

**NEW YORK STATE  
PUBLIC HIGH SCHOOL ATHLETIC ASSOCIATION**

**SECTION VI CONSTITUTION**

**SEPTEMBER, 1995**

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**Section VI website:  
[www.section6.e1b.org](http://www.section6.e1b.org)**

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## **N.Y.S.P.H.S.A.A.**

### **Philosophy of Section VI**

A united action by member schools in Section VI is necessary in order to have a successful athletic program.

While the athletic program in Section VI strives to exemplify the basic principles of the democracy in which we live by providing for each student-athlete an opportunity to progress to the limit of their capabilities and interests, it must also maintain a commitment to excellence.

We strive to provide student athletes with an environment that promotes wholesome growth and development, stressing our belief in the democratic way of life, encouraging mental and physical alertness and independent thinking. We try to impress the student-athletes with the idea that we expect them to do their best.

It is our philosophy that we should help prepare our student-athletes for life and attempt through athletics to provide an educational experience to assist them in becoming contributing members of society.

Utilizing this philosophy, it is the firm belief of Section VI that:

1. ALL students are important and meeting the needs of these students is the challenge to all within the educational community.
2. In meeting the needs of the many different public schools of our Section, we must provide interscholastic athletics and coordinated services that are controlled by schools, leagues and the Section.
3. Each school is expected to appreciate the fact that everyone cannot be totally satisfied on any given issue but that all schools through a viable system of representation can help to develop the pattern for sound educational policies for interscholastic athletics.
4. It is of primary importance to delegate authority in this complex program and it is this delegated leadership that helps to set the pattern for a "State Wide" program of athletics.

# CONSTITUTION

## Article 1 - Name

- 1.1 The name of this organization will be Section VI of the New York State Public High School Athletic Association.
- 1.2 All meetings will be conducted using Roberts Rules of Order.

## Article 2 - Purpose

- 2.1 The public high schools in Section VI will provide a central association through which the schools will cooperate for the following objectives:
  - 2.1.1 To strengthen the educational goals of the public schools by developing good sportsmanship and high ideals among contestants and teams.
  - 2.1.2 To promote a sound athletic program for secondary students and make recommendations in the interest of the general welfare of Section VI athletes.
  - 2.1.3 To recognize, strengthen and unify eligibility rules governing participation in inter-school athletics in each league of the Section.
  - 2.1.4 To plan for and conduct all sectional athletic activities through its appointed leaders and governing body and arrange, when necessary, entrance to participation in intersectional and statewide competition.
  - 2.1.5 To enforce the constitution, Bylaws, rules, regulations and game standards adopted by NYSPHSAA, Section VI and the Leagues within the Section.

### Article 3 - Membership

- 3.1 In Section VI, a public high school (including Charter Schools) must be a member of Section VI in order to be a member of the NYSPHSAA. New schools must apply through the Athletic Council.
- 3.2 Non-public schools will select one (1) representative from the private schools and one (1) representative from the parochial schools to attend Athletic Council meetings as guests of Section VI.
- 3.3 Advisory Council - Superintendents, High School and Middle School Principals, Athletic Directors and Coaches of member schools are members of the Advisory Council of this Association and may be convened at the pleasure of the President. They are eligible to serve on committees and can make recommendations to the Athletic Council on all matters pertaining to the conduct of interscholastic athletics.
- 3.4 Member schools of the Section agree to abide by the eligibility rules adopted by the N.Y.S.P.H.S.A.A. Central Committee.
- 3.5 Any school violating the constitution, Bylaws, amendments, rules, regulations and game standards of the Section may be barred from participation in any of the interschool athletic activities for a period of one year by the Athletic Council, or the Executive Committee when the Athletic Council is not in session. Additional penalties may be determined by the Athletic Council as deemed appropriate which may include but are not limited to financial penalties and / or suspension.

#### Article 4 - Membership Voting Representation

- 4.1 When determined by the Athletic Council, member districts will be called upon to vote by postcard ballot. Voting privileges will be based on membership from September 1st through August 31st of the following year. Each district will have only one (1) vote on any proposition. A majority of districts voting is required to pass a resolution.
- 4.2 Financial matters requiring local Board of Education approval must be submitted to a postcard ballot of all member districts. A majority vote of districts voting is required to pass a resolution.
- 4.3 Each member school in good standing must be a member of a league. Each league has four voting representatives on the Athletic Council. A Boys Representative, Girls Representative, Principal Representative and Superintendent Representative or designee.
- 4.4 Each sport committee will have one voting member from each league. In addition, a Sports chair (not co chair) has a vote on their sport committee.
- 4.5 BOCES Superintendent Representation. One Superintendent representative from each BOCES will be a member of the Athletic Council.

## Article 5 - Officers and Duties

5.1 The Athletic Council of Section VI will elect a President and President-Elect. They will be elected at the Annual May Meeting and take office on July 1.

NOTE: The nominating committee will endeavor to have nominations for the above offices from the respective leagues within the Section on a geographical rotation plan. Three regions – North, South and Central – president and president–elect should be from two of the three regions in sequential rotation if feasible. Additionally, rotation between leagues should be on an alternating term basis when possible.

### 5.1.1 PRESIDENT

5.1.1.1 Any member of a professional staff of a member school in good standing who has served in some capacity on the Athletic Council or who has served as President or President-Elect prior to the election may serve.

5.1.1.2 Term of office - two (2) years.

5.1.1.3 Presides at all meetings and performs such duties as assigned to the Office of President, which will include developing and mailing of an agenda to the members of the Athletic Council at least one week in advance of the meeting.

5.1.1.4 Has a voice on all issues and a vote.

5.1.1.5 Succeeds to the Presidency from the position of President-Elect.

5.1.1.6 In the event that the President-Elect is unable to serve as President, a special election of the Athletic Council will be held to elect a President.

5.1.1.7 Special Meetings - The President may call special meetings for the purpose of explaining and discussing amendments submitted to member schools or for the purpose of considering the policies and procedures of leagues, federations, Section or State Association.

### 5.1.2 PRESIDENT-ELECT

5.1.2.1 Any member of a professional staff of a member school in good standing who is League endorsed and has served in some capacity at the Athletic Council level prior to their election may serve.

5.1.2.2 Term of office - two (2) years.

5.1.2.3 Succeeds the President at the expiration of his two-year term.

5.1.2.4 Presides at all meetings in the absence of the President.

NOTE: In the event that both President and President-Elect are absent, a member of the Central Committee, designated by the President, may serve as Chairperson.

5.1.2.5 Election by voting members of the Athletic Council who are present.

5.1.2.6 Has a voice on all issues and a vote.

5.1.2.7 In the event that the position of President-Elect is vacated, a special election by the Athletic Council will be held.

5.1.3 Executive Director

5.1.3.1 This person will report to the Athletic Council of Section VI. Job description and duties are listed in the Bylaws.

5.1.3.2 Maintains voice on all issues but has no vote.

## Article 6 - Athletic Council

- 6.1 The governing body of the Section VI New York State Public High School Athletic Association will be the Athletic Council.
- 6.1.1 OFFICERS - The officers of the Athletic Council will be the same as those elected to office of this Association (Section VI).
- 6.1.2 MEMBERS - The Athletic Council will consist of:
- 6.1.2.1 President
- 6.1.2.2 President-Elect
- 6.1.2.3 Four (4) Central Committee Members
- 6.1.2.4 League/BOCES Representatives (22)
- 6.1.2.4.1 Member Schools in Section VI will be represented on a League/BOCES basis as follows, subject to any change approved by the Athletic Council:
- 6.1.2.4.1.1 Buffalo League
- 6.1.2.4.1.2 Chautauqua Cattaraugus Athletic Association
- 6.1.2.4.1.3 Erie County Interscholastic Conference
- 6.1.2.4.1.4 Niagara Frontier League
- 6.1.2.4.1.5 Niagara Orleans League
- 6.1.2.4.1.6 Superintendent Representative from each BOCES (for geographical purposes only).
- 6.1.2.4.2 New Schools - Schools entering Section VI after September 1, 1976 will be assigned to an appropriate league by the Athletic Council at the first meeting following acceptance by the member schools.
- 6.1.2.4.3 Number of Representatives - There will be four (4) representatives from each of the leagues selected by the member schools in each league.
- 6.1.2.4.4 Election of League Representatives
- 6.1.2.4.4.1 Representatives will be elected to four (4) year terms and will include the following:
- 6.1.2.4.4.1.1 Boys Rep of Athletics
- 6.1.2.4.4.1.2 Girls Rep of Athletics
- 6.1.2.4.4.1.3 Principals Rep
- 6.1.2.4.4.1.4 Superintendent Rep
- 6.1.2.4.4.2 The Superintendent Rep and Girls Rep will be elected in the even years and the Boys Rep and Principals Rep will be elected in the odd years.

- 6.1.2.4.4.3 Superintendents Reps will be appointed by the District Superintendents' respective BOCES and serve a four year term.
- 6.1.2.4.5 Direct Access - Each of the representatives will be a member of his/her respective group and therefore, would become ineligible to complete the terms of office if job status changes. (The Superintendent from Buffalo may be represented by the Director of Health, Physical Education and Athletics).
- 6.1.2.4.6 Alternates - Each League/BOCES will submit to the Athletic Council President the name of an alternate for each representative who would function as the representative in the event the duly elected representative is unable to attend a meeting of the Athletic Council. This alternate will possess the same qualifications as the representative.
- 6.1.3 Past President - The immediate past-president of this Association will be an EX-OFFICIO member and may participate in the meetings of the Athletic Council and Executive Committee without the right to vote.
- 6.1.4 Duties - The Section VI Athletic Council will:
  - 6.1.4.1 Supervise and formulate policies for sectional athletic activities.
  - 6.1.4.2 Review member infractions as brought forth by the appropriate committee.
  - 6.1.4.3 Approve the annual budget submitted by the Finance Committee.
  - 6.1.4.4 Have the power to act upon all matters not covered in the constitution and Bylaws.
- 6.1.5 Superintendent Advisory Council Meetings - Advisory Council meetings of Superintendents may be held at anytime but should meet prior to the November meeting of the Athletic Council for the purpose of presenting recommendations and/or concerns for future consideration by the Athletic Council.
- 6.1.6 Quorum and Voting Procedures for the Athletic Council Meeting
  - 6.1.6.1 Regular Business may be conducted with fifty (50) percent of the League/BOCES representatives present including Executive Committee  
and
  - 6.1.6.2 Four (4) of the five (5) Leagues must be represented.
- 6.1.7 Each member of the Athletic Council who has voting power will have only one vote on any proposition.

## Article 7 - Section VI Sport Chairperson

7.1 The rotation and appointment of Sport Chairpersons will be as follows and will be the duty of the Executive Director to establish and maintain the rotation for the Athletic Council.

**For Spring:** Sport chairpersons in baseball, softball, track (B&G), tennis (B), lacrosse (B&G) and golf (B&G) are elected for a three year term.

**For Fall:** Sport chairpersons in football, cross country (B&G), soccer (B&G), field hockey, gymnastics (B&G), volleyball (B&G), swimming (G) and tennis (G) are elected for a three year term.

**For Winter:** Sport chairpersons in basketball (B&G), bowling (B&G), ice hockey, indoor track (B&G), rifle, swimming (B) and wrestling are elected for a three term.

7.2 The Sport Chairperson will be appointed to a three (3) year term by the Athletic Council from a list of candidates provided by the Sectional/Inter-Sectional Committee. One-third of the Sport Chairpersons will be appointed annually according to the following rotation:

1. Fall Sport Chairpersons
2. Winter Sport Chairpersons
3. Spring Sport Chairpersons

7.3 Any member in good standing, active or retired, of the professional staff of a member school may serve as a Sport Chairperson.

7.4 There will be one Sport Chairperson for each sport (Boys and Girls) and may have an assistant Chairperson approved by the Athletic Council.

7.5 Each Sports Committee will have a representative from each participating league.

7.6 The representative members on each sport committee will be appointed by each league and have only one vote per league. Other non-voting members may be selected by the Sport Chairperson.

Federated sport representative members that are appointed by their division, league or school will have only one vote. The Sport Chairs of Federated Sports that have divisions will verify that among division representatives each participating league is represented.

The Sport Chair may only vote when the vote is tied. A Sport Chair who also represents a league can serve in both capacities but will have only one vote.

7.7 Each Sport Chairperson and his representatives are responsible for the organization of their sport and will report to the Executive Director and be subject to review by the Athletic Council. The Chairperson must follow the approved sport rules, rules of the Commissioner of Education and the NYSPHSAA.

- 7.8 Each sport chairperson will organize and conduct a sectional tournament and enforce the policies and the rules governing each sport as authorized by the Athletic Council. All such rules will be incorporated in the Bylaws of Section VI. Any sport changes must be approved by the Athletic Council.
- 7.9 Each sport chairperson will prepare a written report of their sport and forward a copy to the Executive Director and State Sport Chairperson of that particular sport not later than twenty (20) days following Section VI playoffs.
- 7.10 Each sport chairperson will report to the Athletic Council at designated meeting(s). The Sport Chairperson may request placement on the agenda via the Sectional-Intersectional Committee.
- 7.11 Each sport chairperson will prepare a sports policy booklet which will be updated annually. These policies will be submitted to the Executive Director and Sectional Intersectional Committee for review and forwarded to the Athletic Council for approval.
- 7.12 The Athletic Council will fill an unexpired term of a sport chairperson.
- 7.13 Participation in intersectional and statewide contests must be approved by the Athletic Council.
- 7.14 The sport chairperson will be the official sectional representative of their sport and will make decisions relative to the sport in the best interests of the Section, subject to review by the Athletic Council.
- 7.15 Each sport chairperson will prepare and present a budget for the following year to the Finance Committee. The Finance Committee will distribute the proposed budget to the Athletic Council at the November meeting with a vote on the proposed budget for the following year to be held at the January meeting.
- 7.16 Each sport chairperson will develop a description and time line of their duties which will be given to a subsequent chairperson of that sport. A retiring chairperson will be expected to act in an ex-officio capacity for one year.
- 7.17 The Sport Chairperson will be responsible for securing appropriate venues for sectional competition which are prepared according to the sport rule book.
- 7.18 Each sport chairperson will have a games committee for each sectional contest. This committee is authorized to act as a protest committee. Protest procedures must be written and followed.

## Article 8 - Executive Committee

- 8.1 The Executive Committee will consist of the President, President-Elect, the four (4) Central Committee Members, the Executive Director and BOCES Representative. The Executive Director and BOCES representative will be ex-officio and have no vote. The officers and Central Committee members are authorized to vote on all matters of the Athletic Council.
- 8.2 The Executive Committee will have general management of Section affairs during the interval between meetings of the Athletic Council. It will have the jurisdiction in all matters not covered by the Constitution or Bylaws, appeals, protests and questions of eligibility when the Athletic Council is not in session.
- 8.3 A majority of the committee constitutes a quorum. (4 out of 6 committee members).
- 8.4 The Executive Committee will meet 11 times each year and at special meetings that may be called by the President or requested by a majority of member districts.

## Article 9 - Central Committee Representatives

- 9.1 The Central Committee representatives will be elected by the Athletic Council for four year terms and will include a Superintendent, Secondary School Principal, Boys Rep of Athletics and Girls Rep of Athletics.
- 9.2 The Central Committee Members will have a voice on all issues at the Athletic Council meetings and voting privileges. (9/21/77)
- 9.3 Per N.Y.S.P.H.S.A.A. Handbook - Note: persons retiring from active public education employment, currently serving on the NYSPHSAA Central and/or Executive Committee, will be permitted to continue for the duration of their tenure and also be permitted to serve in that capacity for one more term if elected by the Athletic Council.

## Article 10 - Amendment Procedure

- 10.1 The Constitution may be amended by a two-thirds (2/3) vote of the member districts voting.
- 10.2 Process
  - 10.2.1 An amendment must be in writing to the Executive Director. A copy will be provided for each Athletic Council member.
  - 10.2.2 An amendment must be approved by a two-thirds (2/3) vote of the Athletic Council members voting after it has been laid on the table for at least one meeting following its introduction to the Athletic Council.
  - 10.2.3 The Executive Director after an approval of an amendment by the Athletic Council, must notify all member districts of the proposed amendment.
  - 10.2.4 Each member district will submit a vote on a signed ballot. The ballot will be distributed by the Executive Director. A voting district must return the ballot within thirty (30) days from the date of mailing.
  - 10.2.5 Approved amendments will take effect at the indicated effective date.
- 10.3 The Bylaws may be amended by a two-thirds (2/3) vote of the Athletic Council members voting.
- 10.4 Process
  - 10.4.1 An amendment must be in writing to the Executive Director.
  - 10.4.2 An amendment must be approved by two-thirds (2/3) of the Athletic Council members voting after it has laid on the table for at least one meeting following its introduction to the Athletic Council.
  - 10.4.3 The Executive Director, after an approval of an amendment by the Athletic Council, must notify all schools of the amendment.
  - 10.4.4 Approved amendments will take effect at the indicated effective date.

## Article 11 - Grievance/Appeal Procedure

11.1 PURPOSE - The purpose of these procedures is to provide a means for systematic and prompt resolution of differences and to assure equitable and proper treatment of grievants in accordance with the term of this Grievance/Appeal Procedure. Every effort to resolve the grievance/appeal should be made at the earliest possible stage.

### 11.2 DEFINITIONS

11.2.1 State Association -The New York State Public High School Athletic Association

11.2.2 Athletic Council - The Section VI Athletic Council

11.2.3 Central Committee members - Four members elected by the Athletic Council consisting of a Superintendent, Principal, Girls Rep of Athletics and Boys Rep of Athletics.

11.2.4 Days - Calendar days

11.2.5 Executive Committee - The Executive Committee will consist of the President, President-Elect and the four (4) Central Committee Members. The Executive Director will be ex-officio.

11.2.6 League - A group of schools who join together for the purpose of administering athletic competition and other educational activities within their respective league.

11.2.7 Federation - A group of member schools that join together for the purpose of administering athletic competition and other related educational activities outside the jurisdiction of a league.

Jurisdiction and governance of all federated interscholastic athletic activities will be the direct and sole responsibility of Section VI.

A federated interscholastic sport may include, for competition purposes, non-member schools, but their status remains as non-member schools of the Section.

Non-member schools planning to participate must seek and be granted written approval by their respective State Organizations.

11.2.8 Section - Section VI

11.2.9 State Executive Committee - Twenty-two members of the Central Committee, ex-officio members and the officers of the State Association.

11.2.10 Grievance - An undesirable competitive situation or an appeal of decision at any stage of the Grievance Procedure.

11.2.11 State Central Committee - The legislative body of the State Association which consists of four members elected by the Athletic Council of each Section, including a Superintendent, Principal, Girls Rep of Athletics, Boys Rep of Athletics and elected officers and ex-officio members.

11.3 GRIEVANCE/APPEAL FORMS

11.4 STAGE 1:

If the opinion of school administration personnel (Superintendent, Principal, Athletic Director) is that an undesirable competitive situation exists, a grievance may be presented for review to the league involved. Cases of eligibility and differences between schools may be referred to the League President. The League President will be guided by the Constitution, Bylaws, rules, regulations and sport standards of the league, Section and State Association.

11.4.1 In the case where a school does not belong to a league, it may present its grievance for review and decision to the Section President.

11.4.2 In the case where a grievance involves a sectional activity, it may be taken directly to Stage 2.

**SPECIAL NOTE:**

**Any and all questions and/or protests as to game/meet rules or to the conduct of the game/meet, will be heard and decided by the game/meet committee established by the Section. Their decision will be final.**

11.5 STAGE 2:

If the grievance is not satisfactorily resolved at Stage 1, an appeal may be made within fourteen (14) days (after receipt of Stage 1 decision) to the Section Appeals Committee which will review the evidence, hear arguments and have the power to affirm, reverse or modify the decision of the League or Section President or Executive Director.

11.5.1 All such appeals must be submitted in writing and signed by the Superintendent, Principal and Athletic Director and must be submitted to the Section Executive Committee via the Executive Director.

11.5.2 All such appeals must be accompanied by a certified or school district check, in the amount of \$300. This check will be returned to the school district only if the original decision is overturned.

11.6 STAGE 3:

If the grievance is not satisfactorily resolved at Stage 2, a further appeal may be made within fourteen (14) days (after receipt of Stage 2 decision) to the Athletic Council which may hear arguments and has the power to affirm, reverse or modify the decision of the Appeals Committee.

11.6.1 This stage must be submitted in writing and signed by the Superintendent, Principal and Athletic Director and sent to the Athletic Council via the Executive Director.

11.6.2 All such appeals must be accompanied by a certified or school district check, in the amount of \$300. This check will be returned to the school district only if the original decision is overturned.

11.7 STAGE 4:

If the grievance is not satisfactorily resolved at Stage 3, a final appeal may be made to the Appeal Panel of the NYSPHSAA in accordance with the provisions of the State Handbook under Appeal Procedures.

11.8 Executive Committee/ Athletic Council Appeal Panel Format

1. Introduction / Review Format

Reminder: The Appeal Panel will not reverse or modify decision unless it finds that:

- a) The decision is contrary to the evidence presented.
- b) The facts presented constitute a violation of the Association's Constitution, standards or rules, Regulations of the Commissioner of Education.
- c) A procedural error affected the reliability of the information that was utilized to support the finding.

2. Oral Presentations \*

- a) Appellant (15 minutes)
- b) Respondent (15 minutes)

3. Questions By Panel

4. Closing Oral Summations (5 Minutes)

5. Deliberation by Panel

A written decision will be rendered within five school days of the hearing.

\*Oral presentations will only be heard from the designated Appellant/ Respondent representatives. Oral and written presentations will be limited to that presenting during the initial appeal.

11.9 Any school or league which institutes an unsuccessful legal action or appeal to the courts or the Commissioner of Education to overturn, stay or enjoin any decision, ruling or rule or rules of the Section or the NYSPHSAA will be liable for costs and attorney's fees incurred by the Section in defending against such action. Further, should the Section be forced to initiate legal action to collect the aforementioned costs and attorney's fees, the member school or league shall be additionally liable for the Section's reasonable cost and attorney's fees resulting from the collection action.

## Article 12 - Classification

- 12.1 Starting with the school year 1979-80, member schools will follow New York State Public High School Athletic Association attendance reporting method procedure to determine their classification for sectional competition.
- 12.2 Classifications for post-seasonal competition will be established by the NYSPHSAA
- 12.3 Schools must compete within their sectional classification numbers for all sports except Ice Hockey. In the sport of Ice Hockey, teams may move up from the small school division to the large school division. The Ice Hockey exemption will be re-evaluated annually.
- 12.4 No school may be a member of more than one State Athletic Association.
- 12.5 Enrollment figures distributed by the NYSPHSAA will be used for State Classification each year.
- 12.6 Classification will be based on enrollment procedures established by the NYSPHSAA.
- 12.7 Sections may have more than one local classification division per state classification dependent on number of schools but for state competition purposes must submit one team per state classification.