

# Utah Charter and Small School Athletic League (UCSSAL) Bylaws

## **Mission Statement**

The purpose of the UCSSAL shall be to administer and supervise interscholastic athletics among its member schools in accordance with the Association Constitution and Bylaws.

Knowing that student athletics are a significant educational force in the development of skills needed to become a contributing member of society, the UCSSAL reaffirms that students are the focus and reason for the Association. As such, the Association will provide opportunities that:

- Promote sportsmanship and safe competition through standardized eligibility rules.
- Provide interscholastic sports.
- Create positive learning environments where teamwork, sportsmanship, competition, hard work, leadership, and cooperation are taught.
- Nurture self-realization and build self-confidence.
- Promote higher academic achievement, better attendance, and positive citizenship.

**Board of Trustees  
(2017-18 School Year)**

1. President: \*vacant\*
2. Trustee: Brandon Hawkins (term ends July 2018)
3. Trustee: Tyler Whittle (term ends July 2018)
4. Trustee: Bryan Durst (term ends July 2019)
5. Trustee: Devin James (term ends July 2019)
6. Trustee: Richard Anderson (term ends July 2020)

**Directors  
(2017-18 School Year)**

Executive Director: Dave Nuffer  
Associate Director: Mitch Argyle  
Associate Director: Kasey Kennington  
Associate Director: Trevor Jones

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**ARTICLE I - Offices**

Section 1.1 Business Office.

Utah Charter & Small School Athletic League

% Dave Nuffer

62 W Key Largo Dr.

Saratoga Springs, UT 84045

Section 1.2 Registered Office.

Utah Charter & Small School Athletic League

% Dave Nuffer

62 W Key Largo Dr.

Saratoga Springs, UT 84045

## **ARTICLE II - Purposes**

Section 2.1 General Purposes. This corporation is organized exclusively for one or more of the purposes as specified in Section 501(c)(3) of the Internal Revenue Code, 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.

Section 2.2 Specific Objectives and Purposes. The Association shall develop, regulate, govern, and administer a specific type of athletic competition. The Board of Trustees shall designate which schools, sports, and activities shall be under the jurisdiction of the Association.

A. The Association shall aim to:

- a. Create, administer, maintain, and protect the unique type of athletic competition which has existed in charter, and small schools in the State of Utah, based on genuine competition between member schools and suited to the greatest student involvement.
- b. Stress educational values, promote skills involved in competitive and performance activities, and foster sportsmanship, mutual respect, knowledge of the importance of teamwork and the value of community.

## **ARTICLE III - Board of Trustees**

### **Section 3.1 General Powers.**

- A. The governing authority of the Association shall be vested in a Board of Trustees.
- B. The Board of Trustees shall have overall responsibility for the administration of the assets and actions of the Association. Among its responsibilities are the following:
  - a. Set policy and give direction for the operation of the Association, including the creation of committees, panels, or any other subdivision of the Board as is deemed necessary for the best interest of the Association.
  - b. Appoint the Executive Director of the Association.
  - c. Approve an annual budget.
  - d. Take action on proposed amendments to the Association's Constitution and By-Laws in accordance with Article 4.
  - e. Prepare and approve, for the purposes of fair and prudent competition in the activities sponsored by the Association, a statewide classification of schools and region alignment in those classifications.
  - f. Provide notice of all material actions to Association members.

Section 3.2 Number, Election, and Qualifications. The number of Trustees of the Corporation shall be fixed by the Board of Directors, but in no event shall be less than four and no more than twelve. Any action of the Board of Trustees to increase or decrease the number of Trustees, whether expressly by resolution or by implication through the election of additional Trustees, shall constitute an amendment of these bylaws affecting such increase or decrease. Trustees shall be elected or re-elected by the existing Board of Trustees at each annual meeting of the board, and each Trustee shall hold office until the next annual meeting.

Section 3.3 Tenure. Trustees are elected for three years. Term cycles are staggered so that approximately one-third of the trustees' terms expire each year. Initially, one-third of the board members will be asked to serve shortened terms to provide opportunity for rotation. Trustees are limited to two consecutive three-year terms. The Board may extend such limits for one year. Former trustees may be nominated and re-elected after one year's absence.

Section 3.4 Responsibilities. Trustees must be participating members. Board members are expected to attend every quarterly meeting. Trustees are expected to serve on at least one committee and to attend committee meetings. After one absence, the Board Chair or a member of the Executive Committee will contact the board member in question to confirm his or her interest in remaining on the board. After two consecutive absences, unless proven otherwise, it will be assumed that said board member desires to resign.

Section 3.5 Vacancies. Any trustee may resign at any time by giving written notice to the chair of the UCSSAL Board of Trustees. Such resignation shall take effect at the time specified therein, and unless otherwise specified, the acceptance of such resignation shall not be necessary to make it effective. Any vacancy occurring in the Board of Trustees may be filled by the affirmative vote of a majority of the

remaining Trustees though less than a quorum. A trustee elected to fill a vacancy shall be elected for the unexpired term of his/her predecessor in office.

Section 3.6 Annual and Regular Meetings.

- A. *Annual Meeting.* The Annual Meeting shall take place in January/February. The date of the regular annual meeting shall be set by the Board of Trustees who shall also set the time and place.
- B. *Regular Meetings.* Regular meetings of the Board shall be held at places and times determined by resolution of the Board and noted in the minutes. Regular meetings include the Annual Meeting in January/February, and three Quarterly Meetings, held in April/May, August/September, and October/November.

Section 3.7 Special Meetings. Special meetings of the Board of Trustees may be called by or at the request of the Chair or any two Trustees. The person(s) authorized to call special meetings of the Board of Trustees will provide proper notice and may fix any place, date, and time for holding any special meeting of the Board called by them.

Section 3.8 Notice. Notice of each meeting of the Board of Trustees stating the place, day, and hour of the meeting shall be given to each trustee at his business or home address at least five days prior thereto by mailing a written notice by mail, personal delivery of notification, telephone notice, or by email. The method of notice need not be the same for each Trustee. If mailed, such notice shall be deemed to be given when deposited in the United States mail, with proper postage. If emailed, such notice shall be deemed to be given when the email is sent. Any Trustee may waive notice of any meeting before, at or after such meeting. The attendance of a trustee at a meeting shall constitute a waiver of notice of such meeting, except where a Trustee attends a meeting for the express purpose of objecting to the transaction of any business because the meeting was not lawfully called or convened. Neither the business to be transacted at, nor the purpose of, any meeting of the Board of Trustees need be specified in the notice or waiver of notice of such meeting unless otherwise required by statute.

Section 3.9 Quorum and Voting.

- A. Only voting members of the Board of Trustees shall vote on matters properly presented to the Board. Each voting member shall have one vote. A quorum of the Board of Trustees is required to take action or vote on any item. A quorum shall consist of at least 60% of the full voting membership of the Board of Trustees.
- B. Existence of a quorum shall be established at the call to order of the Board of Trustees and, once established, shall be assumed for the remainder of the meeting. A majority of the quorum of board members present is required to approve action.

Section 3.10 Meetings by Telephone or Online.

Section 3.11 Action Without a Meeting.

Section 3.12 Presumption of Assent.

Section 3.13 Compensation of Board Members.

Section 3.14 Executive and Other Committees.



## **ARTICLE IV - Officers, Employees and Agents**

**Section 4.1 Executive Committee Defined.**

**Section 4.2 Election and Term of Office.**

**Section 4.3 Removal.**

**Section 4.4 Vacancies.**

**Section 4.5 Authority and Duties of Officers.**

- A. The Executive Director shall be the chief executive officer of the Association and shall operate under the direction of the Board of Trustees.
- B. The Executive Director shall not be a member of the Board of Trustees.
- C. Among other duties, the Executive Director shall:
  - a. Faithfully carry into execution the By-Laws, rules and regulations of the Association.
  - b. Take such action as is consistent with the best interests of the Association.
  - c. Prepare the annual budget.
  - d. Receive and deposit all funds belonging to the Association.
  - e. Maintain complete and current records of the assets of the Association, including receipt and deposit of all funds belonging to the Association as well as a list of other Association assets, including rights to the nature of Association competition, copyright, trademark, and other tangible and intangible assets.
  - f. Appoint all staff members subject to the approval of the Board of Trustees.
  - g. Assign and direct the work of the office staff.
  - h. Interpret the Constitution and By-Laws.
  - i. Every year the board of trustees shall elect or retain in position the Executive director.
- D. The Associate Directors shall not be members of the Board of Trustees.
- E. The Board of Trustees will elect three Associate Directors.
- F. Among other duties, the Associate Directors shall:
  - a. Faithfully carry into execution the By-Laws, rules and regulations of the Association.
  - b. Take such action as is consistent with the best interests of the Association.
  - c. Help the Executive Director prepare the annual budget.
  - d. Receive and deposit all funds belonging to the Association.
  - e. Maintain complete and current records of the assets of the Association, including receipt and deposit of all funds belonging to the Association as well as a list of other Association assets, including rights to the nature of Association competition, copyright, trademark, and other tangible and intangible assets.
  - f. Appoint all staff members subject to the approval of the Board of Trustees.
  - g. Assign and direct the work of the office staff.
  - h. Interpret the Constitution and By-Laws.
  - i. Every year the board of trustees shall elect or retain in position the Associate directors.
- G. Board President.

- a. Direct each board meeting.
- H. Board Vice-President.
  - a. Make sure everyone is informed about the meetings well in advance.
  - b. Let those who are to be in attendance know what items need to be discussed at the meeting.
- I. Board Secretary.
  - a. Keep minutes of all meetings.
- J. Committee Members.

**ARTICLE V - Memberships**

Section 5.1 Members.

A. The UCSSAL shall have no members.

## **ARTICLE VI - Bylaws**

### **Section 6.1 Eligibility of Players.**

- A. To be eligible to participate in activities, a student must be enrolled in and attend a member school.
- B. Any student who is suspended from a member school for violation of the Safe Schools provision of that school's governing board shall be declared ineligible for participation (including practice) in any activity for a period equal to any suspension, bar, or dismissal.

### **Section 6.2 Scholastic Rules.**

- A. To be eligible to participate in Association sanctioned activities, a student:
  - a. Must be an enrolled student at the school they intend to represent.
    - i. If a student attends a school that doesn't offer the desired sport, with administrative permission the student may participate in the league.
    - ii. In addition, such students are subject to League approval or denial at any time.
  - b. Must maintain a minimum grade point average (GPA) of 2.0 based on a 4.0 scale or its equivalent during the current season being played.
- B. These scholastic regulations are the minimum required for participation in Association activities. Nothing in this rule shall prevent local boards of education or governing boards from establishing standards, related with grades, that exceed those of the Association. Any such rule, however, is not binding on the Association.

### **Section 6.3 Physical Examination Required.**

- A. No student shall be eligible to compete in any athletic contest sponsored by the association unless such student has a physician's certificate stating that he/she is physically able to compete in inter-school athletic contests.
- B. A health examination must be performed by a licensed physician and the student athlete cleared for participation in a sport before any student may compete in athletic activities sponsored by this association. A properly completed and signed Pre-Participation Athletic Health Examination Form indicating the student's clearance to participate plus a properly completed Disclosure and Consent Form must be on file at the school. Such an examination shall be completed annually. Any such rule, however, is not binding on the Association.

### **Section 6.4 Activity Limitation.**

- A. All scheduled interscholastic activities within the jurisdiction of this Association shall be governed by this Association.
- B. Games shall be scheduled with minimal school interference.

**Section 6.5 Practice, Post-Season, and Pre-Season Contests.** The Board of Trustees shall have authority to determine the dates that schools may utilize for practice in each and all activities.

### **Section 6.6 Activity Seasons.**

- A. **The following are the dates for each sport:**
  - a. **Cross Country - The fourth Monday in August through the week of the third Monday in October.**

- b. Volleyball - The fourth Monday in August through the week of the fourth Monday in October.
  - c. Basketball - The first Monday in November through the third week of February.
  - d. Soccer - The first Monday in March through the second week of May.
- B. Deposits will be \$100 per sport, per team.
- a. Deposits for Fall Sports (Cross Country/Volleyball) must be submitted on or before the 4th Monday in May of the prior school year.
  - b. Deposits for all basketball teams must be submitted on or before the fourth Monday in September.
  - c. Deposits for all soccer teams must be submitted on or before the second Monday in January.
  - d. A late fee of \$100 per sport, per team must be paid if the registration is submitted after the posted registration period.
  - e. Fees due dates for each sport will be final. After the final due date for each sport has past, schools will not be allowed to participate for that sport for that year. Deposits will not be refunded if due dates are past.
  - f. Due dates for all sports will be the immediate Friday following the first tryout.
- C. Registration fees are not refundable.

Section 6.7 Coaches' Certification.

- A. All coaches (paid or unpaid) shall be certified prior to coaching. The responsibility for verifying the certification of the coaches lies with the school, districts or governing boards of the school.
- B. Coaches' certification includes two components: Background Check, Concussion Training.

Section 6.9 Supervision of Students. A coach must accompany and supervise his/her teams to all UCSSAL contests and tournaments.

Section 6.10 Officials. Only certified officials may be used in UCSSAL sponsored competition. The UCSSAL is responsible for the appointment of certified officials to games within its league. The league may delegate such authority to a committee or individual.

Section 6.11 Violations and Protests.

- A. Responsibility of Principals.
  - a. It shall be the duty and responsibility of the principal or equivalent executive officer of a member school to determine that participants have met all eligibility requirements, to assure institutional control over all athletic participation and to maintain an atmosphere of compliance throughout the school and among the parents and those with a particular interest in the athletic programs of the school.
  - b. The Principal or equivalent executive officer shall be ultimately responsible for a school's non-compliance with the Association's Rules.

- c. An administrator or other school official is recommended to be present at all athletic events hosted by the school. They will manage the facility, spectators, and scorekeepers during the game.

B. Protest Procedures.

- a. During a game/contest: protests or complaints alleging a violation of rules or policies of the Association must be addressed to the contest officials. The officials can conference with UCSSAL Directors or Trustees (if present), school administrators, and/or team coaches to gather appropriate evidence and/or witness' reports and make in-game decisions within the specific sport rules regarding any violation.
- b. After a game/contest is complete: protests or complaints alleging a violation of rules or policies of the Association must be addressed to the UCSSAL Directors in writing.
- c. Protests concerning the outcome of a game/contest must be made and concluded by appropriate officials and school leaders prior to the end of the contested game/contest. After a game/contest has been completed, protests regarding the outcome are not allowed.
- d. No protest shall be considered if the protest is based upon a judgement call of an official. (The foregoing is not to be construed as prohibiting the Association from initiating action on a rule or policy violation).
- e. Contests in which an ineligible participant competes shall result in forfeiture of the contest or disqualification from the competition in which the ineligible participant competed.

C. Duty to Report and Cooperate.

- a. It shall be the duty of the principal, athletic director, coach or other person connected with any sanctioned activity to report to the principal or equivalent executive officer of a member school any infraction of the UCSSAL Constitution, Bylaws, rules, policies, or regulations. The principal or equivalent executive officer shall report such infractions to the Executive Director.
- b. It shall be the duty of the principal, athletic director, coach or other person connected with any sanctioned activity affirmatively to determine that all the participants under their jurisdiction who are to participate with and for the school are eligible. Anyone who has knowledge or information that places in question the eligibility of any student who is likely to participate in any contest has a duty to report such knowledge or information immediately to the principal or equivalent executive officer of the participant's school who shall immediately forward the information to the Executive Director. Failure to do so shall be an indication of bad faith, and shall constitute evidence of lack of institutional control.
- c. Protests and reports of violations will not be heard by the UCSSAL when made by players, parents/guardians, coaches, or anyone other than the school principal or athletic director.

- d. All representatives and personnel of member schools, including unpaid advisors and coaches, shall fully cooperate with the Executive Director and the Board of Trustees or their counsel to further the objectives of the Association and its investigation and enforcement programs. The Association's investigation and enforcement policies and procedures are an essential part of the athletic program of each member school and require full and complete disclosure of any information requested by the Association during the course of any investigation and/or enforcement proceedings and full and complete compliance with all Association decisions, directives, sanctions and penalties.
  - e. Failure to report infractions or respond fully and timely to requests from the Association for information related to any enforcement matter or claimed violation of the Rules or Constitution shall be deemed to demonstrate a lack of institutional control and the absence of an atmosphere of compliance. As such it will be the subject of appropriate sanctions, which may include suspension from participation by the school until there is full compliance with the Association's requests.
  - f. Dishonesty will result in penalties.
- D. Power of Association to Institute Enforcement Inquiries.
- a. When the Association has information suggesting an infraction of the Constitution, a By-Law, a rule or a policy, by a school or a student, it may initiate such action as may be appropriate.
- E. Defacement.
- a. Defacement or marring of school property by members of another school may subject the offending school to suspension from the association for one year. This offense shall be understood to include disfigurement of any sort, by means of paint, chalk or like material upon school property.
- F. Penalties. Upon the determination that there has been a violation of the Association's Constitution, a By-Law, a rule or policy, the Association may impose such penalties or fashion such relief as may be proper. Without limiting the Association's ability to enforce its rules, these are among the actions the Association may consider:
- a. Reprimand: An official letter to the individual and/or school concerned in regard to the offense committed and warning against acts of a detrimental nature which are contrary to the aims and philosophies of the Association. This letter will become part of the permanent file of the individual and/or school involved.
  - b. Probation: An official letter to the individual and/or school concerned in regard to the offense committed clearly stating what conduct, activity or behavior needs correcting. Offending individuals and/or schools would be advised that their continued participation in the UCSSAL would be on a probationary status for a period of one year. In addition, the offending individual and/or school would be warned that any failure to correct these specified problems may result in more severe action by the

Association, including, but not limited to: Restriction, Suspension, Fines, or any combination thereof.

- c. Restriction: Action which would restrict participation in school, region/division or state level activities. The restriction may be applied to an individual, to a team, group, or school.
- d. Suspension: The effect of a suspension shall be to drop the school from membership and prohibit participation in any or all UCSSAL sponsored activities. The length of suspension shall be determined by the Board of Trustees.
- e. Forfeit: The forfeiture of an interscholastic athletic contest, title or championship.
- f. Vacating a Win: The effect of vacating a win is to nullify the result of a contest for the offending school or individual in contests won. Any team records achieved are to be vacated. Individual records achieved by an ineligible individual are also vacated. Award(s) won, including a championship/place, are vacated for offending teams and, in applicable cases, team points reconfigured. Any award, including a championship/place won by an ineligible individual is vacated. The vacation of a contest, championship/place or award shall only be applied when a forfeit cannot practically be applied, such as in a case where an offending team or individual has completed at least the second round of tournament and an opponent could not be advanced without additional competition.
- g. Fines: A coach, principal and/or school may be assessed a fine not the exceed \$500 per infraction.
- h. Costs: The Association may assess against a member school all or any part of the costs of investigations, hearings, or litigation, including attorney's fees, if the Association is required to act or to defend itself as a result of the failure of a member school to adhere to the Association's Constitution or By-Laws.

G. Gambling.

- a. Betting on the part of a player on any contest in which he or she is participating shall disqualify him or her from participation in any athletic contest of the association for one calendar year from the date of infraction.

Section 6.12 Member School Provide Eligibility Lists.

- A. Each member school shall provide UCSSAL a list of students who are eligible and who participates in each activity. This list must be certified by the athletic director and submitted to the Directors prior to or as per established dates. In doing so the athletic director is certifying that those students whose names are listed meet all of the requirements and are eligible under the bylaws of this association.
- B. Certification shall be based on complete information concerning the student's age and scholastic history.

Section 6.13 Equal Opportunity for all Students.

- A. Equal opportunity shall exist for all students to participate in Association sponsored activities without regard to sex, religion, race, or ethnic origin.
- B. Where there is an equivalent sport for both genders, girls may not participate on the boys' team nor can boys participate on the girls' team. If the sport is not offered to both genders at the member school, the opposite gender may not play that sport at that school. They may opt to co-op to another member school. Girls and boys may participate on co-educational teams.

Section 6.14 Drugs, Alcohol, and Tobacco Policies

- A. The UCSSAL supports the U.S. Supreme Court rulings regarding education. First, to prepare students to be good citizens and second, to teach them to be self-reliant and self-sufficient. Activities of the UCSSAL contribute to both of these goals. The use of alcohol, tobacco products or other drugs in almost every instance deters the realization of these goals. Every effort shall be made at the local, region and state levels of participation to eradicate the promotion, use or abuse of alcohol, drugs and tobacco with regard to participation in school sports and activities.
- B. Limitation for participation of students in UCSSAL activities regarding the use of alcohol, tobacco products and other drugs during a sports season, as defined in the Utah Code are:
  - a. First offense: Suspension from two consecutive games, meets, matches, competitions or performances at the same level of play (and any intervening levels as well). Practice may be continued following a personal assessment of the student by a licensed substance abuse intervention or treatment program and/or participation in a district, governing board of a charter or private school approved intervention program.
  - b. Second offense: A six-week suspension from games, meets, matches, competitions or performances. Student participation in an assessment by a licensed substance abuse intervention or treatment program with prescribed follow-up is required. Practice may continue only after the assessment has been completed and positive participation in the prescribed follow-up is occurring.
  - c. Third offense: An eighteen-week suspension from all games, meets, matches, competitions, performances and practices. Reinstatement of eligibility at the end of the eighteen-week suspension is predicated upon successful completion of a formal assessment, intervention and treatment program. In all of the foregoing offenses, local school and/or district requirements which deal with discipline, suspension, corrective measures, parent/guardian involvement, rehabilitation and so forth, must be met.
- C. Violations carry over year-to-year and sport/activity-to-sport/activity in a participant's career (there is no "fresh start" each year).
- D. These regulations are the minimum required for participation in Association activities. Nothing in this rule shall prevent local boards of education or governing boards from establishing standards, related with drugs and alcohol, that exceed those of the Association. Any such rule, however, is not binding on the Association.

- E. These regulations are the minimum required for participation in Association activities. Nothing in this rule shall prevent local boards of education or governing boards from establishing standards, related with drugs and alcohol, that exceed those of the Association. Any such rule, however, is not binding on the Association.

**ARTICLE VII                    Indentification**

Section 7.1 Indemnification of Trustees, Officers, etc.

Section 7.2 Insurance.

Section 7.3 Limitation on Indemnification.

**ARTICLE VIII    Miscellaneous**

Section 8.1 Account Books, Minutes, Etc.

Section 8.2 Fiscal Year.

Section 8.3 Conveyances and Encumbrances.

Section 8.4 Designated Contributions.

Section 8.5 Conflicts of Interest.

Section 8.6 Loans to Trustees and Officers Prohibited.

Section 8.7 Amendments.

Section 8.8 Severability.