

BYLAWS

BYLAW 1 – GOVERNANCE OF THE CONFERENCE

1.1 Governance.

The Board of Presidents shall serve as the controlling governing body for the administration of the Conference. Standing committees, as well as any coaches group may propose actions by the Conference, and such proposals shall be referred to the appropriate committee or the Athletics Directors Council for action. *(Revised June, 2004)*

1.2 Meeting Expenses.

Expenses incidental to meetings of the Board of Presidents, the Athletics Directors Council (ADC), the Faculty Athletics Representatives Committee (FAR Committee), Senior Woman Administrators Committee (SWA Committee) and subcommittees thereof, including all coaches meetings, shall be borne by the respective institutions. In instances where an Executive Committee or a special meeting is called and there is not representation by each member institution or if it is not held in conjunction with a full meeting of the ADC, the expenses shall be borne by the Conference. Reimbursement of expenses for attendance at Executive Committee and ADC meetings by the FAR Committee liaison, the SWA Committee liaison and/or the Committee on Championships and Competition (CCC) shall be borne by the Conference. Should the FAR Committee, SWA Committee or CCC liaison also serve as the institution's representative at a meeting of the ADC, the Conference shall not, in that circumstance, pay expenses associated with the cost of attending the meeting by either individual. The Conference shall pay transportation costs, and the standard room and room tax costs established by Conference arrangements. *(Revised June, 1999; June, 2004)*

BYLAW 2 – COMMITTEE STRUCTURE

2.1 Athletic Directors Council Committees.

The Athletic Directors Council shall have authority and shall establish committees, as it may deem appropriate and necessary for the orderly operation of the Conference and for the performance of particular responsibilities.

2.2 Rules and Regulations.

Each committee may adopt rules for its own government not inconsistent with these bylaws or with the rules adopted by the Athletics Directors Council. *(Revised June, 2004)*

2.3 Membership.

Each Conference standing committee shall contain at least one representative from each member institution.

2.4 Names and Duties. The following committees shall function as Conference standing committees:

2.4.1 EXECUTIVE COMMITTEE.

2.4.1.1 Officers of the Athletics Directors Council. The officers of the America East Conference Athletics Directors Council (ADC) shall be referred to as the Executive Committee and shall be comprised of six voting members: Past Chair, Chair, Vice Chair, Member at Large, Faculty Athletics Representative (FAR) Chair and a Senior Woman Administrator Representative (SWA) Chair. *(Revised June, 1999; June, 2004; June, 2009)*

2.4.1.2 Duties. The Executive Committee's duties shall include:

- (a) Communicate and work with conference commissioner on a regular basis;
- (b) Develop the agenda for all ADC meetings;
- (c) Work with commissioner in developing conference budget;
- (d) Serve as appellate body;
- (e) Oversee implementation of strategic planning;
- (f) Review performance of Conference Commissioner annually and present such review to Coordinating Committee.

2.4.1.3 Term and Rotation of Officers. For the vice chair, chair and past chair, the term on the committee shall be six years with the new member entering the committee at the vice chair position and shall move with a rotation toward the chair. Each member shall serve two years at each position. Should someone vacate their position, everyone shall rotate up one position and the new member shall enter at the vice chair position. The Member at Large position shall be a one year term and shall not automatically rotate to the vice chair. The sitting committee shall annually choose the new Member at Large of the committee during its last meeting of the academic year taking into consideration historical representation. *(Revised June, 1999; June, 2009; June 2012)*

2.4.1.4 Composition Requirements. *(Revised October, 2001; September 2005; June, 2009; June 2012)*

- (a) There shall be four voting members of the ADC on the Executive Committee.

- (b) The chair of the ADC on the Executive Committee must have been the Athletic Director at the conference institution for a minimum of two years, unless waived by a majority of the Executive Committee.
- (c) The FAR who sits on the ADC shall have a voting seat on the Executive Committee.
- (d) The SWA who sits on the ADC shall have a voting seat on the Executive Committee.
- (e) A good faith effort shall be made to consider diversity of gender, race and school.
- (f) The Commissioner shall serve in an ex-officio, non-voting manner.

2.4.1.5 Faculty Athletics Representative and Senior Woman Administrator. The FAR and SWA shall each serve a two-year term and shall be selected by the full group of FARs and SWAs, respectively. The FAR/SWA may be from the same institution as one of the other four members of the committee. *(Revised June, 2009)*

2.4.1.6 Vacancies. Any vacancy in an elective office may be filled by the Executive Committee but only for the remainder of the term so vacated. *(Revised October, 2001)*

2.4.1.7 Chair. The Chair shall preside at all meetings of the ADC and Executive Committee. The Chair shall have the power to call meetings of the Council and Committee and shall make a full and complete report of the work of the Conference and the actions of the Council and Committee at such annual meeting of the Conference. *(Revised June, 2004)*

2.4.1.8 Vice Chair. In the absence of the Chair or in the event of his/her inability or refusal to act, the Vice Chair shall perform the duties of the Chair, and when so acting shall have all the powers of and subject to all the restrictions upon the Chair. Also, he/she shall perform such other duties as from time to time may be assigned to him/her by the Chair or by the ADC or Executive Committee. *(Revised June, 2004)*

2.4.1.9 Secretary.

The Commissioner shall serve as the Secretary/Treasurer and shall attend all meetings of the Conference and of the Board of Presidents and the Athletics Directors Council. The Commissioner shall perform the following functions:

- (a) Keep accurate records of all business transactions at such meeting;
- (b) Keep an accurate record of the membership of the conference;

- (c) Give adequate notice to all members in advance of the annual meetings and any special meetings of the Conference;
- (d) Make a full report of the membership status of the Conference of each annual meeting;
- (e) At the request of the chairs of the Board of Presidents and the Athletics Directors Council, and as otherwise provided herein the Commissioner should give adequate notice of all meetings of the Board and the Council. For the purposes set forth herein, “adequate notice” shall mean at least sufficient time to reach the person’s place of business or residence under normal conditions, at least one day prior to a meeting, unless otherwise agreed or waived. *(Revised June, 2004)*

2.4.1.10 Treasurer.

The Commissioner also shall be the custodian of all corporate funds. The Commissioner shall receive all corporate funds, depositing the same in the name of the Conference in such bank or trust company as may be designated by the Board of Presidents, and shall keep an accurate record of all receipts and disbursements. The Commissioner shall be a co-signer with the President on all notes and mortgages and may, upon the discretion of the Board, execute all of the legal instruments given on behalf of the Conference, and shall, if required by the Board, give such surety bond as may be required at the expense of the Conference.

The Commissioner shall give a full report of the financial status of the Conference at each regular meeting and, upon request, at any meeting of the Board of Presidents. The Commissioner shall have the authority to sign checks drawn on any accounts maintained by the Conference, or employ the services of an individual to do so. *(Revised June, 2004)*

2.4.2 Administration Group.

The Administration Group shall consist of the Athletics Directors, Senior Woman Administrators, Faculty Athletics Representatives (annual meeting), and one additional administrator (at the discretion of the Athletic Director) of each member institution. During meetings of the Administration Group, the ADC may act in accordance with Article 7.9. The Administration Group shall meet in-person three times per year. *(Adopted June, 2012)*

2.4.3 Committee on Championships and Competition.

- (a) The Committee on Championships and Competition (CCC) shall be comprised of one representative from each institution to be designated by the Director of Athletics.

- (b) The CCC shall elect a chair every two years who shall serve as a liaison with the Conference staff, chair the semi-annual meetings and serve as the CCC liaison to the ADC.
- (c) The Director of Athletics may review his/her designee annually and if there shall be a change, notify the conference office by July 1. *(Revised October, 2001; August, 2004)*

2.4.4 Faculty Athletics Representative Committee. There shall be a Faculty Athletic Representatives' Committee (FAR Committee), comprised of the FARs from each member institution. The FARs shall elect a chair every two years, who shall serve as a member of the Executive Committee and shall represent the FAR group at meetings of the ADC in a non-voting capacity. The FAR Committee shall meet annually and shall make recommendations and reports to the ADC (see Bylaw 4.1.3). *(Revised October, 2001; June, 2004; June 2008)*

The goal of the Conference is to strengthen, enhance and maintain an effective role for the FARs as a conference entity by:

- (a) Administration Group meetings and conference calls;
- (b) Continuing to endorse regularly scheduled meetings of the FAR Committee, with at least one in-person meeting and three additional opportunities to interact via conference call and through in-person meetings, if possible, per year;
- (c) Including FAR representatives in conference committees and task forces, especially those pertaining to academics, compliance and student-athlete welfare, whenever possible;
- (d) Encouraging and supporting FAR participation on NCAA committees when applicable;
- (e) Ensuring that the FAR Committee has active involvement in fostering the continued success of the America East Academic Awards Program, with direct oversight of the Scholar-Athlete Awards;
- (f) The FAR Committee shall be involved in assisting the Conference to address national hot-topic issues by remaining informed about such issues as outlined in articles, publications and studies of importance;
- (g) Encouraging and supporting FAR attendance at national meetings and other professional seminars;
- (h) Actively engaged both at the Conference and at the institutional level. Participation in scheduled FAR committee conference calls and in-person meetings is mandatory, in the absence of a legitimate scheduling conflict. Excessive non-participation will be addressed by the Conference through the President;

- (i) Duties must include, at a minimum, those identified in the America East FAR Core Responsibilities document;
- (j) Qualifications for appointment as a new FAR are identified in the FAR Core Responsibilities document.

2.4.5 Senior Woman Administrators Committee. There shall be a Senior Woman Administrators Committee (SWA Committee), comprised of the SWAs from each member institution. The SWAs shall elect a chair every two years, who shall represent the group at meetings of the ADC in a non-voting capacity and serve on the Executive Committee. The SWA Committee shall meet three times per year and shall make recommendations and reports to the ADC. *(Revised October, 2001; June, 2004; June 2008)*

It is a goal of the Conference to strengthen, enhance and maintain a strong role for the SWAs as a conference entity and to include the SWA Committee in the management and administration of the Conference on both operational and philosophical levels by:

- (a) Continuing to endorse regularly scheduled meetings of the SWA Committee three times per year.
- (b) Including the full SWA Committee in joint sessions with the Administration Group meetings and conference calls.
- (c) Including at least one SWA representative in all conference committees and task forces, whenever possible.
- (d) Involving the SWA Committee in monitoring conference standards in sportsmanship, ethical conduct, and in the sports of emphasis by including them in the ongoing development and review of pertinent conference policies and procedures.
- (e) Charging the SWA Committee with decision-making authority on recommendations that come from select Conference committees, including SAAC, Compliance, Life Skills and Academics while continuing to have the group serve as the Woman of the Year selection committee.
- (f) Ensuring that the SWA Committee has active involvement in fostering the continued success of America East Women's Basketball.
- (g) The SWA Committee shall be involved in assisting the Conference to address national hot topic issues by remaining informed about such issues as outlined in articles, publications and studies of importance.
- (h) Encouraging and supporting SWA participation on NCAA committees, while charging the SWA Committee to promote the submission of qualified institutional nominees for positions throughout the NCAA committee structure,

focusing on soliciting gender and minority representation in the nomination process.

- (i) Encouraging and supporting SWA attendance at national meetings and other professional seminars.

2.4.6 Student Athlete Advisory Committee. There shall be a Student-Athlete Advisory Committee (SAAC), comprised of two student-athletes and two alternate student-athletes from each member institution, which shall meet twice a year and make recommendations regarding issues related to the student-athlete equity and welfare in the America East Conference and in the NCAA to the ADC, SWA Committee, CCC and FAR Committee. One student-athlete from the SAAC will represent the America East Conference on the NCAA Division I National SAAC. *(Revised June 2008)*

2.4.7 Conference Transfer Policy Committee. The Conference Transfer Policy Committee shall be comprised of one representative from each institution to be designated by the Director of Athletics. The designated representative shall be either a director of athletics, faculty athletics representative or senior woman administrator. There shall be at least five directors of athletics, one faculty athletics representative and one senior woman administrator on the committee. *(Adopted June 2005)*

2.4.8 Ad Hoc Committees. Ad hoc committees may be appointed by the Board or the Council. *(Revised June, 2004)*

2.4.9 Coaches' Committees.

2.4.9.1 Composition. The head coaches of each Conference sport shall comprise the Coaches Group for that particular sport.

2.4.9.2 Chair of Coaches' Committees. Each sport group shall elect a chair that shall:

- (a) Act as a liaison with the Conference and CCC for all sports except men's and women's basketball;
- (b) Remain informed of new legislation and other pertinent information regarding their particular sport and keep the Conference informed;
- (c) Form an agenda for the annual coaches meeting with the Conference administrator and the CCC liaison;
- (d) Review issues and make recommendations to the CCC.

BYLAW 3 – SPORT SPONSORSHIP

3.1 Sponsored Sports. The America East Conference sponsors the following sports:

Women

Basketball
 Cross Country
 Field Hockey
 Lacrosse
 Soccer
 Softball
 Swimming and Diving
 Tennis
 Track and Field, Indoor
 Track and Field, Outdoor
 Volleyball

Men

Baseball
 Basketball
 Cross Country
 Lacrosse
 Soccer
 Tennis
 Track and Field, Indoor
 Track and Field, Outdoor
(Revised July 2010; March 2013)

3.2 Participation Requirements.

Each member institution is required to participate in all championships authorized by the ADC, unless the member institution does not sponsor the sport in question. *(Revised July 2010)*

3.3 Sports Sponsorship Requirements.

Membership in the America East Conference shall be based on institutional sponsorship and participation in a minimum of two America East Conference men's team sports and two America East Conference women's team sports and in two America East Conference men's individual sports and two America East Conference women's individual sports. If an institution is in non-compliance, it is required that compliance be achieved in good haste. In addition, each institution is required to sponsor a minimum of either seven sports for men and seven sports for women or six sports for men and eight sports for women, the minimum requirements for maintaining NCAA Division I status per Bylaw 20.9.4.

3.4 Application of Rules.

Participation in any America East Conference sport shall be subject to all rules and regulations set forth in these operating policies.

3.5 Participation in Round Robin Play.

In exceptional cases, a member institution may be permitted to forego competition in a particular sport. The Executive Committee shall have the authority to rule on these cases. Annual review of each case is required.

3.6 Member Participation.

A Conference school may not participate as a member in any other Conference in a sport recognized and sponsored by the America East Conference.

BYLAW 4 – ACADEMICS**4.1 Academic Integrity. (See also Article 10.1)**

The America East must strive for complete transparency between member institutions in all academic standards, including the recruitment of student-athletes, with clear demarcations for special admissions cases.

Faculty Athletic Representatives and Athletic Advisory Boards/Athletic Policy Boards must be empowered to monitor the athletic program's compliance with academic standards, including in the areas of recruiting and academic/behavioral support, and to recommend ways to increase the academic success of our student-athletes.

America East institutions must strive to work collaboratively to find ways to leverage our relationships through the America East Conference to improve the quality and impact of our institutions.

4.1.1 Admissions.

- (a) Institutions must have an institutionally approved written policy for student-athlete admissions included in their athletic department policies and procedures manual; a copy is to be provided to the Conference;
- (b) The departmental admissions policy must include the process by which the athletic department may request an additional review of a specific student-athlete;
- (c) The student-athlete admissions process must be consistent with the regular, published entrance requirements of the institution (per NCAA Bylaw 14.1.7.1);
- (d) It is strongly advised that the admissions office make presentations to athletics staff (e.g. coaches/administrators) on a regular basis, i.e. at least annually;
- (e) There must be a primary contact for student-athlete admissions designated within the athletic department as well as one within the admissions office. Both primary contacts should be senior administrators. Additionally, no more than two additional athletics liaisons under the direct supervision of the primary contact should be involved. Coaches' personal involvement with respect to specific PSA's must include the primary contacts only, and any in-person communication with the admissions contact must be requested in advance through the primary athletic department contact;
- (f) It is appropriate for FARs to be involved in the overall admissions process, i.e. reports related to student-athlete admissions, review process. It is not appropriate for FARs to advocate on behalf of a specific prospective student-athlete;
- (g) Institutional admissions policies for student-athletes must explicitly identify areas between which differences exist between the student-athlete admissions process and the general admissions process (e.g. the additional review process, other salient areas).

4.1.2 Academic/Behavioral Support.

- (a) The conference office will periodically conduct a survey of academic support resources across all member institutions. The ongoing expectation will be that all members will continue to commit a comparable level of resources to student-athlete academic support.
- (b) Conference policy is to strongly encourage institutions to maintain at least a dotted reporting line from the student-athlete academic support operation to an office outside of athletics, if not a straight line to such an office.
- (c) Each campus shall have a written missed-class policy for student-athletes that includes, at minimum, the following elements:
 - 1. A required amount of notice that student-athletes must provide to professors in advance of missing required class activities.
 - 2. A maximum permissible amount of missed class time (total missed classes/class days or percentage of sessions).
 - 3. A prohibition on missed class time for practice (as opposed to competition).
 - 4. Monitoring Academic Performance:
 - a. Conference monitoring and oversight are key. Annual reports must be presented to the Presidents and patterns of concern communicated. Where possible these reports will be broken down by gender and ethnicity.
 - b. FAR's are tasked with monitoring trends within each athletic program, with coordination by the conference office. All trends will be compared student-athlete to non-student-athlete.
 - c. Academic excellence will continue to be recognized at the conference level (academic awards program, press releases on GSR/APR successes, etc.).

4.1.3 Faculty Athletics Representatives.

- (a) America East FARs must be actively engaged both at the conference and at the institutional level. Participation in scheduled FAR committee conference calls and in-person meetings is mandatory, in the absence of a legitimate scheduling conflict. Excessive non-participation will be addressed by the conference office through the President.
- (b) Each FAR's duties must include, at a minimum, those identified in the America East FAR Core Responsibilities document.

- (c) Qualifications for appointment as a new FAR are identified in the FAR Core Responsibilities document.

4.1.4 Accountability.

- (a) Academic performance must be a part of Athletic Directors'/Coaches' evaluations and contracts.
- (b) When hiring coaches, Athletic Directors must present to the institution's President the coach's APR report, distributed by the NCAA.

4.1.5 Non-Athletic Relationships Among Conference Institutions. On initiatives that are approved by a majority of the membership, all member institutions must make a good faith effort to participate fully. As required, the Commissioner will make the final determination as to what constitutes a "good faith effort."

BYLAW 5 – FINANCES

5.1 Dues.

The Coordinating Committee shall make recommendations on an annual basis regarding dues and assessments for review by the Board of Presidents at its annual meeting. *(Revised October 2001; June, 2004)*

5.2 Fiscal Year Date.

The fiscal year of the Conference shall begin July 1 in each calendar year and end June 30 in the following calendar year.

5.3 Distribution of NCAA Basketball Revenue

5.3.1 NCAA Participant. Each institution participating in an NCAA Men's or Women's Tournament First Round game shall receive a bonus of \$25,000.

5.3.1.1 Wins in NCAA Basketball Championship. If a participating team wins an NCAA Men's Basketball Tournament game, 50% of the additional revenue distribution amount (the additional unit) shall be provided to the institution that wins the NCAA Tournament game. This amount shall only be provided during the first fiscal year the additional funds are provided to the Conference. The additional 50% from the first year and the entire additional distribution amount during the remaining years shall be deposited with the Conference office.

5.3.2 NIT Participant (Postseason). Each institution participating in the Men's National Invitation Tournament (NIT) will retain 70% of the income derived from participation with 30% of the income retained by the Conference.

5.3.3 NIT Tip-Off Participant (Preseason). Each institution participating in the Men's National Invitation Tip-Off Tournament (formerly preseason NIT) will retain 30% of the income derived from participation with 70% of the income retained by the Conference.

5.4 Distribution of Other NCAA Funds.

Monies received from the distribution of other NCAA funds shall be distributed in the following manner:

(a) **Broad-Based Pool.** Funds from the broad-based pool shall be distributed directly from the NCAA to the Conference's member institutions based upon NCAA formulae recognizing program breadth and award of financial aid.

(b) **Academic Enhancement Funds.** Funds designated for academic enhancement shall be distributed directly from the NCAA to each Conference member institution's department of athletics.

(c) **Student Assistance Fund.**

1. **Distribution.** The Student Assistance Fund (SAF) shall be distributed by the Conference office. Disbursements shall be tracked via NCAA online reporting and the America East SAF web site.

2. **Eligibility for Fund.** The following student-athletes are eligible to apply for funds:

All student-athletes, including international, are eligible to receive Student Assistance Fund benefits, regardless of whether they are grant-in-aid recipients, have demonstrated need or have either exhausted eligibility or no longer participate due to medical reasons. Participants on non-NCAA sponsored sport teams are not eligible to receive SAF funds.

Except for prospective student-athletes receiving summer financial aid prior to full-time enrollment pursuant to NCAA Bylaw 15.2.8.1.3, no prospective student-athlete shall be eligible to receive SAF funds.

5.5 Conference Media Agreement(s).

5.5.1 Definition.

For purposes of this bylaw, "media" shall include any television, live video streaming, archived video, and any other multimedia platform that exists or is developed in the future to make content available to consumers.

5.5.2 Media Rights.

Media rights for all America East Conference and non-conference home events in Conference-sponsored sports are held by the America East Conference and its primary media partner. The

Conference and its primary media partner hold exclusive rights until the primary media partner's broadcast selections are considered final in accordance with the terms and conditions of the primary media partner's agreement with the Conference. Any events not selected by the primary media partner shall then be held exclusively by the Conference for production with other media entities and/or its own media platform (e.g., digital network). The media rights of all remaining events not selected for production by the primary media partner of the Conference will then be granted to the home institution. A visiting institution must request permission from the director of athletics at the host institution for media rights to an away game. (Adopted June, 2013)

5.5.3 Revenue from Media Agreement(s).

The Conference office shall initially receive all revenues generated by a Conference media agreement, regardless of the platform used to distribute the events. Monies shall go towards the Conference budget. (Revised June, 2013)

BYLAW 6 – INTRA-CONFERENCE TRANSFER

6.1 Intra-Conference Transfer. (Revised June 2009)

- 6.1.1 All Sports Other than Men's and Women's Basketball.** A student-athlete who receives athletically related financial aid and who transfers from one conference institution to another must serve one year of residence before being eligible to compete at the second institution. The student-athlete would be eligible to receive athletically related financial aid (provided the provisions of NCAA Bylaw 13.1.1.3 have been satisfied) and practice at the second institution during the year in residence, but would not be eligible for competition.
- 6.1.2 Men's and Women's Basketball.** A student-athlete who transfers from one conference institution to another must serve one year in residence before being eligible to compete at the second institution. That student-athlete shall be charged two years on their five-year clock and one year of eligibility.
- 6.1.3 Waiver.** If the Athletic Directors from the two involved institutions mutually agree to a waiver of the intra-conference transfer policy, the student-athlete shall not be subject to the conference policy (note: applicable NCAA regulations will still apply).
- 6.1.4 Appeals.** If the Athletic Directors from the two involved institutions do not mutually agree to a waiver of the above policy, the second institution may file an appeal to the conference's Transfer Policy Committee on behalf of the student-athlete. The decision of the Transfer Policy Committee is final. To initiate an appeal of the intra-conference transfer policy, a member institution must submit to the conference office a written statement from the director of athletics, describing the facts of the case and the reason for the appeal request, and a signed transfer policy acknowledgement form. Upon receipt of the materials described above, the conference office shall notify the original institution of the pending appeal, and shall schedule an appeal hearing. The appeal hearing will be held by conference call, not less than two weeks following the appellant institution's notification to the conference office. Both institutions will be permitted to

submit any relevant documentation in support of their respective positions to the committee in advance of the hearing. All appeal materials must be submitted at least one week prior to the date of the hearing.

6.1.5 Transfer Policy Acknowledgement. Upon granting a student-athlete written permission-to-speak with another America East institution, the original member institution must provide a signed transfer policy acknowledgement form to the other member institution. This form will serve notice that the student-athlete has been advised as to the intra-conference transfer policy and its effect on that individual's athletics eligibility.

BYLAW 7 – CONDUCT

7.1 Ethical Conduct.

- (a) Individuals employed by (or associated with) a member institution that administer, conduct or coach intercollegiate athletics and all participating student-athletes shall act with honesty, professionalism and sportsmanship at all times. The Commissioner shall be empowered to take disciplinary action against Conference member institutions or institutional personnel when derogatory comments, unprofessional behavior, acts of misconduct, failure to meet Conference obligations, failure to maintain confidentiality or violations of Conference and/or NCAA rules or policies occur.
- (b) A representative of an institution who commits an act of unethical (including but not limited to derogatory comments, unprofessional behavior, failure to maintain confidentiality, etc.) shall be subject to disciplinary action as deemed appropriate by the Commissioner. Such disciplinary action may also include the institution whose representative committed the violation of ethical conduct. The penalties shall include, but are not limited to: private reprimand; public reprimand; a suspension of at least one, and possibly more, games (if applicable); and a monetary fine.

BYLAW 8 – NCAA RULES VIOLATIONS *(Revised September 2010)*

8.1 Secondary Infractions.

When a member institution becomes aware of a possible secondary violation of NCAA rules, it is primarily the responsibility of the institution to investigate and determine whether a violation has occurred. Upon request, the Conference may assist the institution in making such a determination. If a secondary violation has occurred, the member institution is obligated to report **all secondary** violations directly to the NCAA. The conference office shall be copied on all **secondary** violation reports. Upon request by the member institution, the Conference office may assist the member institution in performing any or all of the following functions:

- (a) Determining whether the present facts constitute a level I or level II infraction;
- (b) Identifying and/or articulating any mitigating circumstances;
- (c) Determining appropriate institutional actions that shall be applied;

- (d) Processing eligibility appeals through the student-athlete reinstatement staff or the NCAA Student-Athlete Reinstatement Committee.

If a member institution believes that a fellow member institution has violated NCAA rules, or if questions arise regarding adherence to conference policies or procedures, the first course of action should be to contact the other institution's compliance office or athletics director. Once the respective compliance staffs (and/or athletics directors) of the involved institutions are in communication, the institution receiving the allegations shall thoroughly investigate any possible violation of NCAA rules. As per above, member institutions may contact the Conference and/or NCAA to assist in the determination as to whether NCAA rules have been violated.

If the Conference becomes aware of a potential violation of NCAA rules by an America East member institution, the Conference will contact the institution in question, and inform the institution's athletic director and/or compliance staff. The institution shall investigate the issue and report back to the conference office on the progress of the investigation. As per above, the member institution may contact the Conference to assist in the determination of whether NCAA rules have been violated. *(Revised June, 2013)*

8.2 Major Infractions.

Major Infractions include any violations that are repetitive and/or intentional in nature; provide more than a minimal recruiting and/or competitive advantage; or involve significant recruiting inducements or significant extra benefits.

- (a) If an America East member institution becomes aware of a potential major infraction, it is required to immediately report the known facts of the case to the Conference office in writing, and to keep the Conference updated as to the progress of the investigation.
- (b) Once it is confirmed that a major infraction has occurred, or once a Notice of Inquiry/Notice of Allegations has been received from the NCAA (whichever is earlier), the member institution's director of athletics must notify the Commissioner and the Executive Committee at the earliest possible date, either in writing or in conjunction with the next regularly scheduled meeting or conference call.
- (c) The Conference must receive a copy of all written communications between the member institution (and/or any representative of the member institution) and the NCAA in regard to any potential major infraction. It is the responsibility of the involved institution to ensure that the conference office has received copies of all relevant documents in a timely manner.

BYLAW 9 – CONFERENCE VIOLATIONS & ENFORCEMENT

9.1 Responsibility of Member Institutions.

It is the responsibility of each member institution to know and abide by all America East Bylaws and Regulations.

9.2 Procedures for Review of Alleged Violations of Conference Bylaws and Regulations.

- (a) An allegation of an infraction shall be first reported to the Athletics Director of the offending institution. The nature of the complaint should be reported immediately and may be from any source. If the complainant is a Conference Member, it is best practice for a conversation to be held between the two involved Athletic Directors;
- (b) Once an Athletic Director is aware of a potential violation, it is the Director's responsibility to inform the Commissioner of the potential violation and to initiate an investigation of the claim;
- (c) Upon completion of his/her investigation, the Director shall report findings to the Commissioner, including a recommendation re: penalties in a timely fashion;
- (d) The Commissioner may accept these findings, including recommended penalties, or he/she may decide otherwise;
- (e) Should the Commissioner reach a contrary finding and/or penalty, this shall be communicated to the Executive Committee and the institution promptly;
- (f) The institution may appeal the Commissioner's finding and or/penalty to the Executive Committee. The institution has 48 hours from receipt of the Commissioner's finding to appeal. The appeal must be in writing and include reasons for the appeal.
 - i. The Commissioner shall, at all times, be fair to precedence.
 - ii. Cases will be processed as timely as possible.

9.3 Appeal Process.

- (a) In the event that the institution feels that the Commissioner's decision is incorrect, they may appeal the decision to the Executive Committee;
- (b) The appeal must be in writing, and include rationale for the appeal and arrive in the Conference Office within 48 hours of the institution receiving the Commissioner's decision;
- (c) The Executive Committee shall conduct a prompt hearing based on the schedule of its members. The Athletic Director of the appealing institution and the Commissioner must participate in the call;
- (d) The Executive Committee may reaffirm, set aside or reduce the penalty based on the hearing;
- (e) The decision of the Executive Committee shall be final and not subject to further appeal;

- (f) Should a member of the Executive Committee be a representative of the appealing institution or the complaining institution, the Executive Committee shall appoint a replacement from among the other Conference Athletic Directors;
- (g) Should a member of the Executive Committee be unavailable, the Executive Committee shall appoint a replacement from among the other Conference Athletic Directors.

9.4 Penalties & Disciplinary Action.

9.4.1 Sports Policies. In policies structured to maintain competitive equity (e.g., video exchange, practice accommodations), the Commissioner may impose penalties that would remove like privileges from the offending party. The penalty would double the action of the offense for first time infractions and could escalate for additional infractions. For example, if a coach does not provide a videotape in the appropriate time frame or format, that coach would not be permitted to receive the next two requested tapes from opponents.

In policies structured to increase awareness of the Conference (e.g., uniform, venue and equipment logo rules, failure to meet media obligations), the Commissioner may impose fines ranging from \$500 for low exposure sports to \$5,000 for conference-emphasized sports.

In policies affecting game management (e.g., failure to provide crowd control, tarp, video platform, band placement, visiting team fan seating, facility availability for pre-game, extra backboard, ball shaggers), the Commissioner may impose fines from \$500-\$5,000 based on the impact the violation has to the league and its members. For example, not having a video platform in soccer has less impact than not having an extra backboard when one breaks on a televised game.

9.4.2 Administrative Policies. In policies related to the administration of Conference business, the Commissioner may impose fines ranging from \$100 to \$500. Such infractions include, but are not limited to, failure to meet the deadlines in returning materials, forms and reports to the Conference office, failure to meet the entry deadlines in select championships, unexcused absences from Conference meetings, failure to notify the Conference in regard to change in officiating needs, failure to pay officials in a timely manner.

9.4.3 Sporting Conduct. A representative of an institution who commits an act of unsporting conduct (including but not limited to public criticism of officials, Conference Officials or another institution) shall be subject to disciplinary action as deemed appropriate by the Commissioner. Such disciplinary action may also include the institution whose representative committed the violation of sporting conduct. The penalties shall include, but are not limited to: private reprimand; public reprimand; a suspension of at least one, and possibly more, games; and a monetary fine.

9.4.4 Ethical Conduct. A representative of an institution who commits an act of unethical (including but not limited to derogatory comments, unprofessional behavior, failure to maintain confidentiality, etc.) shall be subject to disciplinary action as deemed

appropriate by the Commissioner. Such disciplinary action may also include the institution whose representative committed the violation of ethical conduct. The penalties shall include, but are not limited to: private reprimand; public reprimand; a suspension of at least one, and possibly more, games (if applicable); and a monetary fine.

9.4.5 Standards. Violations of Standards, as established, in the Conference-emphasized sports of Basketball, Soccer and Lacrosse shall be subject to a higher standard of scrutiny and penalty than the above Policies. Penalties may consist of fines and/or ineligibility for Conference championships or awards.

9.4.6 Repeat Offenses. In cases where an individual or institution repeatedly violates a rule or series of rules, the Commissioner can impose additional, more punitive sanctions. An excessive amount of infractions and/or offenses shall amount to a major infraction and the penalties will reflect that as appropriate.

9.4.7 Fines. Each fine received by the Conference office shall be deposited with the Conference office in a fund that shall be available to all institutions. This primary function of this fund shall be to return the funds collected in an equitable manner back to the member institutions in a way that most directly benefits the Conference's student-athletes.

BYLAW 10 – AMENDMENTS

10.1 Vote Required. These bylaws may be repealed or amended at any meeting, regular, special or annual of the voting members of the Board of Presidents by a two-thirds vote of approval of the Conference members, provided the proposed amendment has been distributed at least seven days prior to the meeting. Said notice of the proposed meeting shall include the substance of the amendment and the action to be taken. The Board of Presidents also has the authority to adopt amendments on an emergency basis. Matters presenting an immediate or significant impact on the Conference shall be considered as emergency. (Revised June, 2013)