

CONSTITUTION

American Rivers Conference (Revised August 2024)

Article I – NAME

1.1 The name of this organization shall be the AMERICAN RIVERS CONFERENCE, INC.

Article II – PURPOSE

2.1 The purpose of the organization is to promote the education, health and character of students through participation in a program of organized, controlled and supervised intercollegiate athletics, with emphasis on sportsmanship, competition and fair play. The organization is organized exclusively for charitable, educational, religious or scientific purposes with the meaning of Section 501(C)3 of the Internal Revenue Code.

2.2 The American Rivers Conference (A-R-C) consists of independent, regionally accredited, residential four-year colleges that share common academic philosophies and goals and that place primary emphasis on the academic progress of students. To that end, the athletic programs of A-R-C member institutions facilitate the intellectual, spiritual and physical development of all students, whether as participants or spectators.

Members of the A-R-C place highest priority on the overall quality of the educational experience of our student-athletes and their successful completion of it. Therefore, the member colleges seek to provide an environment in which athletic activities are conducted as an integral part of our student-athletes' educational experience. In that vein, intercollegiate competition is provided by the A-R-C to develop participants' skills in self-discipline, teamwork, fair play, sportsmanship and ethical conduct; it is not provided primarily to serve the entertainment needs of spectators nor the talent needs of professional sports teams.

Student-athletes in the A-R-C should experience growth of physical and mental skills as well as an appreciation for the rewards of adequate preparation and superior performance. They also should learn to work and play with others who are unlike themselves but who are talented and productive persons. They also should experience the pride of representing an organization, not just themselves, and the responsibility of proper conduct that comes with it. But primarily, they should have the opportunity to excel in their academic work as well as in their athletic endeavors; competitive events and practice sessions will be scheduled to minimize the potential conflict between academic and athletic excellence. In sum, athletic competition in the A-R-C serves to encourage our students to participate in activities beyond the classroom, to enhance skills helpful to career success, and to assist them in their general development as human beings.

Consistent with our mission and values, the A-R-C pledges to specifically commit to establishing initiatives for achieving ethnic and racial diversity, gender equity and inclusion in intercollegiate athletics.

The athletics program is characterized by the following:

2.21 Participation is encouraged by maximizing the number and variety of athletic opportunities in varsity, club and intramural sports.

2.22 Participants receive the same treatment as other students. They have no unique privileges in admission, academic advising, course selection, grading, living accommodations or financial aid. Similarly, athletes are not denied rights and opportunities that would be available to them as non-athletes.

2.23 The athletics program is controlled, financed and staffed through the same general procedures as other departments of the college.

2.24 Sports for men and women are given equal emphasis and the desired quality of competition is similar in all sports. Participant interests will be one factor considered in the determination of the level of support provided by the college to each sport.

2.25 The A-R-C will provide an environment for competition and conference championships that encourages high levels of athletic performance. League institutions will strive to provide quality coaching, facilities and support services to accommodate this goal. Competitive league play and schedules provide both philosophical and cost containment benefits. High-level competition enhances the importance of earning an A-R-C championship while allowing play to occur in a close geographic area, decreasing costs and missed class-time.

2.26 The NCAA Division III Philosophy Statement notes the value of regional and league competition by stating that Division III institutions give primary emphasis to regional in-season competition and conference championships [Bylaw 20.11(q)]. The A-R-C strongly supports this fundamental principle. The A-R-C is committed to sending its league champions to national competition when available as a further enhancement to the individual student-athlete's and team's overall athletic experience. Regional and national competition also increases the visibility of the A-R-C and its member institutions, which assists in recruiting and retaining students. In short, the A-R-C will ensure that league competition is supported in a manner that allows individual and team champions to be representative and competitive in NCAA national championship competition.

Article III – FULL-TIME MEMBERSHIP

3.1 To be eligible for full-time membership, an institution must offer four years of college work leading to a Bachelor's Degree; be an NCAA Division III member; be committed to the principle of equity and give equal emphasis to men's and women's sports; and, unless granted an exception as a new-applicant institution, sponsor, at a minimum, the following nineteen (19) sports: baseball, basketball (men's and women's), cross country (men's and women's), football, golf (men's and women's), soccer (men's and women's), softball, tennis (men's and women's), indoor track and field (men's and women's), outdoor track and field (men's and women's), volleyball and wrestling. In the event of unforeseen circumstances beyond the control of the institution, the Presidents Council may excuse the institution from competing in a sport for one year by two-third's vote of the Presidents Council. Sports sponsorship is defined as meeting the NCAA minimum number of participants and contests as contained in NCAA Bylaw 20.11.3.8, except when current conference requirements exceed the NCAA requirements.

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3.1.1 An institution petitioning in a manner in which it is representing its own interest or there is a conflict of interest, shall be required to recuse itself from a vote.

3.1.2 In the event of unforeseen circumstances, the Presidents Council may grant a waiver allowing a member institution to no longer sponsor the sport(s) - cross country (men's and women's), golf (men's and women's), tennis (men's and women's), indoor track and field (men's and women's), outdoor track and field (men's and women's) and wrestling - by two third's vote of the Presidents Council. An institution requesting a waiver to no longer sponsor a sport(s) shall be required to present accompanying documentation to include but not limited to, plan utilized to retain sport(s), financial implications, plan for future sports sponsorship, and a summary of why the sport(s) is no longer considered viable. The Presidents Council shall have the authority to grant such waiver on a permanent or time-dependent basis. Withdrawal from a sport(s) for an extended period of time, or repeated request for waivers, however, may affect the institution's membership in the Conference.

3.1.2.1 An institution petitioning in a manner in which it is representing its own interest or there is a conflict of interest, shall be required to recuse itself from a vote.

3.1.3 When a majority of full-time member institutions — but not all members — sponsor a sport(s) at the varsity level, the conference can be petitioned to officially sponsor said sport(s) and acted on by two-third's vote of the Presidents Council. A sport(s) adopted as such shall be considered "encouraged" but not an expectation of all full-time member institutions. Should a sport(s) defined as "encouraged" fall below majority sponsorship, it shall maintain its classification as officially sponsored for a period of one academic year beyond the date in which majority sponsorship was lost. The Presidents Council reserves the authority to extend a sport(s) sponsorship status by a two third's vote.

3.1.4 If the A-R-C does not have enough members sponsoring a given sport to allow for an NCAA tournament automatic qualification bid (AQ), where applicable, those members shall be permitted to have dual membership in a conference which possesses an AQ for that sport only. Once enough A-R-C members sponsor a given sport such that the conference qualifies for an AQ, all members who sponsor that sport shall be required to make the A-R-C their primary affiliation in that sport, in the year in which an AQ is permitted by NCAA rules - provided that all qualifying members are able to make a formal declaration of sponsorship that provides at least two years' advance notice to the affiliate conference (s), e.g., notice by July 1, 2022 for AQ eligibility in 2024-25 - unless a shorter withdrawal notice can be accommodated by the affiliate conference without penalty to the A-R-C member.

3.1.5 Eighteen months' notice shall be required to add or withdraw a sport to/from conference competition, e.g. by January 2022 to add or drop effective with the 2023-24 academic year. Sports may be added in a shorter time frame if all members sponsoring that sport are able to accommodate such an addition to their schedules.

3.2 The members of the conference, established December 8, 1922, are:

- Buena Vista University (admitted 1922)
- Central College (admitted 1922)
- Coe College (admitted 1997)
- Dubuque, University of (admitted 1929)
- Loras College (admitted 1926 and again in 1986)
- Luther College (admitted 1922)
- Nebraska Wesleyan University (admitted 2016)
- Simpson College (admitted 1922)
- Wartburg College (admitted 1936)

3.3 Any eligible non-member institution may apply for full-time membership in the American Rivers Conference by filing a written application with the Commissioner of the conference, signed by the chief administrative officer of the applicant institution. Such an application must contain a statement that, if approved, the applicant agrees that it will consent to and abide by the Constitution, Operating Bylaws and Sport Regulations of the conference. A new-applicant institution, if approved, shall have a period of three years to add a sport(s) in order to meet the sport sponsorship requirement as specified in Article 3.1 or present to the Presidents Council documentation summarizing the rationale as to why a sport(s) is unable to be added]. Summarizing documentation shall include but not limited to, plan previously utilized to sponsor or retain sport(s), financial implications, plan for future sports sponsorship, and a summary of why the sport(s) is not able to be added within the timeframe outlined. The three-year transition period begins with the institution's first full year of conference membership.

3.31 Applications for full-time membership may be considered at any regular or special meeting of the Presidents Council.

3.32 Voting on any application shall be by secret written ballot and for approval must receive an affirmative vote from at least two-third's of the members of the Presidents Council.

3.33 The American Rivers Conference considers its most important characteristics:

3.331 Comprised of not-for-profit independent institutions that offer a four-year course of study leading to attainment of a baccalaureate degree;

3.332 Nurture common academic philosophies and goals that place primary emphasis on the academic progress of students;

3.333 Maintain integrity and transparency of admissions standards;

3.334 Comprised of current members in good standing of NCAA Division III;

3.335 Ensure compliance with all NCAA Bylaws, and the Constitution, Operating Bylaws and Sport Regulations of the A-R-C;

3.337 Demonstrate long-standing and continued commitment to the conference's Vision Statement – Integrity, Integration (students fully integrated into the life and mission of each campus), Achievement and Character.

3.4 Information required at the time of application is found in Appendix A of the A-R-C Constitution.

3.5 Member institutions are expected to maintain an Intercollegiate Athletics Committee (Athletics Advisory Board), which has responsibility for advising or establishing athletic policies. Membership on the committee of non-coaching, non-athletic Administrator faculty shall number at least three and shall constitute a majority. Membership shall include the appointed A-R-C Faculty Athletics Representatives.

3.6 Upon the written petition of any member of the Presidents Council made in time to be put on the agenda for any regular Presidents Council meeting or which is made the subject of a special meeting called for that purpose, an institution may be expelled upon receiving a vote of at least two-third's of the Presidents Council members. Said votes for expulsion to be taken by secret written ballot.

3.7 An institution maintains membership in the A-R-C by affiliating with both the men's and women's leagues.

3.8 Any member that plans to withdraw from the conference must notify the conference in writing by June 1 of any given year, with the effective date of termination of membership no earlier than May 31 two full academic years later. A withdrawing member is required to pay full conference dues until the termination date.

3.9 Any member that fails to meet the above timetable shall pay an exit fee equivalent to 75% of annual dues for the year following departure.

3.10 The A-R-C Presidents Council may grant exceptions to Articles 3.7, 3.8, 3.9 and 3.10 by a simple-majority vote.

Article IV – AFFILIATE MEMBERSHIP

4.1 Affiliate Members shall be members who participate in certain - but not all - conference sports. Affiliate membership is awarded on a three-year basis, with a conference review after year two to determine continuation or termination of membership at the end of year three. An institution shall be limited to affiliate membership in a total of three sports. Affiliate membership shall be permitted in cheer, cross country (men's and women's), dance, golf (men's and women's), swimming & diving (men's and women's), tennis (men's and women's), indoor track and field (men's and women's), outdoor track and field (men's and women's) and wrestling. Affiliate Members shall be required to pay reduced annual dues, as determined annually by the Presidents Council.

4.2 Affiliate Members shall be entitled to receive all benefits of membership except the right to vote; provided, however, Affiliate Members shall be permitted to vote only on matters directly affecting the sport or sports for which the Affiliate Member has been approved for membership.

4.2.1 Such voting privileges shall only be for the Director of Athletics when the affiliated sport(s) are part of the agenda at a meeting of the Directors of Athletics; and

4.2.2 The coach(es) of the sport(s) affiliated at their respective coaches' meetings.

4.3 Affiliate Members shall be entitled to participate in conference scheduling, conference championship competition, and "all-conference" recognition in the sport or sports for which the Affiliate Member has been approved for membership.

4.4 Affiliate Members shall not hold office or membership on committees, with the exception of the sport committee for which the Affiliate Member has been accepted.

4.4.1 Applications for Affiliate membership may be considered at any regular or special meeting of the Presidents Council.

4.4.2 Voting on any application shall be by secret written ballot and for approval must receive an affirmative vote from at least two-third's of the members of the Presidents Council.

4.4.3 The American Rivers Conference considers its most important characteristics:

4.4.3.1 Comprised of not-for-profit independent institutions that offer a four-year course of study leading to attainment of a baccalaureate degree;

- 4.4.3.2 Nurture common academic philosophies and goals that place primary emphasis on the academic progress of students;
- 4.4.3.3 Maintain integrity and transparency of admissions standards;
- 4.4.3.4 Comprised of current members in good standing of NCAA Division III;
- 4.4.3.5 Ensure compliance with all NCAA Bylaws, and the Constitution, Operating Bylaws and Sport Regulations of the A-R-C;
- 4.4.3.6 Demonstrate long-standing and continued commitment to the conference's Vision Statement – Integrity, Integration (students fully integrated into the life and mission of each campus), Achievement and Character.

4.5 Information required at the time of application is found in Appendix A of the A-R-C Constitution.

4.6 Affiliate Member institutions are expected to maintain an Intercollegiate Athletics Committee (Athletics Advisory Board), which has responsibility for advising or establishing athletic policies. Membership on the committee of non-coaching, non-athletic Administrator faculty shall number at least three and shall constitute a majority.

4.7 Upon the written petition of any member of the Presidents Council made in time to be put on the agenda for any regular Presidents Council meeting or which is made the subject of a special meeting called for that purpose, an institution may be expelled upon receiving a vote of at least two-thirds of the Presidents Council members. Said votes for expulsion to be taken by secret written ballot.

4.8 Any Affiliate member that plans to withdraw from the conference must notify the conference in writing by June 1 of any given year, with the effective date of termination of membership no earlier than May 31 two full academic years later. A withdrawing member is required to pay full conference dues until the termination date.

4.9 Any Affiliate member that fails to meet the above timetable shall pay an exit fee equivalent to 100% of annual Affiliate Member dues for the year following departure.

3.10 The A-R-C Presidents Council may grant exceptions to Articles 4.7, 4.8, 4.9 by a simple-majority vote.

Article V – PRESIDENTS COUNCIL

4.1 The Presidents Council shall include the chief executive officer of each member institution.

4.2 The officers of the Presidents Council shall include: chair; vice chair; and an at-large member. The chair and vice chair shall serve two year terms with the at-large member serving a one year term. Each year the at-large member will rotate off the council and a new at-large member will assume the position based on the established rotation. Should a member vacate his or her position during their term, each preceding position will rotate forward and a new at-large member will be elected. The at-large member rotated forward shall forgo their position as vice chair when new officers are due to assume their position.

4.2.1 Due to unforeseen circumstances, such as a recent appointment or retirement, the executive committee shall provide a replacement to the full Presidents Council for a vote. (*Adopted: 12/5/2023*)

4.3 The officers shall serve as an Executive Committee of the Presidents Council with the following duties:

4.3.1 The Executive Committee shall act on matters of emergency between meetings of the Presidents Council.

4.3.2 The Executive Committee, in consultation with the Commissioner, shall oversee the conference budget as outlined under Article VIII of the constitution.

4.3.3 The chair of the Presidents Council shall approve monthly expenses of the conference as outlined under Article VIII of the A-R-C constitution.

4.3.4 The Executive Committee, in consultation with the Commissioner, shall set the agenda for each official meeting of the Presidents Council.

4.3.5 The chair of the Presidents Council shall oversee and conduct the business sessions of the Executive Committee, the Presidents Council, and any joint business session of the Presidents Council and the Management Council.

4.3.6 The chair of the Presidents Council shall have direct supervision of the Commissioner.

4.4 Duties of the Presidents Council:

4.4.1 The Presidents Council shall meet twice a year — in the fall and in the spring. It also may meet at any time for special business sessions when called by the Executive Committee.

4.4.2 The Presidents Council shall review and approve all recommended changes of the Constitution, Operating Bylaws and Sport Regulations as prescribed in Sections 12.1 and 12.2. These recommendations shall be forwarded to the Council by the Commissioner, in the form of an official recommendation contained in the minutes of each FAR / AD Council meeting. Votes cast by the AD and FAR Councils at their meetings are recommendations only and, thus, non-binding. During its ensuing meeting, the Council either will approve the recommendation or refer it back to the FAR / AD Councils, with questions or suggested modifications, for reconsideration.

4.4.3 The Presidents Council shall review and approve applications for membership and all exemptions to membership requirements.

4.4.4 The Presidents Council may submit matters of proposed legislation to the FAR / AD Councils.

4.4.5 The Presidents Council may appoint special committees to study and investigate matters of the A-R-C.

4.4.6 The Presidents Council shall approve the annual conference budget, conference personnel salaries and assess annual dues. A proposed budget shall be approved by the Presidents Council.

4.4.7 The Presidents Council shall select and hire the A-R-C Commissioner and set salary, length of contract and other terms and conditions of employment.

Article VI — FACULTY ATHLETICS REPRESENTATIVES COUNCIL

5.1 The Faculty Athletics Representatives Council was established in 2017 to replace the Management Council. This replacement kept in place a key, historical legislative component of the Management Council while creating the Athletics Directors Council.

5.2 For the business and operations of the conference, each institution shall be represented on the FAR Council by one female and one male Faculty Athletics Representative.

5.3 The Faculty Athletics Representative(s) of each institution shall be appointed by its chief executive officer from among:

- teaching faculty who do not coach institutional athletics teams;
- teaching faculty who do not serve in athletic administration.

5.4 Each institution shall have one (1) FAR Council vote. To carry, a motion must receive a simple majority. Votes cast are considered recommendations to the Presidents Council and will advance to that body for final consideration.

5.5 The FAR Council will monitor on a continuous basis the policies and programs in the conference to assure they are consistent with the spirit and intent of the Constitution, Operating Bylaws and Sport Regulations of the conference.

5.6 All policies and interpretations of policy relating to intercollegiate athletics fall within the purview of the FAR Council.

5.7 The FAR Council may initiate independently recommendations to the Presidents Council.

5.8 In the event that neither designated Faculty Athletics Representative of an institution is available to attend any regular or special meeting of the conference, the chief executive officer of that institution shall appoint a substitute Faculty Athletics Representative(s) to act with the same power and authority as the designated Faculty Athletics Representative(s).

Article VII — DIRECTORS OF ATHLETICS COUNCIL

6.1 The Directors of Athletics Council, or AD Council, was established in 2018 to provide an official voting role in the conference's governance structure.

6.2 For the business and operations of the conference, each institution shall be represented on the Directors of Athletics Council by the Director of Athletics and/or the Senior Woman Administrator.

6.3 Membership in the Conference is by institution and, thus, the votes are institutional in nature. There shall be one Director of Athletics / Senior Woman Administrator vote per institution. To carry, a motion must receive a simple majority.

6.4 The AD Council shall closely monitor and review A-R-C competition on a day-to-day basis and promote cooperation among its members in the spirit of the Constitution, Operating Bylaws and Sport Regulations.

6.5 The AD Council makes recommendations for the interpretation, revision and amendments of the conference's Operating Bylaws and Sport Regulations as the changing circumstances of conference athletics administration seem to warrant.

6.6 Each institution shall have one (1) AD Council vote. To carry, a motion must receive a simple majority. Votes cast are considered recommendations to the Presidents Council and will advance to that body for final consideration.

6.7 Prime responsibility lies with the AD Council for: conduct of women's and men's athletics competition, including event management; conference awards, trophies and certificates, and all-A-R-C teams; coaches' activities; publicity; and representation for the conference in the councils of national and regional athletic associations.

6.8 In the event of the inability of the Director of Athletics and/or Senior Woman Administrator of an institution to attend any regular or special meeting of the Conference, the chief executive officer of that institution shall appoint a substitute to act with the same power and authority as the Director of Athletics / Senior Woman Administrator.

Article VIII – FAR/AD COUNCIL MEETINGS

7.1 There shall be two regular conference meetings of the combined FAR/AD Councils each year:

7.1.1 One regular meeting shall be held in the spring. The specific date, time and place of the meeting shall be set by the FARs and ADs at the fall meeting. One of the items of business at the spring meeting shall be to set the date, time and place of the fall meeting of the FAR/AD Councils.

7.1.2 The other regular meeting shall be in the fall and held at a date, time and place as provided in section 7.1.1.

7.2 There shall be an Executive Committee composed of the Chair, Vice-Chair and the immediate past Chair of the FAR Council, and three members of the AD Council, all of whom shall be from different institutions than the Chair, Vice-Chair and immediate Past Chair. The Conference Commissioner shall be a non-voting member. Duties are:

7.2.1 The Executive Committee shall act on matters of emergency between meetings of the Presidents Council. An Executive Committee shall have the power and authority of the FAR/AD Councils to interpret and administer the Constitution, Operating Bylaws and Sport Regulations of the conference in between regular or special meetings of the FAR/AD Councils, subject always to the final control and decision of the Presidents Council.

7.2.2 Meetings of the Executive Committee may be called by any member of the committee by telephone or letter and may be held in person or by telephone and the vote of two members of the committee shall control. Written minutes of each meeting of the Executive Committee shall be kept by the Commissioner. Every reasonable effort will be made to contact every member of the Executive Committee.

7.2.3 The Chair, Vice-Chair and immediate past chair shall be Faculty Athletics Representatives. The positions of Chair and Vice-Chair each shall be held in rotation in alphabetical order by member institutions, with each Vice-Chair's succeeding each Chair at the designated time.

7.2.4 The Chair shall be the presiding officer at all regular and special meetings of the FAR/AD Councils.

7.2.5 The Vice-Chair shall act for the Chair whenever the Chair is absent from any meeting or is unable to perform FAR/AD Council duties for the reason of sickness or other valid reason. The Vice-Chair also shall perform such other duties as may be assigned by the Councils or the Executive Committee.

7.2.6 The voting members of the Executive Committee shall be the Chair, Vice-Chair and the immediate Past Chair, and three members of the AD Council, all of whom shall be from different institutions than Chair, Vice-Chair and immediate Past Chair. Said members shall be designated at the spring meeting and shall take office the following July 1 and serve until the following June 30. In the event a vacancy occurs in any office during its term, a replacement shall be appointed by the Executive Committee to serve until the next meeting of the FAR/AD Councils at which time the Councils shall take action to fill the vacancy.

7.2.7 The Conference Commissioner shall be a non-voting member of the Executive Committee.

7.3 Transaction of business at meetings:

7.3.1 A majority of the institutions at any regular or special meeting of the FAR/AD Councils shall constitute a quorum to do business.

7.3.2 A written agenda for each regular meeting shall be prepared by the Commissioner and a copy electronically mailed to each Faculty Athletics Representative(s), each chief executive officer, and each athletic director at least two weeks prior to the date of the meeting. All items for inclusion on the agenda for any regular meeting shall be submitted by a member institution through its Faculty Athletics Representative(s), Director of Athletics / Senior Woman Administrator or by the FAR/AD Executive Committee or by the Presidents Council. These shall be addressed to the Commissioner and shall be published on the agenda.

7.3.3 The fall meeting agenda shall include any items having a major impact on institutional budgets. The Presidents Council meeting agenda shall include a financial report of the commissioner. A proposal for any new position(s) or expansion of the current position(s) will be proposed first at the fall meeting of the Presidents Council if it is to be placed on the next spring agenda.

7.3.4 The spring meeting agenda shall include the designation of the officers to take office the following July 1 and appointment of standing committees. The Presidents Council meeting agenda shall include a financial report of the commissioner and the dues for the coming year and the annual budget proposal.

7.3.5 By consent of three-fourth's of the FAR/AD Councils present at any special or regular meeting, additional items that are of an emergency nature and do not involve major additional expenditures may be added to the agenda or be brought up for consideration and action.

7.3.6 Votes on all agenda items shall be recorded separately with a vote, first, of the AD Council, followed by a vote of the FAR Council. Unless otherwise specifically provided, a majority vote of the FAR/AD Councils present at any regular or special meeting shall be required for the passage of any particular item of business.

7.3.7 Decisions as to voting eligibility shall be determined by the Chair. All FAR/AD Council actions are subject to review by the Presidents Council, which will have the final decision on adoption.

7.3.8 Within 10 days following each regular or special meeting of the FAR/AD Council, the Commissioner shall electronically mail to each Faculty Athletics Representative, each Director of Athletics / Senior Woman Administrator and each chief executive officer a copy of the minutes of each respective meeting.

Article IX — Budget Subcommittee

8.1 There shall be a Budget Subcommittee composed of the Presidents Council Executive Committee and Conference Commissioner.

8.1.1 The Subcommittee will meet annually to review the budget and report on the financial condition of the Conference each fall and spring Conference meeting.

8.1.2 A proposed budget for the next fiscal year shall be prepared by the Commissioner and an electronic copy sent to each member of the Budget Subcommittee at least one week prior to the annual Subcommittee meeting.

8.1.3 The Subcommittee shall meet at least six weeks prior to the President Council's spring meeting to discuss increases or decreases in line items, the elimination or addition of line items as necessary and a recommended assessment of membership dues. The Budget Subcommittee then will recommend a final budget to be forwarded to the Presidents Council for adoption.

8.1.3 The Subcommittee also will ensure that the financial records of the Conference are kept and audited according to accepted standards and reporting practices.

8.1.3.1 Monthly financial statements shall be provided to the chair of the Presidents Council, Budget Subcommittee for approval. The chair shall provide written electronic approval of monthly finances to the Commissioner.

8.1.3.2 Monthly financial statements provided to the chair of the Presidents Council, Budget Subcommittee shall include: balance sheet; profit and loss statement; credit card transactions; and banking transactions.

Article X – CONFERENCE COMMISSIONER

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9.1 The Conference Commissioner shall be the Chief Executive Officer of the conference, hired and evaluated by the Presidents Council with input from the FAR/AD Councils. The Commissioner shall have all powers necessary for the effective performance of her/his duties as set forth below. The conference shall ensure that the Commissioner is vested with the authority to fulfill her/his duties and responsibilities as outlined by the conference. A process is in place for cases in which member institutions choose to appeal a ruling or decision made by the Commissioner.

9.2 Duties:

9.2.1 To interpret NCAA and A-R-C rules, consulting with the NCAA when appropriate.

9.2.2 To act as the principal enforcement official of the conference for all matters dealing with conference and NCAA policies, rules and legislation.

9.2.3 To make rulings or interpretations upon written request of any chief executive officer, Faculty Athletics Representative or Athletic Director of any of the above-mentioned conference rules and, if requested, give a written copy of the ruling or interpretation.

9.2.4 To receive and investigate written complaints of violations and to make the initial decision on any such complaints of violation and either impose such penalties as the case warrants, or make a recommendation to the FAR/AD Councils as to the penalties to be imposed. The authority of the Commissioner in any investigation shall include but not be limited to the following: the Commissioner shall have the right to examine any of the books and records and correspondence of any member institution having to do with financial aid, applications for admission, academic records, athletic expenses or recruiting activities.

9.2.5 To assist the Directors of Athletics in the formation of schedules and the arrangements of time, place and other details with respect to conference meets and tournaments. To assist the Directors of Athletics in rescheduling postponed contests (See Operating Bylaws 1.7). Athletics schedules are presented to the Directors of Athletics so as to have schedules in place two years in advance of future seasons.

9.2.6 To select and supervise other conference employees in consultation with the Directors of Athletics and approval of the Faculty Athletics Representatives.

9.2.7 Responsible for the selection and oversight of Conference Officials Coordinators (for the sports specified in Article 10.1) in conjunction with the respective Sport Liaison and the Executive Committee for the FAR/AD Councils. Also responsible for ensuring that the Coordinator fulfills the duties of the position as specified in Article 10.2. At the conclusion of each season, the Commissioner and Sport Liaison will conduct an evaluation of the Coordinator and determine whether the individual should be retained or replaced.

9.2.8 To make arrangements for all regular and special meetings of the conference, including arrangements for a meeting on the afternoon preceding the opening business session of the NCAA National Convention for the member institutions in attendance to discuss the pending NCAA legislation.

9.2.9 To visit the campus of each conference member institution at least once every two (2) years to meet and consult with the appropriate academic and athletic officers and the chief executive officers of the member institutions about matters concerning the conference. A written report will be provided to the President of the member institution upon request.

9.2.10 To give a Commissioner's report at each regular meeting of the FAR/AD and Presidents Councils, with a written report at the spring meeting.

9.2.11 To keep the chief executive officers, Faculty Athletics Representatives, Directors of Athletics, and coaches of the conference member institutions informed of major athletic developments.

9.2.12 To prepare and submit official communications with the NCAA on behalf of the conference, to serve as a liaison between the NCAA and the conference, and to attend, at conference expense, national meetings as designated by the FAR/AD Councils.

9.2.13 To serve as conference secretary:

9.2.13.1 To record the minutes of each regular and special meeting of the FAR/AD and Presidents Councils.

9.2.13.2 To be responsible for the permanent records of the conference.

9.2.13.3 To be responsible for requesting agenda items from each member institution and for compiling and distributing the agenda for all regular and special meetings and for announcing meeting arrangements.

Article XI – COORDINATORS OF OFFICIALS

10.1 Coordinators of Officials will be selected in accordance to the procedures outlined in article 9.2.7, in the sports of soccer, volleyball, football, women's basketball, men's basketball, wrestling, softball and baseball.

10.2 Duties:

10.2.1 The Coordinators of Officials shall maintain an active file of qualified officials, including names, addresses and phone numbers.

10.2.2 The Coordinators of Officials shall secure the schedules of all varsity contest (non-conference and conference) and assign officials for each contest. The Coordinator also shall secure Board affiliation, level of rating and expiration date of rating, if applicable for that sport.

10.2.3 The Coordinators of Officials shall work with the athletic director to develop guidelines for assigning officials and to develop a system for evaluating officials.

10.2.4 The Coordinators of Officials shall administer the assignment and evaluation of officials. The Coordinators of Officials shall be responsible for receiving and resolving complaints regarding the performance of the officials.

10.2.5 The Coordinators of Officials shall report any conference rule violation to the commissioner, and the Commissioner shall resolve the alleged violation.

10.3 The salary for the Coordinators of Officials shall be proposed during the budget-formulation process as outlined in Article VIII.

Article XII — RULES

11.1 The A-R-C shall be governed by the Constitution, Bylaws, Interpretations and Executive Regulations of the NCAA, as they apply to Division III membership, except as supplemented by A-R-C rules stated in the following documents:

11.1.1 Attached hereto are the “Operating Bylaws.”

11.1.2 Attached hereto are the “Sport Regulations.”

Article XIII — INTERPRETATIONS AND ENFORCEMENT OF RULES

12.1 Interpretation of rules.

12.1.1 The Conference Commissioner shall have authority to issue interpretations and rulings of any of the conference rules set forth in the Operating Bylaws and/or Sport Regulations.

12.1.2 The interpretation or ruling may be upon the motion of the Commissioner or at the request of any Faculty Athletics Representative, chief executive officer, or Director of Athletics.

12.1.3 Any request for an interpretation or ruling shall be confirmed in writing, setting forth the facts and, if possible, a reference to the rules involved.

12.1.4 The Commissioner shall have the right to request such other information as may be reasonably necessary to assist in reaching a ruling or interpretation and once made shall send written copies to the Faculty Athletics Representative and the Directors of Athletics of the member institution involved. In the event the interpretation or ruling is not appealed within the time set forth below, the Commissioner shall make a report on all such interpretations and rulings at the next regular meeting of the FAR/AD Councils and shall keep an official set of all interpretations and rulings, which shall be available to any member of the conference. In the event that a particular interpretation or ruling is of general concern to all institutions, the Commissioner shall send a copy to the Faculty Athletics Representative(s), Director of Athletics and chief executive officers of each member institution.

12.1.5 Any interpretation or ruling of the Conference Commissioner may be appealed by any interested Faculty Athletics Representative(s), Director of Athletics or chief executive officer to the FAR/AD Council's Executive Committee. The appeal shall be in writing and shall have attached the ruling or interpretation involved and if given in response to a request, a copy of the original request. The FAR and AD Councils shall evaluate appeals as to whether (a) the Commissioner's ruling was within the authority laid out in Articles IX and XII of the A-R-C Constitution; (b) the Commissioner correctly interpreted a rule(s) contained in the A-R-C Constitution, Operating Bylaws and/or Sport Regulations; and (c) the Commissioner's determination(s) of fact were reasonable in light of the available evidence. If all three prongs of this test are met, the appeal shall be denied.

12.1.6 Any decision of the FAR/AD Council's Executive Committee may be appealed by any interested party within 10 days after the date of the decision to the next regular or special meeting of the FAR/AD Council. The appeal shall be in writing and, in addition to the requirements of the appeal to the Executive Committee, shall have attached the decision of the FAR/AD Council's Executive Committee. The decision of the FAR/AD Council shall be final and binding on all members. The appealing party shall have no vote at the appeal hearing and the decision shall not be made public unless so authorized by a majority of the FAR/AD Councils.

12.2 Enforcement of rules:

12.2.1 Upon written request from any conference Faculty Athletics Representative(s), Director(s) of Athletics or chief executive officer, the Commissioner must investigate alleged violations of any of the conference rules set forth in the Operating Bylaws and/or Sport Regulations. The Commissioner also may investigate alleged violations at the Commissioner's own discretion.

12.2.2 The Commissioner shall make such investigation as deemed necessary and shall afford any individual involved in the complaint an opportunity to be interviewed in person or via teleconference prior to reaching a decision

or imposing any penalty. The Commissioner shall have the right to solicit the assistance of the FAR/AD Council's Executive Committee during the investigation and interviews.

12.2.3 No later than two weeks following the conclusion of the investigation, the Commissioner shall communicate in writing either a dismissal of the complaint or a finding of a violation and the imposition of a penalty. The communication shall be made to the Faculty Athletics Representative(s), Director(s) of Athletics and President(s) of the involved institutions.

12.2.4 Any institution that is party to an allegation/complaint shall have the right to appeal the Commissioner's decision. Notice of intent to appeal must be provided to the Commissioner within 24 hours of being notified of the initial decision. An appellate hearing (in person or via teleconference) before the Executive Committee of the FAR/AD Council will be scheduled at the earliest possible date, but at least in time to avoid rendering meaningless the imposition of the prescribed penalty. Immediately following the hearing of the appeal, the Executive Committee shall deliberate in private session and reach a decision by majority vote either to uphold the Commissioner's ruling, to change the Commissioner's ruling by imposing, increasing, or decreasing a penalty, or to overturn the Commissioner's decision and uphold the appeal. If the Faculty Athletics Representative(s) or Director(s) of Athletics from an involved institution is serving as a member of the Executive Committee at the time of the appeal, that individual will be recused and replaced by the next available Faculty Athletics Representative(s) / Director(s) of Athletics from the institution scheduled to rotate on to the Executive Committee. The Presidents Council reserves the right to review final decision and will do so only in those instances in which the basis of the appeal is a clear failure to apply correctly the language of the Constitution or relevant precedent.

12.2.5 Among the penalties that may be imposed for a violation of the conference rule(s) in question are the following:

12.2.5.1 The offending member institution or party may be reprimanded and warned against repetition of the offense.

12.2.5.2 A guilty staff member may be prohibited from contacting prospective student-athletes and/or engaging in any coaching-related activities for a period of time to be specified by the Commissioner.

12.2.5.3 A student-athlete or prospective student-athlete may be declared ineligible, the term of ineligibility determined by the Commissioner. In addition, the student-athlete may be denied practice or competition in athletics for such length of time and under such conditions as to confirm as determined by the Commissioner.

12.2.5.4 Team sport contests in which an ineligible student-athlete participates shall be forfeited by the institution using the ineligible competitor. In individual sports, the points earned by an ineligible student-athlete shall be forfeited and team results adjusted accordingly, absent those points.

12.2.5.5 A member institution may be placed on probation for a specified period of time and, in addition, the institution may be denied specific privileges of membership during the probationary period.

12.2.5.6 Public announcements of reprimands or penalties imposed by the commissioner may be made only after the institution involved has been notified and after the expiration of the period in which appeals may be made.

Article XIV – ANNUAL DUES

13.1 The annual membership dues shall cover each fiscal period of June 1 to May 31 and the amount should be included in the annual budget to be established during the budget-formulation process as outlined in Article VIII and officially set at the spring meeting of Presidents Council.

13.2 Annual dues may be paid in equal installments, the first not later than June 1 and the second not later than January 1 and shall be remitted to the Commissioner.

13.3 Any member institution that becomes delinquent in the payment of any installment of dues shall be deprived automatically of a vote at the FAR/AD and Presidents Council meetings until such dues are paid.

13.4 Any member institution that becomes delinquent in two or more installments of dues or that fails to be represented at two consecutive regular meetings of the Management Council shall forfeit automatically membership in the conference.

Article XV — AMENDMENTS

14.1 This Constitution may be amended by a two-third's or more affirmative vote of the member institutions as cast by the FAR/AD and Presidents Councils at any regular meeting or any special meeting called for the specific purpose of such amendment, provided notice of the proposed amendments shall have been included on the agenda sent out by the Commissioner at least three weeks before the date of said meeting.

14.2 The American Rivers Conference "Operating Bylaws" and "Sport Regulations" may be amended by a majority vote of the member institutions as cast by the members of the FAR/AD and Presidents Councils present at any regular meeting or at any special meeting called for that purpose, provided notice of the proposed amendment shall have been included on the agenda sent by the Commissioner at least three weeks prior to the date of said meeting.

Article XVI— GENERAL LIMITATIONS

15.1 Inurement of Income: No part of the net earnings of the organization shall inure to the benefit of, or be distributed to, its members, Faculty Athletics Representatives, officers or other private persons except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered.

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

15.3 Operational Limitations: Notwithstanding any other provisions of these articles, the organization shall not carry on any other activities not permitted to be carried on by an organization exempt from Federal Income Tax under Section 501(c)3 of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue law) or by an organization, contributions, to which are deductible under Section 170(c)2 of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue law).

15.4 Dissolution Clause: Upon the dissolution of the organization, the Management Council shall, after paying or making provisions for the payment of all the liabilities of the organization, dispose of all the assets of the organization exclusively for the purpose of the organization in such matter, or to such organization or organizations organized and operated exclusively for charitable, educational, religious or scientific purposes as shall at the time qualify as an exempt organization or organizations under Section 501(c)3 of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue law), as the Management Council shall determine. Any such assets not so disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the organization is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

APPENDIX A

New-Member Application Materials

The Presidents Council regularly reviews what it considers to be important materials for the evaluation of new full-time and affiliate members. Among those materials are:

Institutional:

- Mission Statement.
- Organizational Chart.
- Statement on the integration of athletics and academics.
- Copy of formal letter of inquiry from the President/Chancellor expressing interest in A-R-C.

Athletics:

- Mission statement or philosophy of intercollegiate athletic program.
- Athletics handbook (if available) or any athletics policies and procedures, including eligibility requirement.
- Overview of athletics facilities, both on campus and off campus, for all sports offerings ,or single sport if applying for affiliate membership; please include description of off-campus agreements/arrangements and locker room capabilities as well as seating capacity and any other relevant notes (i.e. lights, turf, etc.).
- Plans for future expansion with regards to sport sponsorship, facilities and/or staffing.
- Brief history of athletics program.
- Statement indicating ability to comply with A-R-C governing documents (bylaws, guidelines, etc.).
- Copy of most recently completed NCAA Institutional Self-Study Guide (ISSG).