

# Constitution of the Iowa Girls High School Athletic Union

2020-2021

## Article I

### NAME

This organization shall be named the Iowa Girls' High School Athletic Union.

## Article II

### PURPOSE

The purpose of this Union shall be: To promote, direct, protect and regulate amateur interscholastic athletic relationship for junior high and secondary girls between member schools and to stimulate fair play, friendly rivalry, and good sportsmanship among contestants, schools and communities through out the State of Iowa; and shall be without profit to itself except that it may handle and accumulate funds as herein provided.

## Article III

### MEMBERSHIP

Section 1. Membership in the Iowa Girls' High School Athletic Union is open to all junior and senior high schools in the state that are accredited by the Iowa Department of Education. (10-70) They may apply to the Board of Directors for admission and upon payment of dues and the fulfillment of the requirements designated by the Board of Directors, shall be admitted to membership. (10-70)

**Section 2.** Any high school of the State becomes a member of this Union when notice has been given to the Executive Director that this Constitution has been read and accepted by the Administrator and the annual dues have been paid, for a year or any portion of a year. (10-70) (1-80) Reinstatement may be made only upon payment of a penalty of \$1.00 per month, commencing with October. (10-70)

**Item 1.** In this Constitution the word "Administrator" shall be interpreted to mean the Superintendent, Assistant Superintendent, or Secondary Principal. (10-70) (1-80)

**Section 3.** To qualify for membership in this Union a school must employ a coach who holds a valid Iowa Teacher's Certificate or Practitioner License.

**Item 1.** No Member or Associate Member School will be allowed to participate in any sanctioned athletic event unless the school can qualify in reference to the following: (10-70) (10-77)

1. All coaches shall hold either a teaching license with a coaching endorsement or a coaching authorization.(10-70) (10-89) (8-94)

**Section 4.** There shall be classification of schools, provided those schools that participated within the activity in the most recent completed season, approve by majority vote of the ballots cast. (1-75)

## **Article IV**

### **ADMINISTRATION**

#### **BOARD OF DIRECTORS AND ELECTION**

**Section 1.** A Board of Directors shall be composed of eight members, six of whom are elective and two appointive. (10-70) (5-74) Four of the elective members shall be elected by vote of the Member Schools in their respective districts for a four-year term. To be eligible, a candidate must be an active Administrator of a Member School of this Union, and the school served must be a member of the Union located within the boundaries of the District where the election is being conducted. (10-70) (1-80)

**Item 1.** Members of the board of directors will be eligible to serve two full terms in addition to any partial term appointed or elected to. The term limit remains the same regardless of which district they might be in.

**Section 2.** The State shall be divided into four Districts; namely, Northeast, Northwest, Southeast and Southwest. (1-80)

U.S. Highway No. 69 shall be the dividing line running North and South; U.S. Highway No. 30 the dividing line running East and West. (Exception: From Dunlap west to the Missouri River, the line between the Northwest and Southwest District shall be the North boundary of Harrison County.) All member schools whose high school building is located in a town with the corporate city limits of such town extending on or beyond Highway No. 30, do hereby become identified as Southeast or Southwest District schools, such definition being further established by the present location of Highway No. 69. All Member Schools whose high school building is located in a town with the corporate city limits of such town extending on or beyond Highway 69 do become identified as Southwest or Northwest District schools, such definition being further established by the present location of Highway 30 and the north boundary of Harrison County. (10-70)

**Section 3.** Only the Administrator shall have the right to vote in the nomination and election of Board of Directors members, or in any other voting, or holding office in this Union. (10-70) (1-80)

**Section 4.** When an election is to take place in a specified district the Executive Director shall email to the Superintendent of each member school in that district during Labor Day week an official nominating ballot. This ballot shall be a secret ballot submitted to the Chairperson of the Election Board who has been designated by the Board of Directors to

be processed by the Election Chairperson, a representative of the State Department of Education, and any other personnel deemed necessary by the Election Chairperson. Employees or representatives of the Iowa Girls' High School Athletic Union, or members of the Board of Directors or Representative Council shall not assist in processing of election ballots.

Within a maximum of five days from the original e-mail, all ballots shall be submitted and the Election Board shall then meet for the official canvass of the ballots. After counting the ballots, the results shall be announced. The two people receiving the highest number of votes shall be considered nominees except that if two or more tie for the highest number of votes, all tied for first shall be considered nominees or, if two or more tie for the second highest number of votes, the first place and all those tied for second shall be considered as nominees. If the number of nomination ballots for any one of the nominees is a majority of the number of member schools submitting votes in that district, he/she shall be declared elected.

A list of voting schools with the results of the election, will be certified by the Election Board conducting the election and forwarded to the Board of Directors for posting on the Athletic Union's web site. A place shall be provided on the official mail nominating ballot for the administrator submitting the ballot to key his/her name. The keyed name must be on the official email for the ballot to count.

The Executive Director shall then prepare and e-mail the official election ballots to the Superintendent of each member school in that district within five days of the canvassing of the nomination ballots. These e-mails shall be the same as those used for nominations except that the names of the nominees shall be included on the ballot in alphabetical order. After voting, the emails shall be submitted to the same Election Chairperson who received the original nomination ballots. Within a maximum of five days from the original e-mail, all ballots shall be cast and the election board will then meet to canvass the ballots. The procedure in canvassing shall be the same as was used in canvassing the nomination ballots and the person receiving the highest number of votes shall be declared elected. A list of the voting schools along with the results of the election certified by the election board conducting the election and forwarded to the Board of Directors will be prepared for posting on the Athletic Union web site. In case of a tie, the election shall be decided by lot by the tied candidates in the presence of the Board of Directors. Beginning in 2002 and in subsequent years, a member shall be elected to succeed the members of the Board whose terms will expire at the time indicated below:

2020 Northwest

2021 Southeast

2022 Southwest

2023 Northeast

**Item 1.** The terms of succeeding Board members shall be extended to correspond with the schedule of elections indicated above.

**Section 5.** Each newly elected director becomes a member of the Board of Directors on November 1, or at the first regular meeting of the Board following his/her election, where he/she fills a previously unexpired term of office. (10-70)

**Section 6.** A vacancy will occur whenever a member of the Board of Directors ceases to be an Administrator of a member school in the District which he/she serves. Leave of absence from the Executive Office for military service or illness shall not create such vacancy. In case of a vacancy within 30 days after the vacancy is announced, the Board of Directors shall make an appointment to fill the remaining term on the board or Representative Council when a vacancy occurs. A committee consisting of the board president or his/her designee plus the representative council members from that district shall meet to provide a name (s) to the board of directors for consideration. The Board of Directors shall then appoint a replacement to complete the remainder of the unexpired term at their next regularly scheduled meeting. If the vacancy occurs during the school summer vacation period, the election of the replacement member will not take place until after September 1<sup>st</sup>.

**Section 7.** At the first regular meeting following the election of the new Board members each fall, officers of the Board of Directors consisting of a president and a treasurer shall be chosen as follows: The president shall be the member whose term expires first; the treasurer shall be the member whose term expires next after that of the president. The Board of Directors may, at its option, and because of unusual circumstances surrounding recent vacancies occurring on the Board, elect its officers by vote of the Board of Directors.

**Item 1.** Four members of the Board of Directors shall constitute a quorum for any meeting. (10-70)

**Item 2.** In the event the voting on any motion or resolution results in a tie such tie shall be broken by lot to eliminate one vote after which the motion or resolution shall be restated with the eliminated member not voting.

**Section 8.** The fifth elective voting Board member shall be a coach or director of an activity sanctioned by the Athletic Union; the sixth elective voting Board member a woman coach or woman director of an activity sanctioned by the Athletic Union, both to be elected for a four year term, by a ballot of the Member Schools. (10-70) (5-74) (1-80)

**Section 9.** Appointed Board members shall include a school board member, appointed by the Iowa Association of School Boards and a representative appointed by the State Department of Education. (10-70) (5-74)

**Item 1.** The Iowa Association of School Boards' appointed representative carries voting responsibilities. (10-70)

**Section 10.** The Board of Directors shall have the following powers and duties: (10-70)

A. The Board of Directors shall select and employ an Executive Director for a term not to exceed three years, and such other assistants as they deem advisable and shall designate their duties.

The Term of the Executive Director's contract may be terminated before its expiration date for dishonesty, misuse of Union funds, incompetency, insubordination, inattention to duty, partiality, influencing or attempting to influence the nomination or election of members of the Board of Directors or Representative Council, or for any other malpractice after a full and fair investigation made by the Board of Directors. The Executive Director shall be permitted to present and make his/her defense with reasonable time thereafter. (10-70) Removal from the office shall require a majority vote of the Board. This provision shall be considered as written into and forming a part of any contract for the employment of an Executive Director and such other assistants as employed by the Board of Directors. (10-70)

B. It shall have general supervision over all girls' athletic contests of schools of the Iowa Girls' High School Athletic Union.

1. It shall be responsible for setting up such tournaments and other athletic events as may now be or may here after become a part of the Union program and it shall determine the methods and provide for the financing of same.
2. It shall initiate, promulgate, publish and interpret bylaws and rules of athletic contests. (10-70) (1-80) A written petition signed by representatives of fifty member schools demanding change in rules of athletic contests shall be entertained by the Board. (1-80) Failing adoption within thirty days, said change shall be submitted to a vote of member schools by written ballot. A majority voting in favor of such change shall require its adoption.
3. It shall provide suitable awards for the winners of contests conducted by the Union, in accordance with 281 IAC 36.14(3).
4. It shall decide all protests of member schools and shall fix the penalty unless otherwise provided in this Constitution. (1-80) Such penalty shall not be greater than suspension from the Union and its activities for one year. Reinstatement shall only be on written application of the offender. In the event of a protest, the Executive Director shall give reasonable notice to interested persons to appear before the Board of Directors, or the Representative Council, as the case may be.

5. In the case of complaints against schools for violations of rules, such complaints and resistance thereto must be presented by the Administrator of the affected schools. (10-70) (1-80)

**Section 11.** It shall be the duty of the Board of Directors and the Executive Director to see that a complete written record of all official business of the Iowa Girls' High School Athletic Union is kept on file in the Union office. Each fiscal year, the Board of Directors shall, through majority action, designate an official bank depository and it shall be the duty of the Executive Director, on behalf of the Board of Directors, to immediately deposit any and all Union receipts to this fund. Any and all payments from this fund shall be authorized by the Board of Directors and shall be properly recorded and reported. The diversion or expenditure of any funds of the Union whatsoever except in meeting bonafide expenses and obligations of the Union shall be unlawful and improper.

**Section 12.** The Board of Directors shall present full reports of all official business through annual bulletins distributed to all members of the Union. (1-80) The Executive Director and Treasurer shall present a complete financial statement at a semi-annual meeting of the Representative Council. (10-70) These accounts shall be audited annually by a reputable Certified Accountant to be chosen by the Representative Council. The Board of Directors shall be authorized to pay for this service from Union funds. It shall be the duty of the Board of Directors, through the Executive Director, to see that all funds and accounts belonging to the Iowa Girls' High School Athletic Union are included in this audit. Both the Representative Council and the Board shall go on record showing that they have reviewed the yearly audit and the over-all financial report stating what disposition has been made of same. The audit report so adopted shall be published without charge in the bulletin.

**Section 13.** The income of the Union shall be the annual dues from its member schools and the proceeds of the athletic contests and tournaments and all other monies directed to the Union. (1-80) On or before July 1st of each year, the Executive Director shall submit a tentative operational budget guideline to the Board of Directors which shall include estimated income and disbursements, the final budget to be adopted no later than September 1st. (10-70) The Board of Directors may then adopt such budget and make available for twelve months operation a fund from receipts, present and prospective of one and one-half times the amount of the expense budget which need not include tournament or event expenses.

The Board of Directors shall create a reserve fund to be invested either in United States Government Securities, deposits in insured bank or savings and loan accounts, high industrial bonds or high municipal bonds. The investment and the amounts to be invested in any such categories to be determined by the Board of Directors. (10-70) Such fund shall include principal and accrued interest of any Sinking Fund heretofore established and maintained. The Reserve fund without accrued interest shall not exceed the average annual expenses of the Union for the highest three consecutive years within the ten years prior to the publication of the official audit in any year. The Board of Directors may bring

such part of the Reserve Fund into the Operational Fund as may be necessary to meet a deficit in operations as shown in any official annual audit. Reserve Fund interest may be passed to the operating fund at any time determined by the Board of Directors. If after the establishment of such budget and sinking fund, undisposed of funds remain, the Board of Directors shall dispose of such excess on some fair and reasonable basis beneficial to the member schools.

If at the end of a budget year an unexpected balance remains, such balance shall pass as income to the following budget.

The Board shall establish and publish minimum accounting procedures.

In the event of the dissolution or termination of the Iowa Girls' High School Athletic Union for any cause, any balance in such sinking fund and any other funds after the payment of all expenses, shall be paid over to the then Member Schools on a pro-rata basis. (10-70)

**Section 14.** In matters not herein determined, the Board shall have absolute authority until such time as the Constitution may be amended. It shall be the policy of the Board to give careful consideration to recommendations of the Council in matters on which there is a question and which are not specifically covered in the Constitution.

**Section 15.** Members of the Board of Directors shall be entitled to just and normal expenses incurred by them in fulfillment of the duties of their office. These shall include:

1. Mileage at currently accepted rates from home to regularly scheduled meetings, tournaments, clinics and any other places deemed necessary.
2. Hotel accommodations, meals, garage, and service fees when away from home on Union business. (1-80)
3. Reimbursement for telephone calls placed in the Union's interest.
4. Any and all other minor expenses incurred which are definitely expenses of the directorship and not of the individual.

To collect expenses from the Iowa Girls' High School Athletic Union each Board member shall file a complete voucher with the Executive Director showing exactly what each payment is for and no payment shall be made to any Board member except by a majority vote of the Board of Directors.

**Section 16.** It shall be unconstitutional for members of the Board of Directors to receive any payments for their services, either indirectly or directly, which do not come under the above stipulations and to do so shall be considered just cause for their removal from office.

## **Article V**

## **REPRESENTATIVE COUNCIL**

**Section 1.** A Representative Council shall serve the Board of Directors in an advisory capacity and as otherwise provided in Article V. Membership of the Council shall be three electees from each of the four districts provided in Article IV, Section 2, such electees then serving as an active Administrator of a Member School of this Union. (10-70) (1-80)

**Section 2.** Members of the Representative Council shall be elected to a three-year term, and may be re-elected twice in addition to their original elected or appointed term. The election shall be based on a numerical application of a three-year rotation plan with one member from each district expiring each year.

**Section 3.** Any member of the Representative Council shall cause a vacancy if the member ceases to be an Administrator, becomes a member of the Board of Directors, moves from his/her district. Leave of absence for military service or illness shall not create such vacancy. In case of a vacancy, except during the summer, the Board member (administrator) from that district shall meet with the two remaining Representative Council members from that district to provide a recommendation to the Board of Directors to fill the vacancy. This meeting shall be conducted within 30 days after the vacancy is announced. The Board of Directors shall then appoint a replacement to complete the remainder of the unexpired term at their next regularly schedule meeting.

NOTE: An Administrator shall be regarded as a resident of a given district if the school which he/she serves is in that district. (10-70) (1-80)

**Section 4.** Any Administrator not a member of the Board of Directors, from a secondary school in good standing in the Iowa Girls' High School Athletic Union may have his/her name submitted to the Executive Director. (10-70) (1-80)

**Section 5.** When an election is to take place in a specified district, the Executive Director shall e-mail to the Superintendent of each member school in that district an official nominating ballot. This ballot shall be a secret ballot submitted to the Chairperson of the Election Board who has been designated by the Board of Directors to be processed by the Election Chairperson, a representative of the State Department of Education, and any other personnel deemed necessary by the Election Chairperson. Employees or representatives of the Iowa Girls' High School Athletic Union or members of the Board of Directors or Representative Council shall not assist in processing of election ballots.

Within a maximum of five days from the original e-mail, all ballots shall be submitted and the Election Board shall then meet for the official canvass of the ballots. After counting the ballots, the results shall be announced. The two people receiving the highest number of votes shall be considered as the nominees except if two or more tie for the highest number of votes, all tied for first shall be considered nominees or, if two or more tie for the second highest number of votes, the first place and all those who are tied for second shall be considered as nominees. If the number of nomination ballots for any one of the

nominees is a majority of the number of member schools submitting votes in that district, he/she shall be declared elected.

A list of voting schools with the results of the election will be certified by the Election Board conducting the election and forwarded to the Board of Directors for posting on the Athletic Union's website. A place shall be provided on the official e-mail nominating ballot for the administrator submitting the ballot to key his/her name. The keyed name must be on the official e-mail for the ballot to count.

The Executive Director shall then prepare and e-mail the official election ballot to the member schools within five days of the canvassing of the nomination ballots. These e-mails shall be the same as those used for nominations except the names of the nominees shall be included on the ballot in alphabetical order. After voting, the e-mails will be submitted to the same Election Chairperson who received the original nomination ballots. Within a maximum of five days from the original e-mail, all ballots shall be cast and the Election Board will then meet to canvass the ballots. The procedure in canvassing shall be the same as was used in canvassing the nomination ballots and the person receiving the highest number of votes shall be declared elected. A list of the voting schools along with the results of the election certified by the Election Board conducting the election and forwarded to the Board of Directors will be prepared for posting on the Athletic Union website. In case of a tie, the election shall be decided by lot by the tied candidates in the presence of the Board of Directors.

**Section 6.** A majority of the members shall constitute a quorum for transaction of business.

**Section 7.** The Executive Director of the Board of Directors shall serve as director of the Council, and the president of the Board of Directors shall serve as non-voting Chairman of the Council, the other Board members being permitted to be present but not voting.

**Section 8.** It shall be the privilege of the Representative Council in regular session to make recommendations concerning the aims, objectives and policies of the Union and it shall have power to initiate amendments for the Board of Directors to submit to the electorate.

**Section 9.** A school may be expelled from the Union by two-thirds vote of the entire membership of the Representative Council when so voted at a regular semiannual meeting or a special meeting, and when so expelled it shall not be reinstated except by a two-thirds vote of the Council at a regular semi-annual meeting or a special meeting.

**Section 10.** The Representative Council shall hold two annual meetings with the Board of Directors. The Council of each district shall meet with its member of the Board of Directors on three other occasions each year. (10-70) Upon call by the president of the Board of Directors, or by petition of a majority of the members of the Council, special meetings shall be held.

**Item 1.** The Council may hold a meeting without Board members present upon receipt of a request for same from a majority of Council members in which event a temporary chairman will be elected from the Council members.

**Section 11.** In the event the Executive Director or any of his/her employees are guilty of conduct which, in the opinion of the Representative Council, is harmful to the interests of the Union and is of such a nature that in the opinion of such Council, if true, said Director's contract should be terminated, then said Representative Council at a regular or special meeting called for the purpose may, on a majority vote of those present and voting, demand in writing of the Board of Directors that said Board take steps to terminate said Director's contract of employment. (10-70) In the event of failure on the part of the Board to act within thirty days from the giving of such notice or in the event of refusal to terminate such contract within such time, the Representative Council at a regular meeting or special meeting may consider and review any charge against said Director, at which meeting said Director and members of the Board of Directors may be present, and after consideration of the conduct of the said Director and upon an affirmative vote of three of the Representative Council present and voting by secret ballot, the contract of said Executive Director may be terminated. The provisions of this section shall be considered a part of any contract of employment of an Executive Director or any of his/her assistants of the Iowa Girls' High School Athletic Union. (10-70)

**Section 12.** The business of the several meetings of the Council with the Board of Directors shall command necessary time for completion of the business agenda and as provided by the Chairman of the Council. Housing, food and incidental expenses associated with the Council member shall be provided, travel expenses being paid by the Athletic Union at currently accepted rates. (10-70) These provisions are to be used as a schedule of allowances in the event the Board of Directors should call a special session of the Representative Council.

To collect expenses from the Iowa Girls' High School Athletic Union, each Council member shall file a complete itemized voucher with the Executive Director and no payment shall be made to any Council member except by a majority vote of the Board of Directors.

## **Article**

**VI**

### **AMENDMENTS**

Amendments to the Constitution shall be submitted by mail ballot to the member schools on which the Administrator shall cast and sign a vote. (1-80) An amendment may be initiated by the Board of Directors, or a petition signed by at least fifty member schools, or a majority vote of the Representative Council. Once an amendment has been initiated it shall be mandatory that the Board of Directors submit it to the electorate within sixty days. Ballots are to be mailed from the State Administrative Office. For an amendment to be adopted, sixty (60) percent of the ballots received must be favorable. (10-70)