

BYLAW 100 – MOUNTAIN PACIFIC SPORTS FEDERATION CONSTITUTION

100.1 Name

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

100.2 Purpose

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

100.2.1 Operation

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. (1/00)

100.2.2 Additional Activities

Notwithstanding any other provision of these articles, the organization 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 organization(s) 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). (1/00)

100.2.2 Propaganda

No substantial part of this organization's activities shall consist of 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.

100.3 Conference Code

100.3.1 Constitution and Bylaws

Members of the Mountain Pacific Sports Federation (MPSF) shall abide by the rules and regulations of the NCAA and the MPSF in letter and spirit. The MPSF shall be governed by a code consisting of two parts: 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. (6/24)

100.4 Membership

MPSF membership shall consist of institutions from NCAA Divisions I, II, III, and other selected institutions. (8/99, 6/23, 6/24)

100.4.1 Addition of New Members

New members may be admitted upon written application filed with the Executive Director and with the approval of such application by the affirmative vote of three-fourths or more of the total membership of the Administrative Committee. (6/23)

100.4.2 Withdrawal

Any member may withdraw from the Conference by filing an official written notice of withdrawal with the Executive Director on or before September 1 of any year, in which case, the withdrawal shall be effective the following June 30. Any withdrawing member shall, however, play all approved athletic competitions scheduled with the other members per the governing contracts unless such competitions are waived by written consent of the Administrative Committee. Further, upon a three-fourths vote of the total membership of the Administrative Committee (except for the withdrawing member if applicable), the withdrawal date may be advanced. If formal notification in writing to withdraw from the Conference occurs after September 1 for the following season, an exit fee of three times the annual conference dues for both sports conducting an MPSF Championship event only and sports conducting an MPSF season and championship event will be assessed. The exit fee will be assessed to each gender in each sport, precisely how Conference dues are assessed annually. (6/23, 6/24)

100.4.3 Suspension or Expulsion

By the affirmative vote of not less than three-fourths of all members of the Administrative Committee of the Conference (except the offending member institution if applicable), and subject to the provisions of Bylaw 100.4.5 of the Constitution, the Conference may suspend (or place on probation) or expel an offending member institution for violation of provisions of the Code of the Conference. To suspend is to temporarily sever the institution from the Conference in one or more sports; to expel is to completely sever the institution from the Conference in all sports. (6/24)

100.4.4 Administrative Committee Action

Proposals for any of the above actions must be presented at a meeting of the Administrative Committee for information and discussion purposes only. No Committee action will be taken on the proposal at this meeting; action on such proposals may be taken at the next meeting.

100.4.5 Reinstatement of Members

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

100.5 Government and Administration of the Conference

100.5.1 Governing Body

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

100.5.2 Administrative Committee Make-up (1/21, 6/24)

- A. Each conference will be represented on the Administrative Committee by one (1) campus administrator (if they meet the criteria below) from institutions in that conference that are members of the MPSF. This representative is responsible for reporting all MPSF business to its member institutions that are MPSF conference members. At least one AD and one SWA must be represented on the Committee.
- B. If a conference has at least two (2) institutions participating in at least three (3) different sports in the MPSF, one (1) campus administrator will represent them on the Administrative Committee. By definition, for this bylaw only, a single-site championship will define a sport in the MPSF. Therefore, Indoor Track & Field, Swimming & Diving, and Wrestling will count as one sport.
- C. If a conference has more than five (5) institutions that are members of the MPSF, one (1) conference office administrator will be represented on the Administrative Committee.
- D. Conferences participating in less than three (3) sports in the MPSF shall be combined with other conferences in an "at-large" category. Representation on the Administrative Committee shall come from two "at-large" institutions with preference to the institutions with the most teams participating in the MPSF.

- E. Only one (1) campus administrator shall represent either Division II or Division III institutions. The institution with the most teams participating in the MPSF will receive preference.
- F. One (1) Faculty Athletics Representative (FAR), serving a three-year term, shall be selected from an institution representing a conference that has greater than ten (10) teams participating in the MPSF.

100.5.3 Voting procedures

- A. Each representative shall have an equal vote (1/21)
- B. No vote may be cast by a proxy
- C. Members of the Administrative Committee may be represented at meetings by official substitutes
- D. A minimum of two-thirds of the membership of the Administrative Committee shall constitute a quorum
- E. In the case of emergency matters, Administrative Committee members may vote by telegraphic, telephone, electronic, or mail ballots

100.5.4 Powers and Responsibilities of the Administrative Committee

- A. To initiate, determine, or repeal legislation, policy, or activity of or pertaining to the Conference
- B. To elect officers to ensure the operation of the Conference
- C. To appoint committees for any designated purpose
- D. To develop and adopt an annual budget for the next fiscal year and to levy appropriate financial assessments upon members
- E. To hire and give direction to the Executive Director (see 105.5)

100.5.5 Executive Director

The Administrative Committee will select the Executive Director, who will be employed by the Conference and supervised by the Committee. The Executive Director will execute the day-to-day operations of the Conference in accordance with the provisions of the Conference's Constitution, Bylaws, other legislation, and the NCAA. The Executive Director shall supervise staff, make reports, conduct meetings, supervise officiating programs, gather and keep statistics and other data, and otherwise administer and manage the affairs of the Conference as directed. (8/99, 6/24)

100.5.6 Responsibilities of the Executive Director

- A. To serve as chief administrative officer of the MPSF
- B. To implement Conference policy as approved by the Administrative Committee
- C. To perform other duties as directed by the Administrative Committee and/or the Executive Committee
- D. To develop an annual operating budget for approval by the Administrative Committee
- E. To maintain complete and accurate financial records and perform all necessary financial transactions consistent with the operation of the Conference business in accordance with the annual budget approved by the Administrative Committee
- F. To make decisions costing less than \$10,000 without pre-approval from the Executive Committee. (6/22)
- G. To administer the Conference policies involving media entities
- H. To negotiate and enter into contracts and legal documents affecting routine and day-to-day operations and duties of the Conference
- I. To coordinate all postseason events for the Conference with the member institutions representing the Conference in such postseason events
- J. To meet as necessary with constituent coaches groups to address issues and concerns relative to their sports and institutions
- K. To act as coaches' liaison to the Administrative Committee
- L. To retain outside consultants on behalf of the Conference
- M. To act responsibly in the capacity necessary to further the business of the Conference in accordance with the provisions, principles, and spirit of the Constitution, including the ability to hire and supervise Conference staff as necessary

100.6 Financial Administration

100.6.1 Funds and Assets

The Executive Director shall administer the funds for the Conference under the supervision of the Administrative Committee, which shall have the final authority of the Conference's annual budget. (6/24)

100.6.2 Dues and Fees

To help institutional fiscal planning, the Administrative Committee annually approves the dues and fees for membership during its January meeting. The Executive Director will update the membership if increases in fees are adopted. (6/24)

100.6.3 Financial Management

The Executive Director shall administer the financial management of the Conference's operations in accordance with the position's responsibilities as outlined above (see 100.5.6).

100.7 Observance and Enforcement of the Mountain Pacific Sports Federation Code

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

100.8 Adoption and Amendment

100.8.1 The Constitution

The Constitution was effective upon the unanimous adoption and signing by the appropriate bodies of the five charter member Conferences on behalf of their institutions.

100.8.2 Amendments to the Constitution

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 Administrative Committee to be effective upon the next academic year unless otherwise stated in the motion.

100.8.3 The Bylaws of the Constitution

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

100.9 Dissolution

On the dissolution of the Conference, 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 that 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. (1/00)