



To: NJSIAA Executive Committee
From: Colleen Maguire, NJSIAA Executive Director
Date: December 6, 2023
RE: Bylaws Updates – Duties of Executive Director and Penalties Proposal

The proposal below is intended to address questions or challenges that have been raised in recent years regarding three important matters. These matters are: (1) defining the authority of the Executive Director to investigate any alleged infraction; (2) clarifying the responsibility of the head coach over the actions of all assistant coaches and staff; and (3) providing the Executive Committee with the ability to temporarily suspend a member school from participating in any state tournament.

The proposed additions to the Association’s Bylaws are underlined below and are specific to Article I – Duties of Officers and Article X – Penalties.

BYLAWS
Article I

DUTIES OF OFFICERS

Section 1

The President shall have the power to call, and preside over, meetings of this Association.

Section 2

The First Vice President shall exercise these powers in the absence of the President. The Second Vice President shall exercise these powers in the absence of the President and the First Vice President.

Section 3

The Executive Director shall have the following duties and powers:

- A. To administer the financial affairs of this Association, under the direction of the Executive Committee, and shall render a financial statement at the Annual Meeting.
- B. To prepare the annual budget.
- C. To handle all the correspondence of the Association.
- D. To prepare and present agenda for, and attend all the meetings of this Association or its committees.
- E. To make all arrangements for the Annual Meeting. To notify the member schools in advance of the legislation, nominations, and other business to be discussed at the meeting.
- F. To represent NJSIAA on the DAANJ Board of Directors, and oversee all athletic leagues and conferences.
- G. To manage or arrange for the management of all state championship meets and tournaments.

- H. To arrange for such playoffs as may be directed by the Executive Committee.
- I. To arrange for an athletic insurance program to be offered to the member schools.
- J. To manage the Central Office of this Association, engaging office space, hiring the necessary office personnel and procuring office supplies, and designate the Attorneys for the Association
- K. To arrange for the publication of the annual handbook in an electronic format.
- L. To handle the public and press relations of this Association or make arrangements to handle press relations of the Association.
- M. To keep the program up-to-date and sponsor new activities under the direction of the Executive Committee.
- N. To be empowered to rule on the interpretations of the Constitution and Bylaws, and rules of the Association, subject to confirmation by the Executive Committee at its next meeting.
- O. To perform such other duties as the Executive Committee directs.
- P. To designate one or more persons to attend one or more meetings of the Executive Committee to assure all views on a given subject are represented, such persons will not be permitted to vote.
- Q. To investigate, or order an investigation by a member school, NJSIAA staff, or other designee, of any alleged infraction of the Association's Constitution, Bylaws, Rules and Regulations, Polices and Procedures or Tournament Regulations.

Article X

PENALTIES

PENALTIES SHALL BE ASSESSED BY THE EXECUTIVE COMMITTEE OR THE CONTROVERSIES COMMITTEE FOR INFRACTIONS OF THE ASSOCIATION CONSTITUTION, BYLAWS OR RULES AND SHALL INCLUDE BUT NOT BE LIMITED TO:

Section 1

To ensure that member schools make certain that all Student-Athletes comply with eligibility standards or that they obtain appropriate waivers where necessary prior to competition, the following forfeiture penalties will be imposed. If the ineligible student participated in a TEAM SPORT, then that team will forfeit any games that it has won, irrespective of how long the ineligible student participated in that contest. This is so because it is impossible to calculate the impact made on a team contest by one or more individual players. In cases where the ineligible player participated in an INDIVIDUAL SPORT, then the team will only forfeit the events in which that player participated, since the impact of individual players can be calculated with some certainty. This penalty is mandatory and will not be subject to any appeal to the Executive Committee.

CL 1: Although the penalty of forfeiture for the use of an ineligible player is mandatory and not appealable to the Executive Committee, the school may appeal the determination of eligibility.

Section 2

After conducting a hearing and subject to an appeal to the Executive Committee, as set forth in Article XIII of the Bylaws, the Controversies Committee may impose the penalties set forth in this Section.

- A. Probation – A probationary period not to exceed two years may be imposed, which may include a requirement that a member school submit appropriate reports to the Association, certifying that the violations are not continuing. The Controversies Committee may determine that an offending school may not participate in championship contests in the sport in which the violation occurred.
- B. Forfeit of Games – Under such terms and conditions as the Controversies Committee shall provide.

- C. Forfeit of Championship Rights – A school may be required to forfeit championship rights as determined by the Controversies Committee.
- D. Suspension of Coaches and Players – In addition to any disqualifications imposed for unsportsmanlike and flagrant verbal or physical misconduct during an interscholastic contest a coach or player may be suspended for a violation of the Constitution and Bylaws or Rules of this Association, or for violations of the rules of good sportsmanship or the rules of a particular game.

CL 1: A member school's head coach shall be held responsible for the head coach's actions and the actions of all assistants and staff who report, directly or indirectly, to the head coach.

- E. Fines – Member schools, Principals, Athletic Directors, and/or coaches may be fined by the Controversies Committee in an amount not to exceed \$5,000.00 per party. Member schools may also be required to pay any property damages caused by their improper behavior and for the transcript and court stenographer costs of the Controversies Committee hearing, which would be payable within sixty (60) days.

**This amendment approved by letter from Commissioner of Education dated July 6, 1987 and published in the September, 1987 NJSIAA Bulletin.*

Section 3

The Executive Committee may, on good cause shown, temporarily suspend a member school from participation in any state tournament, if the member school: (a) fails to appear before the Controversies Committee upon receipt of a hearing notice, or (b) fails to cooperate with an investigation arranged by the Executive Director.

Section 3 Section 4

Major Fines and Expulsion:

The Controversies Committee may recommend for approval by the Executive Committee, the imposition of major fines against member schools, principals, athletic directors and coaches exceeding \$5,000.00 per party for serious violations of the Bylaws or Rules of the Association and/or the expulsion of member schools and/or coaches for serious violations of the Constitution, Bylaws and Rules of the Association after a hearing or review on appeal by the Executive Committee, pursuant to Article XIII of the Bylaws.