

# **CONSTITUTION**

## **ARTICLE I - NAME OF THE ORGANIZATION**

This organization shall be known as the Georgia High School Association.

## **ARTICLE II - OBJECT OF THE ORGANIZATION**

The objective of the organization shall be the promotion of education in Georgia from a mental, physical, and moral viewpoint, to standardize and encourage participation in athletics, to promote sportsmanship and an appreciation for and study of music, speech, and other fine arts through Region and State competitions.

## **ARTICLE III — MEMBERSHIP**

### **SECTION 1 SCHOOLS ELIGIBLE FOR MEMBERSHIP**

The membership of the Georgia High School Association shall consist of public and private high schools in the state of Georgia.

### **SECTION 2 CLASSIFICATION OF SCHOOLS**

- A. The Reclassification Committee of the GHSA Executive Committee shall place member schools in classifications and regions based on student F.T.E. figures and geographic proximity, respectively.
- B. Member schools will be realigned every two (2) years.
- C. The number of classifications and the number of regions will be determined by the Reclassification Committee at the time of each realignment.
- D. The number of classifications and regions, together with the assignment of schools therein, shall be submitted to the Executive Committee. The Executive Committee, by majority vote, may approve, reject or modify in any way the proposals submitted by the Reclassification Committee.

### **SECTION 3 STRUCTURE OF REGIONS**

- A. After reclassification, all regions will meet and submit to the State Office, after the final reclassification vote, a plan for structure of the regions. These plans must spell out subdivisions, if any, for all activities. All regions must have been approved before any scheduling may be finalized.
- B. In the event that any member school has a complaint with the structure of a region, it shall so advise the Executive Director and all other schools in the subject region of such complaint in writing within seven (7) calendar days after the region meeting following the final reclassification vote. The Executive Director shall then convene a meeting of the Reclassification Committee to review the present and proposed region structure and to attempt to arbitrate the differences and, failing that, to make a recommendation to the Executive Committee.  
All schools in the subject region shall be advised of the meeting of the Reclassification Committee by the Executive Director and shall have the right to present evidence to the Committee. Any member of the Committee which is a member of the subject region shall be disqualified from participation on the Committee.
- C. The Executive Committee shall have full authority to require all or any portion of a subregion to play cross-over games and to align or realign the subject region into new subregions.

### **SECTION 4 MEMBERSHIP IN ANOTHER ASSOCIATION**

A school is not eligible for membership in the Georgia High School Association if it is or becomes a member of an association whose Constitution and/or By-Laws are in conflict with the Constitution and/or By-Laws of the Georgia High School Association.

## **ARTICLE IV - GOVERNANCE**

### **SECTION 1 STATE OFFICERS**

The State Officers of this Association shall consist of a President, a Vice President, and an Executive Director.

## **SECTION 2 STATE EXECUTIVE COMMITTEE**

- A. Membership of the State Executive Committee shall be composed of the State Officers, the State Superintendent of Schools or his/her representative, and one member elected from each region in each classification, plus one member each appointed by the Georgia School Boards Association, the Georgia School Superintendents' Association, the Georgia Association of Secondary School Principals, the Georgia Athletic Directors Association, and the Executive Secretary of the Georgia Athletic Coaches Association. Membership shall also include two female members appointed by the Executive Committee upon recommendation of the Board of Trustees from nominees submitted by each region. Each member shall have the right to vote on all matters pertaining to the operation of the Association.
- B. Terms of office for members of the State Executive Committee elected by regions shall coincide with the length of each reclassification cycle.
- C. When a member of the State Executive Committee is unable to attend a State Executive Committee meeting, the President of the region shall have power to appoint an eligible member of the region concerned to represent the region at that meeting.
- D. The State Executive Committee shall have the authority to appoint smaller committees to address issues related to the operation of the Association and its regulated activities, and to consider proposals made by such committees. The authority of the State Executive Committee shall be plenary in all matters pertaining to the Association and it may accept, reject or modify any proposals made or action taken by any committee, the Board of Trustees, the Appeal Board, the Hardship Committee or the Executive Director.
- E. Each member of the State Executive Committee shall have the right to vote on all matters coming before the full State Executive Committee.

## **SECTION 3 BOARD OF TRUSTEES**

- A. Membership of the Board of Trustees shall be composed of the President, Vice President, and Executive Director, plus one member from each classification (as selected by a vote of the SEC representatives in that respective classification) and a total of four (4) at-large members (three (3) of which shall be appointed by the BOT) that must include at least two (2) females and two (2) private school representatives, and all four must be approved by a vote of the State Executive Committee. The term of office for members of the Executive Committee serving on the Board of Trustees shall coincide with the length of the reclassification cycle.
- B. The Board of Trustees shall receive and hold title to all real and personal property of said Association in trust for the benefit of said Association and shall have general custody and administration of such property with power and authority to lease, sell and convey said property of said Association; provided however, said Board of Trustees shall not sell
- C. or convey any real property so held by them in trust for said Association without first being authorized to do so by a majority vote of the State Executive Committee of said Association at a meeting duly called for such purpose.
- D. The Board of Trustees reviews pertinent issues relative to the successful operation of the organization. The Board of Trustees reviews the recommendation by the Executive Director concerning the budget, recommends committee appointments, evaluates and recommends length of contract for the Executive Director. The Board of Trustees recommends the two at-large female representatives to the Executive Committee.
- E. The Board of Trustees shall be authorized and empowered to exercise the powers of the Executive Committee including, but not limited to, the power to amend the by-laws of the association, and to otherwise make decisions relating to the association and its member schools as otherwise allowed to be made by the Executive Committee under the constitution and by-laws of the association.
  - 1. A majority of the Board of Trustees shall constitute a quorum thereof for the purposes of this Subsection D and action shall be authorized and taken by a majority of the votes cast.
  - 2. The meeting of the Board of Trustees under this section shall be noticed by the Executive Director or President by any reasonable means and any meeting of the Board of Trustees may be held electronically. In addition, such vote may be taken by telephone polling of the Board of Trustees by the Executive Director if appropriate in the discretion of the President.
  - 3. Any action taken by the Board of Trustees under this Subsection D shall be subject to affirmation, rejection or modification at the next meeting of the GHSA Executive Committee or thereafter.
- F. Upon receiving a referral from the Executive Director of alleged intentional or grossly negligent violations of GHSA by-laws and rules by GHSA member schools or their personnel, the Board of Trustees by majority vote shall have the authority to assess further and additional penalties for such intentional or grossly negligent violations against the member school including, but not limited to, an additional fine of not more than \$2,500.00 for each such offense, and/or probation for a period of up to one calendar year in the sport(s) in which the violation occurred, and/or

suspension of the member school from the GHSA for a period of up to one full calendar year. Any additional penalties assessed under this paragraph shall be appealable to the GHSA Executive Committee.

#### **SECTION 4 STATE APPEAL BOARD**

- A. The State Appeal Board shall be composed of members selected from the full State Executive Committee on a rotating basis.
- B. The duties of the State Appeal Board as set forth in Sec. 9 shall be performed by four (4) members of the Board sitting on an alternating basis as selected and notified by the Executive Director.
- C. Eligibility appeals in regard to the eight-semester rule will be referred by the Executive Director to the State Executive Committee for a final ruling.
- D. There shall be no appeal of eligibility related to age restrictions set forth in the by-laws.

#### **SECTION 5 HARDSHIP COMMITTEE**

- A.
  - 1. The Hardship Committee shall be composed of members selected from the full State Executive Committee on a rotating basis.
  - 2. The duties of the Hardship Committee shall be performed by four (4) members of the Executive Committee sitting on an alternating basis as selected and notified by the Executive Director.
- B. The Hardship Committee shall have the authority to set aside the effect of the migratory rule, the courses passed rule, and the accumulation of credits rule upon an individual student when in its opinion the rule works an undue hardship upon that student. The Hardship Committee does not hear cases regarding eight-semester violations, or appeals arising under the By-Laws.
  - 1. The Hardship Committee shall meet at a location and on dates established by the Executive Director and published in the GHSA Calendar. Requests will be considered to have a rule or rules set aside for benefit of individual students and shall consider such requests at the meetings held for that purpose, but not at any other meetings of the committee. If conditions upon which a request is based develop after April 1, the Executive Director is authorized to set a date for a special meeting to be held at the State Office to consider such case or cases.
  - 2. The principals of all member schools who have filed requests to have the effect of a rule set aside for individual students shall be notified of the time of the meeting at which such requests will be considered not less than seven (7) calendar days before such meeting.
  - 3. A request will be considered at a meeting only if complete information concerning the case is filed in writing with the Executive Director at least ten (10) calendar days prior to the date of the meeting and if a representative of the school, along with the student, is present at the meeting to furnish the Hardship Committee with information. Complete information includes a transcript.
  - 4. The conditions which cause the student to fail to meet the eligibility requirements must have been beyond the control of the school, the student, and/or his parents, and such that none of them could reasonably have been expected to comply with the rule. Ignorance of the rule on the part of any or all of them shall not be considered sufficient cause for setting aside its effects.
  - 5. The decision of the Hardship Committee shall be decided by a majority vote to set aside the effects of the rule in each individual case, and such decision shall not be considered as setting a precedent for other cases of a somewhat similar nature.
  - 6. The decision of the Hardship Committee shall be appealable to the Appeals Board by compliance with Sec. 9C & 9D of the Constitution and then to the State Executive Committee by compliance with Sec. 9F of the Constitution.
- C.
  - 1. The Executive Director shall have the authority upon receiving an application by a member school to set aside the effect of any eligibility rule upon an individual student within the jurisdiction of the Hardship Committee and to grant the same without necessity of the appearance of the student or a representative of the school before the Hardship Committee when, in the judgement of the Executive Director, the circumstances regarding the application are such that:
    - a. The conditions which cause the student to fail to meet the eligibility requirements are beyond the control of the school, the student, and/or his parents and such that none of them could reasonably have been expected to comply with the rule; and,
    - b. The conditions which cause the student to fail to meet the eligibility requirements work an unjust, unfair, and unforeseeable hardship upon the student; and
    - c. The facts are clear, undisputed, and supported by appropriate documentation.
  - 2. The Executive Director

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D.

1. The Executive Director shall have the discretion upon receiving an application by a member school to set aside the effect of any academic eligibility rule upon individual students when, in the judgement of the Executive Director, the following criteria are met:
  - a. The conditions which cause the student to fail to meet the eligibility requirements are beyond the control of the school, the student and his parents, and such that none of them could reasonably have been expected to comply with the rule; and
  - b. The conditions which cause the student to fail to meet the eligibility requirements work an unjust, unfair and unforeseeable hardship upon the student; and
  - c. The facts are clear, undisputed and supported by appropriate documentation and evidence; and
  - d. The setting aside of the subject rule would not result in an unfair advantage to the school or student nor compromise the safety of any other student.
2. The decision of the Executive Director shall be appealable under the provisions of Section 9 of the GHSA Constitution and By-Laws.

## **SECTION 6 REGION OFFICERS**

- A. Each Region of each Classification shall elect a President, a Vice President, a Secretary-Treasurer, and from one to three committee members. No two of the above shall be from the same school unless the two are President and the Secretary-Treasurer. These officers, together with any member of the State Executive Committee from the region, shall compose the Executive Committee in their region.
- B. A member of the State Executive Committee who is not an elected member of his Region Executive Committee shall be an added member of his respective Region Executive Committee. This provision that only one (1) member of the Region Executive Committee may come from the same school will apply only to the members elected by the region, and will not apply when the State Executive Committee member in the region is from the same school as an elected member.
- C. The treasurer of each region is required to make an itemized statement of the income and expenditures of all funds to the region. When a new treasurer is elected, any balance must be turned over to the new officer immediately.

## **SECTION 7 DUTIES OF OFFICERS**

The duties of the various officers and committees shall be those usually devolving upon such officers and committees. It is specifically the duty of the State Executive Committee and the Region Executive Committees to seek at all times to educate the school officials under their jurisdiction, and at the same time, to check vigorously any practice or violation of the rules by exercising the full penalty for such violations if it is deemed necessary.

## **SECTION 8 ELECTION OF OFFICERS**

- A. A President and a Vice President shall be elected as State Association officers at the spring meeting of the Georgia High School Association for a term that shall coincide with the length of the reclassification cycle.
- B. The election and term of office of the Executive Director shall be for a term of one to five years at the discretion of the State Executive Committee and the President and Vice President of the Georgia High School Association and shall be authorized to execute a contract in the name of and for the Georgia High School Association.
- C. Only members of the State Executive Committee shall be entitled to vote in elections.
- D. Should the President become disqualified by death, resignation, or otherwise, the Vice President shall assume the office immediately and shall act as President until the vacancy is filled.
- E. Any vacancy which may occur in the office of President or Vice President shall be filled at the next meeting of the State Executive Committee.
- F. Each region in each Classification shall elect at any region meeting, a President, a Vice President, a Secretary-Treasurer, and from one to three region committee members as region officers. Terms of office shall be for two (2) years, and elections shall be held at the beginning of each reclassification cycle. Any vacancy occurring on a Region Committee shall be filled by the Region Committee until the next meeting of the region.
- G. The State Executive Committee member from each region shall be elected at any Region meeting when there is a vacancy to be filled. The term of office shall coincide with the length of each reclassification cycle. Any vacancy occurring on the State Executive Committee shall be filled by the Region Committee until the next meeting of the region concerned.

**SECTION 9**  
**AUTHORITY OF EXECUTIVE DIRECTOR**  
**APPELLATE PROCEDURE**

- A. The State Executive Director shall be authorized to interpret the rules of the Georgia High School Association and to impose the proper penalty for their violation, including but not limited to, declaring a student ineligible to compete in GHSA activities for a period of time of up to four (4) years. The Assistant Executive Director shall, upon the absence or at the direction of the Executive Director, have all the powers and responsibilities of the Executive Director as provided under this Constitution and the By-Laws of the GHSA. The State Executive Director shall make all arrangements for holding and conducting the State Meets and Tournaments.
- B. All questions pertaining to eligibility or any other matters under the rules of the Georgia High School Association must first be submitted to the State Executive Director. If the question concerns a violation of any of the rules of the Georgia High School Association, the State Executive Director shall notify the member schools involved and advise them of the charges and advise them of their right to submit evidence and their right to request a hearing. The State Executive Director, after hearing or examining the evidence of the party or parties concerned, shall render a decision.
- C. Should any member school not be satisfied with the decision, appeal may then be made to the State Appeal Board by filing a written notice of appeal to the State Appeal Board through the State Executive Director within seven (7) calendar days of the date of the decision, which notice of appeal shall clearly state the decision appealed and the reasons for such appeal. The State Executive Director shall notify the State Appeal Board and all other parties of the appeal. Provided however, that if the only issue under appeal is to request modification of the penalty imposed by the Executive Director, then the member school may appeal directly to the Executive Committee. Any appeal of the decision of the Executive Director does not suspend the ruling made or penalty assessed pending a ruling on the appeal.
- D. Appeal Board meetings shall be set on dates established by the Executive Director and published in the GHSA Calendar.
  - 1. Any request to the Appeal Board must be in the hands of the Executive Director seven (7) calendar days before the scheduled meeting date.
  - 2. Any other appeal requested (other than regularly scheduled dates) must be accompanied by a check sufficient to pay the entire estimated expenses of the Appeal Board to defray the cost of bringing the Appeal Board into session.
  - 3. All requests for appeals must be in writing with the stated reasons for an appeal, and signed by the administrative head of the individual school.
    - a. An appeal of an eligibility decision must be based on one or more of the following reasons:
      - i. There is substantial new information to be submitted that was not heard by the previous group making the decision that is being appealed.
      - ii. There is an allegation that a GHSA rule was misapplied in that ruling.
      - iii. There is an allegation that due process was not given in previous considerations.
    - b. An appeal of a decision by the Executive Director must be based on one of the following reasons:
      - i. There is an allegation that a GHSA rule was misinterpreted.
      - ii. There is an allegation that the Executive Director did not afford due process to the school.
    - c. All appeals shall set forth the basis for the appeal and the facts supporting the same, and shall be screened by the Executive Director for compliance with this rule prior to scheduling a hearing.
- E. The State Appeal Board, after hearing or examining the evidence submitted by the party or parties, may affirm or reverse the decision of the Executive Director. In order to sustain an appeal, the vote of the Appeal Board shall be unanimous.
- F. Should any member school not be satisfied with the decision of the State Appeal Board, they may appeal to the State Executive Committee by filing a written notice of appeal to the State Executive Committee through the State Executive Director within seven (7) calendar days of the date of the decision. The notice of appeal shall clearly state the decision being appealed and the reasons for such appeal. Such notice of appeal shall be accompanied by a check sufficient to pay the entire expenses of the State Executive Committee when such appeal is required to be heard at a time other than regularly scheduled meetings of the State Executive Committee.
- G. The State Executive Committee, after hearing or examining the evidence submitted by the party or parties concerned, shall render a decision to affirm, reverse, or modify the decision under appeal.
- H. No other method of appeal shall be held valid and any appeal must begin with the first step outlined and not eliminate any step until reaching the final court of appeal, the State Executive Committee. When the decision by the State Executive Committee is in favor of the appealing party or parties, the State Executive Committee may charge the expense of the meeting to the Georgia High School Association and reimburse the appealing party or parties.
- I. The Executive Director shall have the authority to lengthen or shorten the time for appeals of decisions, if required in his discretion, to accommodate pending schedules, events or other matters.
- J. Nothing in the Constitution of the GHSA is intended to give any individual students of GHSA member schools any due process or other rights as only member schools are entitled to any notice or opportunity to be heard in any questions coming before the GHSA. No student of GHSA member schools shall have any rights or benefits under this Constitution as a third party beneficiary or otherwise.

## **SECTION 10 VOTE**

Each school shall have one (1) vote in a Region meeting and each member of the State Executive Committee shall have one (1) vote in the State Executive Committee meeting.

## **SECTION 11 AMEND CONSTITUTION AND BY-LAWS**

- A. To amend the Constitution, it shall take a two-thirds vote of the members of the Executive Committee who are present at a regular or properly called meeting at which a quorum is present. Blank ballots, abstentions and pass votes are excluded.
- B. To amend the By-Laws, it shall take a majority vote of the members of the Executive Committee who are present at a regular or properly called meeting at which a quorum is present. Blank ballots, abstentions and pass votes are excluded.
- C. The effective date of any changes in the Constitution & By-Laws will be the next school year unless otherwise provided by the change.
- D. Proposed changes to the Constitution must be adopted at two separate meetings of the Executive Committee to be held not less than 30 calendar days apart.

## **SECTION 12 BI-ANNUAL MEETINGS**

- A. The State Executive Committee of the Georgia High School Association shall meet in the spring and fall of each year on such dates as may be designated by the State Executive Director.
- B. In addition to these meetings, special meetings may be called by the State President or the Executive Director at any time or place upon giving reasonable notice to the members of the Committee.
- C. The Executive Director is required to present an itemized statement of the income and expenditures of all funds to the State Executive Committee.

## **SECTION 13 VIOLATION OF RULES**

- A. Each school is required to abide by all rules of the Georgia High School Association as promulgated by the State Executive Committee and interpreted by the Executive Director.
- B. The Executive Director is authorized to make such investigation as may be necessary and to judge whether or not a school has violated a rule. When a school is adjudged guilty, the Executive Director is authorized to direct the penalty or penalties, including but not limited to, declaring a student ineligible to compete in GHSA activities for a period of time of up to four (4) years. The Executive Director shall also have the authority to refer allegations of intentional or grossly negligent violations of GHSA by-laws and rules by GHSA member schools or their personnel to the GHSA Trustees for considerations of additional penalties.
- C. A school violating any rule, whether it be due to carelessness, willfulness, ignorance or any other cause, may be subject to a fine of not more than two thousand-five hundred dollars (\$2,500.00) for each offense, and/or probation in the sports(s) in which the violation has been made, and/or suspension from the Association up to a full calendar year, and/or forfeiture of games and/or contests involved. (NOTE: See Appendix "P" at the end of this publication for a detailed schedule of fines)
- D. PROBATION - placing a school on probation permits a school to compete in regular season games and/or contests, but bars that school from competing for any championship during the period of probation.
- E. A school which, after investigation, is adjudged guilty of violating the rules of the Georgia High School Association shall pay the costs incidental to such investigation; such cost to be in addition to fines or penalties assessed. Failure to pay the cost shall result in suspension or in lengthening the period of suspension.

## **SECTION 14 CODE OF ETHICS**

The Georgia High School Association recognizes its responsibility with respect to the promotion of honesty, truthfulness, and accuracy in record-keeping and reporting. Therefore, the professional personnel of the member schools are charged with upholding the Code of Ethics adopted by the Professional Standards Commission as accepted and approved by the State Board of Education.

## **ARTICLE V — GENERAL PROVISIONS**

### **SECTION 1 CONTESTS**

- A. Each region may hold annual contests in literary, athletics, and other forms of contests designed to promote the cause of education and authorized by the State Executive Committee.
- B. Such contests must be held on dates to be announced in this Constitution and By-Laws under the rules governing State and Regional meets.
- C. Schools shall compete in their own classifications in State and Regional meets.
- D. Winners in regional meets may be sent to the State Meet in both athletic and literary events.

### **SECTION 2 ORGANIZATION PURPOSE**

- A. The purpose for which the Georgia High School Association is organized is exclusively educational within the meaning of IRC 501 (c) (3) or the corresponding provisions of any future United States Internal Revenue Law.
- B. Notwithstanding any other provisions of these articles, the Georgia High School Association shall not carry on any other activities not permitted to be carried on by an organization exempt from Federal income tax under IRC 501 (c) (3) or the corresponding provision of any future United States Internal Revenue Law.
- C. In the event of dissolution, the residual assets of the organization will be turned over to one or more organizations which themselves are exempt as organizations described in sections 501 (c) (3) and 170 (c) (2) of the Code or corresponding sections of any prior or future Internal Revenue Code, or to the Federal, State, or local government for exclusive public purpose.