposal may be made by Section Officers, Athletic Directors or Sports Chairpersons.
3.        A FIRST READING of the proposal will be made. It will be sent to the leagues for discussion.
4.        The Athletic Council will act on the proposal at the next Council meeting. A 2/3 vote of the Council is necessary for approval.