

AIHEC Athletic Commission

Constitution & Bylaws



American Indian Higher Education Consortium

Constitution of the AIHEC Athletic Commission

Article I

Philosophy Statement

Section 1. Tribal Colleges and Universities embrace the development of the tribal college student, their tribal institutions, and their tribal communities through athletics. TCU athletics share the common values of culture, respect, wellness, and leadership as the cornerstones of their program. AIHEC-sanctioned athletic competition is an equal privilege with academics acknowledged as a first priority for students.

Article II

AIHEC Athlete Committee & Athletic Commission Organization

Section 1. Purpose -- The AIHEC Athletic Commission was established in 2003 for the purpose of formalizing and governing the AIHEC athletic events. The Athletic Commission is a subcommittee which reports to, and derives their authority, structure, and rulings from, the AIHEC Student Activities Committee which reports to the AIHEC Board of Directors.

Section 2. Athletic Commission Role and Responsibilities –

- A. To promote and develop athletics as an important component of Tribal College and University holistic education
- B. To serve as overseers of AIHEC-sponsored athletic events including the enforcement of AIHEC policies, procedures, rules, and regulations and the resolution of any challenged decisions
- C. To encourage, through standardized guidelines and codes of conduct, sound ethics and good sportspersonship as the cornerstone to a strong athletic program and an accomplished AIHEC athlete and scholar
- D. To enforce gender equality wherever absent to broaden opportunities and increase participation.

Article III

AIHEC Athletic Commissioners

Section 1.

- A. The number of Commissioners shall be nine (9) members as follows:
 - a. No more than three (3) Tribal College and University Presidents
 - b. No more than three (3) Tribal College and University Athletic Coaches, including at all times at least one men's coach and at least one women's coach.
 - c. Tribal College and University Athletic Directors; *provided further,*

- d. That all Commissioners shall be appointed to three (3)-year terms; *provided further*,
- e. Any person nominated or appointed shall be employed at a Tribal College or University or under contract with a TCU to serve; *provided further*,
- f. That the appointment of any TCU athletic coach to the Commission shall be made by the Board only upon nomination by the president of such coach's institution; and that no coach shall be permitted to serve more than one consecutive term; *provided further*,
- g. That the Board shall strive to achieve regional representation on the Commission, while ensuring at all times that Commission nominations and appointments are based on the qualifications of the individual; *provided further*,
- h. That the Commissioner shall be required to sign the AIHEC Code of Conduct upon assuming office, *and finally*,
- i. That the Commissioner shall be required to attend all AIHEC Athletic Commissioner meetings and AIHEC-sanctioned sporting events.

2020 Commissioners

David Yarlott
Eva Flying
Juan Perez
George LaFrance
Cameron Billy
James Mathias
Twyla Baker
Pete Conway

Institution

Little Big Horn College
Chief Dull Knife College
Salish Kootenai College
Navajo Technical University
Stone Child College
Northwest Indian College
Nueta Hidatsa Sahnish College
United Tribes Technical College

AIHEC Athletics Staff

Alex Grandon

Central Office

Section 2. Officers – The officers of the Commission shall be a Chair and such other officers as the Commission may direct.

Section 3. Quorum – Five (5) Commissioners shall be necessary to constitute a quorum of the Commission for the transaction of business at any meeting. A majority vote of the Athletic Commissioners present at the meeting is necessary for any official Commission action.

Section 4. Compensation – No expenses will be paid and cost for services will be contributed by the each Commissioner's college.

Section 5. Conflict of Interest – No contract or transaction entered into by the Commission shall be affected by the fact that a Commissioner was personally interested in it, if, at the

meeting making, authorizing, or confirming such contract or transaction, the interested Commissioner discloses his/her interest therein and refrains from voting on such contract or transaction, and such contract or transaction is adopted or ratified by the majority of a quorum of Commissioners.

Section 6. Indemnification – The AIHEC Board of Presidents shall indemnify any and all persons who may serve as Commissioners or Officers against any and all expenses, including amounts paid upon judgment, attorneys fees, and amounts paid in settlement (before or after suit is commenced) actually and necessarily incurred by such persons in connection with the defense or settlement of any claim, action, suit, or proceeding in which they, or any of them, are made parties, or a party, or which may be asserted against them or any of them by reason of being or having been a Commissioner or Officer, except in relation to matters as to which any Commissioner or officer, or former Commissioner or officer or person shall be adjudged in any action, suit or proceeding to be liable for hi/her duty, or when such Commissioner or Officer was acting without authority or contrary to law. This indemnification shall only apply to Commission actions taken after the date of AIHEC Board of Presidents initial appointment of Commissioners or to actions expressly ratified by the AIHEC Board of Presidents.

Section 7. Vacancy – In the event of a vacancy for any cause, **the AIHEC Board of Presidents may** appoint a successor to hold office for the unexpired portion of the term of the Commission whose seat on the Commission shall remain vacant until the appointment.

Section 8. Removal – Any Commissioner may be removed by the AIHEC Board of Presidents.

Article IV Title IX Compliance

Section 1. Title IX of the Education Amendments of 1972 prohibits discrimination based on sex in education programs and activities that receive federal financial assistance. The U.S. Department of Education gives grants of financial assistance to schools and colleges. The Title IX regulation describes the conduct that violates Title IX. Examples of the types of discrimination that are covered under Title IX include sexual harassment, the failure to provide equal opportunity in athletics, and discrimination based on pregnancy. As applied to athletics, Title IX has three basic parts A) Participation - requires that women be provided an equitable opportunity to participate in sports as men (not necessarily the identical sports but an equal opportunity to play. B) Scholarships - requires that female athletes receive athletic scholarship dollars proportional to their participation (e.g., if there are 100 male athletes/100 female athletes and a \$200,000 scholarship budget, then the budget must be split \$100,000 to men/\$100,000 to women. C) Other Benefits - requires equal treatment in the provision of (1) equipment and supplies, (2) scheduling of games and practice times, (3) travel and daily allowance, (4) access to tutoring, (5) coaching, (6) locker rooms, (7) practice and competitive facilities, (8) medical and training facilities and services, (9) publicity and promotions, (10) recruitment of student athletes, and (11) support services. The Title IX regulation is enforced by OCR and is in the code of federal regulations at 34 CFR Part 106.

Bylaws of the AIHEC Athletic Commission

Article I Regulations

Section 1. All AIHEC-sanctioned competitions and tournament events must be conducted under the policies, procedures, rules, and regulations of the Athletic Commission.

Article II Membership Fees and Athletic Fund

Section 1.

- A. A one hundred dollar (\$100.00) annual membership fee is required of each TCU that sends sports teams to participate in AIHEC-sponsored/sanctioned athletic events. The \$100 membership fee must be paid to AIHEC by *September 1* of the academic year in which the athletic competitions would take place.
- B. In the event, that the host institution suffers a loss due to the tournament(s), the athletic fund would assist them recover justifiable loses up to 75% of the total fund.
- C. The athletic fund will provide meeting costs for the Commission. (Travel costs would not be included as meeting costs.)
- D. The athletic fund supports the annual scholar-athlete award determined by the commissioners present at the AIHEC National Basketball Tournament.
- E. Seventy-five (75) percent of the profits of the net proceeds of the AIHEC-sanctioned athletic events will go back to the host Tribal Colleges or Universities and twenty-five (25) percent of the profits go into the athletic fund.

Article III Eligibility Rules

Section 1. Requirements for Participating Tribal Colleges and Universities

- A. Must be a regular or associate member of AIHEC;
- B. All AIHEC membership dues must be current and paid in full.
- C. Must compete only one men's team and one women's team (per TCU) in each AIHEC-sanctioned competition.

- D. Must agree to adhere to the standardized constitution and bylaws for participation as established by the Athletic Commission;
- E. The AIHEC Commission supports the immediate decisions of the onsite Tournament Coordinators and their respective institutions and will assess additional repercussions on a collaborative basis
- F. May be denied team eligibility for any reason by a majority vote of the Athletic Commission

Section 2. Dual Membership - AIHEC supports the eligibility rulings and sanctions by national athletic associations pertaining to Tribal Colleges and Universities that are members of these organizations.

Section 3. Guidelines for Safety and Supervision –

- A. In any athletic event, there is a significant risk of injury, the Athletic Commission recommends that each participating AIHEC member college or university mitigates these risks through the proper use of protective equipment such as helmets, guards, or pads.
- B. A certified athletic trainer at all AIHEC-sanctioned events would be ideal, but in the absence of a certified athletic trainer a healthcare professional, physician, EMT, or certified EMT responder must be present.
- C. Teams must be supervised by a member of the TCU designated by the TCU President and that person cannot be a player.
- D. Student players cannot serve as coaches but they may serve as assistants.
- E. Coaches must be present during the games in which their teams are competing.
- F. The AIHEC Athletic Commission supports institutional policies regarding the behavior of students. The Commission supports responsible behavior of students, coaches, other participants, and fans at all AIHEC-sanctioned events.

Section 4. Requirements for Student Athlete Eligibility -

- A. Must be enrolled with a minimum of 9 semester/quarter credits with a current and cumulative G.P.A. of a 2.0, calculated no further in the past than 10 academic terms, and the student athlete must be making satisfactory progress toward a degree program.
- B. Length of eligibility at AIHEC Tournament will be 4 years at a 2 year institution or 5 cumulative years at a 4 year institution regardless of institution, tribal or mainstream. Verification will occur in the registration forms of the individual AIHEC-sanctioned sports.
- C. First-term student-athletes must submit a grade check form (use AIHEC First-term Student-Athlete Grade Check Form). Note: Faculty Signatures and Dates must be within 14 days of the start of the AIHEC Tournament.
- D. There is no age limit for student athletes to compete. Students under the age of 18 years old must have written parental consent to compete
- E. A student athlete may represent the institution while enrolled as a graduate or professional student or while enrolled and seeking a second baccalaureate degree at the same institution

- F. A student athlete cannot be a full-time TCU employee.
- G. Students must maintain amateur status in the specific sport in which he/she is competing. If an agent or 3rd party participation results in a contract for a student athlete at any time during their collegiate career, the student athlete will forfeit their amateur status and will be not be permitted to participate in any AIHEC-sanctioned sporting event.
- H. Transfer student athletes must have been deemed academically eligible at their previous institution(s) prior to attending and participating in athletics at the transfer institution. The transfer student athlete must reestablish academic eligibility to participate in the transfer institution's AIHEC-sanctioned athletic program. Students must have their TCU fill out the AIHEC Student Transfer Eligibility form.
- I. Student athletic eligibility is based on college enrollment and standing and does not require the student to be American Indian.
- J. Student athlete eligibility must be verified by the Registrar and a Representative of the institution designated by the president.

Any suspected violations of student eligibility should be reported to the AIHEC Athletic Commission prior to the start of AIHEC-sanctioned sporting events. The AIHEC Athletic Commissioners will determine if any TCU or student athlete is in violation and whether or not a penalty needs to be assessed. If the commission determines that a student athlete is in violation of the AIHEC student athlete eligibility, the student athlete will be removed from participation in all AIHEC-sanctioned events until they are eligible. Any Tribal College or University that continues to permit the participation of a student athlete in violation of the AIHEC student athlete rules of eligibility will be disqualified from any ongoing AIHEC-sanctioned events.

Article IV AIHEC National Basketball Tournament Policies

Section 1. Host Institution - The host institution is responsible for the organization of the tournament, the collection of all entry fees, and providing a full accounting of all resources. The host institution is responsible for providing safe, secure, and appropriate facilities for all events including liability insurance coverage. A final electronic report of all tournament results will be filed with AIHEC Central office within 30 days upon completion of the tournament by the host institution.

Section 2. Declaration of Intent - The declaration of intent to participate in the AIHEC National Basketball Tournament, the AIHEC Coaches Code of Conduct and Student-Athlete Code of Conduct ,with signatures of all participating coaches and students, as well as the non-refundable entry fee is due to the hosting institution 30 days prior to the first day of the tournament.

Section 3. Registration –

- A. The entry fee will be **\$750 per team and non-refundable**, such fee may be increased by the Athletic Commission with approval by the AIHEC Student Activities Committee.
- B. *Each participating institution must identify their team members and submit their official roster, team photograph, eligibility, verification form, student check in form, and completed liability waiver forms **14 days prior to tournament date** to the tournament manager's office with a fax copy to the AIHEC Athletic (703.838-0388).*
 - a. TCU's will be allowed to preselect their desired division when applying, with the signed approval from their institution's President.
- C. Eligibility in the tournament may be forfeited if the information is late.
- D. Students must present photo identification at the tournament.
- E. The players' names, numbers, and starters must be submitted **ten minutes prior** to tip off. A technical foul will be assessed if this deadline is missed. No players can be added after the first game begins. If a team is not on the floor to play, the game will be forfeited.

Section 4. Tournament Regulations

- A. Officials - Two officials will be required from a certified pool of referees for all games except for the championship round, which will require three officials. All decisions of the officials are final. American Indian preference is encouraged. Officials are limited to a max of 2 consecutive games and no more than 4 games per day.
- B. Team Players - Teams must have a minimum of five eligible players on their roster with a maximum of 15 players.
- C. Uniforms - Teams must have two sets of uniforms of contrasting colors – home (light) and away (dark) with screen printed numbers. The numbers shall be at least 6 inches high on the back and at least 4 inches high on the front and not less than $\frac{3}{4}$ inch in width. An option to this requirement is a reversible, numbered (as specified), mesh jersey with contrasting colors can be used as well. NCAA rules for attire apply.
- D. Technical Fouls - Player receiving a technical foul must come out of the game. The ball has to be live for one play before re-entry is allowed.
 - a. A player may hang on the rim only to protect him/herself from injury, (at the official's discretion).
 - b. Technical fouls count toward personal and team fouls.
 - c. Two technical fouls on a player will result in the player's ejection from the game.
 - d. A technical foul on a coach counts as a team foul.
 - e. Two technical fouls on a coach will result in the coach's ejection from the game.
- E. Sportspersonship –
 - a. Fighting - Student athletes engaged in fighting will result in ejection from the tournament and not be eligible for any individual awards.

Fighting is defined as any intentional physical force, i.e., thrown punch, kick and any bench clearing by either team.

- b. Other Inappropriate Activities and Violations of the Student Athlete Code of Conduct - Student athletes engaged in other inappropriate activities, such as bullying, excessive swearing or cursing, or drug or alcohol use will result in ejection from the tournament and not be eligible for any individual awards.

F. Transgender Student-Athlete Participation

a. *The following policies clarify participation of transgender student-athletes undergoing hormonal treatment for gender transition:*

- A trans male (FTM) student-athlete who has received a medical exception for treatment with testosterone for diagnosed Gender Identity Disorder or gender dysphoria and/or Transsexualism, for purposes of NCAA competition may compete on a men's team, but is no longer eligible to compete on a women's team without changing that team status to a mixed team.
- A trans female (MTF) student-athlete being treated with testosterone suppression medication for Gender Identity Disorder or gender dysphoria and/or Transsexualism, for the purposes of NCAA competition may continue to compete on a men's team but may not compete on a women's team without changing it to a mixed team status until completing one calendar year of testosterone suppression treatment.

b. *Any transgender student-athlete who is not taking hormone treatment related to gender transition may participate in sex-separated sports activities in accordance with his or her assigned birth gender.*

- A trans male (FTM) student-athlete who is not taking testosterone related to gender transition may participate on a men's or women's team.
- A trans female (MTF) transgender student-athlete who is not taking hormone treatments related to gender transition may not compete on a women's team

Section 5. Tournament Play and Seeding

A. Bracketing - Bracketing is determined by the number of teams entered by the deadline. The seeding of teams will be determined by pool play.

- a. There will be two separate divisions for the tournament creating two equal champions. This will be determined through the seeding of pool play.
- b. Should 12 or more teams participate, there will be 3 pools; less than 12 there will be 2 pools with three games guaranteed.
- c. The selection for pool will be by lottery pick. Teams with 15 games or more scheduled will be drawn first, teams less than 15 games scheduled will be drawn next.
- d. The previous top 2 returning teams will be placed in separate pools.

- B. Length of Games – For women’s pool play, games will be played in 10 minutes quarters with a running clock. For men’s pool play, games will be played in two 20 minute halves. For both women’s and men’s games the clock will be stopped at the last two minutes each half. Should the score of a game be at a 30 point advantage within the last five minutes of the fourth quarter or second half the game will be deemed complete.
- a. Teams entering the tournament are placed in several groups. The teams in each group play other teams in the same group to establish win-loss records for seeding purposes in the tournament bracket. For example, 16 teams would be divided into four (4) pools of four (4) teams each.
 - b. Bracket games will be played in 10 minute quarters for women’s games and 20 minute halves for men’s games. The clock stops throughout on all whistles (Host Committee must gauge appropriate time between games, as overall game time vary in Bracket Play).
 - c. Bracket play is defined as such: Teams’ win-loss record from “pool play” will be used for placing teams in the bracket. In the event of a tie, seeding will be determined by any previous head-to-head contests. If a tie remains after considering any head-to-head contests, then a coin flip will determine the seeding. A team from pool play will not play another team from the same pool in the first round. The number one team from each pool will be placed in different first round brackets. For example a number one team from one pool will play the number four team from another pool.
 - d. Half times will be limited five (5) minutes.
 - e. Warm up time will be limited to ten (10) minutes.
 - f. The coach has to be on court, with all players in uniform, at game time or the game will be forfeited. If all team members are not prepared to play at the end of warm-up, the game will be forfeited.
 - g. It is recommended that teams be available 30 minutes prior to scheduled game time.
 - h. Each women’s team will have 2 full time outs (60 seconds) and 3 30 - second time outs per game. Each men’s team will have 4 full time outs (75 seconds) and 2 30-second time outs. Unused time outs will be carried over into overtime play. One full time out will be allotted in the event of overtime play. In the event of a double overtime, the additional allotted time out will be allowed to carryover if unused.
- C. Pool Play and Seeding Rules - For the purpose of seeding teams for play, the local coordinating committee will develop a proposal in consultation with the Athletic Commission to determine the means of addressing these teams. For example, the local coordinating committee can host a pool play competition prior to the tournament. Tournaments will use NCAA sports rules. It is recommended that coaches be provided with information and an orientation

about the major differences between the collegiate level rules in comparison with high school rules.

Section 6. AIHEC Scholar Athlete Award

- A. Overview - The AIHEC Scholar Athlete is an outstanding Tribal College student athlete who participates in the Annual AIHEC National Basketball Tournament and exhibits academic excellence, a dedication to sportsmanship, and a devotion to their community.
- a. Each year, the TCU hosting the AIHEC National Basketball Tournament will submit the names and colleges of each AIHEC student athlete who registers for the AIHEC National Basketball Tournament with a G.P.A of a 3.75 or better to the AIHEC Central Office.
 - b. The AIHEC Central Office will create an AIHEC Scholar Athlete Certificate for each qualifying student and ship the certificates to the TCU hosting the AIHEC National Basketball Tournament.
 - c. The TCU hosting the AIHEC National Basketball Tournament will distribute the Scholar Athlete Award application at the AIHEC National Basketball Tournament to each student recognized with a Scholar Athlete Certificate.
 - d. Each Scholar Athlete must submit the application to their coach or A.D. for approval and submission to the AIHEC Athletic Commission.
 - e. The athletic director or head coach will submit the application packet of their two final nominees, one male and one female, to the AIHEC Central office for review by the AIHEC Commissioners.
 - f. Either at the AIHEC National Basketball Tournament or at a later date when a quorum is established, the AIHEC Athletic Commissioners will select one male athlete and one female athlete from the nominees to award as the AIHEC Scholar Athletes of the Year.
- B. Award Eligibility –
- a. Enrollment - Student must be fully enrolled as a sophomore or above and must participate in the AIHEC National Basketball Tournament.
 - b. 3.75 GPA - Student must have a minimum cumulative grade point average of at least 3.75 on a 4.0 scale. You may not round up a 3.7x grade point average for the purposes of qualifying.
 - c. A.D. or Coach's Signature: The application must be signed by the qualifying student athletes' Athletic Director or coach to be considered by the AIHEC Athletic Commission.
- C. Application Process – Each qualified student must complete the application which includes:
- a. Essay: Write a 500-word essay on the importance of sportsmanship in educational athletics.
 - b. Extra-Curricular and Community Service Form focusing on significant community participation and leadership experiences, all athletic achievements, any academic awards, and tribal involvement.

c. Short-Answer Questions

Section 7. AIHEC National Basketball Tournament All-Tournament Team

- A. Overview - The AIHEC All-Tournament Team is a collection of the 5-10 best athletes from the AIHEC National Basketball Tournament exhibiting stellar leadership, sportsmanship, and talent.
- a. Each year, the commissioners involved in AIHEC National Basketball Tournament will select 5 or 10 athletes for the distinguished privilege.
 - b. Any technical fouls during the tournament are automatic disqualifiers.