

# DAKOTA ATHLETIC CONFERENCE CONSTITUTION

(up-dated March 2010)

## 1. Purpose

The purpose of the Dakota Athletic Conference (DAC) is to maintain high-quality, academically responsible intercollegiate athletic competition among its member institutions. It also promotes among its members good communications, inter-institutional understanding, and common educational interests. (See appendix A for Policy on Intraconference relationships.)

## 2. Membership

- 2.1 Membership Requirements. In order to be a member of the Dakota Athletic Conference, an institution must
- a. be a member in good standing of the NAIA;
  - b. have a tradition of good institutional control of and responsibility for intercollegiate athletics;
  - c. be located in reasonable proximity to current DAC members;
  - d. be committed to intercollegiate athletic programs similar in scope and operation to those of current members;
  - e. make a formal application, including payment of the initial membership fee as et by the DAC Board of Directors; and
  - f. receive a favorable vote of at least two-thirds of the current members.
  - g. not be a member of another intercollegiate athletic conference or any national athletic association other than the NAIA.
- 2.2 Withdrawal from the Conference. A member institution may apply for withdrawal from the conference by filing with the Commissioner, on or before September 1 of any year, an official request for withdrawal signed by the chief executive officer of the institution. When the request is approved by the Board of Directors, the withdrawal shall become effective the following July 1. A member who applies for withdrawal shall fulfill all financial agreements and sports contracts for competition during the withdrawal year. Such a member forfeits any interest in accumulated conference funds but shall continue to share equally in the financial obligations of the conference until the effective date of withdrawal.
- 2.3 Dissolution of the Conference. The conference may be dissolved by at least a two thirds (2/3) vote of the Presidents' Council. All conference funds shall be prorated equally among the members.

## 3. Dakota Athletic Conference Members

- |     |   |                 |
|-----|---|-----------------|
| 3.1 | Black Hills State University              | Spearfish, SD   |
|     | Dakota State University                   | Madison, SD     |
|     | Dickinson State University                | Dickinson, ND   |
|     | Jamestown College                         | Jamestown, ND   |
|     | Mayville State University                 | Mayville, ND    |
|     | Minot State University                    | Minot, ND       |
|     | South Dakota School of Mines & Technology | Rapid City, SD  |
|     | Valley City State University              | Valley City, ND |

#### 4. NAIA Affiliation

- 4.1 Each Dakota Athletic Conference Institution is subject to the Constitution , By-laws and other regulations of the NAIA unless it is stated differently in the Dakota Athletic Conference Constitution or Sports Manuals.

#### 5. Board of Directors

- 5.1 Members of the Board. The DAC shall be governed by a Board of Directors composed of the president or chancellor of each school in the conference plus the conference Commissioner and a Faculty Athletic Representative, who shall serve as an ex-officio member of the Board, without a vote.
- 5.2 Authority of the Board. The Board of Directors shall have ultimate authority in all conference matters, including but not limited to approval of new members, approval of budget, appointment and reappointment of the Commissioner, establishment of sports regulations and other conference rules, creation of committees, disciplinary action against members, and amendments to this constitution or any other governance documents with consultation and advice of Athletic Directors and Faculty Athletic Representatives. The Board may delegate their authority on some conference matters to the Athletic Directors Council or Faculty Athletic Representatives Council.
- 5.3 Elected Officers. Officers of the conference shall be elected from the members of the Board of Directors. The elected officers are president and vice president. The Commissioner of the conference shall serve as secretary and treasure.
- 5.4 Terms of Office. Elected officers shall hold office for a term of two years. Officers shall be elected at a spring meeting and the newly elected officers shall take office on June 1.
- 5.5 Meetings of the Board. The Board shall meet in the fall and the spring. Also, special meetings maybe called by the Executive Committee or the full Board, provided that such meetings and the agenda, are announced to conference members at least two weeks in advance.
- 5.6 Attendance and Voting at Meetings. A quorum shall consist of a majority of the members or designees, exclusive of the Commissioner. A member of the board may send a designee to represent him/her and the designee shall have voting privileges. No member of the Board may vote on matters pertaining to disciplinary action against the member's institution.
- 5.7 The Executive Committee of the Board. The Executive Committee of the Board of Directors shall consist of the President, Vice President, the past President and the Commissioner. Until the Board of Directors has a past President, the President shall appoint a board member to the Executive Committee. The Commissioner shall have no vote on the committee and shall not be counted in determining a quorum for meetings.
- 5.8 Duties of the Executive Committee. The Executive Committee shall have the authority to conduct all necessary conference business between meetings of the Board; it shall set the agenda for Board meetings, make recommendations to the Board regarding renewal of the Commissioner's contract; and it shall carry out any duties assigned to it by the Board or the President, provided that all actions taken or recommended are subject to approval by the full Board. Whenever possible, all meetings of the Executive Committee shall be announced to Board members at least one week before the committee meeting.

## **6. Faculty Athletic Representatives Council and Duties**

- 6.1 Faculty Athletic Representatives Council. The Faculty Athletic Representatives Council, shall report directly to the Board Directors. The Council shall consist of all Faculty Athletic Representatives and the Commissioner as an ex-officio, non-voting member. The Chair, Vice Chair and secretary of the Faculty Athletic Representatives Council shall be elected for two years. Officers shall be elected at a spring meeting and the newly elected officers shall take office on June 1.
- 6.2 Duties of the Faculty Athletic Council.
- a. The Faculty Athletic Representatives are charged with the responsibility of ensuring that all athletes on their respective campuses are eligible in accordance with the rules and regulations of the NAIA and the DAC-10 prior to these athletes representing the institution in any manner.
  - b. The Faculty Athletic Representative Council shall be responsible for considering matters and advising the President's Council on Conference policy and strategic planning.
- 6.3 Meetings, attendance and voting. The Council shall meet at the annual fall meeting of the Conference; also it may meet at any other times called by the Executive Committee or the Board of Directors. Meetings are to be announced at least two weeks in advance. A quorum shall consist of a majority of the members or designees, exclusive of the Commissioner. Designees shall have voting privileges.
- 6.4 Executive Committee. The Executive Committee of the Council shall consist of the Chair, Vice Chair, secretary and the Commissioner. The Commissioner shall have no vote on the Executive Committee. The Executive Committee shall have the authority to conduct necessary Council business between meetings and will assist the Commissioner in preparation of agendas.

## **7. Athletic Directors Council and Duties**

- 7.1 Members of the Council. The Athletic Directors Council reporting directly to the Board of Directors, shall consist of each member institution's director of intercollegiate athletics and the conference Commissioner. The Commissioner shall serve as a non-voting member and shall provide staff support to the Council; and shall be responsible for communicating recommendations of the Council to the Board of Directors or, as appropriate, to the Executive Committee of the Board
- 7.2 Authority of the Council. The Council shall consider appropriate matters of policy and regulations related to the various sports sponsored by the conference including matters referred to it by the Board and the Sports Committees. The Council may make recommendations on policy and regulations to the Board of Directors. Each member of the Council will be assigned a sports portfolio and will serve as a liaison between the Council and each sports committee.
- 7.3 Elected Officers. The Athletic Directors Council shall elect a Chair, Vice Chair and Secretary from its members. They shall serve for two years. Officers shall be elected at a spring meeting and the newly elected officers shall take office on June 1. The officers and the Commissioner shall serve as the Executive Committee and will have the authority to conduct all council business between meetings. The Commissioner shall not have a vote on the committee.

## 8. Committees

- 8.1 Sports Committees. There shall be a committee for each sport which the conference sponsors. The members of the committee shall be all the coaches in each sport. For each such committee, the members shall elect a Chair, Vice Chair and a secretary. The sports committee shall provide recommendations on matters of conference policy to the Commissioner and the Athletic Directors Council or, if appropriate, to the Board of Directors. The chairperson has the authority to call meetings providing two weeks notice is given to all committee members, the Commissioner and the Athletic Director in charge of the sport.
- 8.2 Eligibility Committee. The Chair, Vice Chair of the Faculty Athletic Representatives Council and the Conference Eligibility Chair will serve as the Conference Eligibility Committee. The Eligibility Chair is appointed by the Board of Directors. In the event that the Conference Eligibility Chair is either the Chair or Vice Chair, the Chair will appoint a member. If the committee member's institution is involved in an eligibility problem, a replacement will be appointed by the Chair.

## 9. The Conference Commissioner

- 9.1 Commissioner's Contract. The Commissioner of the DAC Conference serves at the pleasure of the Board of Directors on the basis of a two-year contract that shall be reviewed annually by the Board for renewal or non-renewal. (See Appendix B for the duties of the Commissioner.)

## 10. Sports Sponsored By Conference, Limitations and Scheduling

- 10.1 Scheduling. All scheduling of contests shall conform with the NAIA and Conference criteria and the scheduling procedure for each sport shall be that stipulated in the sports regulations. The scheduling of contests between member institutions shall be given priority over the scheduling of contests with other institutions. In all cases of regular season conference play, member institutions shall schedule contests in such a way as to cause student-athletes to miss the minimum possible amount of class time. (See Appendix C for policy on delaying, postponing and rescheduling contests.)
- 10.2 Required and Optional Sports.

| <u>Fall Sports</u>   |                                   |            |
|----------------------|-----------------------------------|------------|
| Men's                | Football                          | (required) |
| Women's              | Volleyball                        | (required) |
| Men's & Women's      | Cross Country                     | (optional) |
| Men's & Women's      | Golf                              | (optional) |
| Men's & Women's      | Soccer                            | (optional) |
| <u>Winter Sports</u> |                                   |            |
| Men's & Women's      | Basketball                        | (required) |
| Men's                | Wrestling                         | (optional) |
| Men's & Women's      | Indoor Track                      | (optional) |
| <u>Spring Sports</u> |                                   |            |
| Men's                | Baseball or Men's Track & Field   | (required) |
| Women's              | Softball or Women's Track & Field | (required) |
| Men's & Women's      | Tennis                            | (optional) |

- 10.3 When Institutions sponsor any sport, required or optional, they are required to compete in all regular season and post-season competition as established by the Dakota Athletic Conference.
- 10.4 Championships shall be decided either by season percentages or by tournaments, as voted by the Board of Directors. Conference Championships will be awarded when one half of the member schools participate in the sport.
- 10.5 Limitations have been placed on the following sports:
- a. Football - The varsity playing schedule for member institutions shall be limited in any one year to a maximum of ten contests (games or scrimmages) with outside competition to be played during the traditional fall season. The Athletic Directors Council will set the date for the first game. The first two days of practice shall be limited to non-contact (no pads) conditions.
  - b. Wrestling - Total number of meets is limited to twenty. No wrestler may participate in more than 20 meets. A Conference Dual Meet is to count as one of the fifteen meets. The Conference, Regional and National meets are not included.
  - c. Men's and Women's Basketball - The maximum number of Varsity games scheduled with outside competition shall not exceed 28 and four exhibition games or scrimmages.
  - d. Volleyball - The maximum number of varsity playing dates (calendar days) an institution may schedule is 26 and two scrimmages in either the fall or spring. Further, no student may compete on more than 26 playing dates (this includes: varsity, junior varsity and freshman etc.) during a sports season in an academic year.
  - e. Baseball - The maximum number of varsity playing dates is 28. Further, no student may compete on more than 28 playing dates (this includes varsity and junior varsity etc.) during a sports season in an academic year. The total number of junior varsity games is limited to twelve.
  - f. Softball - The maximum number of varsity playing dates is 28. Further, no student may compete on more than 28 playing dates (this includes varsity and junior varsity etc.) during a sports season in an academic year. The total number of junior varsity games is limited to twelve.
  - g. All other sports shall abide by NAIA limitations.
- 10.6 Practice is defined in the NAIA Bylaws, Article I, Section E6, as an activity organized and/or directed by an identified member of the coaching staff of that sport in which appropriate equipment is used or instruction and/or evaluation of the athlete takes place.
- 10.7 The starting IN-SEASON PRACTICE date for all fall sports will be the date established by the Council of Athletic Directors. The starting IN-SEASON PRACTICE date for all winter sports is October 1. The starting IN-SEASON PRACTICE date for all spring sports is February 1.
- 10.8 IN-SEASON PRACTICE and competition for all sports shall end on the last date of the NAIA competition for each sport.
- 10.9 Baseball and Softball will be allowed 25 OUT-OF-SEASON PRACTICE DAYS, two may be scrimmages. Basketball will be allowed 10 OUT-OF-SEASON PRACTICE DAYS. Volleyball is allowed 10 OUT-OF-SEASON PRACTICE DAYS in the spring plus 2 hours per player per week in optional on-court individual skill development with group of no more than four players per session. Individual skill sessions will begin February 1 and end March 1; 10 team practice dates not to start before March 1 (no games allowed). The term in which each sport may conduct out of season practices follows:

| <u>FALL</u>                      | <u>SPRING</u> | <u>SPRING OR FALL</u> |
|----------------------------------|---------------|-----------------------|
| Baseball                         | Football      | Basketball            |
| Softball                         | Volleyball    | Wrestling             |
| Tennis                           | Soccer        |                       |
| Track & Field (Indoor & Outdoor) | Golf          |                       |
| Basketball                       |               |                       |

- 10.10 Junior Varsity competition in any required or optional sport may not be scheduled prior to the date of the first Varsity competition in that sport unless approval has been granted by the Commissioner.

## **11. Disciplinary Action and Protests**

- 11.1 Protests. Disciplinary action can result when one member institution protests that another institution has either violated conference rules or engaged in conduct detrimental to the welfare of the conference. Such protests must be filed with the Commissioner in writing within seven days from the time the alleged offense is ascertained; the written protests must include a description of the violation or behavior and all other relevant facts. The Commissioner also may file a protest against a member institution. Once a protest has been filed, the Commissioner shall investigate the charges and handle the case in the following manner.
- a. Provide the chief executive officer of the alleged offending institution a written statement of the charges.
  - b. Request from the alleged offender a written report regarding the charges. The report must be received by the Commissioner within ten days after the institution receives the statement of charges.
  - c. Conduct an investigation and take disciplinary action as necessary and appropriate.
  - d. For cases in which the Commissioner concludes that expulsion of a member institution is the necessary and appropriate action, make a recommendation to this effect to the Board of Directors within thirty days after the written statement of charges was received by the alleged offending institution.
- 11.2 Notice of Disciplinary Action. Notice of disciplinary action against a conference member shall be sent to the chief executive officer of the offending institution and shall include a request for information regarding corrective measures to be taken to prevent recurrence of the violation.
- 11.3 Warning. When a member Institution is given a warning, the notice of the warning must be in writing.
- 11.4 Probation. When a member institution is placed on probation as a means of discipline, the disciplinary restrictions upon that institution must be specified in writing.
- 11.5 Expulsion. Expulsion as a disciplinary measure must be approved by the Board of Directors.
- 11.6 Appeals of Disciplinary Action. An appeal of the decision of the Commissioner on misconduct, eligibility, or on any other rulings must be directed by the chief executive officer of the appealing institution to the president of the conference and the Commissioner within ten calendar days after written notification of the Commissioner's decision is received by the member institution. The Executive Committee of the Board of Directors shall act as the Appeals Board.
- 11.7 Obligations during Disciplinary Periods. All contractual and conference obligations of the offending institution must be fulfilled during the period covered by the disciplinary action unless prevented by such action.

## **12. Eligibility and Recruitment**

- 12.1 Institutional Eligibility. To be eligible to enter teams or individuals in conference competition, an institution must adhere to the NAIA rules for institutional eligibility.
- 12.2 Individual Rules of Eligibility. Any student-athlete who represents a conference member in intercollegiate competition must be certified by his or her institution as satisfying all of the NAIA eligibility requirements.
- 12.3 Recruitment. Each member institution must conform to all NAIA recruiting regulations.
- 12.4 Letters of Intent. All incoming student athletes receiving aid as defined by the NAIA shall be required to sign the Dakota Athletic Conference Letter of Intent. Student athletes may be released from a Letter of Intent only by the institution's Athletic Director. A copy of the signed Letter of Intent shall be forwarded to the Conference Commissioner within 14 days after signing. September 1 is the first date an athlete may be signed to a letter for the next academic year. (See Appendix D for policy on DAC Letter of Intent.)

## **13. Financial Aid**

- 13.1 Statement of Principle on Financial Aid. The Dakota Athletic Conference believes in and supports the principles of amateurism and student participation. For student-athletes in the Dakota Athletic Conference, sports competition is intended to provide physical, mental, social, and educational benefits, not monetary gain.
- 13.2 Academic Requirements for Financial Aid. The conference recognizes that there is a legitimate need for institutional grant-in-aid programs that include students with athletic ability, provided that scholastic ability is one of the basic principles of selection. In all cases where athletic ability is considered in the granting of financial aid, prospective student-athletes must meet the current NAIA requirements. Each Dakota institution is subject to the constitution, by-laws, and other regulations of the NAIA regarding athletic-related financial aid.
- 13.3 Administration of Financial Aid to Student-Athletes. Financial aid to student-athletes must be administered by an institution's regular office and procedures for the awarding of financial aid to students in general. The office making the award must give the recipient a written statement of the amount, duration, terms, and conditions of the award at the time it is made.

## **14. Conference Awards**

- 14.1 Conference championships and individual recognitions, with the exception of the Scholars Award, will be awarded only when at least one-half or more of the conference member institutions participate in a sport. (See Appendix E for a complete list of conference awards.)

## **15. Parliamentary Standard and Amendments to This Constitution and Regulations**

- 15.1 Robert's Rules of Order shall be the standard on points of parliamentary procedure not specifically covered in this constitution. Amendments to this constitution require the approval of two-thirds of the Board of Directors, exclusive of the Commissioner, after written notice of at least four weeks has been given to the Board members, all Faculty Athletic Representatives and Athletic Directors. Revisions or amendments of the Constitution shall be effective immediately

unless a date is specifically stated.

- 15.2 Changes in Sports Regulations and Appendixes not stated in Constitution may be accomplished by a majority vote.