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# NACE CONSTITUTION & BYLAWS

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The National Association of Collegiate Esports (NACE) Constitution & Bylaws are compiled, edited and published by the NACE National Office under the oversight of the NACE Board of Directors.

## STATEMENT OF PURPOSE

The purpose of NACE is to promote the education and development of students through intercollegiate esports participation. Member institutions, although varied and diverse, share a common commitment to high standards and to the principle that participation in organized esports competition serves as an integral part of the total educational process.

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# CONSTITUTION

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## **ARTICLE I            NAME**

The name of this organization shall be THE NATIONAL ASSOCIATION OF COLLEGIATE ESPORTS (NACE).

## **ARTICLE II            ORGANIZATION**

NACE is created by representatives of colleges and universities acting in an effort to develop and perpetuate intercollegiate esports through a national organization. NACE is a subsidiary of and supported by the National Association of Intercollegiate Athletics (NAIA).

## **ARTICLE III            AIMS AND OBJECTIVES**

### SECTION A - AIMS

The aim of NACE is to promote the development of esports as an integral part of the educational offerings of member institutions on campus, and by means of democratic participation at a national level. This aim shall be accomplished by the functioning of committees composed of representatives of those institutions which subscribe to and support esports programs. NACE is dedicated to aid in the solution of problems in intercollegiate esports common to NACE institutions. The primary criterion for the selection and encouragement of membership shall be educational emphasis.

### SECTION B - OBJECTIVES

The purpose of NACE is to promote the education and development of students through intercollegiate esports participation. Member institutions, although varied and diverse, share a common commitment to high standards and to the principle that participation in organized esports competition serves as an integral part of the total educational process.

NACE embraces the concept of the student, recognizes the importance of the individuality of each member institution, and the benefits of membership in a national association. NACE supports gender equity, where fair distribution of overall competition opportunity and resources, proportionate to enrollment, are available to women and men, and where no competitor, coach or esports administrator is discriminated against in any way in the esports program.

To achieve its purpose, NACE pursues the following goals for students, member institutions and the Association.

1. The student, as the central focus of intercollegiate esports, shall:
  - a. Accept the responsibility to become an effective, contributing member of society;
  - b. Perform as a positive role model on the campus and in the wider community;
  - c. Fulfill academic responsibilities while progressing steadily toward meeting the requirements for a degree; and
  - d. Maintain eligibility for participation in every esports contest.

2. The member institution shall:
  - a. Ensure that intercollegiate esports is an integral part of the total educational offering;
  - b. Encourage the broadest possible student involvement in the esports program;
  - c. Maintain high ethical standards through commitment to the principle of self-reporting;
  - d. Subscribe to the democratic principles of one institution, one vote, and the privilege of any member to initiate legislation through an appropriate committee, association or council;
  - e. Evaluate the esports program in terms of the educational purpose of the institution;
  - f. Engage in competition with other institutions having similar esports philosophies and policies; and
  - g. Promote gender equity and minority inclusion.
  
3. The association shall:
  - a. Assist the membership in the development of intercollegiate esports programs consistent with the purpose of the Association;
  - b. Establish, through the membership, rules and standards for the conduct of intercollegiate esports;
  - c. Respect institutional diversity and individuality as strengths;
  - d. Provide national recognition for the membership and the Association;
  - e. Provide opportunities for the development of leadership for both men and women at all levels of the Association;
  - f. Ensure fiscal accountability and responsibility; and
  - g. Conduct an advancement program, to include marketing and membership development.

## **ARTICLE IV            INSTITUTIONAL MEMBERSHIP**

### SECTION A – ELIGIBILITY

An active member institution must be fully accredited by an authorized higher educational accrediting agency relative to its region and/or national affiliations.

### SECTION B – VOTING

For purposes of voting by members, each active member institution in good standing is entitled to one vote. An institution is considered in good standing by being up to date on all membership dues and fees.

### SECTION C – DUES

Annual membership dues will be determined by the NACE Board of Directors. Dues are payable beginning July 1, the beginning of the fiscal year. Membership dues become delinquent after September 1. All institutions delinquent in the payment of dues shall be ineligible to participate in NACE postseason competition for the duration of the academic year, pending review by the Board of Directors.

## **ARTICLE V            BOARD OF DIRECTORS**

### SECTION A – COMPOSITION AND NOMINATION

The Board of Directors (Board) shall be elected by the NACE membership at the annual meeting of the Association from a pool of qualified candidates. All voting members of the Board must be qualified by experience or title in formerly or currently holding a position in which they have esports administrative responsibilities and direct knowledge of budget and personnel matters. Board members must hold one of the following positions at a NACE member institution: chief executive officer, vice president, dean, sport

director, athletics director (if the esports team is organized under the athletics department), or any other senior administrator that is closely related to the esports program that meets the above qualifications. The President/Chief Executive Officer of the NAIA shall be one of the 10 voting members of the Board.

The Board reserves the right to appoint any additional non-voting members to the Board from entities other than NACE member institutions that have expertise in fields related to NACE.

#### SECTION B – TERMS

The Board's members shall serve terms of three years not to exceed two consecutive terms.

Board members can be removed at the behest of the NAIA Council of Presidents. In the event of removal or resignation of a Board member, the seat shall remain vacant until it can be filled by an election of the membership at the next annual business meeting.

The Board of Directors shall meet in person at least once a year at the annual meeting of the Association. Other meetings may be called by the chair of the Board of Directors, but should not happen less frequently than once a quarter.

#### SECTION C – OFFICERS

The officers of the Board shall be composed of the chair and the chair-elect, and shall serve a term of two years. At the end of the chair's term the chair-elect shall become the chair. The chair-elect shall be elected from the current members of the Board at the annual meeting of the Association by the Board of Directors. All officers of the Board shall be exempt from the term limits stated in Article V, Section B while serving as an officer.

#### SECTION D – EXECUTIVE COMMITTEE

The Executive Committee of the Board of Directors shall consist of the chair, the chair-elect, the NAIA President/Chief Executive Officer, and two at-large members of the Board who shall be appointed by the officers. The past chair shall remain a member of the Board as an advisory, non-voting member for one calendar year following the conclusion of the term as chair.

The Executive Committee of the Board of Directors shall be authorized to transact the necessary business of the Association in the interim between meetings of the Board of Directors.

## **ARTICLE VI            EXECUTION OF RESPONSIBILITY BY THE BOARD OF DIRECTORS**

The responsibilities of the Board of Directors are outlined in the NACE Bylaws. Robert's Rules of Order Revised shall be followed in carrying out these responsibilities unless otherwise specified in NACE Bylaws.

## **ARTICLE VII      COMPETITION COUNCIL**

### SECTION A – COMPOSITION

The members of the NACE Competition Council (Council) must be qualified by experience or title by formerly or currently holding a position in which they have esports administrative responsibilities. These members must be employees of a NACE member institution and hold a position within the institution that is closely related to the esports program.

### SECTION B – NOMINATION

The Council shall be elected by the NACE membership at the association's annual business meeting and include no more than 10 members. The association will take geographic location, institution size, and diversity into consideration to maintain balance within the council.

Any interested party shall be nominated by a minimum of two member institutions and all nominations shall be submitted at least 30 days prior to the annual meeting. In the event that there are fewer nominations than vacant seats, the Council can nominate additional candidates meeting the proscribed qualifications.

### SECTION C – TERMS

The Council's members shall serve terms of three years not to exceed two consecutive terms.

The Council shall have the following officers: chair and chair-elect. When the chair's term expires, the chair-elect shall become the chair. The officers shall serve terms of two years and shall be exempt from the term limits outlined in Article VII, Section B while serving as an officer. The past chair of the Council shall remain on the Council as an advisory, non-voting member for one calendar year following the conclusion of the term as chair.

In the event of removal or resignation of a Council member, the seat shall remain vacant until it can be filled by an election of the membership at the next business meeting.

### SECTION D – DUTIES

The duties of the Council are outlined in the NACE Bylaws.

## **ARTICLE VIII      ELIGIBILITY ENFORCEMENT COMMITTEE**

### SECTION A – COMPOSITION

The Eligibility Enforcement Committee (EEC) will be made of up to seven committee members that will represent the association's commitment to inclusion and equal representation.

### SECTION B – NOMINATION

1. To be eligible for membership on the EEC, an individual must have a position on campus that is intimately involved with the institution's esports program.
2. Interested parties must be nominated by a representative from a member institution.

3. Once nominated, the Board of Directors will review each candidate and Board members will cast one vote for each vacancy.
4. In determining the EEC members, the Board shall commit to a process that will take geographic location, institution size, and diversity into consideration to maintain a balance on the committee.

#### SECTION C – TERMS

1. Each member of the EEC shall serve at the discretion of Board for a term of three years not to exceed two consecutive terms.
2. In the event of resignation or removal, the Board shall appoint a replacement to serve out the remainder of the outgoing committee member's term, or shall leave the opening vacant until the next election.
3. The EEC officers shall be comprised of a chair and a chair-elect. These positions shall be elected by the EEC from the existing members of the committee. Each officer shall serve a three-year term and shall be exempt from the term limits stated in Item 1. When the chair's term expires, the chair-elect shall become the chair.

#### SECTION D – DUTIES

The duties of the EEC are outlined in the NACE Bylaws.

### **ARTICLE IX            APPELLATE REVIEW COMMITTEE**

#### SECTION A – COMPOSITION

The Appellate Review Committee (ARC) shall be comprised of three members that will hear all appeals from the EEC. The ruling by the ARC shall be the final decision on all eligibility matters.

#### SECTION B – NOMINATION

1. Committee members must be qualified by experience or title by formerly or currently holding a position in which they have esports administrative responsibilities. These members must be employees of a NACE member institution and hold a position within the institution that is closely related to the esports program.
2. Interested parties must be nominated by a representative from a member institution.
3. Committee members shall be selected by the Board of Directors.

#### SECTION C – TERMS

1. Each member shall serve at the discretion of Board of Directors for a term of three years, not to exceed two consecutive terms.
2. In the event of resignation or removal, the Board shall appoint a replacement to serve out the remainder of the outgoing committee member's term.

#### SECTION D – DUTIES

The duties of the ARC are outlined in the NACE Bylaws.



## **ARTICLE X STUDENT AFFAIRS COMMITTEE**

### SECTION A - COMPOSITION

The Student Affairs Committee (SAC) is comprised of up to 8 members that must be employees of a NACE member institution. The SAC will provide resources based on student development related theories, theoretical frameworks, and sound teaching methods that will enhance the growth and development of students in esports programs at member institutions.

The SAC reserves the right to appoint any additional non-voting members to the SAC from entities other than NACE member institutions that have expertise in student development & related fields.

### SECTION B – NOMINATION

*(needs approval by membership at Summer 2023 Business Meeting)*

Five of the eight members of the committee will be elected by the NACE membership at an official business meeting of the association. The other three members will be appointed by the Board of Directors, taking into account geographic location, institution size, diversity, and student development expertise.

### SECTION C – TERMS

The committee's members shall serve terms of three years not to exceed two consecutive terms.

In the event of removal or resignation of a committee member, the seat of an elected member shall remain vacant until it can be filled by an election of the membership at the next business meeting, while appointed member vacancies can be filled by the Board at any time.

The committee shall have the following officers: chair and chair-elect. When the chair's term expires, the chair-elect shall become the chair. The officers shall serve terms of two years and shall be exempt from the term limits outlined above while serving as an officer. The past chair of the committee shall remain on the committee as an advisory, non-voting member for one calendar year following the conclusion of the term as chair.

### SECTION D – DUTIES

The duties of the SAC are outlined in the Bylaws.

## **ARTICLE XI ANNUAL MEETING AND VOTING PROCEDURES**

### SECTION A – ANNUAL MEETING

The Association shall meet in convention at a time and place designated by the Board of Directors and the NACE National Office.

Additionally, the Board of Directors may call a business meeting of the Association for the express purpose of filling vacancies on leadership groups or voting on pressing legislative matters. Business meetings must be scheduled a minimum of 45 days in advance. Once a business meeting is scheduled, the National Office must solicit from membership nominations for any vacant positions on the Board of

Directors or Competition Council, as well as any proposed legislation or amendments to the Constitution and Bylaws. These nominees and the text of proposed legislation and bylaws must be made available by the National Office to membership no more than 15 days before the business meeting.

#### SECTION B – VOTING PROCEDURES

Each active member institution in good standing shall have one vote at the annual meeting. The institutional vote shall be cast by the chief executive officer of the institution or by a faculty or staff member from that institution as designated by the chief executive officer of the member institution.

All voting delegates shall be authorized to the NACE Executive Director 72 hours prior to the annual meeting.

NACE shall recognize a quorum to be one third of NACE active members. Such number must be authorized as voting delegates at the annual meeting in order to conduct the official business of the Association.

### **ARTICLE XII      AMENDMENTS**

Proposed amendments to the NACE Constitution or Bylaws must be sponsored by the NACE Competition Council, Eligibility Enforcement Committee, the Board of Directors, or sponsored by no less than 10 member institutions in good standing. All proposals shall be submitted in writing to the NACE Executive Director no later than 90 days prior to the annual meeting of the Association. The proposed amendments shall be published by the NACE National Office no later than 30 days before the annual business meeting.

The proposed amendment shall be read to the voting delegates at the annual meeting, along with the opinion of the Board. After discussion of the proposed amendment on the floor of the annual meeting, the voting delegates shall vote. Constitutional amendments require a two-thirds vote of approval to be adopted, while bylaws amendments require a simple majority vote of approval to be adopted. Upon receiving approval by the voting delegates, the proposed amendment shall become effective August 1 unless otherwise stated.

### **ARTICLE XIII      DISSOLUTION CLAUSE**

Should the membership take legal action to dissolve this organization will be divided on a prorated basis within the membership. The formula to be used in such a proration shall be on the basis of the total years each institution shall be a member of the organization.

### **ARTICLE XIV      PARLIAMENTARY AUTHORITY**

Robert's Rules of Order Revised shall serve as the final authority in parliamentary procedure.

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# BYLAWS

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## **ARTICLE I DUTIES: NACE EXECUTIVE DIRECTOR**

The administrative authority of the Association is vested in the NACE Executive Director. In the exercise of this authority, it shall be the duty of the NACE Executive Director to seek the advice of appropriate leaders within the NACE governance structure and exercise best judgment in an earnest effort to promote the best interests of NACE.

All executive powers not delegated to the Board of Directors and not expressly or by implication denied to the NACE Executive Director may be exercised by that official, subject to the supervision of the Board.

The NACE Executive Director shall:

1. Ensure that accurate records are kept of all meetings and business of the Association;
2. Keep all councils, committees and all member institutions informed in all matters pertaining to the general welfare of NACE;
3. Be responsible for all contracts regarding the property, funds, projects and activities as necessary and proper for the successful execution of the functions of the organization;
4. Receive all funds belonging to NACE and deposit in financial institutions that are approved by the Board, and have full power to draw checks against such financial institution deposits as are required to pay the debts, expenses and other financial obligations of the Association;
5. Be custodian of all property belonging to NACE;
6. Secure an annual audit of books and accounts, and present such audit to the Board;
7. Be responsible for presenting to the Board a detailed report of all receipts and disbursements during the preceding fiscal year ending June 30 and a proposed operating budget for the ensuing fiscal year;
8. Be responsible for the employment and direction of National Office staff;
9. Oversee all necessary arrangements for the various events conducted under the auspices of NACE;
10. Aggressively pursue membership of institutions meeting the standards of the Association; and
11. Be the official representative of the Association at occasions requiring the presence of the NACE Executive Director.

In addition to the above enumerated responsibilities and duties, the NACE Executive Director may exercise any powers and perform any duties necessary and proper for carrying out programs and policies unless such responsibilities or duties have been expressly delegated to some other official or committee.

## **ARTICLE II DUTIES: BOARD OF DIRECTORS**

The NACE governing body is the Board of Directors (Board).

For the transaction of business by the Board, a quorum shall consist of one-half of the members of the Board. Qualifications, composition, and elections for openings on the Board are listed in Article V of the Constitution.

The Board of Directors shall exercise full authority in the following matters:

1. Initiating operational policies necessary to perform those duties reserved in the Constitution and Bylaws to the Board;
2. All fiscal matters of the Association.
3. The employment and supervision of the NACE Executive Director and, through the NACE Executive Director, all personnel of the National Office;
4. The submission at the NACE annual convention of a detailed report on all receipts and disbursements during the preceding fiscal year ending June 30. The audited financial statement shall be printed and distributed to the membership in such form as to facilitate a comparison of the items of income and expenditure in connection with the various activities of the Association during the fiscal year just concluded with the corresponding items for the preceding year;
5. Authorization of the Executive Committee of the Board to transact necessary business of the Association in the interim between meetings of the Board;
6. Decisions on withdrawal of membership or denial of specific esports sponsorship for a member institution; and
7. Administrative supervision of the Competition Council, Eligibility Enforcement Committee and Appellate Review Committee.

The enumeration of the above responsibilities and duties shall not be construed to deny the right of the Board to exercise any other power or to perform any other duty within the field of governance of the affairs of NACE. No policies or procedures exercised by the Board shall conflict with the constitution or bylaws of the constituent assembly.

### **ARTICLE III            DUTIES: COMPETITION COUNCIL**

The Competition Council shall exercise authority in the following matters:

1. Initiate operational policies, statistical services, and awards at national competition;
2. Determine the competition priorities of member institutions through surveys and other feedback mechanisms.
3. Provide administrative supervision of NACE associations/committees as assigned, and review and act on all recommendations from those associations/committees; and
4. Conduct nominations and elections in accordance with the Constitution when openings on the Council arise.

### **ARTICLE IV            DUTIES: ELIGIBILITY ENFORCEMENT COMMITTEE**

The Eligibility Enforcement Committee shall exercise authority in the following matters:

1. Act as the interpreting body of the NACE constitution and bylaws;

2. Review all allegations of violations of the bylaws, and may impose corresponding penalties against programs, coaches, students, and institutions;
3. Serve as the sole arbiter of any requests for exceptions to NACE's bylaws unless otherwise specified herein; and
4. Work with other NACE committees and councils to develop and propose changes to the constitution or bylaws to be voted on by the membership at the annual convention.

## **ARTICLE V DUTIES: APPELLATE REVIEW COMMITTEE**

The Appellate Review Committee (ARC) shall exercise authority in the following matters:

1. Act as the final arbiter of all appeals arising from the Eligibility Enforcement Committee (EEC);
2. Publish an annual report of the appeals reviewed by the ARC, outlining in generic terms the underlying issue of each appeal, original decision from the EEC, basis for the appeal, and final ruling and rationale of the ARC.

## **ARTICLE VI DUTIES: STUDENT AFFAIRS COMMITTEE**

The Student Affairs Committee shall exercise authority in the following matters:

1. Produce educational resources for esports staff to use when working with their students based on student development theory and/or practice.
2. Develop materials and offer support concerning the creation or evaluation of learning outcomes for esports programs.
3. Provide resources and guidance to member institutions regarding higher education best practices and policies through connections to relevant associations and literature.

## **ARTICLE VII INTENT TO COMPETE**

*Effective date: August 1, 2020*

*Students will be required to have a signed Intent to Compete (ITC) beginning August 1, 2020. ITCs for any and all students may be signed beginning February 1, 2020.*

### **SECTION A – ESTABLISHMENT OF AN INTENT TO COMPETE**

1. Each institution shall use the Intent to Compete form (ITC) established by the Eligibility Enforcement Committee (EEC) as the basis for signing students who will represent the institution in esports competition. The ITC form outlines the duties, responsibilities, and grounds for termination by both the institution and the student.
2. Each year, any student that wishes to compete at a NACE member institution must sign an ITC with the NACE member prior to competition.
  - a. If the student is not 18 years of age at the time of signing, both the student and a parent or legal guardian must sign the ITC.
  - b. The ITC must be signed by either the institution's esports director or head coach.

- c. The institution must also submit notice of the ITC to the NACE National Office within a month of signing the institution's hard copy form.
  - d. Each party shall maintain a copy of the ITC, to be made available upon request.
- 3. Once signed by both the institution and the student, the agreement cannot be altered without express written consent of both parties.
- 4. The student is considered to have a valid ITC for the entirety of the specified academic year regardless of the student's enrollment status, unless the ITC is otherwise terminated.
- 5. For students who are currently enrolled full-time at any institution of higher learning, an ITC can be signed beginning February 1 for the subsequent academic year. High school seniors and students otherwise not enrolled full-time at an institution of higher learning may sign an ITC beginning September 1 for the following academic year. Any ITC signed prior to these respective dates will not be recognized.
- 6. If an ITC is exhausted or completed for any reason, a student must renew and sign a valid ITC with the institution to be eligible for participation in a subsequent year.
- 7. If the ITC is terminated pursuant to any mutually agreed upon terms specified in the form, the institution and student will be released from the duties and responsibilities delineated in the ITC. The student shall be immediately removed from the ITC database. Because the student will no longer be signed to an ITC, the student is free to initiate contact with NACE institutions and/or transfer and compete at will.
- 8. Signed ITCs are binding and shall be respected by all other NACE member institutions. Any other institutional, conference or national letters of intent not sponsored by NACE shall not be recognized.

#### SECTION B – RESPONSIBILITIES

- 1. Once the ITC is signed by all applicable parties:
  - a. Notice of the signed ITC must be submitted to the ITC database maintained by the NACE national office. It is the responsibility of the NACE institution to promptly submit all signings to allow transparency for all other NACE institutions. A failure to do so is a violation, and any reported violations will be reviewed by the Eligibility Enforcement Committee.
  - b. If the institution believes the student has breached the ITC, the institution shall notify the NACE National Office and provide an explanation of the alleged breach and a copy of the ITC agreement. The EEC will review the allegation, and if the EEC verifies the ITC has been breached:
    - i. The member institution shall remove the student from the ITC database.
    - ii. The student shall not be eligible to compete at another NACE institution for the duration of the ITC.
    - iii. If the student wishes to compete immediately at a different NACE institution and not be withheld for the duration of the previous ITC, the NACE institution should file a request for an exception with the Eligibility Enforcement Committee per Bylaws Article IX, Section B.

- c. If the student believes the institution has breached the ITC, the student shall notify the NACE National Office and provide an explanation of the alleged breach and a copy of the ITC agreement. The EEC will review the allegation, and if the EEC verifies the ITC has been breached:
  - i. The student is released from the ITC. If the student transfers to another member institution, the student may be eligible to compete immediately.
  - ii. The student may initiate contact or receive contact from another NACE member institution.

## **ARTICLE VIII RECRUITMENT & CONTACT**

### SECTION A – RECRUITMENT

1. Any student that has not signed a valid and current Intent to Compete (ITC) with any NACE institution is considered a prospective student up until the point at which a valid ITC is signed.
2. NACE institutions may contact prospective students without limitation or restriction on the basis of the student's age, type of contact, or frequency of contact.
3. Prospective students cannot compete for a NACE institution in any capacity.
4. In recruitment of prospective esports students, NACE members must abide by any institutional policies regarding funding of expenses or facilitation of campus visits.

### SECTION B – CONTACT

1. A student is prohibited from contacting employees, contractors or volunteers involved with the esports team at any NACE member institution prior to February 1 while the student's signed ITC is in effect.
2. An employee, contractor or volunteer involved with the esports team at any NACE institution shall not initiate contact with any student who is known to have signed an ITC with another NACE institution for the duration outlined in the ITC agreement.
3. The contact restrictions described in Items 1-2 will not apply and contact will be permitted in the following situations:
  - a. Such contact is otherwise approved by the esports director or esports head coach of the student's current NACE institution;
  - b. The student is no longer enrolled at the NACE institution; or
  - c. The esports program at the NACE institution is discontinued, suspended or dissolved by the administration.
4. Should any employee, contractor or volunteer involved with the esports team at any NACE institution become aware that a student who has signed an ITC has been contacted by another NACE institution, it is the responsibility of the individual to notify both the National Office and the esports director of the institution in question within five business days. Notification to the National Office should be made in accordance with Article X, Section B, Item 2.

5. NACE member institutions shall have no restrictions on contacting or recruiting students from institutions that are not NACE members.

## **ARTICLE IX FINANCIAL ASSISTANCE**

### SECTION A – INSTITUTIONAL FINANCIAL AID

1. Any financial aid or scholarships provided by an institution to a prospective or enrolled student shall not exceed the actual cost of:
  - a. Tuition;
  - b. Mandatory fees, books, and supplies; and
  - c. Room and board for the student only, based on the official room and board allowance as published by the institution.

Any prize or award money earned from third-party competitions is excluded from this limit and are unrestricted.

2. Expenses incidental to intercollegiate competition may be provided by an institution. These expenses include but are not limited to esports-related travel, lodging, meals, awards, apparel and necessary medical expenses resulting from esports participation.
3. Additional ancillary expenses are permissible when such expenses are related to the student's membership on an intercollegiate team. Such additional ancillary expenses include but are not limited to student leadership activities, team-building outings, and mission trips.

## **ARTICLE X ELIGIBILITY**

### SECTION A – APPLICATION OF ELIGIBILITY RULES

Institutional membership of any kind charges each institution with the responsibility of knowing, administering and enforcing the eligibility standards adopted by the members of NACE in respect to the institution's intercollegiate esports program. The eligibility rules which follow pertain to any competition that occurs during the academic year, and apply to all students representing a member institution in any manner in any sport against competitors not directly identified with the institution, excluding scrimmages.

### SECTION B – ELIGIBILITY REQUIREMENTS

For a student to be eligible for any intercollegiate competition recognized by NACE, a member institution must ensure that the student conforms to the following regulations.

1. The student must be enrolled full-time pursuant to the member institution's published standards in the term in which the student wishes to compete.
2. The student must be properly certified as eligible on a NACE Eligibility Certificate each term in which the student wishes to compete.

### SECTION C – RETENTION & REESTABLISHMENT OF ELIGIBILITY



1. A student may participate in esports for a maximum of five calendar years, beginning from the first date of classes according to the institution's official academic calendar for the term specified in the Intent to Compete.
2. With reference to establishing or reestablishing eligibility in the same institution, a student is eligible for esports participation on the day following the close of a term, provided the student is enrolled full-time, pursuant to the member institution's published standards, for the upcoming term.

#### SECTION D – TERMINATION OF ELIGIBILITY

1. A student's eligibility is terminated when the student's five-year clock is exhausted. The clock is considered to be exhausted five calendar years from the date the clock began to run, as defined in Article VIII, Section C, Item 1. The student will have no remaining eligibility in any esports at any NACE member institution.
2. Any student who has completed eligibility or who has been permanently banned in a given esports at any four-year institution, either NACE-affiliated or otherwise, shall have no eligibility remaining in that esports within NACE. Such a student cannot regain eligibility in that esports at any NACE institution.

#### SECTION E – TRANSFER REQUIREMENTS

1. A student becomes identified with an institution upon signing an Intent to Compete form (ITC) or representing an institution in an intercollegiate esports contest. Anyone transferring after identification at any institution of higher learning becomes a transfer student.
2. A student previously identified with any institution of higher learning (two- or four-year) who wishes to transfer to a member institution must complete both the ITC and the NACE Transfer Player Eligibility Statement prior to competing.
3. A student who has signed an ITC with a NACE institution shall be considered identified with the NACE institution for the duration of the time period outlined in the ITC.
4. A transfer student who was suspended or was declared otherwise ineligible due to competitive misconduct while representing an institution in competition, must serve the period of suspension at the NACE institution to which the student transfers before intercollegiate participation shall be permitted.

### **ARTICLE XI ADMINISTRATIVE ACTIONS**

#### SECTION A – VIOLATIONS

1. Any alleged or self-reported violation of the NACE Bylaws will be reviewed by the Eligibility Enforcement Committee.
2. As noted in Article VII, Section B, Item 4, any employee, contractor or volunteer involved with the esports team at any NACE institution who becomes aware that a student who has signed an Intent to Compete form (ITC) has been contacted by another NACE institution must notify both the National Office and the esports director of the institution in question within five business days. A failure to report within five business days is considered a violation and will be reviewed by the Eligibility Enforcement Committee to consider if penalties are warranted.

The notification email shall contain the following:

- a. A copy of the signed ITC; and
- b. Evidence of the communication, to the extent available.

Upon receipt, the institution in question has 15 days to respond. At the conclusion of 15 days from the date the National Office and institution in question received notification, the alleged violation will be reviewed by the Eligibility Enforcement Committee for a final disposition.

3. Penalties are determined and applied at the discretion of the EEC but may include: permanent banishment for the offending party; institutional suspension or probation; forfeits; rules education; reduction in scholarships; and/or a monetary fine.

### SECTION B – EXCEPTION REQUESTS

1. An institution may choose to request an exception on the basis of exceptional extenuating circumstances.
2. All exception requests will be reviewed by the Eligibility Enforcement Committee, and the EEC will have complete discretion in rendering determinations.

### SECTION C – APPEALS

1. The Appellate Review Committee (ARC) shall review all appeals to decisions made by the Eligibility Enforcement Committee (EEC). Any appeal must be submitted through the NACE National Office within 30 days of the EEC's closing letter.
2. For an appeal to be heard by the ARC, one of the following grounds for an appeal must be satisfied:
  - a. New material evidence has come to light that was not considered by the EEC, and such evidence is relevant to the EEC's decision.
  - b. The decision of the EEC was arbitrary or capricious.
  - c. The decision of the EEC was made with intentional malice.
3. Appeals may only be submitted by a member institution. An institution submitting an appeal must do so in writing, noting the grounds for an appeal. Appeals shall be taken at face value.
4. All decisions made by this committee shall be final.

## **ARTICLE XII      IN-HOUSE PLAY**

NACE member institutions must provide an esports lab/arena or otherwise designated space for competitions. A designated space is a location designated for full or part time esports play to be supervised by a campus official.

NACE Member Esports Facility: An esports lab/arena on or off campus that is suitable for collegiate level esports play.

Campus official: A director, coach, staff, faculty or non-student volunteer designated to oversee NACE collegiate activities.

All NACE competitions will be conducted in the member institution's facility under the administration of a school official/coach except under the following exceptions:

#### SECTION A – INSTITUTIONAL COMPETITIVE VENUES

1. Team Travel: When a team is traveling to compete in an esports event and has a NACE competition while they are away from campus.

a. Teams must make an arrangement to play in an approved esports facility.

2. Uncontrolled events: e. g. Inclement weather, security, death, pandemic, campus closure.

a. Teams must reach out to the appropriate competition counsel subcommittee for the NACE competition and request exemption assistance.

i. **Exemption assistance:** When a school, because of an internal uncontrolled event needs NACE guidance to continue competition. Examples of exemption assistance are as follows:

a) Rescheduling of NACE matches.

b) Finding alternate arena arrangements if possible.

c) Expanding roster size and/or members beyond the roster rules.

d) Case by case basis for remote play.

b. Internet and Campus Power Complications:

i. If an institution's arena loses power or internet connectivity during a scheduled NACE match; the issue will be reported to the tournament's competition council subcommittee to make a decision on the state of the match.

a) Should the team have another space on campus or off campus to play their matches in a reasonable time period, institutions will move to that location and resume play.

b) If it is in the best interest of both parties involved to reschedule the match; the match should be rescheduled.

c) Remote play should only be allowed at the Competition Council subcommittee's discretion and is offered as a last resort for competitive integrity.

c. Server Status Exemption:

i. If during a NACE tournament match the server of any game goes down, participants should wait for 30 minutes before receiving guidance from the Competition Council subcommittee for the tournament.

1. If the server is down for more than 30 minutes, the matches should be postponed for a later date or time with the Competition Council subcommittee's discretion.

d. NACE Internal Tournament Delays: If for any reason NACE chooses to suspend league play; all rescheduling and dates of reschedule should be determined by the given Competition Counsel subcommittee.

i. If a match is rescheduled by NACE to a time where they cannot play in their arena; the team encumbered must reach out to the Competition Council subcommittee for the tournament for guidance on rescheduling or remote play.

e. NACE National Office Guidance: The NACE national office has the right to allow remote play for any institution at any time.

### 3. Controlled events:

a. Controlled events are not eligible for exemption assistance.

i. Planned school closures include all planned institutional breaks (spring break, fall break, winter break etc.) is defined as institution.

### 4. Online Student Campus Clause:

a. If an institution has predominantly recruited online students to play and participate in NACE competitions; their school reserves the right to keep them on roster until graduation while facilitating the transition to house competition in a physical location.

i. Institutions must report their online student competitors to NACE to have those students grandfathered in to maintain their eligibility.

ii. By Fall 2022 no new online students should be recruited for NACE esports competitions.

This bylaw would go into effect for NACE competitions starting in the 2021-2022 academic year.

## **ARTICLE XIII ELIGIBILITY EXEMPTION**

Facilitating the path to graduation looks different from student to student, which is why NACE offers exemption from a student's current Intent to Compete form (ITC) based on these criteria.

Exemption: A complete or partial void of a semester or academic year of NACE eligibility. A student may make a request for additional time to be approved by the EEC or ARC. No player may play in more than 5 individual academic years.

Intent to Compete form (ITC): Students who compete in NACE member competitions have signed an Intent to Compete form that grants them 1 year of esports eligibility for their institution and NACE to facilitate the path to graduation.

Institutions not having a large enough roster size or substitutions for individual competitions should not be a reason for individual exemption to an ITC. Reschedules and overall tournament planning throughout an academic year do not fall under an individual ITC exemption for a student or institution.

Institutions and students requesting exemptions must reach out to the NACE Eligibility Enforcement Committee to complete an official exemption process.

## SECTION A – NACE INTENT TO COMPETE EXEMPTIONS

### 1. Medical:

- a. A medical exemption to completely void or partially void a student's ITC can only occur if:
  - i. If a student cannot compete for an entire competition season or academic year because of a serious medical emergency or condition after signing a NACE member ITC.
  - ii. If a student dropped out of school to care for their family who has undergone a serious medical condition after signing a NACE member ITC.
- b. Institutions, coaches and directors can reach out on behalf of students who cannot report themselves for potential exemptions due to medical reasons.

### 2. Military:

- a. A military exemption to completely void or partially void a student's ITC can only occur if:
  - i. A student is no longer enrolled in full-time classes because of military deployment or training elsewhere for that semester after signing a NACE member ITC.
  - ii. A student is sent for humanitarian or other commitments at the state or federal level for the duration of a competitive season or academic year after signing a NACE member ITC.

### 3. Senior Status Exemption:

- a. A last semester/term senior student exemption to the "full-time student" clause in the ITC applies only if:
  - i. A senior student who, in their last semester/term, does not have enough credits to be full time while in their last NACE competition season/tournament cycle.
    - 1. This would only account for the last NACE competition season/tournament cycle directly before graduation.
      - a. This does not account for seniors who are not full time in their semester/term directly before their graduating semester/term.

## SECTION B – INSTITUTIONAL/ MASS INTENT TO COMPETE VOID CLAUSE:

1. If any NACE Member institution suspends or removes students from participating on campus due to a natural disaster/disease or unforeseen circumstance, NACE reserves the right to void the ITC's of students involved at that institution with intent to grant eligibility at a later date.

- a. This does not apply if a member institution chooses to close down on their own.
  - i. If a member institution does close on their own; all ITC's tied to that institution are null and void as students will not be able to participate in NACE competitions until another ITC is signed.

## SECTION C – PATHWAY TO GRADUATION:

1. To sign an Intent to Compete form for a first year, the student must have graduated from high school (or equivalent) and agree to register for the number of classes required to be considered full time at the host institution.

a. To sign an Intent to Compete form for the student's second year, all students must have at least 21 semester / 33 quarter (or equivalent) institutional credit hours recognized by their host institution. If the student is a first-year transfer, the 21/33 credit hours must be recognized by their previous institution, but thereafter, the total credit hours must be recognized by their current institution. If a student has only 1 term or quarter of collegiate attendance, their requirement is 9 semester / 13 quarter (or equivalent) institutional credit hours.

b. To sign an Intent to Compete form for a student's third year, the student must have met their institution's G.P.A requirement, and at least 48 semester / 72 quarter (or equivalent) institutional credit hours towards their degree recognized by their host institution or previous institution if they are a transfer student.

c. To sign an intent to Compete form for a fourth year, the student must have met their institution's G.P.A requirement, and at least 72 semester / 108 quarter (or equivalent) institutional credit hours toward their degree recognized by their host institution or previous institution if they are a transfer student.

d. To sign an Intent to Compete Form for a fifth year, the student must have met their institutions GPA requirement and at least 72 semester / 108 quarter (or equivalent) institutional credit hours toward their degree recognized by their host institution or previous institution if they are a transfer student.