

# ARTICLE 8

## Legislative Process to Amend the COA/CCCAA Constitution and Bylaws and the Championship Handbooks

### 8.1 GENERAL PRINCIPLES

- 8.1.1 All legislation of the COA/CCCAA that governs the conduct of the intercollegiate athletics programs of its member institutions may be adopted by the membership, in convention assembled, following the process outlined in this article.
- 8.1.1.1 The COA/CCCAA membership, with one (1) vote per member college, may amend the *Constitution and Bylaws* and sport championship handbooks using the legislative process. The legislative process for submission, consideration, and decisions regarding proposed amendments to the *Constitution and Bylaws* and sport championship handbooks is defined in this article.
- 8.1.2 When action is required outside the legislative timeline, upon recommendation of the CCCAA Management Council, the COA Board may amend the *Constitution and Bylaws* for emergency purposes by a three quarters ( $\frac{3}{4}$ ) vote of the COA Board. (See Article 1.6.) Items approved as emergency legislation become effective immediately.

### 8.2 AMENDMENT CLASSIFICATIONS

The Constitution Committee shall assign to each proposed amendment one (1) or more of the amendment classifications: Policy, Operational, Segmental, Editorial, or Inappropriate (see Article 8.2.5 Failed in Committee).

- 8.2.1 **POLICY**—A proposed amendment that affects COA/CCCAA policy requires a two-thirds ( $\frac{2}{3}$ ) majority vote of all delegates present and voting at the convention assuming a quorum has been established.
- 8.2.2 **OPERATIONAL**—A proposed amendment that is operational in nature and not deemed to be “policy” shall require a simple majority vote of all delegates present and voting at the convention assuming a quorum has been established.
- 8.2.3 **SEGMENTAL**—A proposed amendment that applies to one (1) segment (i.e. sport specific) and that does not amend policy, shall require a simple majority vote of all delegates present and voting at the convention.
- 8.2.4 **EDITORIAL**—A decision by the Constitution Committee that a proposed amendment only clarifies the intent of existing legislation within the *Constitution and Bylaws* or sport championship handbook shall not require a vote of the membership and may be approved by the COA Board. A correction of a typographical error within the *Constitution and Bylaws* or sport championship handbook, does not require any notice to the members.

8.2.5 FAILED IN COMMITTEE—The Constitution Committee may fail a proposed amendment when the proposed amendment is not in harmony with the purpose and values of the COA/CCCAA as provided in Article 1. Once failed by the Constitution Committee, the proposed amendment shall be denied further consideration.

### 8.3 CONVENTIONS AND MEETINGS

8.3.1 ANNUAL CONVENTION—There shall be an annual convention during the last week of March and/or first week of April or at such other time as may be prescribed by the COA Board.

8.3.2 SPECIAL CONVENTION—A special convention may be called by the COA Board.

8.3.3 ESTABLISHMENT OF PROGRAM—Annual or Special Convention: The program of the legislative session of an annual or special convention shall be established by the COA Board, in part by recommendation of the CCCAA Management Council and Office of the COA Executive Director.

8.3.3.1 CHANGE IN PROGRAM—Once adopted by a majority vote of the delegates at the convention, the order of business established in the program may be changed or suspended only by a two-thirds ( $\frac{2}{3}$ ) majority vote of the delegates present and voting.

8.3.4 OTHER CONVENTION ARRANGEMENTS—All other arrangements for a convention or other meetings shall be made by the COA Executive Director, subject to the direction and approval of the COA Board.

8.3.5 LEGISLATIVE SESSIONS—When determined necessary by the COA Board, an annual or special convention shall include a legislative session to enable the COA/CCCAA membership to act on proposed legislation as written in the final notice. (See Article 8.9.)

#### 8.3.6 ANNUAL OR SPECIAL CONVENTION DELEGATES

8.3.6.1 Each of the following entities shall be entitled to one (1) vote:

A. MEMBER COLLEGE DELEGATES—Each member college shall be entitled to one (1) vote.

B. CCC CONFERENCE DELEGATES—Each CCC conference shall be entitled to one (1) vote.

C. COA/CCCAA AFFILIATE ORGANIZATION DELEGATES—Each COA/CCCAA affiliate organization shall be entitled to one (1) vote.

D. CCC SPORT COACHES ASSOCIATION DELEGATES—Each CCC sport coaches association shall be entitled to one (1) vote.

#### 8.3.6.2 CERTIFICATION AND VOTING OF DELEGATES

8.3.6.2.1 The certification and voting of delegates shall be conducted as follows:

- A. Each CCCAA member college president, conference, affiliate organization president, and sport coaches association president shall designate, using FORM “X” submitted to the Office of the COA Executive Director by February 1, one (1) primary delegate who shall be entitled to cast one (1) vote on behalf of the designating entity. This process will be used to certify the “primary” delegate.
- B. Each CCCAA member college president, conference, affiliate organization president, and sport coaches association president shall designate, using FORM “X” submitted to the Office of the COA Executive Director by February 1, one (1) alternate delegate who shall be entitled to cast one (1) vote on behalf of the designating entity in place of the primary delegate. This process will be used to certify the “alternate” delegate.
- C. Once the member college, conference, affiliate organization, or sport coaches association has certified its primary and alternate voting delegates, transferring the voting rights between or among them is a matter of judgment of the certifying entity, inasmuch as the voter and alternate have been approved as voters.
- D. The same delegate may represent an active member college, conference, and an affiliate organization, or sport coaches association. If the same delegate represents multiple entities with the right to vote, the delegate shall have a maximum of two (2) votes.
- E. A delegate shall not represent any active member college, conference, affiliate organization, or sport coaches association, unless the delegate actually is identified with such member, and has been certified as a voting delegate.
- F. Whenever the COA/CCCAA votes on any question by roll call, either written or via voice, on demand of any delegate, the names of delegates as they vote shall be checked by the COA/CCCAA staff in order to verify the authority of the voter.
- G. Voting by proxy shall not be allowed.

8.3.7 **DELEGATE PARTICIPATION AT CONVENTIONS AND MEETINGS**

8.3.7.1 **ACTIVE DELEGATE**—Privileges of the floor and the right to active participation in the business and/or legislative proceeding of any annual or special convention are accorded to the following:

- A. Any of the certified voting delegates
- B. Any member of the COA Board
- C. Any member of the CCCAA Management Council
- D. Any Conference Commissioner
- E. COA Executive Director

8.3.7.2 **NONCERTIFIED ATTENDEES**—noncertified attendees shall not actively participate in the business and/or legislative proceedings.

8.3.8 **OPERATIONAL PROCEDURES**

- 8.3.8.1 **QUORUM**—Sixty (60) voting delegates shall constitute a quorum of the COA/CCCAA membership. In order for any official voting to occur, there shall be a quorum at the beginning of the business or legislative session.
- 8.3.8.2 Assuming there is a quorum, legislative proposals identified as “policy” shall require a two-thirds ( $\frac{2}{3}$ ) majority vote of the delegates in attendance.
- 8.3.8.3 Assuming there is a quorum, legislative proposals identified as “segmental” or “operational” shall require a majority vote of the delegates in attendance.
- 8.3.8.4 **SPORT-SPECIFIC/SEGMENTAL AMENDMENTS**—Voting delegates may only vote on sport-specific/segmental amendments directly affecting their certifying entity (the entity submitting the Voting Delegate Certification FORM X; i.e., college, conference, affiliate organization, or sport coaches association).
- 8.3.8.5 **VOTING**
- 8.3.8.5.1 **METHODS**—The methods of voting at a convention shall be by voice, any voting technology allowing an accurate tally of votes, and/or roll call in accordance with the following procedures:
- A. **VOICE VOTE**: Voice voting shall be permitted only on items requiring a majority vote. The presiding officer shall determine whether or not to use voice voting. In the taking of a voice vote, if the presiding officer is in doubt, or on request of a voting delegate, the vote may be retaken using voting technology, or roll call.
  - B. **VOTING TECHNOLOGY**—Voting technology that provides an accurate count may be used to determine motions requiring a simple majority, two-thirds ( $\frac{2}{3}$ ) majority, or three-quarters ( $\frac{3}{4}$ ) majority vote.
  - C. **ROLL CALL**—Voting by roll call shall be conducted only when so ordered by a majority of the eligible delegates present and voting, after the making of an undebatable motion to vote in that manner.
- 8.3.8.5.2 **VOTING REQUIREMENT/CLASSIFICATION DETERMINATION**—The COA Board, upon recommendation of the Constitution Committee, shall be authorized to determine the voting requirements for an amendment when the voting requirement is not obvious from the content or context of the legislation.
- 8.3.8.5.3 **RECONSIDERATION**—Before the adjournment of the Business/Legislative Session, an affirmative or negative vote on an amendment may be subjected to one (1) motion for reconsideration of that action by any member that voted on the prevailing side in the original consideration.
- 8.3.8.5.4 **COA BOARD OVERRIDE**—The COA Board may, by a three-quarters ( $\frac{3}{4}$ ) majority vote, override the membership’s adoption or defeat of any proposed amendment. The vote to override must occur during the first regularly scheduled COA Board meeting following the Business/Legislative Session when the amendment was approved or defeated by the

membership. The COA Board shall notify the membership within 15 days of its action to override an adopted or defeated amendment.

8.3.8.6 SPECIAL RULES OF ORDER—The COA/CCCAA may adopt special rules of order not inconsistent with the *Constitution and Bylaws* by a two-thirds ( $\frac{2}{3}$ ) majority of the delegates present and voting at any annual or special convention.

8.3.8.7 Effective Dates for Amendments to the *Constitution and Bylaws* and Sport Championship Handbooks—Amendments to the *Constitution and Bylaws* and sport championship handbooks shall become effective July 1 following adoption by the CCCAA membership, unless otherwise approved by a three-quarters ( $\frac{3}{4}$ ) majority vote of the COA Board.

## 8.4 SUBMITTING PROPOSED AMENDMENTS

8.4.1 In order to submit a proposed amendment, the originator must obtain the support of one (1) of the groups listed below:

- A. COA Board
- B. CCCAA Management Council
- C. Conference
- D. COA/CCCAA Affiliate Organizations
- E. CCC Sport Specific Coaches Association

### 8.4.2 PROPOSED AMENDMENT REQUEST FORM 5A

8.4.2.1 Proposed amendments to the *Constitution and Bylaws* and championship handbooks must be submitted in writing using FORM 5A, Proposed Amendment Request, to the Office of the COA Executive Director. FORM 5As are available online at [www.coasports.org](http://www.coasports.org). The FORM 5A shall be signed by the originator and by the chairperson or president of the originator’s representative group as listed in Article 8.4.1.

8.4.2.2 All sections of the FORM 5A, Proposed Amendment Request, shall be completed, including, but not limited to:

- A. Statements of intent, limited to not more than 50 words.
- B. Statements of rationale, limited to not more than 200 words.
- C. Impact on gender equity.
- D. Impact on finance as it would affect budget(s) of the governing bodies of the COA/CCCAA, its member colleges, conferences, affiliate organizations, and/or sport coaches associations.

8.4.2.3 FORMAT—The FORM 5As shall be submitted via email in MSWord format with a signed hard copy received via fax or the USPS.

8.4.2.4 SUBMISSION DEADLINE—The deadline for submitting proposed amendments (FORM 5A) shall be October 1.

**8.5 PROCESS FOR REVIEWING PROPOSED AMENDMENTS BY COA/CCCAA COMMITTEES**

8.5.1 ASSIGNED AMENDMENTS—The COA Executive Director shall assign each amendment to the appropriate committee(s) for evaluation and shall designate a subcommittee of the COA Board, or CCCAA Management Council, or form an ad hoc committee when no appropriate committee exists.

8.5.2 MEETINGS FOR AMENDMENT REVIEW—The COA/CCCAA committees with responsibility to review proposed amendments shall meet face-to-face or telephonically with meetings to be scheduled between October 5 and October 12.

8.5.3 POSITION STATEMENT—The position of the appropriate committee(s) shall be printed with the relevant amendment in the preliminary notice. (See Article 8.6.)

8.5.3.1 CONSTITUTION COMMITTEE—As a standing committee of the COA Board, the Constitution Committee shall review proposed amendments and filter for accuracy all legislation prior to publication via the preliminary notice.

8.5.3.2 FINANCE COMMITTEE—As a standing committee of the COA Board, the Finance Committee shall review proposed legislation and filter for accuracy all legislation with financial impact prior to publication via the preliminary notice.

8.5.3.3 COMPETITION COMMITTEE—As a standing committee of the CCCAA MC, the Competition Committee shall review proposed amendments and filter for accuracy all operational amendments prior to publication via the preliminary notice.

8.5.3.4 POSTCONFERENCE COMPETITION REVIEW COMMITTEE (PCRC)—As a standing committee of CCCAA MC, the PCRC shall review proposed amendments affecting postconference competition prior to publication via the preliminary notice.

**8.6 PRELIMINARY NOTICE**

The preliminary notice containing the proposed amendments, proposed effective date, rationale, intent, and committee comments shall be posted to the COA/CCCAA website, [www.coasports.org](http://www.coasports.org), no later than October 15.

**8.7 COA/CCCAA MEMBERSHIP REVIEW**

The COA/CCCAA membership shall have the opportunity to hold a discussion for review of all proposed amendments at an open forum of the COA/CCCAA Fall Conference to be held during the period of the last week of October and first week of November.

**8.8 LEGISLATIVE AMENDMENT-TO-THE-AMENDMENT**

Originators of proposed amendments must submit amendments to the original amendments using FORM 5B, and such amendments-to-amendments must be received at the Office of the COA Executive Director no later than January 15.

Format—The FORM 5Bs shall be submitted via email in MSWord format with a signed hard copy received via fax or the USPS.

**8.8.1 AMENDMENT-TO-THE-AMENDMENT PERIOD**

Amendment-to-the amendment recommendations shall be submitted to the Office of the COA Executive Director during the amendment-to-the amendment period of November 15 through January 15. No amendment-to-an-amendment shall be proposed after January 15.

**8.8.2 PROCESS FOR COA/CCCAA COMMITTEE REVIEW OF AMENDMENTS-TO-THE-AMENDMENTS**

8.8.2.1 ASSIGNED AMENDMENTS-TO-THE-AMENDMENTS—The COA Executive Director shall assign each amendment-to-the-amendment to the appropriate committee(s) for evaluation and shall designate a subcommittee of the COA Board or CCCAA Management Council, or form a special committee when no appropriate committee exists.

8.8.2.2 MEETINGS FOR AMENDMENTS-TO-THE-AMENDMENTS REVIEW—The COA/CCCAA committees with responsibility to review proposed amendments-to-the-amendments shall meet face-to-face or telephonically with meetings to be scheduled between January 20 and February 10 for the purpose of reviewing proposed amendments-to-the-amendments.

8.8.2.3 POSITION STATEMENT—The position of the appropriate committee(s) shall be printed with the relevant amendment-to-the amendment in the final notice.

8.8.2.3.1 CONSTITUTION COMMITTEE—As a standing committee of the COA Board, the Constitution Committee shall review proposed amendments-to-the-amendments and filter for accuracy all amendments-to-the-amendments prior to publication via the final notice. The Constitution Committee may deem a proposed amendment-to-an-amendment as “inappropriate” and deny further consideration.

8.8.2.3.2 FINANCE COMMITTEE—As a standing committee of the COA Board, the Finance Committee shall review proposed amendments-to-the-amendments with a financial impact prior to publication via the final notice.

8.8.2.3.3 COMPETITION COMMITTEE—As a standing committee of the CCCAA MC, the Competition Committee shall review proposed amendments-to-the-amendments that are operational in nature and filter for accuracy prior to publication via the final notice.

8.8.2.3.4 POSTCONFERENCE COMPETITION REVIEW COMMITTEE (PCRC)—As a standing committee of CCCAA MC, the PCRC shall review proposed amendments-to-the-amendments affecting postconference competition prior to publication via the final notice.

8.8.3 EXCEPTION, COA BOARD—The COA Board may propose amendments-to-the-amendments without meeting these procedural requirements, provided that in each instance, the proposed amendment-to-an-amendment has been approved by a two-thirds ( $\frac{2}{3}$ ) majority of the COA Board and copies are distributed before or during the business or legislative session.

**8.9 FINAL NOTICE**

8.9.1 The final notice containing the proposed amendments, including amendments-to-the-amendments, proposed effective date, rationale, intent, and committee comments shall be posted to the COA/CCCAA website, www.coasports.org, not later than February 15.

8.9.2 Only those amendments and amendments-to-the-amendments on the final notice shall be considered at the legislative session of the annual convention.

