

CENTRAL VALLEY CONFERENCE
Constitution

ARTICLE I
NAME

Section 1. This organization shall be known as the Central Valley Community College Athletic Conference of California, hereinafter referred to as Central Valley Conference.

Section 2. The place in this state where the principal officer is to be located is the City of Merced, Merced County.

ARTICLE II
OBJECTS

Section 1. The purpose of this organization is to bring greater strength to the Colleges of the Central Valley Conference through unity of effort, and to spread the principles of sportsmanship throughout said Central Valley Conference.

Section 2. Intercollegiate athletics in the Central Valley Conference is predicated on the belief that competition should be effected through excellent teaching and motivation. Even though winning is acknowledged to be a competitive goal, the members of this Conference believe that educational objectives are the most important for the athletic programs in member community colleges.

Section 3. The President, Athletic Directors, Coaches and other employees of the college districts will abide by both the letter and the intent of the Constitution of the California Community College Athletic Association and Central Valley Conference Constitution and Bylaws. Emphasis is placed on the development of the individual student. It will never be the position of this Conference to sacrifice or risk academic standards for athletic eligibility. The Central Valley Conference respects individual rights of its member colleges in developing and adopting intercollegiate athletic programs consistent with each college's overall mission.

Section 4. Said association is organized exclusively for charitable, educational, religious and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax codes.

Section 5. No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services

rendered and to make payments and distributions in furtherance of the purposes set forth in Article Third hereof. 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 or in opposition to any candidate for public office. Notwithstanding any other provision of these articles, the organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from federal income tax under section 501(c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax Codes, or (b) by an organization, contributions to which are deductible under section 170(c) (2) of the Internal Revenue Codes, or corresponding section of any future federal tax codes.

Section 6. Upon the dissolution of the organization, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax codes, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by the Court of Common Pleas [California Superior Court] of the county in which the principal office of the corporation 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.

**ARTICLE III
MEMBERSHIP**

Section 1. All Colleges within the Central Valley Conference shall hold membership in this organization subject to the Constitution and Bylaws and restrictions of the Constitution of the California Community Colleges Athletic Association as adopted and revised by the California Community Colleges Athletic Association and the Central Valley Conference. A College in good standing is defined as a college which is current with the payment of its portion of operating expenses to the Central Valley Conference.

Section 2. Membership requirements. Member colleges of the CENTRAL VALLEY CONFERENCE (CVC) are: College of the Sequoias, Reedley College, Porterville College, Columbia College, Merced College, Taft College, Fresno City College, West Hills College (Coalinga) and West Hills College (Lemoore).

Section 3. New members.

(a) In case of application for membership in the CVC, notice of the application must be received by the CVC commissioner and forwarded to the conference representatives thirty (30) days in advance of the meeting at which time the application is considered.

(b) New members may be recommended for admission to the CVC by a majority vote of the conference representatives.

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(c) Acceptance in this conference will be based on a college's adherence to the Central Valley Conference's athletic philosophy, the financial impact of any college's membership on existing conference members, and the geographical location of a college.

(d) The Central Valley Conference colleges will be expected to field teams in a number of core sports designated in the Bylaws. These sports will be certified to the Conference Commissioner by the college presidents. In addition, it is the philosophy of this conference that all participating colleges compete exclusively in their sports within this conference. Recognizing that there may be unique sports in which competition must be obtained outside the conference, membership in this conference requires coordination with the California Community College Athletic Association in scheduling those teams.

(e) New member colleges shall place their financial share in the conference administrative and reserve funds based on the funds' balances as of July 1 of the year they enter the conference.

Section 4. Withdrawal of Members

(a) Any member wishing to withdraw from the CVC shall give written intention to the CVC Commissioner one-year prior to the next state open period.

(b) No member may rightfully withdraw until all indebtedness to the CVC has been discharged.

(c) A member college rightfully withdrawing from the conference shall be entitled to their financial share of the conference's administrative and reserve funds based on the funds' balances as of June 30 of the year they are withdrawing.

ARTICLE IV TERRITORY

Section 1. The territory embraced by Central Valley Conference shall be the areas designated by the Community College League of California as areas 23, 31, 57, 64, 67, 69 and 70 or any other area deemed as necessary by the conference.

ARTICLE V DIVISIONS

Section 1. Central Valley Conference shall have only one division in each sport.

Section 2. The single division rule shall only be changed by a vote of the Conference's Board members upon recommendation by the Conference Commissioner.

**ARTICLE VI
OFFICERS**

Section 1. The chief executive officer of the Central Valley Conference shall be known as the Commissioner. The Commissioner shall be selected by a vote of the Presidents of the member colleges in good standing. Said Commissioner may be removed from office by a vote of the Presidents of the member colleges in good standing. The Commissioner shall preside at all meetings of the Central Valley Conference and perform such other duties as are required by the Bylaws. Compensation for the Commissioner, both salary and expenses, shall be approved by a vote of the Presidents of the member colleges in good standing. All other aspects of the operation of the Conference, not within the responsibility of the Commissioner, shall be by vote of the members of the Planning Board. The Presidents, known as the Executive Board, shall have the ability to override any decision by the Planning Board or the Commissioner.

Section 2: There shall be an Executive Board responsible for the overall operation of the Conference. The Executive Board shall consist of the President of each member college in good standing. The presidents shall select the Chairman of their Board.

Section 3: There shall be a Planning Board responsible for operating policies and direction of the Central Valley Conference. Said Board shall consist of the Athletic Director of each member college in good standing. The Planning Board shall select its Chairman. The Planning Board shall make recommendations to the Commissioner and be responsible for the implementation of Conference polices.

Section 4: There of three representatives from each college; one from administration, one from men's sports and one from women's sports which shall be known as the Central Valley Conference Board. This Board shall act as a Board of Directors for the CVC. Each CVC Board Member shall have one vote and no member shall be permitted to vote by proxy. The Board shall meet once a year in a General Assembly and shall address those questions which require action by a Board of Directors. The right to vote at said meeting shall be limited to three votes for each college. The colleges may appoint alternate members of the Board. However, only those present shall be allowed to vote.

Section 5: There shall be a Sport Information Officer for the Conference. The Commissioner shall set the duties of the Sport Information Officer. Compensation for the Sports Information Officer, both salary and expenses, shall be set by the Commissioner. The Commissioner may also appoint statistician for the conference. The Commissioner shall set the compensation for statisticians.

**ARTICLE VII
DUTIES OF OFFICERS**

Section 1. The Commissioner shall preside at all meetings under the general supervision of the Executive Board. The Commissioner shall be charged with the particular duty of promoting the

objects of the Conference, of supervising the organization of new Conference sports and of promoting cordial relations between the colleges and all other duties as defined in the California Community College Athletic Association Constitution and Bylaws.

Section 2. Within thirty (30) days following the termination of his term of office, the Commissioner shall provide his successor with the following:

A copy of the budget under which the Commissioner operated, a financial statement showing the condition of the Conference, all documents which are pertinent to the welfare of the Conference, all equipment and supplies belonging to the Conference and such other items as may be pertinent in assisting a successor.

Section 3. Within thirty (30) days following the end of the fiscal year of the Conference, the Commissioner shall send a copy of an audited financial statement the condition of the Conference to the members of the three Boards. [Executive, Planning and Directors.]

Section 4. The Board of Directors shall hold at least one meeting a year, during the Spring school semester. The Commissioner shall select the site and time for the meetings of the Board of Directors. The Executive Board shall meet as its members deem necessary. The Planning Board shall meet at least three times each year. No other meeting shall be held except upon call by the Commissioner or upon the written request of one-third of the Presidents of the member colleges. The call by the Commissioner or by one-third of the Presidents of the member colleges for a special meeting shall be accompanied by an agenda of the business to be transacted at said special meeting. The Commissioner, if present, shall preside over all meetings thereof. In the Commissioner's absence, the chairman of the executive board or the senior President present shall preside over the meeting.

Section 5: The Commissioner shall have no vote.

Section 6: No expenses of any Conference meeting or member thereof shall be paid except as provided for herein, or as authorized by the Board pursuant to budgetary requirements.

ARTICLE IX FINANCES

Section 1. The expenses of Central Valley Conference and the expenses of the various sports thereof shall be met by an equal tax or any special assessment deeded to carry on the operation of the conference.

Section 2. Funding.

(a) The tax for administration shall be set annually, payable before August 1st. The Commissioner of the Central Valley Conference shall assign the proceeds of the administrative payments to the operating budget.

(b) Additional payment to officials for items outside the general contract will be billed directly to the member colleges.

(c) The Commissioner shall collect all taxes for Central Valley Conference and the cost of its sports contracts.

Section 3. The fiscal policy of Central Valley Conference shall be to maintain an operating fund reserve of not less than \$10,000.00. In addition, the Conference shall maintain other accounts for special needs, i.e. litigation, insurances, etc.

Section 4. Checks.

(a) The Commissioner shall be charged with the responsibility of administering all funds, assets and the financial affairs of Central Valley Conference in accordance with the budget approved and adopted by the Board at its last meeting of each fiscal year. The fiscal year shall run from July 1 to June 30.

(b) There shall be a standing Budget and Auditing Committee, made up of five Board members, elected by the Board to serve one-year terms, and the Commissioner. The members of the Committee shall select the chairman of the Budget and Auditing Committee. The duties of the Committee shall be to prepare a budget for the Conference and present said budget to the members of the Board for adoption at the Board last annual meeting. Copies of the proposed budget and any supporting documents shall be mailed to members of the Board no later than three weeks prior to the schedule last annual meeting. Should the Budget and Auditing Committee fail to act, the Commissioner shall prepare a new budget or continue to operate on the last approved budge.

(c) There shall be a standing Personnel Committee, made up of three member College Presidents, one Athletic Director, one men's sports representative and one women's sports representative, elected by the Board to serve one-year terms. The members of the Committee shall select the chairman of the Personnel Committee. The duties of the Committee shall be to review the performance of the Commissioner and recommend to the Board any action relating to administration, personal or compensation.

Section 5. Neither the Commissioner nor any member of the Board shall have the right, power, or authority to create or incur any financial obligation for Central Valley Conference in excess of the total amount in the said budget approved and adopted by the Board at the last annual general meeting of Central Valley Conference; except that when there is sufficient money in the reserve above the \$10,000 minimum requirement, the Board may by a two-thirds (2/3) affirmative vote approve expenditures upon the recommendation of the Commissioner.

Section 6. Auditor

(a) There shall be a Conference Auditor for the Central Valley Conference, who

shall be appointed by and serve at the pleasure of the Board during its term. The District Auditor's fee, if any, shall be fixed by the Board.

(b) The Conference Auditor shall submit to the Board at its second meeting a detailed audit containing audited financial statements for the preceding years' operation, along with any comments deemed pertinent for submission to the colleges of Central Valley Conference.

Section 7. Prior to each regular meeting of the Board, the Budget and Auditing Committee shall cause to be prepared and submitted to the Board statement of receipts, expenditures, and commitments of expenditures or allocated funds and a summary of operations to date, and a balance sheet. These statements are to be prepared by the Commissioner of Central Valley Conference or under the Commissioner's direction.

**ARTICLE X
COMMITTEES**

Section 1. The following shall be the standing committees for the Central Valley Conference:

(a) Budget and Auditing Committee. This committee shall prepare a proposed budget for the Central Valley Conference Operating Fund to include all estimated income from all sources and all estimated expenses of said Central Valley Conference for the ensuing year. The proposed budget shall be submitted to the Board at their last annual meeting for discussion and possible amendment. The said proposed budget as submitted or as amended shall be submitted to the Board and shall be subject to its approval. If the said proposed budget were not approved, it shall be returned to the Budget and Auditing Committee for further consideration. In the event that said budget is not finally approved at the last annual meeting, the Central Valley Conference shall operate for the succeeding year under the budget of the preceding year. The said committee shall perform other functions which are common to such a committee, or which may be assigned to it by the Board. The Chairman of this committee shall be an alternate signatory for the Central Valley Conference Commissioner in the event of the demise, inability to perform, resignation, or removal of the Commissioner.

(b) Constitution and Bylaws and Rules Committee. This committee shall examine the Constitution and Bylaws of Central Valley Conference each year. It shall propose amendments, which it deems desirable and shall review proposed amendments, which may have been submitted by other Conference members. The committee also shall draft proposed rules under which the Central Valley Conference will operate, and the Chairman shall act as the Parliamentarian at Board meetings. In the event of Chairman's absence, the Commissioner shall designate another member of the committee to so act. The Constitution and Bylaws and Rules Committee shall consist of three members elected by the Board. The Committee members shall select the Chairman.

(c) Public Relations and Sports Information Committee. This committee shall concern itself with the promotion and dissemination of Conference Information, and shall devise and develop ways and means of improving public and media relations for the athletic programs at

each member college. This committee shall work closely with the Conference's Sports Information Officer. The Public Relations and Sports Information Committee shall consist of three members elected by the Board. The Committee members shall select the Chairman.

(d) Long Range Planning and Research Committee. This committee shall formulate and study for the benefit to the Central Valley Conference all long range planning for the welfare of the Conference and shall conduct all appropriate research to accomplish this purpose. The committee shall file an annual written report to be presented at the mid-year meeting of the Board. The Long Range Planning and Research Committee shall consist of three members elected by the Board. The Committee members shall select the Chairman.

(e) Appeals Committee also to be known as 'The Appeals Board'. This committee shall be the first step in appealing a decision by the Commissioner. The Appeals Committee shall consist of the Athletic Director of each school or a representative appointed by the President of each college for a one-year term. However, there is no limitation on the total number of years a member may serve. Membership shall not be restricted to only those who are members of the CVC Board of Directors. In fact, it is recommended that the membership be composed of those who are not members of the CVC Board of Directors. The Chairman shall not be a member of the CVC Board and shall be selected by the Commissioner. The Committee shall meet as called by the Chairman to hear all protests of Commissioner's rulings. Action by the Appeals Board shall be required upon written request my any member school.

i) All appeals of the Commissioner's Rulings shall be in writing and signed by the CEO of the Member School and directed to the Commissioner's Office. Appeals must be mailed to the Commissioner's Office within seven (7) days of the Ruling.

ii) The Commissioner within three (3) days of receipt will send the request for an Appeal to the Chairman of the Appeals Board with all backup material. The Commissioner will send copies to all Appeals Board members.

iii) There will be no direct communications with the Chairman or any member of the Appeals Board by any party or advocate for any position without a solicitation from the Chairman of the Appeals Board.

iv) The Appeals Board must review the appeal within ten (10) working days of receipt. (California Community College Athletic Association Constitution § 7.5.9.4) The Chairman polling the Appeals Board Members may make a decision on the record. A closed hearing may also be held. However, if the Appeals Board deems an open hearing is necessary, the Board must notify the member colleges at least five (5) working days prior to the Appeals. (California Community College Athletic Association Constitution § 7.5.9.4)

v) The conducting of the Appeals is controlled by (California Community College Athletic Association Constitution § 7.5.9.5). In the absence of the Chairman, the Vice-Chairman may conduct the Appeal.

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- vi) The representative from protesting Colleges may not be part of the review. (California Community College Athletic Association Constitution § 7.5.9.7).
- vii) The Appeals Board may either grant or deny the appeal. (California Community College Athletic Association Constitution § 7.5.9.8)
- viii) If the decision of the Appeals Board is to deny the appeal, the student or the school may appeal to the Northern California Appeals Board through the State Commissioner's Office by using Form 4, 4A, or 4B. The filled in and signed form is sent to CVC Commissioner's Office for signature and forwarding to the State Commissioner. (California Community College Athletic Association Constitution § 7.5.9.10).
- ix) No additional eligibility shall be granted until approved by the Northern California Appeals Board. (California Community College Athletic Association Constitution § 7.5.9.11)
- x) Violation of any of these rules may result in a denial without consideration of any of the issues raised by the appeal.

(f) Awards Committee. This committee shall decide and recommend the number all awards within the Conference. The Awards Committee shall consist of the Athletic Director of each college. The Committee members shall select the Chairman. The Committee shall meet as called by the Chairman to hear all requests for awards. However, in no event, shall the Committee fail to meet between June 2 and June 15 in order to select the Conference Athlete of the Year. Only those awards authorized by this Constitution shall be presented in the name of the Conference.

(g) Gender Equity and Competition Committee. This committee shall monitor Conference actions to insure the enforcement of all Conference policies and philosophies. The Gender Equity and Competition Committee shall consist of a College President, a men's athletics representative and a women's athletics representative as selected by the Board. The Chairman shall be the selected College President and shall meet as called by the Chairman. This committee shall also serve as the state-required Student Participation Committee.

Section 2. Meetings of the Committees unless otherwise directed by the Board are in accordance with the Bylaws. The sponsoring colleges shall pay expenses for members of committees.

ARTICLE XI AMENDMENTS

Section 1. Amendments to this Constitution may be proposed to the Board of Directors by the Constitution and Rules and Bylaws Committee or in writing by any College in good standing.

Such proposed amendments shall be accompanied by a statement of the purposes thereof and shall be submitted to the Board at its annual meeting for vote.

Section 2. At least forty-five (45) days prior to the beginning of the annual meeting, the Commissioner shall mail copies of such proposed amendments, together with the proponents' statements of purpose and the recommendations of the Constitution and Bylaws Committee, to the President and Athletic Director of each college.

Section 3. Passage shall require a two-thirds vote. Clarifications and/or corrections to the proposed amendments may be made from the floor with approval of the Planning and a majority of the members of the Board of Directors.

Section 4. Amendments to this Constitution shall become effective on the first day of July following their adoption, unless otherwise provided in such amendment.

**ARTICLE XII
POLITICS AND RELIGION**

Section 1. Within this organization or its subordinate groups members shall not debate partisan politics and sectarian religion.

**ARTICLE XIII
ENDORSEMENTS**

Section 1. No resolution giving endorsement to any event shall be considered at any meeting unless said event is in full accord with the principles and purposes of the Central Valley Conference.

Section 2. Any and all Central Valley Conference sponsored events and tournaments shall be reviewed and approved on an annual basis at the first meeting of the Planning Board and approval shall be conditioned upon a review of the current financial statements and a written report submitted by each event or endorsed tournament desiring continued sponsorship or endorsement by the Central Valley Conference.

**ARTICLE IX
RESOLUTIONS**

Section 1. Any resolution or proposition calling for expenditure of money not pre-provided for in the Budget shall first be referred to the Commissioner and the Planning Board and upon favorable recommendation of both, shall be passed only upon vote of a majority of the members of the Board present and voting. Said resolution shall specifically set forth the source of funds to be expended.

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Section 2. With the exception of resolutions of appreciation, the Board of Directors shall consider no resolutions unless a copy of it is delivered to the Commissioner not later than 5:00 PM., five days prior to the scheduled meeting.

Section 3. The agenda for each meeting of the Board shall provide a forum period for a free and open discussion by members on such subjects or subjects as they may elect, provided that the subjects, in the opinion of the presiding officer, relate to the furtherance of service and the best interests of our Conference.

ARTICLE X BYLAWS

Section 1. Bylaws shall be adopted by the CVC Board and may be amended at any scheduled or special meeting of the CVC Board of Directors and shall take effect upon passage. Bylaws may be amended by a majority vote of either the CVC Board or the CVC Executive Board. Supplements are advisory only.

ARTICLE XI RULES OF GOVERNMENT AND MISCELLANEOUS

Section 1. In any matter not otherwise covered by the Constitution and Bylaws, or by resolution, Robert's Rules of Order, Newly Revised, as revised from time to time, shall constitute the rules of order of all meetings of the Board.

Section 2. Whenever in this Constitution the context so requires, the masculine gender includes the feminine and neuter genders, and the singular number includes the plural and vice versa.

Section 3. If any provision of this Constitution is held in whole or in part to be unenforceable for any reason, the remainder of that provision and of the entire Constitution will be severable and remain in effect.