

## **MOUNTAIN PACIFIC SPORTS FEDERATION CODE**

### **Part One: The CONSTITUTION**

#### **100 NAME**

100.1 The name of this organization shall be the Mountain Pacific Sports Federation.

#### **101 PURPOSE**

101.1 To form and maintain among academic institutions of comparable educational and intercollegiate athletic programs an athletic Federation, the members of which shall incorporate intercollegiate athletics within their respective educational programs and shall place and maintain such athletics under the same administrative and academic control as exists in their other education programs.

101.2 This organization is organized and operated exclusively for charitable purposes within the meaning of section 501(c)(3) of the Internal Revenue Code. The property of this organization is irrevocably dedicated to charitable purposes and no part of the net income or assets of this organization shall ever inure to the benefit of any director, officer, or member thereof or to the benefit of any private persons. (1/24/00)

101.3 Notwithstanding any other provision of these articles, the Association shall not carry on any other activities not permitted to be carried on (a) by a charitable organization exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue law) or (b) by a charitable organizations to which are deductible under section 170(c)(2) of the Internal Revenue Code of 1986 (or corresponding provision of any future United States Internal Revenue law). (1/24/00)

101.4 No substantial part of the activities of this organization shall consist of carrying on propaganda, or otherwise attempting to influence legislation, and the organization shall not participate or intervene in any political campaign (including the publishing or distribution of statements) on behalf of any candidate for public office.

#### **102 FEDERATION CODE**

##### **102.1 Constitution and Bylaws**

The Mountain Pacific Sports Federation shall be governed by a code consisting of two parts; namely, the Constitution and the Bylaws. The Bylaws shall consist of Operating Procedures, Operating Rules, Administrative Regulations, and Sports Regulations. To the extent that the Bylaws may conflict with the Constitution, statutes of the Constitution shall prevail.

## 103 MEMBERSHIP

### 103.1 Member Conferences

Federation membership shall consist of institutions from the Big West, Mountain West, Pacific-10, West Coast, and Western Athletic Conferences, as well as other selected institutions from the western United States. (8/99)

### 103.2 Addition of New Members

New members may be admitted upon written application filed with the Administrative Committee, and with the approval of such application by the affirmative vote of three-fourths or more of the total membership of the Committee.

### 103.3 Withdrawal

Any member may withdraw from the Federation by filing with each of the other members on or before September 1, of any year, an official notice of withdrawal, in which event the withdrawal shall be effective the following June 30. Any withdrawing member shall, however, play all approved athletic competitions scheduled with the other members in accordance with the governing contracts unless such competitions are waived by written consent of the parties affected. Further, upon three-fourths vote of the total membership of the Administrative Committee (except for the withdrawing member), the withdrawal date may be advanced.

### 103.4 Expulsion or Suspension

103.4.1 By the affirmative vote of not less than three-fourths of all members of the Administrative Committee of the Federation, except the offending member institution, and subject to the provisions of Article 103.5 of the Constitution, the Federation may expel or suspend an offending member institution or place the latter on probation for violation of provisions of the Code of the Federation. To expel, means complete severance from the Federation in all sports; to suspend, means a temporary severance from the Federation in one or more sports.

103.4.2 Proposals for any of the above actions must be presented at a meeting of the Administrative Committee for information and discussion purpose only, with no Committee action being taken on the proposal at this meeting. Action by the Committee on such proposals may be taken at the next meeting.

### 103.5 Reinstatement of Members

By the affirmative vote of not less than three-fourths of all members of the Administrative Committee of the Federation in good standing, any member who has withdrawn or has been expelled or suspended may be restored to full membership.

## 104 **GOVERNMENT AND ADMINISTRATION OF THE FEDERATION**

### 104.1 Governing Body

The Federation shall be governed and administered by the Administrative Committee, which has all the constituency, powers and responsibilities as set forth below.

### 104.2 Administrative Committee

The Administrative Committee shall be composed of Faculty Athletics Representatives, Directors of Athletics and/or Senior Woman Administrators from each of the member conferences of the Federation. Each Conference shall elect its own representatives to the committee, except that any conference which has three voting representatives shall have one Faculty Athletics Representative, one Director of Athletics and one Senior Woman Administrator. (8/99)

104.2.1 Voting procedures are as follows:

104.2.1.1 Votes will be allocated to each conference on the basis of participation levels of member institutions of each conference as measured in participation units. One participation unit is defined as one team participating in one sport. (8/99)

104.2.1.1.1 Conferences with participation levels at or below ten participation units are entitled to one vote. Conferences with 11-20 participation units are entitled to two votes, while those with over 20 participation units are entitled to three votes. (8/99)

104.2.1.2 Independent institutional members of the Federation shall not have voting privileges.

104.2.1.3 No vote may be cast by a proxy.

104.2.1.4 Members of the Administrative Committee may be represented at meetings by official substitutes.

104.2.1.5 A minimum of two-thirds of the membership of the Administrative Committee shall constitute a quorum.

104.2.1.6 In the case of emergency matters, Administrative Committee members may vote by telegraphic, telephone, electronic or mail ballots.

### 104.3 Powers and Responsibilities of the Administrative Committee

The powers and responsibilities of the Administrative Committee shall include:

104.3.1 To initiate, determine, or repeal legislation, policy or activity of or pertaining to the Federation.

104.3.2 To elect officers to insure the operation of the Federation.

104.3.3 To appoint committees for any designated purpose.

104.3.4 To develop and adopt an annual budget for the next fiscal year and to levy appropriate financial assessments upon members.

104.3.5 To hire and give direction to the Executive Director (see 104.4).

104.4 Executive Director (8/99)

The Executive Director will be chosen and employed by the Administrative Committee to execute the day-to-day operations of the Federation in accordance with the provisions of the Constitution, Bylaws, and other legislation of the Federation and the NCAA). The Executive Director shall make reports, conduct meetings, supervise officiating programs, gather and keep statistics and other data, and otherwise administer and manage the affairs of the Federation as directed.

104.5 Responsibilities of the Executive Director

1. To implement Federation policy as approved by the Administrative Committee.
2. To develop an annual operating budget for approval by the Administrative Committee.
3. To maintain complete and accurate financial records and perform all necessary financial transactions consistent with the operation of Federation business in accordance with the budget approved by the Administrative Committee.
4. To meet as necessary with constituent coaches groups to address issues and concerns relative to their sports and institutions.
5. To act as coaches' liaison to the Administrative Committee.
6. To enter into contracts and legal documents affecting routine and day-to-day operations and duties of the Federation.
7. To act responsibly in the capacity necessary to further the business of the Federation in accordance with the provisions, principles and spirit of the Constitution, including the ability to hire and supervise Federation staff as necessary.
8. To perform other duties as directed by the Administrative Committee.

**105 FINANCIAL ADMINISTRATION**

105.3 Funds and Assets

105.3.1 The funds of the Federation shall be administered by the Executive Director under the supervision of the Administrative Committee.

105.3.2 The Administrative Committee, in consultation with the Commissioners of the Member Conferences, may assess dues as deemed necessary.

105.3.3 The Executive Director shall administer the financial management of the Federation's operations in accordance with the position's responsibilities as outlined above (see 104.5).

## **106 OBSERVANCE AND ENFORCEMENT OF MOUNTAIN PACIFIC SPORTS FEDERATION CODE**

106.1 The charter members, by becoming signatories to this Constitution, and all future members, by joining this Federation, pledge themselves to observe all the provisions of the Mountain Pacific Sports Federation Code and all policies adopted by the governing bodies of this Federation. The officers of each institution, as more fully set forth in the Code, agree to report to each other and to the Executive Director, any violation(s) of which they are aware. Provisions for the implementation of this policy shall be made in the Code.

## **107 ADOPTION AND AMENDMENT**

107.1 The Constitution shall become effective upon the unanimous adoption and signing by the appropriate bodies of the three charter member Conferences on behalf of their institutions.

107.2 A proposed amendment to this Constitution may be submitted to the Administrative Committee by any member thereof and adopted pursuant to the affirmative vote of three-fourths (or two-thirds) or more of the total members of the Federation Administrative Committee to be effective upon the next printing of the Codebook, unless otherwise stated in the motion.

107.3 The Bylaws of the Constitution may be amended by an affirmative simple majority vote at any regular or special meeting of the Administrative Committee. Unless otherwise indicated in the amendment, it shall become effective upon the next printing of the Codebook.

## **108 DISSOLUTION**

108.1 On the dissolution or winding up of the Association, its assets remaining after payment of, or provision for payment of, all debts and liabilities of this corporation, shall be distributed to a nonprofit fund, foundation, or corporation which is organized and operated exclusively for charitable purposes which has established its tax-exempt status under section 501(c)(3) of the Internal Revenue Code. (1/24/00)