

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

THE PEOPLE OF THE STATE OF ILLINOIS,)
ex rel.)
LISA MADIGAN, Attorney General,)
))
and)
))
MARY KATE CALLAHAN,)
By her Parent and Next Friend,)
JOANNE CALLAHAN,)
))
Plaintiffs,)
))
v.)
))
ILLINOIS HIGH SCHOOL ASSOCIATION,)
an unincorporated association,)
))
Defendant.)

Case Number: 12-cv-3758

Judge:

COMPLAINT

Plaintiff, the People of the State of Illinois, by their attorney, Lisa Madigan, Attorney General of the State of Illinois and Plaintiff, Mary Kate Callahan (“Mary Kate”), by her Parent and Next Friend Joanne Callahan, and by her attorneys, Alan M. Goldstein, Amy F. Peterson, and Lauren M. Lowe of Equip for Equality, bring this action against Defendant Illinois High School Association and allege as follows:

I. INTRODUCTION

1. This is an action for injunctive relief brought against Defendant for violations of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, and Titles II and III of the Americans with Disabilities Act of 1990 as amended, 42 U.S.C. §§ 12132, 12182 (“ADA”). The Office of the Attorney General (“OAG”) and Mary Kate seek an injunction ordering the Defendant, the Illinois High School Association (“IHSA”), to cease unlawful discrimination

against athletes with disabilities and to adopt policies and procedures to ensure that student athletes with disabilities have full and equal opportunities to compete under IHSA rules and in all IHSA-sponsored and sanctioned events and competitions.

2. Mary Kate is a sixteen-year-old high school student with physical disabilities, including lower-limb paralysis related to the impairment of transverse myelitis. She is planning on graduating from high school in 2013. Mary Kate is a committed athlete who focuses primarily on swimming and track. She has been denied the opportunity to compete as part of her team in the high school state meet, interscholastic sectional meets, and local and qualifying meets for the sports of track and field and swimming. Mary Kate is unable to qualify for the state meet due to the lack of IHSA standards for student athletes with disabilities despite the wide use of such standards in other states and in disability sports programs, including the Paralympics; her disability prevents her from meeting the qualifying standards that IHSA has set for students without disabilities. Mary Kate is unable to earn points for her team in competitions against other schools (interscholastic competitions) due to the failure of IHSA to adopt a policy permitting athletes with disabilities to earn points in competitions against other schools.

3. Mary Kate desires the opportunity to qualify for the state championship meets in swimming and track during the 2012-2013 sports season. She also desires an opportunity to earn points for her team in all interscholastic competitions in swimming and track during the 2012-2013 sports season. These goals will not be possible unless IHSA makes reasonable modifications to its rules, policies, and procedures. Swimming season will occur during the fall of 2012 and the track season will occur during the spring of 2013.

4. There are some students with disabilities, including Mary Kate, who are permitted by their high schools to participate in local interscholastic meets. Additionally, some students

with disabilities participate in (non-high school) alternative adaptive sports programs. However, all of these students are excluded from participating in local, regional, sectional, and state championship meets on behalf of their high schools due to the lack of qualifying standards for state championship meets for students with disabilities, and the lack of standards by which they can earn points at interscholastic competitions.

5. By excluding students with disabilities from competing in state meets and from fully participating in team competitions against other schools, the IHSA has discriminated against Mary Kate and other students with disabilities in violation of the ADA and the Rehabilitation Act. IHSA has unlawfully discriminated against these students by failing to provide them with the full and equal opportunity to participate in sports in an integrated setting despite the fact that these students are qualified to do so.

6. IHSA has also violated federal law by failing to conduct a proper individualized assessment of the ability of Mary Kate and other students with disabilities to participate, failing to engage in the interactive process to determine if any reasonable accommodations or modifications are required, failing to provide any reasonable accommodations or modifications, failing to provide any appeal or grievance opportunities, and otherwise failing to comply with the ADA and Rehabilitation Act.

7. Members of IHSA include 98% of Illinois public and private high schools, which must rely on IHSA to, among other activities, organize and administer all state championship meets.

II. PARTIES

8. Plaintiff, the People of the State of Illinois, by Lisa Madigan, the duly elected Attorney General for the State of Illinois (“Attorney General”), is charged, *inter alia*, with the

parens patriae authority to pursue claims under the Americans with Disabilities Act and the Rehabilitation Act on behalf of the People of the State of Illinois.

9. Plaintiff Mary Kate Callahan is a sixteen-year-old girl with a residence in LaGrange, Cook County, Illinois and attends Fenwick High School in Oak Park, Cook County, Illinois.

10. Joanne Callahan is the Parent and Next Friend of Mary Kate Callahan, with a residence in LaGrange, Cook County, Illinois.

11. Defendant Illinois High School Association is an unincorporated association with its principal headquarters at 2715 McGraw Drive, Bloomington, Illinois 61704-6011.

III. JURISDICTION AND VENUE

12. This Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1331 because the claims arise under the laws of the United States.

13. Venue is proper in the Northern District of Illinois, Eastern Division, pursuant to 28 U.S.C. §§ 1391(b) and (c) because: Plaintiff Mary Kate resides and attends high school in the Northern District of Illinois; Defendant sets standards and operates sectional and qualifying meets in Cook County; and Defendant has sufficient minimum contacts with the venue and a substantial portion of the events or omissions giving rise to these claims occurred in the venue.

IV. FACTS

14. Mary Kate is a sixteen-year-old girl with lower limb paralysis due to acquiring transverse myelitis when she was less than one year old, substantially limiting her in the major bodily functions of her musculoskeletal system and her special sense organs and skin; Mary Kate is also substantially limited in one or more major life activities including, but not limited to, walking, bending, and standing.

15. Mary Kate is a qualified individual with a disability under Section 504 of the Rehabilitation Act and the ADA.

16. Mary Kate has a record of a disability under the ADA and Rehabilitation Act.

17. Mary Kate is enrolled as a student at Fenwick High School in Cook County, Illinois.

18. While Mary Kate is a very independent sixteen-year-old, she does require the full-time use of a wheelchair for mobility. Mary Kate has been swimming with her high school team since her freshman year because her high school permits her to participate in local meets.

19. Because Mary Kate's disability prevents her from achieving times that are competitive against swimmers without disabilities, she does not earn points for her school, as IHSA has not adopted any rules regarding participation of students with disabilities at local meets.

20. Because IHSA has not adopted qualifying standards for state championship meets for students with disabilities, Mary Kate is unable to qualify for the state championship and participate alongside her teammates, despite the fact that Mary Kate's swimming times place her among the top adaptive high school swimmers in the state.

21. Like her teammates without disabilities, and like student athletes throughout Illinois, Mary Kate's dream is to compete at the highest level against the best swimmers and to represent her school.

22. Mary Kate has safely and fully participated in swimming and track and field programs operated by disability sports providers and organizers.

23. In all respects, Mary Kate is eligible and qualified to fully and safely participate in the track and field and swimming events conducted or overseen by IHSA, and other sports programs, with or without reasonable modifications and/or accommodations.

24. Mary Kate plans and intends to participate in swimming and track and field meets as permitted.

25. Unlike IHSA, the administration, athletic department, and coaches at Fenwick High School have always supported IHSA's stated motto of "equitable participation" and "respect, appreciation and acceptance of diversity."

26. A.G., a sophomore, was born with arthrogryposis, a static condition that restricts movement of appendages. A.G. participates in a number of sports and has excelled at swimming since she took up the sport less than two years ago. Despite being in contention for a spot on the U.S. Paralympic Team set to compete in London this year, she is unable to participate in her own state's championship meet. The Paralympic Games are a major international multi-sport competition for athletes with disabilities that are held in conjunction with the Olympic Games.

27. A.H., a sixth grade student, was born with a diffuse brain injury and later diagnosed with cerebral palsy. A.H. currently competes in swimming, track, and triathlon with adaptive sports programs. A.H. has an older brother who does not have a disability. His older brother will participate in district and possibly state meets in cross country and track starting next year, and A.H. greatly desires the opportunity to follow in his brother's footsteps by competing in district and state meets when he reaches high school.

28. N.N., a junior, was born with spastic diaplegic cerebral palsy. N.N. plays sled hockey and swims, competes with her high school swim team, and participates in sled hockey events put on by a national paralympic organization. Despite her competitive scores for an adaptive athlete, she has never tried out for the varsity team because she knows that her swimming times are not low enough to meet the varsity requirements for able-bodied swimmers. If IHSA fulfills its legal obligation and sets qualifying standards and creates opportunities for athletes with disabilities to

compete in state championships and other meets, schools like N.N.'s will have guidance on how to integrate athletes with disabilities.

29. S.S., a junior, has a visual impairment that will eventually lead to her becoming completely blind. S.S. competes for her high school in various track events but cannot participate in the state championship. S.S. also participates in a number of field events with adaptive sports programs, but her high school refuses to let her participate despite repeated requests. If IHSA sets rules that would allow athletes with disabilities to compete at regional, sectional, and state championships in field events, S.S.'s high school will be required to follow suit.

30. There are many other students around the state who would like to participate in sports programs run through IHSA, but are being denied the right to do so because they have one or more disabilities.

31. IHSA's stated purpose is "to provide leadership for the development, supervision and promotion of interscholastic competition and other activities in which its member schools engage." IHSA Constitution §1.120, attached as Exhibit A.

32. IHSA supervises and regulates all of the interscholastic activities in which its member schools engage, including, without limitation, promulgating rules and regulations, establishing and enforcing student eligibility standards, and operating competitive meets at the sectional and state level. Exhibit A at §1.130(a).

33. IHSA is a recipient of federal financial assistance under the Rehabilitation Act.

34. IHSA is a public entity under Title II of the ADA, 42 U.S.C. §12132, *et seq.*

35. IHSA is a place of public accommodation and/or operates places of public accommodation under Title III of the ADA, 42 U.S.C. § 12182, *et seq.*

36. According to the IHSA website, 98 % of Illinois high schools are members of IHSA. There are currently 793 public and private high schools that are members of IHSA, out of a total of 811 high schools in Illinois. Found at:

<http://ihsa.org/Schools/EnrollmentsClassifications/AlphabeticalEnrollments.aspx> (last visited April 16, 2012) and http://www.isbe.net/research/pdfs/quickstats_2011.pdf (last visited April 16, 2012).

37. All of the public high schools that are members of IHSA must, according to IHSA's Constitution, be supported by public taxation, and all member high schools must be recognized by the Illinois State Board of Education. Exhibit A at §1.200.

38. All IHSA-run state championship competitions are held at high school, college, or minor league stadiums or other venues that are open to the public. Tickets are sold for these events and are available to the general public.

39. IHSA's mission statement provides: "The IHSA governs the equitable participation in interscholastic athletics and activities that enrich the educational experience." Found at: <http://ihsa.org/AbouttheIHSA/MissionStatementBeliefs.aspx>, (last visited April 16, 2012).

40. IHSA's position statement requires that:

Equality and Fairness in the IHSA programs shall be safeguarded at all costs. Equity is more than being in compliance with the laws, by-laws, and policies. It is a personal ethic. It is a spirit. It is a commitment to do what is right and fair for all programs, participants, schools, coaches, officials and administrators. It means creating an atmosphere and an environment where opportunities and resources are distributed fairly to all.

Found at: <http://www.ihsa.org/Resources/EquityCenter.aspx>, (last visited April 16, 2012).

41. IHSA is governed by a Board of Directors ("Board") that has "complete authority, subject to the Constitution and By-Laws, to organize and conduct such statewide interscholastic

activities as may or may not lead to state championships and to establish Terms and Conditions for these activities.” Exhibit A at §1.450.

42. Under IHSA’s Constitution, Illinois High Schools are required to “adhere explicitly” to terms and conditions set by IHSA for “IHSA-sponsored meets and tournaments.”

43. There are no other statewide sports associations in the State of Illinois and no other organizations that run state high school championships, either public or private. The only opportunity for students to compete in a state championship competition as part of their high school teams is through IHSA-sanctioned state championships.

44. IHSA controls all aspects of interscholastic athletic events, including, for example, establishing the eligibility criteria for student athletes, dictating which member schools can compete in competitions, setting the hours and days during which interscholastic activities can be held, and regulating the qualifications of coaches and officials.

45. IHSA establishes all the scoring rules and qualifying standards for student athletes. IHSA has not promulgated rules enabling athletes with disabilities to score points in interscholastic meets. IHSA’s regulations prohibit member schools from setting their own standards or scoring system for athletes with disabilities.

46. Students who have disabilities that prevent them from meeting existing state qualifying standards are denied the opportunity to compete in IHSA-run state championship meets, as qualifying standards were formulated for students without disabilities.

47. Without IHSA-qualifying standards for athletes with disabilities, these athletes are unable to set records and qualify to compete at the state championships, vital components of high school sports.

48. IHSA already provides different qualifying standards for state championship meets based on gender, school size, and geography, resulting in multiple qualifying standards for state championship meets in every event within a sport.

49. For example, IHSA maintains a policy regarding the grouping and seeding of state championships based on geography. Policy #19, attached as Exhibit B. Through the use of geographic-based sectionals, IHSA seeks to advance the “geographic principle” that “the State Series is designed to determine a State Champion. The State Series is not intended to necessarily advance the best teams in the state to the State Final.” Exhibit B. Because of this principle and policy, the state championship is made up of teams from around the state that won at the qualifying sectional, not the teams with the best records or which compete in the toughest divisions.

50. Additionally, this geographic principle results in competitors in individual sports, like track and field and swimming, advancing to the state championship even when they do not meet the qualifying times.

51. IHSA also provides different qualifying standards for state championship meets in some sports depending on the number of students enrolled at a high school. For example, for track and field, high schools are placed into one of three divisions, depending on school size. Smaller high schools have lower qualifying standards than larger schools.

52. IHSA provides different qualifying standards based on gender, as male and female student athletes have different qualifying standards for state championship meets in every sport and event.

53. IHSA does not provide different qualifying standards for state championship meets for athletes with disabilities and has explicitly refused to adopt such standards.

54. Including qualifying standards for students with disabilities for state championship meets is a reasonable modification because: qualifying standards for athletes with disabilities are in existence for disability sports programs, including the Paralympics, and can easily be adapted for high school sports by IHSA; IHSA already has different qualifying standards in events based on gender; and IHSA already has different qualifying standards in some sports based on school size and location.

55. By using different qualifying standards for state championship meets based on gender, school size, and geographic location, IHSA allows for participants at the state championships who are not “the best” in the state.

56. Despite maintaining different qualifying standards for gender, school size, and school location, IHSA maintains that it cannot create such a policy for athletes with disabilities.

57. There are numerous athletes around the state who have been harmed by IHSA’s failure to provide opportunities for students with disabilities. All of these students meet the definition of disabled under the ADA and the Rehabilitation Act, as they are substantially limited in a major life activity.

58. IHSA refuses to allow these and other students with disabilities to participate at interscholastic high school state, sectional, and qualifying meets, and IHSA refuses to formulate qualifying standards for students with disabilities for state championship meets, solely because these athletes have disabilities.

59. If IHSA set rules and qualifying standards for athletes with disabilities, member schools would be required to let athletes with disabilities participate.

60. Great Lakes Adaptive Sports Association (“GLASA”) raised the issue of including athletes with disabilities in the state championship with IHSA approximately five years ago.

61. On or about October 21, 2011, Mary Kate, representatives from GLASA, and coaches from Fenwick High School met with representatives from IHSA to discuss including athletes with disabilities at the state track and swimming championships.

62. In November 2011, Fenwick High School, along with Keri Schindler of GLASA, submitted a written proposal to IHSA requesting that IHSA reasonably modify its policies to include qualifying times for students with disabilities and include one exhibition heat for swimmers with disabilities at the state swimming championship.

63. IHSA did not respond to these requests.

64. In January 2012, the OAG received a complaint from Equip for Equality on behalf of Mary Kate. In response to that complaint, the OAG sent a letter to IHSA on February 27, 2012 requesting a meeting.

65. On March 19, 2012, the OAG met with IHSA in an effort to collaboratively resolve this matter.

66. The OAG proposed that IHSA set up three exhibition heats in the upcoming 2012 Track and Field State Championship for wheelchair racers and allow these athletes to compete in the shot put and discus. The OAG presented this as a first step while IHSA, the OAG, and members of the adaptive sports community met and discussed long-term plans and goals for including athletes with disabilities in interscholastic sports.

67. During this meeting, IHSA's Executive Director, Martin Hickman, repeatedly stated that IHSA was concerned about liability if it agreed to open up one sport, track and field, but not others. The OAG advised IHSA that IHSA's efforts towards a goal of inclusion would be the most effective method of coming into compliance with the law.

68. Hickman agreed to present the OAG's proposal to IHSA's Board at its April 17, 2012 meeting. The OAG expressed concern about the delay, but Hickman stated that he required Board authority to agree to such a proposal and that there would still be sufficient time to incorporate these heats in the track and field championship. Hickman said that he thought the proposal was "reasonable." The OAG agreed to this timeframe based on Hickman's representations.

69. Instead of responding to the OAG proposal as promised, IHSA filed a lawsuit against the Attorney General.

70. As of the date of the filing of this Complaint, IHSA has not changed its policies to remedy the discrimination alleged in the Complaint.

COUNT I: IHSA'S VIOLATION OF THE REHABILITATION ACT

71. The OAG and Mary Kate reincorporate and reallege the allegations in paragraphs 1 through 70 as if fully set forth in this paragraph 71. Section 504 of the Rehabilitation Act provides:

No otherwise qualified individual with a disability..., shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance... 29 U.S.C. § 794(a).

72. IHSA's programs constitute a program or activity within the meaning of the Rehabilitation Act.

73. IHSA receives state and federal financial assistance indirectly through its participating schools.

74. As a result of IHSA's actions and inactions described above, athletes with disabilities have been excluded from, not integrated into, and denied the benefits of, participation in interscholastic high school state championships, an activity directed, controlled, and overseen by IHSA, in violation of Section 504 of the Rehabilitation Act, 29 U.S.C. § 794.

75. IHSA, by virtue of the conduct described herein, has discriminated against athletes with disabilities because of their disabilities in violation of Section 504 of the Rehabilitation Act of 1973.

76. IHSA is likely to continue to deny or limit participation by athletes with disabilities in other IHSA events and programs.

WHEREFORE, the OAG and Mary Kate request that this Court enter judgment in their favor and against IHSA as follows:

- a) An order requiring IHSA to allow athletes with disabilities to participate and compete in IHSA sponsored and/or sanctioned events in all interscholastic high school meets, including state, sectional, and other meets for all sports;
- b) An order requiring IHSA to implement qualifying standards for state championship meets for students with disabilities for all sports;
- c) An order requiring IHSA to implement qualifying standards for the 2012 swimming season and the 2013 track season;
- d) An order requiring IHSA to formulate rules and regulations for students with disabilities who participate in interscholastic sports enabling them to score points for the high school team in all sports;
- e) An order requiring IHSA to formulate rules and regulations for students with disabilities who participate in interscholastic sports enabling them to score points for the high school team for the 2012 swimming season and the 2013 track season;

- f) An order requiring IHSA to formulate rules, policies, and regulations for providing reasonable accommodations and modifications to students with disabilities for all sports, including appeal rights;
- g) An order requiring IHSA to provide reasonable accommodations and modifications to students with disabilities upon request;
- h) An order requiring IHSA to undergo training on: operating and officiating sports meets for athletes with disabilities, Rehabilitation Act requirements, and disability awareness;
- i) Attorneys' fees and costs, including litigation expenses; and
- j) Such other relief as the Court deems just and proper.

COUNT II: IHSA'S VIOLATION OF TITLE II OF THE ADA

77. The OAG and Mary Kate reincorporate and reallege the allegations in paragraphs 1 through 70 as if fully set forth in this paragraph 77.

78. Title II of the ADA, 42 U.S.C. § 12132, provides that “no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.”

79. Because IHSA's membership is comprised mostly of public high schools, and because it receives state and federal funding indirectly through participating schools, IHSA is a public entity as that term is defined in 42 U.S.C. § 12132.

80. There are athletes with disabilities across the state who are qualified individuals with disabilities as defined by the ADA.

81. These athletes with disabilities have been excluded from, and denied the benefits of, participation in interscholastic high school sports, an activity directed, controlled, and overseen by IHSA, in violation of Title II of the ADA, 42 U.S.C. § 12132, *et seq.*

82. IHSA, by virtue of the conduct described herein, has discriminated against these athletes with disabilities because of their disabilities in violation of Title II of the ADA, 42 U.S.C. § 12132, *et seq.*

83. IHSA is likely to continue to deny or limit the participation of athletes with disabilities in other IHSA events and programs.

WHEREFORE, the OAG and Mary Kate request that this Court enter judgment in their favor and against IHSA as follows:

- a) An order requiring IHSA to allow athletes with disabilities to participate and compete in IHSA sponsored and/or sanctioned events in all interscholastic high school meets, including state, sectional, and other meets for all sports;
- b) An order requiring IHSA to implement qualifying standards for state championship meets for students with disabilities for all sports;
- c) An order requiring IHSA to implement qualifying standards for the 2012 swimming season and the 2013 track season;
- d) An order requiring IHSA to formulate rules and regulations for students with disabilities who participate in interscholastic sports enabling them to score points for the high school team in all sports;
- e) An order requiring IHSA to formulate rules and regulations for students with disabilities who participate in interscholastic sports enabling them to

score points for the high school team for the 2012 swimming season and the 2013 track season;

- f) An order requiring IHSA to formulate rules, policies, and regulations for providing reasonable accommodations and modifications to students with disabilities for all sports, including appeal rights;
- g) An order requiring IHSA to provide reasonable accommodations and modifications to students with disabilities upon request;
- h) An order requiring IHSA to undergo training on: operating and officiating sports meets for athletes with disabilities, ADA requirements, and disability awareness;
- i) Attorneys' fees and costs, including litigation expenses; and
- j) Such other relief as the Court deems just and proper.

COUNT III: IHSA'S VIOLATION OF TITLE III OF THE ADA

84. The OAG and Mary Kate reincorporate and reallege the allegations in paragraphs 1 through 70 as if fully set forth in this paragraph 84.

85. Title III of the ADA, 42 U.S.C. § 12182(a), *et seq.*, pertains to public accommodations and services operated by private entities, and provides that “[n]o individual shall be discriminated against on the basis of disability in the full and equal enjoyment of the goods, services, facilities of any place of public accommodation by any person who owns, leases (or leases to), or operates a place of public accommodation.” 42 U.S.C. § 12182(a).

86. IHSA is a “place of public accommodation” under Title III of the ADA as it owns, leases, and/or operates places of public accommodations; provides benefits and services for the

public and for places of public accommodation; and provides and enforces rules, regulations, standards that are in force at meets conducted by places of public accommodation.

87. IHSA, by virtue of the conduct described herein, unlawfully discriminated against athletes with disabilities because of their disabilities, in violation of Title III of the ADA.

88. IHSA is likely to continue to deny or limit the participation of athletes with disabilities in other IHSA events and programs.

WHEREFORE, the OAG and Mary Kate request that this Court enter judgment in their favor and against IHSA as follows:

- a) An order requiring IHSA to allow athletes with disabilities to participate and compete in IHSA sponsored and/or sanctioned events in all interscholastic high school meets, including state, sectional, and other meets for all sports;
- b) An order requiring IHSA to implement qualifying standards for state championship meets for students with disabilities for all sports;
- c) An order requiring IHSA to implement qualifying standards for the 2012 swimming season and the 2013 track season;
- d) An order requiring IHSA to formulate rules and regulations for students with disabilities who participate in interscholastic sports enabling them to score points for the high school team in all sports;
- e) An order requiring IHSA to formulate rules and regulations for students with disabilities who participate in interscholastic sports enabling them to score points for the high school team for the 2012 swimming season and the 2013 track season;

- f) An order requiring IHSA to formulate rules, policies, and regulations for providing reasonable accommodations and modifications to students with disabilities for all sports, including appeal rights;
- g) An order requiring IHSA to provide reasonable accommodations and modifications to students with disabilities upon request;
- h) An order requiring IHSA to undergo training on: operating and officiating sports meets for athletes with disabilities, ADA requirements, and disability awareness;
- i) Attorneys' fees and costs, including litigation expenses; and
- j) Such other relief as the Court deems just and proper.

Respectfully submitted,

LISA MADIGAN
Attorney General of the State of Illinois

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Tournament — A competition involving three or more schools in which teams and/or athletes compete under an elimination and/or round robin format within a 14 consecutive day period which results in a single winner of the competition and or event(s). No regular season tournament shall allow for a member school to participate in more than five (5) games/contests/matches.

Transfer Student — Any student who attended another high school prior to coming to your school whether or not he/she begins attending on the first day of the school term. This also includes home schooled students who were taking high school work and then transfer to a member school. Home schools are considered to be non-boundaried schools.

Tryout — An organized occasion on which one is considered for selection to a team in a sport by undergoing evaluation of the ability, skill or potential to play the sport.

Undue influence — Any influence exerted by school personnel upon a prospective student or a prospective student's family related to athletic participation, potential or accomplishment.

Week No. 4 in the IHSA Standardized Calendar — The IHSA Standardized Calendar utilizes the first full seven day week of July that begins on Sunday as Week No. 1.

CONSTITUTION

The following Constitution has been adopted by the membership of the Illinois High School Association and is applicable to the 2009-10 school term.

Included in this Section:

- 1.000 Constitution
- 1.100 Name and Objectives
- 1.200 Membership
- 1.300 Board of Directors
- 1.400 Powers and Duties of Board
- 1.500 Officers
- 1.600 Dues and Assessments
- 1.700 Legislative Commission
- 1.800 Meetings of the Association
- 1.900 Amendments

1.000 CONSTITUTION

1.100 NAME AND OBJECTIVES

- 1.110 This Association shall be known as the Illinois High School Association (IHSA).
- 1.120 It shall be the purpose of this Association to provide leadership for the development, supervision and promotion of interscholastic competition and other activities in which its member schools engage. Participation in such interscholastic activities offers eligible students experiences in an educational setting which may provide enrichment to the educational experience.
- 1.130 This Association through the employment of the instrumentalities hereinafter established shall:
 - (a) supervise and regulate all of the interscholastic activities in which its member schools may engage; and
 - (b) perform such other functions related to interscholastic activities as may from time to time be approved and adopted by the membership.
- 1.140 In the performance of these functions, the objectives of the Association shall be:
 - (a) to stress the educational importance, the cultural values, the appreciations and skills involved in all interscholastic activities and to promote cooperation and friendship;
 - (b) to regulate interscholastic programs in both character and quantity in regard to the generally accepted objectives of secondary education and so they shall not unduly interfere with nor abridge the regular program of teachers and students in the performance of their regular day-to-day school duties;
 - (c) to encourage economy in the time of the student and teacher personnel devoted to interscholastic activities;
 - (d) to encourage economy in expenses of interscholastic activities; and
 - (e) to promote only those activities which enhance the accomplishment of desired educational goals.

1.200 MEMBERSHIP

1.210 PUBLIC HIGH SCHOOLS

Any public high school in the State of Illinois may become a member of this Association provided:

- (a) the school is supported by public taxation;
- (b) the school is Recognized by the Illinois State Board of Education;
- (c) this Constitution and By-laws has been adopted by the Board of Education or Board of Directors of the petitioning school as the code governing its interscholastic activities;
- (d) the principal, defined as the administrator directly in charge of the day-to-day operation of the high school, is officially designated by the Board of Education of the petitioning school as the school's official representative to the Association in all matters, unless the Board of Education officially designates another full-time, certified member of the school's staff to be its official representative;
- (e) application of membership is signed by the official representative of the high school; and
- (f) the school pays dues as required in this Constitution.

1.220 HIGH SCHOOLS CONDUCTED BY COLLEGES AND UNIVERSITIES

All high schools in Illinois conducted by colleges or universities for purposes of educational experimentation, research and practice teaching may become members provided:

- (a) this Constitution and By-laws has been adopted by the petitioning school as the code governing its interscholastic activities;
- (b) the school complies with items (b), (d), (e), and (f) of 1.210 above.

1.230 HIGH SCHOOL DEPARTMENTS OF ILLINOIS SCHOOLS FOR THE DEAF OR BLIND

The high school departments of Illinois schools for the deaf or blind may become members of this Association upon such terms as, from year to year, may be fixed by the Board of Directors. Non-recognition of the schools by the Illinois State Board of Education shall not necessarily preclude them from membership.

1.240 DISTRICTS SUPPORTING TEN OR MORE HIGH SCHOOLS

Public high schools in districts supporting ten or more high schools all under the supervision of a single Board of Education may become members of this Association provided:

- (a) the district has a separate and efficient local interscholastic organization for the adequate supervision of its interscholastic activities;
- (b) the school is Recognized by the Illinois State Board of Education;
- (c) the eligibility rules and conditions of competition for the district have been approved by the Board of Directors of this Association prior to September 1 each year;
- (d) the local organization pays, as a membership fee, an amount equal to a sum of \$10 per school for all schools in the district, payment to be made on or before June 1 preceding the year for which payment is due; and
- (e) application for membership is signed by the official representative of the individual high schools.

Schools admitted under this Section, in their interscholastic relationships with each other, shall be governed by the eligibility rules and conditions of competition approved by the Board of Directors of this Association. However, in all interscholastic relationships with any school located outside of the district, they must conform to all of the rules and regulations of the Illinois High School Association.

1.250 NON-PUBLIC HIGH SCHOOLS

Any non-public high school located in the State of Illinois may be admitted to membership provided:

- (a) the application for membership is signed by the administrative head of the school;
- (b) the school pays dues as required in this Constitution; and
- (c) the school complies with items (b), (c), (d), (e) and (f) of 1.210 above; and
- (d) the school's financial assistance program complies with the following standards:

- (1) financial assistance to incoming and/or continuing students is approved by the president/principal of the school on the basis of need determined by using data provided through the use of a financial need approval plan which has been approved by the IHSA Board of Directors; and/or
- (2) financial assistance to incoming and/or continuing students is granted by the principal of the school on the basis of academic performance or other criteria to students which are adopted by the school's governing body and approved by the IHSA Board of Directors; in no respect related to athletic interest or performance; and which are controlled and managed by the principal.

The IHSA Board of Directors shall, in consultation with representatives of private member schools, establish criteria for approval of financial need assessment plans and criteria for the awarding of non-need based financial assistance.

1.260 ASSOCIATE SCHOOLS

Any high school in Illinois operating strictly as a boarding school may be admitted to Associate membership provided:

- (a) the application for membership is signed by the administrative head of the school;
- (b) the school pays dues as required in this Constitution; and
- (c) the school complies with items (b), (c), (d), (e) and (f) of 1.210 above.

An Associate member shall be entitled to the same privileges as other member schools except that:

- (a) it shall not be permitted to participate in any athletic meet or tournament conducted for the purpose of determining an official state championship in the Illinois High School Association;
- (b) it shall not be privileged to vote on Association matters; and
- (c) it shall not share in the distribution of Association funds.

In all interscholastic competition, an Associate member shall observe all of the rules and regulations of the Association except that students who change schools without a corresponding change of residence on the part of their parents or guardians may establish eligibility immediately so far as residence is concerned provided their transfer occurs at the beginning of a semester and is made for reasons other than athletics, and no undue influence is involved.

1.270 APPROVED SCHOOLS

Schools which are not eligible for membership in the Illinois High School Association may be approved by the Board of Directors for competition with member schools. Approved schools are not fully-accredited members of the Association. Member schools may engage only in dual contests with approved schools and not in invitational tournaments, festivals, etc. Approved schools are not eligible to participate in state tournament series sponsored by the Association. Schools wishing to be granted Approved status must apply annually to the Board of Directors.

Illustrations for Section 1.270 of the Constitution

The illustrations and situations it contains are for purposes of assisting in understanding the application of the particular by-law to which they pertain. In the case of any conflict, whether actual or believed, between the illustrations, examples or situations in this publication and the constitution or by-laws of the IHSA, the constitution and by-laws shall control.

1) WHAT IS APPROVED SCHOOL STATUS?

- Q. Are "approved schools" members of the Association?
- A. The Board of Directors may grant approved status to a school only in the event that it is not eligible for membership. Approved schools may participate with member schools in dual competition only. (Constitution 1.270)

2) APPROVED SCHOOLS AND ELIGIBILITY RULES?

- Q. Must an Approved school abide by IHSA eligibility rules?
- A. Since Approved schools are not members of the Association, they are not subject to the requirements of IHSA rules. However, approved schools must be Registered or Recognized by the Illinois State Board of Education, or the school must be accredited by an organization that evaluates public and/or private schools. The accrediting organization must be acceptable to the IHSA Board of Directors. In addition, schools must substantially comply with the Association's rules regarding: Scholastic Standing, Age Limitations, Contest Limitations and Participation Limitations. (Constitution 1.270)

3) Q. May an approved school participate in a tournament against an IHSA member school?

- A. No. Approved schools may only participate in dual contests with IHSA member schools. (Article 1.270 and By-law 2.050)

1.300 BOARD OF DIRECTORS

1.310 ADMINISTRATION

The administrative authority of this Association shall be vested in a Board of Directors of ten (10) members elected, each for a term of three years, as hereinafter provided.

The office of the Association shall be the office of the Board of Directors.

1.320 ELECTION DIVISIONS

For the purpose of electing the members of the Board of Directors and providing equal representation for all parts of the state, the state shall be divided into seven (7) Divisions. Each of these Divisions shall be formed by combining three of the twenty-one (21) Districts of the state established for the purpose of electing the members of the Legislative Commission, these Districts being defined in Section 1.330 of this Constitution. In addition three (3) members shall be elected from the membership at-large. One at-large member must be a racial minority, one must be a member of the underrepresented gender and one must be a member of a private/non-public school. All must be principals of member schools. At-large members elected to the Board of Directors may not be from the same Board Division.

1.330 DIVISIONS DEFINED

Until changed by the Board of Directors, the seven Divisions from which Directors shall be elected shall be made up of Legislative Commission Districts as follows:

Division 1-Legislative Commission
Districts 1, 2 and 3
Division 2-Legislative Commission
Districts 4, 5 and 6
Division 3-Legislative Commission
Districts 7, 8 and 9
Division 4-Legislative Commission
Districts 10, 11 and 12

Division 5-Legislative Commission
Districts 13, 14 and 15
Division 6-Legislative Commission
Districts 16, 17 and 18
Division 7-Legislative Commission
Districts 19, 20 and 21

1.340 NOMINATIONS

No later than September 1 each year, the Board of Directors shall cause to be electronically mailed to the principal of each member school in each division in which a member of the Board of Directors is to be elected, and to the membership in the event one or more at-large members of the Board of Directors is to be elected, a letter identifying the positions for which elections are to be held along with a primary ballot requesting nominations for the appropriate Board member positions.

Principals may nominate one principal from a member school in their Division as a candidate and/or one principal from any member school in the state as a candidate for an at-large position. These nominations must be completed online by September 15. The Board of Directors shall appoint a teller to verify the vote count. The two principals from each Division, or from the state at-large, as pertinent to the positions for which nominations are sought, receiving the highest number of nominating votes shall be declared the nominees and they shall be notified immediately of their nomination by mail. In case of a tie vote in any Division, the tellers shall determine the winner by lot.

1.350 ELECTION

Not later than September 20, the Board of Directors shall cause to be electronically mailed to the principal of each member school in each Division or in the membership at-large in which an election is to be held, a ballot on which are the names of the two nominees. Principals shall mark their electronic ballots in the regular manner, voting for only one of the nominees. Each electronic ballot shall be submitted electronically to the Association by October 1. The Board of Directors shall appoint a teller who shall meet not later than October 4, to verify the vote count. The teller shall then certify to the Board of Directors the results of the balloting. Within thirty days after the election, the Board shall meet, canvass the vote and declare the candidate(s) in each Division receiving the higher number of votes for each position to have been elected. In case of a tie vote in any Division, the tellers shall determine the winner by lot.

1.360 TERM OF OFFICE

Members of the Board of Directors shall be elected for terms of three years and shall take office immediately upon the determination of their election as provided in 1.350 of this Section. They shall be eligible for no more than three three-year terms. They shall serve until a successor is elected or until they cease to be a principal of a member school in the Division from which they were elected, unless because of redistricting, or in the case of at-large members, until they cease to be principal of a member school, or unless they tender their resignation and it is accepted by the Board of Directors.

In the event that high school principals who are Board members, because of the redistricting of the state, are removed from their Division, they shall continue to represent the Division from which they were elected for the balance of the year, provided they continue to serve as a principal of a member school in the territory which formerly comprised the Division from which they were elected.

1.370 MEETINGS

The Board of Directors shall meet a minimum of ten (10) times per year, on a date to be determined by the Board. The time and place of each meeting shall be determined by its members. Special meetings may be called by the President and must be called upon written request of any two members of the Board.

1.400 POWERS AND DUTIES OF BOARD

1.410 QUORUM

A majority of the Board of Directors shall constitute a quorum. When a vote is taken upon any matter pending before the Board, a quorum being present, a majority of the votes of the members of the Board voting on the matter shall determine the outcome thereof.

1.420 AUTHORITY

The officers and members of the Board of Directors of the Illinois High School Association are hereby authorized to interpret the Constitution and By-laws and to exercise all the powers and duties expressed or implied in this Constitution and By-laws, and to act as an administrative board in the interpretation of and final decision on all questions and appeals arising from the directing of interscholastic activities of member schools.

1.430 PROVIDE EMPLOYEES

The Board of Directors shall conduct all business of the Association, shall be empowered to employ an Executive Director with such assistants as may be found necessary to carry on the affairs of the Association, and to provide office facilities, by rental, purchase or other means, and employees for the proper conduct of the business of the Association.

1.440 FINANCIAL STRUCTURE AND MANAGEMENT

1.441 DUES AND ASSESSMENTS

The Board of Directors shall be authorized to collect annual dues as provided in this Constitution and levy entry fees and such other assessments on all schools participating in any interscholastic activity as shall be adequate to meet the total expenses involved in the conduct of such activity and such proportionate share of overhead as is deemed necessary. Such dues and assessments shall be considered current funds of the Association and shall be used by the Board of Directors in financing the various activities of the Association.

The determination and collection of all activity fees and the collection and final distribution of receipts from all contests sponsored by the Association shall be left to the discretion of the Board of Directors.

1.442 EXPENDITURES

The Board of Directors shall determine all necessary expenditures of money in the conduct of the affairs of the Association.

1.443 MANAGE SURPLUS FUNDS

The Board of Directors shall receive and hold title to all surplus funds of the Association. Surplus funds belonging to any of the separate activities shall be held for and administered in the interest of that activity. Surplus funds of one activity of the Association may be transferred to another activity only by a two-thirds vote of the Board of Directors or by a majority of the member schools voting in a statewide referendum conducted by the Board of Directors whenever requested by not less than five percent of the membership of the Association.

1.444 INVESTMENT OF FUNDS

The Board of Directors shall invest all surplus funds of the Association in bonds or treasury certificates of the United States or in bonds of the state of Illinois, registered in the name of the Illinois High School Association. However, in any fiscal year the Board of Directors may, by a two-thirds vote, suspend the enforcement of this requirement.

1.450 STATEWIDE INTERSCHOLASTIC ACTIVITIES

The Board of Directors shall have complete authority, subject to the provisions of the Constitution and By-laws, to organize and conduct such statewide interscholastic activities as may or may not lead to state championships and to establish Terms and Conditions for these activities. Whenever it is deemed advisable, the Board shall call upon specialists from the high school field for such technical or other advice and assistance as may seem necessary. The expenses of such specialists incurred in activities ordered by the Board of Directors shall be paid by the Association. In addition, the Board of Directors shall establish and publish criteria to be followed in the selection of schools to host state tournament series events.

Illustrations for Section 1.450 of the Constitution

The illustrations and situations it contains are for purposes of assisting in understanding the application of the particular by-law to which they pertain. In the case of any conflict, whether actual or believed, between the illustrations, examples or situations in this publication and the constitution or by-laws of the IHSA, the constitution and by-laws shall control.

4) TERMS AND CONDITIONS

- Q. How authoritative are the Terms and Conditions for Association-sponsored events established by the Board of Directors?
- A. Since the Board of Directors is authorized by the Constitution to establish Terms and Conditions for IHSA-sponsored meets and tournaments, Terms and Conditions established by the Board are absolutely authoritative in respect to the various state tournament series conducted by the Association. Schools which do not adhere explicitly to the Terms and Conditions for a given activity are subject to penalty. (Constitution 1.450)

1.460 RULINGS AND APPEALS

The Executive Director shall have the authority and responsibility to investigate and decide all matters concerning eligibility, protests, by-laws or rules. The Executive Director may modify the effect of or penalty for violation of or non-compliance with any by-law or rule if the circumstances causing the student or school to be ineligible or otherwise in violation of or non-compliance with the by-law or rule are determined:

- (1) to have been completely beyond the control of all of the following:
 - (a) the student
 - (b) the student's parent(s)/guardian(s)
 - (c) the school
- (2) or where the violation or non-compliance has been caused exclusively by a clerical or administrative error.

A student, parent/guardian, school or individual, in whose favor or against whom a decision of the Executive Director made pursuant to this Section applies, may appeal that decision by submitting a written request for a hearing to the Board of Directors. In response to such a written request, the Board of Directors or, in its discretion, a hearing officer appointed by the Board, shall conduct a hearing to review the action of the Executive Director.

At a hearing, the party appealing the action and all other interested parties, including but not limited to representatives of the member school, may appear and present information for consideration. If a hearing officer has been appointed by the Board, such hearing officer shall submit a written report of findings to the Board, including a written summary of the testimony heard and/or evidence presented at the hearing. After a hearing before the Board, or upon receipt and review of the hearing officer's report, the Board may, within the authority of this Constitution and By-laws, sustain, modify or overturn the Executive Director's decision, or sustain, increase, decrease or otherwise modify any penalty for violation of any by-law or rule or take such other action as it

finds appropriate. If a hearing has been conducted by a hearing officer appointed by the Board, the student, parent/guardian, school or individual in whose favor or against whom a decision has been sustained or modified, may request, in writing through the principal of the involved member school, a further hearing to be held before the Board of Directors in accordance with the provisions of this Section, at the next regularly scheduled meeting of the Board or at a special meeting of the Board convened by the president of the Board. The decision or action of the Board of Directors, pursuant to any hearing held before it, shall in all instances be final.

Illustrations for Section 1.460 of the Constitution

The illustrations and situations it contains are for purposes of assisting in understanding the application of the particular by-law to which they pertain. In the case of any conflict, whether actual or believed, between the illustrations, examples or situations in this publication and the constitution or by-laws of the IHSA, the constitution and by-laws shall control.

- 5) Q. What is a clerical or administrative error?
A. An inadvertent or unintentional error or omission that results in technical, rather than substantive, noncompliance with these by-laws. The failure to comply with any affirmative requirement of these by-laws shall not be deemed a clerical or administrative error.

1.470 FILL VACANCIES

In case a vacancy occurs on the Board of Directors, the remaining members shall fill the vacancy by the appointment of a principal of a member school from the Division in which the vacancy occurs.

An appointee to an office must meet the same qualification standards that a person running for the office would be required to meet.

Appointees shall serve for the remainder of the unexpired term.

1.480 RETIREMENT SYSTEM

It shall be the duty of the Board of Directors to establish a retirement system for its employed administrative officers.

1.500 OFFICERS

1.510 TITLES OF OFFICERS

The officers of the Board of Directors shall be President, Vice President and Secretary who shall be elected by the Board from among its members. These officers shall serve in similar capacities as officers of the Association and shall perform the duties which regularly devolve upon such officers.

1.520 TERM OF OFFICE

Officers shall be elected annually by the Board of Directors at the meeting during which the ballots from the election of members of the Board of Directors are canvassed and after new members have been seated. Officers shall be eligible to succeed themselves provided they continue to be members of the Board of Directors.

1.530 TREASURER

The Board of Directors shall elect a Treasurer of the Association who shall be a principal of a member school whose term of office shall not exceed three years. The treasurer shall, however, be eligible for successive terms in office. The Treasurer shall receive for deposit all funds belonging to this Association; shall pay out money from funds belonging to the Association only upon the order of the Board of Directors and approval by the President; shall furnish a bond, the amount of which shall be determined by the Board of Directors, premium on which shall be paid by the Association; shall keep separate bookkeeping records of all receipts and expenditures relating to each respective activity of the Association; and, shall make a complete financial statement to the Association as of June 30 of each year.

The Treasurer's accounts shall be audited at least annually at the close of each fiscal year by a committee to be composed of the President of the Board of Directors as Chairman, the Chairman of the Legislative Commission and a third high school principal to be chosen by these two. This committee shall employ a certified public accountant who shall make the audit under its supervision. All expenses of the audit shall be paid by the Association.

1.600 DUES AND ASSESSMENTS

1.610 FISCAL YEAR

The fiscal year of the Association shall be from July 1 to June 30.

1.620 DUES

The Board of Directors shall have authority to assess annual membership dues to be paid by all schools belonging to the Association.

1.630 ENTRY FEES AND ASSESSMENTS

The Board of Directors shall be authorized to levy entry fees and assessments when necessary for the conducting of any inter-scholastic activity.

1.640 DATE OF PAYMENT OF DUES

The annual school membership dues, if assessed, shall be for the fiscal year of the Association, shall be payable on or after April 1 of each year and must be paid on or before June 30 of each year.

1.650 PENALTY

In case a school has allowed its membership to lapse, it cannot be reinstated until it has paid into the treasury the current dues plus an amount equal to one-third of the annual dues for that school year for which the school failed to pay its dues. However, in any event the penalty payment shall not exceed the dues for one full year.

1.700 LEGISLATIVE COMMISSION

1.710 AUTHORITY

All proposed amendments to either the Constitution or By-laws, or the consideration of any other proposed legislation, shall be referred to the Legislative Commission for evaluating and screening. Action shall be taken by the Commission on proposed legislation as provided for in Section 1.920.

1.720 ORGANIZATION AND OPERATION

1.721 ELECTION DISTRICTS

For the purpose of providing a geographic and equal representation on the Legislative Commission, the Board of Directors shall divide the State of Illinois into twenty-one Districts. Three of these Districts shall be in the City of Chicago. The other eighteen Districts shall consist of compact and contiguous territory containing approximately equal numbers of member schools. In 1978 and each three years thereafter, the Board of Directors shall review the compositions of the Districts then existent and, if deemed necessary or advisable, shall redistrict the state. In addition, seven (7) at-large Commission members shall be elected. One at-large Commission member shall be elected from each Division. All at-large Commission members must be a racial minority or a member of the under represented gender. At-large Commission members must be principals, official representatives, athletic administrators or activity directors.

1.722 MEMBERSHIP

The Legislative Commission shall consist of thirty-five (35) members from thirty-five (35) member schools. One principal shall be elected from each of the twenty-one (21) Districts. One athletic administrator shall be elected from each of the seven (7) Divisions. One at-large Commission member will be elected from each of the seven (7) Divisions. All at-large Commission members must be members of the under represented gender and/or minorities. At-large Commission members must be principals, offi-

cial representatives, athletic administrators or activity directors. Elections shall be conducted for principals of the various Districts according to the following schedule:

- (a) In 1982 and each third year thereafter, Districts 1, 4, 10, 15, 16, 17 and 21;
- (b) In 1983 and each third year thereafter, Districts 2, 5, 8, 12, 14, 18 and 20;
- (c) In 1984 and each third year thereafter, Districts 3, 6, 7, 9, 11, 13 and 19.

Elections shall be conducted for representative athletic administrators of the various Divisions according to the following schedule:

- (a) In 1992 and each third year thereafter, Divisions 1, 4 and 7
- (b) In 1993 and each third year thereafter, Divisions 2 and 5
- (c) In 1994 and each third year thereafter, Divisions 3 and 6

Elections shall be conducted for at-large Commission members of the various Divisions according to the following schedule:

- (a) In 2000 and each third year thereafter, Divisions 1, 4 and 7
- (b) In 2001 and each third year thereafter, Divisions 2 and 5
- (c) In 2002 and each third year thereafter, Divisions 3 and 6

Note: Elections shall be conducted in 1992 for representative athletic administrators of Divisions 2, 3, 5 and 6. Division 2 and 5 athletic administrator representatives' terms from that election shall expire in one year with the regularly scheduled 1992 elections. Division 3 and 6 athletic administrator representatives' terms from that election shall expire in two years with the regularly scheduled 1993 elections.

1.723 NOMINATIONS

Not later than September 1 each year, the Board of Directors shall cause to be electronically mailed to the principal of each member school in each District/Division and athletic administrator of each member school in each Division in which a member of the Legislative Commission is to be elected, a letter giving the boundaries of the District/Division and a primary ballot requesting a nomination for a member of the Legislative Commission.

Principals may nominate one principal, not a member of the Board of Directors, from a member school in their District as a candidate electronically. Athletic administrators may nominate one athletic administrator from a member school in their District as a candidate electronically. In addition, principals may nominate one at-large Commission member from their Division electronically. These nominations must be submitted electronically to the Association by September 15. The Board of Directors shall appoint a teller to verify the vote count. The two principals from each District and the two athletic administrators from each Division receiving the highest number of nominating votes shall be declared the nominees and they shall be notified immediately of their nomination by mail. In case of a tie vote in any District/Division, the tellers shall determine the winner of the tie by lot.

An athletic administrator or activities director may not be considered for nomination if the principal at his/her school is a current member of the legislative commission and whose term has not expired. A principal may not be considered for nomination if the athletic administrator or activities director at his/her school is already a member of the legislative commission and whose term has not expired.

If a principal, athletic administrator or activities director from the same school are both nominated for the legislative commission, and the tellers determine they qualify as official nominees, the official representative of the principal's, athletic administrator's or activities director's school shall be contacted in order for the school to indicate which nomination will go forward on the ballot. The nominee not going forward will be replaced by the respective nominee with the next highest number of votes.

1.724 ELECTION

Not later than September 20, the Board of Directors shall cause to be electronically mailed to the principal of each member school in each District/Division and athletic administrator in each Division in which an election is to be held a electronic ballot on which are the names of the two nominees. Principals and athletic administrators shall mark their ballots in regular manner, each principal voting for only one of the respective nominees. Each ballot shall be electronically submitted to the office of the Association by October 1. The Board of Directors shall appoint a teller who shall meet not later than October 4, to verify the vote count. The teller shall then certify to the Legislative Commission the results of the balloting. At the next regular meeting of the Legislative Commission following the election, the Commission shall canvass the vote and declare the candidate(s) in each District/Division receiving the highest number of votes for each position to have been elected. In case of a tie in any District, the tellers shall determine the winner by lot.

1.725 TERM OF OFFICE

Members of the Legislative Commission shall be elected for terms of three years (except as provided in Section 1.722) and shall take office immediately upon the determination of their election as provided in Section 1.724. They shall serve until their successor is elected; until they cease to be a high school principal, athletic director, or activities director in the District/Division from which they were elected unless because of redistricting; until they tender their resignation and it is accepted by the Board of Directors; or until they become a member of the Board of Directors. They shall be eligible for no more than three three-year terms.

In the event that high school principals, athletic administrators or activities directors who are Legislative Commission members are removed from their District/Division because of the redistricting of the state (except as provided in Section 1.722) they shall continue to represent the District from which they were elected for the balance of the year provided they continue to serve as principal, athletic administrator or activities director of a member school in the territory which formerly comprised the District/Division from which they were elected.

1.726 VACANCIES

In case of a vacancy, the President of the Association shall appoint a principal or athletic administrator of a member school from the District/Division in which the vacancy occurs to serve until the time of the next regular election.

1.727 OFFICERS

The officers of the Commission shall be Chairman, Vice Chairman and Secretary. The Commission shall elect the Chairman and Vice Chairman. The Executive Director of the Association shall be the Secretary of the Commission.

1.728 MEETINGS

The officers of the Commission shall fix the time, place and provide reasonable notice of all meetings of the Commission. However, there will be at least two meetings between November 1 and December 31 of each year. Meetings may be called by the President of the Association and must be called by the Secretary upon written request of a majority of the members of the Commission or of not less than five percent of the member schools of the Association.

In case members report that they will be unable to attend a scheduled meeting of the Commission, the President of the Association shall appoint a principal of a member school from the District represented by an absentee to serve at the said meeting.

1.730 ACTION ON AMENDMENTS

All proposed amendments to the Constitution and By-laws and all other proposed legislation of a permanent character shall be referred to this Commission for consideration. In considering such proposals, the Commission shall have two meetings. In the first of these, the Commission shall meet as a Committee of the Whole. At their own expense, high school principals or any representative or committee not exceeding three members from any statewide organization of teachers may appear before the Committee to promote or oppose any proposal before the Committee or to counsel and advise the Committee regarding any desired modifications in the proposals.

The second meeting, which shall be the official legislative meeting of the Commission, may be held on the same day as the first meeting or at any time within thirty (30) days following the first meeting. The Commission shall be authorized to reword or amend a proposal, but shall obtain authorization from the principal submitting the original proposal before referring the revised or amended proposal to the Association. The Commission, with formal recommendations, shall refer to the Association for final action on all proposals except those rejected by a majority vote of the Commission members present. The report of the Commission shall be accompanied by a brief statement of the arguments for and against each proposal referred to the Association. Votes of the individual members of the Legislative Commission shall be recorded and made available to member school principals/official representatives upon written request. If, after consideration by the Legislative Commission, a proposal is not accepted for inclusion on the referendum ballot, but petitions requesting inclusion of the proposal on a referendum ballot are received from twenty percent (20) of the member school principals, the proposal shall automatically be included on the next referendum ballot without further action by the Legislative Commission.

1.740 EXPENSES OF COMMISSION MEMBERS

The necessary expenses incurred by members of the Legislative Commission in attending meetings shall be paid by the Association upon presentation of a proper voucher and approval by the Board of Directors.

1.800 MEETINGS OF THE ASSOCIATION

1.810 TIME AND PLACE

The time and place of the annual meeting of the Association shall be determined by the Board of Directors.

1.820 SPECIAL MEETINGS

Special meetings may be called by the President of the Association and must be called by the Secretary upon written request of not less than five percent of the member schools.

1.830 REPRESENTATION AT MEETINGS

The principal of each member school, or a teacher in the school delegated by the principal in writing, shall represent such school at all meetings of the Association and in all matters involving the relationships of the school with other schools under the rules of the Association.

1.840 QUORUM

Representatives of ten percent of the member schools shall constitute a quorum at any meeting of the Association.

1.900 AMENDMENTS

1.910 SUBMISSION OF AMENDMENTS

Proposals to amend the Constitution and By-laws shall be submitted by the official representative of any member school provided they are filed with the Executive Director of the Association not less than twenty (20) days prior to consideration by the Legislative Commission at a first meeting which deals with such proposals. All proposals shall be considered and reported on by the Legislative Commission in accordance with the provisions in Sections 1.721 through 1.740. All such proposed amendments to the Constitution and By-laws recommended by the Legislative Commission for final action by the membership must be voted on as provided in Section 1.920.

Proposals to amend Section 5.000 (By-Laws—Individual Sport) of this Constitution and By-laws and/or any of its sub-sections may be acted upon in accordance with the provisions of this Section. However, if the Section and/or Sub-section to which the amendment is proposed has been amended during the two (2) school years immediately preceding the school year in which the proposal is submitted, affirmative vote by at least sixteen (16) members of the Legislative Commission is necessary for submission of the proposal for referendum.

1.920 REFERENDUM VOTE

All proposals pertaining to the Constitution and By-laws and all other matters requiring an approving vote of the member schools that have been recommended for final action by the Legislative Commission shall be electronically mailed not more than ten (10) days after the second meeting of the Legislative Commission. Ballots for use in voting on such proposals shall be electronically mailed to all member schools not more than twenty (20) days after the second meeting of the Legislative Commission. All voting must be completed online within thirty (30) days after the second meeting of the Legislative Commission. A majority of the electronic votes cast shall be required for the passage of any proposal.

The Board of Directors shall appoint a teller, a high school principal who is not a member of either the Board of Directors or the Legislative Commission, to verify the vote count. These electronic ballots must be counted and the results announced to the membership by electronic mail within thirty (30) days after the conclusion of the balloting.

1.930 EFFECTIVE DATES OF AMENDMENTS

Each amendment of the Constitution and By-laws shall become effective on July 1 of the year following its adoption; on the date specified by the principals submitting the proposal providing such date is not less than thirty days following the notification of member schools of the results of the referendum in which the proposal was passed; or on a date mutually agreed upon by the submitting principal and the Legislative Commission.

Classification System, continued

The classification process does not guarantee that, by the time the tournaments are actually conducted, the classes will continue to be exactly proportional. Between the time the cutoffs are determined and the beginning of the tournaments, some schools may add or drop the sport or activity, or form or dissolve coops.

Cooperative Teams

In determining the enrollment of a cooperative team, the classification enrollments of all involved schools are combined to determine the classification enrollment of the coop.

Playing Up

A school may petition to play in a higher classification in a particular sport or activity. The request must be for a minimum of two years and must arrive at the IHSA Office no later than September 1.

Cutoffs for 2011-12

The enrollment cutoffs for the 2011-12 school term are as follows:

Sport or Activity	Classification Ranges				
Boys Baseball	1A: up to 328	2A: 329-802	3A: 803-1729	4A: 1730 and over	
Boys Basketball	1A: up to 274	2A: 275-669	3A: 670-1580	4A: 1581 and over	
Girls Basketball	1A: up to 309	2A: 310-743	3A: 744-1649	4A: 1650 and over	
Girls Softball	1A: up to 321	2A: 322-743	3A: 744-1697	4A: 1698 and over	
Girls Volleyball	1A: up to 273	2A: 274-654	3A: 655-1608	4A: 1609 and over	
Boys Soccer	1A: up to 732	2A: 733-1707	3A: 1708 and over		
Girls Soccer	1A: up to 857	2A: 858-1792	3A: 1793 and over		
Boys Wrestling	1A: up to 751	2A: 752-1687	3A: 1688 and over		
Boys Cross Country	1A: up to 760	2A: 761-1687	3A: 1688 and over		
Girls Cross Country	1A: up to 788	2A: 789-1687	3A: 1688 and over		
Boys Golf	1A: up to 540	2A: 541-1487	3A: 1488 and over		
Boys Track & Field	1A: up to 557	2A: 558-1444	3A: 1445 and over		
Girls Track & Field	1A: up to 561	2A: 562-1444	3A: 1445 and over		
Girls Golf	A: up to 1026	AA: 1027 and over			
Scholastic Bowl	A: up to 540	AA: 541 and over			
Competitive Cheerleading	S: up to 656	M: 657-1716	L: 1717 and over	C: by choice	
Music and over	D: up to 189	C: 190 to 358	B: 359 to 649	A: 650 to 1492	AA: 1493

19. Grouping and Seeding State Tournament Series**Developing a Rationale for Grouping and Seeding State Tournament Series**

The cornerstone of IHSA state tournaments has long been geographic assignments to the state series leading to geographic representation at State Final tournaments. The geographical concept was developed to insure that interscholastic participation was compatible with a school's educational objectives. The geographic concept helped maintain a "reasonableness" to competition and safeguarded key resources such as time and money, while, at the same time, providing for a structure that was equitable to all member schools. Since 1991, when sectional complexes were first adopted in Class AA basketball, IHSA administrators have been struggling with how to group and seed the lower-level tournaments in other sports and activities. Without an official policy regarding seeding, the current system has developed into a hodgepodge that lacks consistency and an overarching rationale.

It is important to note that the interscholastic programs of a school are designed to enrich the educational process (* Note Article 1.140 of the Constitution). The establishment of sound standards and procedures for the regulation and control of interscholastic programs not only provide for fairness and equity, but they also keep the programs in an educational context. The geographic principle is essential to regulating the character of interscholastic competition. This document strips away the conflicting arguments and returns to the IHSA's fundamental principles to establish a framework for organizing a state tournament series.

The Geographic Principle of IHSA State Tournament Series

1. The State Series is designed to determine a State Champion. The State Series is not intended to necessarily advance the best teams in the state to the State Final.
2. Representation in an IHSA State Final Tournament is determined on a geographic basis — that is, schools advancing to the State Final Tournament (or in Boys Football, the State Final Game) qualify from given geographical areas of the state. Pairings for the State Final Tournament are determined every year in a drawing that is open to the media/public.
3. The number of schools in a State Final Tournament, and levels of competition in the State Series, are determined by the number of schools entered in the series.

Grouping and Seeding State Tournament Series, continued

4. Schools are assigned to first level tournaments/meets on a geographical basis so that there is a reasonable balance in the number of schools assigned at each first level site.
 - A. Factors considered in assigning schools to first level tournaments include:
 1. Schools willing/eligible/selected to host and their location;
 2. Number of schools entered in state series and their locations; and,
 3. Classification of schools in the state series.
 4. In individual state series tournaments/meets, the number of schools with full teams assigned to the beginning competition is balanced as much as possible. Travel distance to the tournament/meet site could justify an imbalance in the number of schools assigned to a site.
 - B. Factors considered in assigning schools to first level tournaments do not include:
 1. Won-lost records of the schools;
 2. Strengths or weaknesses of the schools in a geographic area;
 3. Anticipated or potential revenue; and
 4. Individual, private requests of schools and/or coaches.
5. Assignments to first level tournaments are reviewed and rearranged every 3 years (though the host of each first level tournament may change from year to year). Sometimes, changes in schools willing to host or schools entered may necessitate intermediate adjustments to the assignments.

Guidelines for Seeding for Bracketed Team Sports (Four Class System and Football)

1. Seeding shall occur only at the lowest level of competition, and therefore, neither the super-sectionals nor the state final shall be seeded.
 2. The coaches of the schools involved, except in football, where an objective computer-based system shall be used, shall do seeding of each group. When voting on seeds, coaches shall not vote for their own school.
 3. In a Sectional complex, all seeds are added up, with the highest and lowest seeds being thrown out, and then averaged.
 4. In Class 3A and 4A in the Chicago suburban area, all state tournament series will begin with a sectional complex. The sectional complex will utilize true seeds unless conflicts arise from the seeds of the pre-determined hosts.
- Note: The Chicago suburban area is defined as the area on the IHSA Chicago area map. In order to apply, all schools assigned to the Sectional complex must be on the IHSA Chicago area map.
5. In Class 1A and 2A, all bracketed team state series tournaments will begin with geographic regionals.
 6. In Class 3A and 4A, all bracketed team state series tournaments outside of the Chicago suburban area will begin with geographic regionals.
 7. In football only, after the field for each class is determined, schools in each class must be grouped geographically into brackets of 16. If the bracket has more than one game with a travel distance of 150 miles or more, that half of the bracket will be placed in quadrants.
 8. In Class 4A bracketed team sports, the Executive Director is authorized to modify the state series brackets to accommodate unique travel situations.

20. Criteria for Increasing the Number of Classes in IHSA Sports and Activities

The following criteria shall be followed when considering proposals to increase or decrease the number of classes in IHSA sports and activities:

1. The Board of Directors shall determine the number of classes based on the criteria set forth in this policy.
2. The classification systems used by Boys Football, Music, and Competitive Cheerleading are unique and are determined by the Terms & Conditions of the respective sport or activity.
3. For all other sports and activities, entries may be divided into classes according to the criteria in the following tables: