

**Missouri Valley
USATF
AMENDED BYLAWS
October 4, 2008**

**ARTICLE 1
NAME, ORGANIZATION, PURPOSE, TERRITORY, JURISDICTION**

- 1.1 NAME:** The name of this organization shall be the Missouri Valley Association, USA Track and Field, hereinafter referred to as “this Association,” “this corporation,” or “Missouri Valley Association.”
- 1.2 ORGANIZATION AND PURPOSE:** The Association is organized as a Missouri General Not-For-Profit corporation, to promote the Sport of Athletics and carry out the purposes of USA Track & Field (USATF) throughout its assigned territory, in accordance with the Bylaws and Operating Regulations established by USATF. The Association will do everything possible to protect and promote the mutual interests of its members.
- 1.3 TERRITORY:** The territory of the Association shall be: the State of Kansas and the State of Missouri from the western boundary line to the east in a line including the counties of Schuyler, Adair, Macon, Randolph, Audrain, Callaway, Cole, Montineau, Morgan, Benton, Hickory, Polk, Green, Christian, and Taney.
- 1.4 JURISDICTION:** The Association shall have sole jurisdiction over the Sport of Athletics in its territory, as defined by the United States Track & Field, which is the National Governing Body (NGB) for Athletics in the U.S

**ARTICLE 2
DEFINITIONS**

As used in these Bylaws and the Operating Regulations:

2.1 ATHLETE:

- 2.1.1 International Athlete** means an athlete who has represented the United States in international competition under IAAF jurisdiction in Athletics (not including Youth World or World Masters events) within the preceding ten (10) years who has placed in the top half of a specifically designated national open championship within the preceding twenty-four (24) months, such competitions to be designated by the Athletes Advisory Committee;
- 2.1.2 Active athlete** means any individual who is actively engaged in Athletics or who meets the above definition of International Athlete; and

- 2.2 **ATHLETICS** means, inclusively, track & field, long distance running, cross country running, road running, race walking, and any other sport discipline recognized by the IAAF.
- 2.3 **ELIGIBLE ATHLETE** means any athlete who meets the eligibility standards established by the USATF for Athletics.
- 2.4 **ATHLETICS COMPETITION** means a contest, game, meet, match, tournament, or other athletic event in which eligible athletes compete.
- 2.5 **BOARD** (when canalized) shall mean the Board of Directors of the Missouri Valley Association.
- 2.6 **CLUBS** are organizations of athletes and others who participate in USATF programs as teams. There shall be various types of clubs, based on the types of programs and purposes served. Clubs may have more than one purpose.
- 2.7 **COACH** means an individual who is, or was actively engaged in the training of athletes within the sport of athletics within the preceding ten (10) years, the coaching of school/college community Athletics, the coaching of club athletes, or in the coaching of International Athletes, or who are USATF-certified coaches.
- 2.8 **NABR** means the National Athletics Boards of Review, as established in the USATF Operating Regulation 21.
- 2.9 **SANCTION** means the document in which evidences the authority granted by either USATF or an Association to conduct a competition, and which also evidences that the recipient has complied with the requirements of USATF Article 15 and USATF Operating Regulation 23.
- 2.10 **SPORTS ACT** means the Olympic and Amateur Sports Act as amended.
- 2.11 **SPORTS ORGANIZATION** means a non-profit corporation, club, federation, union, association, or other group organized in the United States which sponsors or arranges any Athletics competition.
- 2.12 **TERRITORY** means: the state of Kansas and the state of Missouri from the western boundary line to the east in a line including the counties of Schuyler, Adair, Maeon, Randolph, Audrain, Csslaway, Cole, Montineau, Morgan, Boson, Hickory, Polk, Green, Christian, and Taney.
- 2.13 **USOC** means the United States Olympic Committee.
- 2.14 **USATF** means USA Track & Field, the national governing body.

**ARTICLE 3
PURPOSE AND DUTIES**

3 This non-profit corporation shall act as the governing body (as defined by the Ted Stevens Olympic and Amateur Sports Act of 1988) for Athletics in this geographic area as defined in Article 2, Section 102.9.

3.1 PURPOSES: This Corporation shall have the following purposes:

3.1.1 Development: Developing interests and participation in Athletics in this territory as defined in 101.3 herein;

3.1.2 Management: Promoting Athletics and athletes by conducting competitions and other events, and by cooperating with and encouraging other organizations that may do so;

3.1.3 Marketing: Generating public awareness, appreciation, and support for Athletics, USATF, and for this Association; creating opportunities for athletes and Athletics events; and generating sponsorships to aid this corporation in fulfilling its purpose and duties; and

3.1.4 Diversity: Promoting diversity of representation at all levels of participation in USATF activities.

3.2 DUTIES: This Corporation shall have the following duties:

3.2.1 Responsibility and constituency: Being responsible to the persons and sports organizations active in Athletics;

3.2.2 Coordination of scheduling: Minimizing, through coordination with other sports organizations, conflicts in the scheduling of all practices and competition in Athletics;

3.2.3 Communication with athletes: Keeping eligible athletes, active in Athletics, informed of policy matters and reasonably reflecting the views of such athletes in the policy decisions of USATF and this Association.

3.2.4 Sanctioning of events: Sanctioning competition in Athletics in accordance with the provisions of these Bylaws, Regulations, if any, and USATF Bylaws, and USATF Operating Regulations;

3.2.5 Participation in competition: Providing for the participation by eligible athletes, coaches, managers, administrators, and officials in competition in Athletics, in accordance with the provisions of these Bylaws, Regulations, if any, and USATF Bylaws, and USATF Operations Regulations;

- 3.2.6 Support of Women in Athletics:** Providing equitable support and encouragement for participation of women in Athletics;
- 3.2.7 Support of the disabled in Athletics:** Encouraging and supporting sports programs in Athletics for disabled individuals;
- 3.2.8 Support of diversity in Athletics:** Providing equitable support and encouragement for participation by all persons in Athletics, regardless of gender, age, race or ethnicity, or disabilities;
- 3.2.9 Coordination of certification and education:** Providing the means for certification of coaches and officials throughout this geographic area in all disciplines and at all levels of Athletics;
- 3.2.10 Registration and certification of athletes:** Registering eligible athletes as members and certifying such athletes as eligible for competition; and
- 3.2.11 Administration of Athletics:** Performing all duties necessary for the administration of Athletics in this geographic area and to achieve this corporation's purpose

**ARTICLE 4
AUTHORITY OF THIS ASSOCIATION**

- 4** This Corporation shall be the governing body for Athletics in this geographic area, and shall exercise the following powers:**REPRESENTATION:** The Association shall represent USATF in its territory, .
- 4.2 ESTABLISHMENT OF ASSOCIATION GOALS:** The Association shall establish goals and encouraging the attainment of those goals in Athletics.
- 4.3 COORDINATION OF ATHLETICS:** The Association shall serve as the coordinating body for Athletics in this territory.
- 4.4 JURISDICTION:**
 - 4.4.1** Conducting competition in this territory area, including Association Championships, Regional Championships and National Championships.
 - 4.4.2** Exception: Any sports organization which conducts closed athletics competition (participation in which is restricted to a specific class of eligible athletes, such as high school students, college students, members of the Armed Forces, or similar groups or categories) shall have exclusive jurisdiction over such competition.

- 4.4.3 Autonomy:** This Association shall be autonomous in its governance of Athletics in this territory area, in that it shall independently determine and control all matters central to such governance in accordance with the USATF Bylaws and Operations Regulations and by these Bylaws and Regulations, if any, it shall not delegate such determination and control, and it shall be free from outside restraint. This provision shall not be construed as preventing this Association from contracting with third parties for administrative assistance and support in connection with its purposes and authority.

ARTICLE 5 CONSTITUENCY OF THIS ASSOCIATION

- 5** Membership in USATF and to this Association shall be open to any eligible individual, club, organization, national sport organization, and other constituency described herein.**QUALIFICATION AND APPLICATION.**

5.1.1 Application: An individual may apply for membership in USATF through this Association by completing a proper application. Membership shall criteria shall confirm to the Association's Bylaws and with the requirements of the USATF Bylaws and Operating Regulations.

5.1.2 Acceptance binds the applicant to abide by the Bylaws, Operating Regulations, and policies of this **Association** and USA Track & Field.

5.1.3 Disapproval of a membership application by the Chairman of the Membership Committee may be appealed using the prescribed Grievance Procedures (Article 11).

5.1.4 Suspension and Expulsion: Any individual or group recognized by this Association which violates any of the provisions of these Bylaws or Regulations, USATF Bylaws or Regulations, any operating policy approved by the USATF Board of Directors, or any operating policy approved by this Association may be suspended, after due notice and an opportunity to be heard by the body designated to conduct such hearings, until the next meeting of this Association, to which meeting action of suspension shall be reported by the Secretary. At such meeting, the suspension may be rescinded by a majority vote of the members or such individual or group may be expelled by two-thirds vote.

5.1.5 CLASSES. Membership in the Association shall consist of two classes:

5.1.5.1 Individuals: Any person who meets the criteria for individual membership as determined by USATF shall be eligible for membership. This includes athletes, officials, coaches, administrators, and any other sets of individuals named by USATF.

5.1.5.2 Groups: Any organizations that meet the criteria for group membership as determined by USATF shall be eligible for membership. This

includes clubs, organizations administrating competitions, and any other groups designated by USATF. Member groups must designate in writing who the voting members of the group are to be and make any changes to this in a timely manner before such individuals are recognized to vote.

ARTICLE 6 VOTING

6 The following guidelines shall apply to all elections for officers and sports committee and other chairs in this Association: **VOTING MEMBERS:** All members who are over the age of eighteen are automatically entitled to participate in voting at meetings of this Association. No individual may cast more than one vote in more than one capacity on any motion or in any election. All voters must be current members of this Association of USATF at the time that they are voting.

6.2 VOTING: The following applies to motions and resolutions, and uncontested elections:

6.2.1 Motions and resolutions: Motions and resolutions shall generally be by voice vote. If the voice vote is inconclusive to the chair or, if the chair's determination is challenged, there shall then be a vote by show of hands. A roll call vote or, if specifically requested, a written ballot shall be taken instead of a voice vote upon oral or written petition of at least one (1) delegate that is seconded by a delegate from another delegation; and

6.2.2 Uncontested elections: When only one (1) candidate or site is nominated a voice or hand vote shall be permitted.

6.3 ELECTION NOTICE:

6.3.1 Distribution: Notice must be distributed by newsletter, local Association web site, by e-mail and/or the National Office's web site;

6.3.2 Web site use: If a web site is to be used to inform members of the elections, then members must be informed where to find information on the web site through a mailing, newsletter or by designating a location on the local Association's website where such notices shall be found;

6.3.3 Prior arrival: The initial meeting notice must be sent by means under which it will arrive at least thirty (30) days prior to the beginning of the elections process; and

6.3.4 Changes: Any notice of a meeting change or a change in the election process must be at least fourteen (14) days prior to the meeting.

6.4 NOMINATING PROCESS:

- 6.4.1 Membership & age criteria:** A candidate must be a member of the Association who is at least 18 years of age (at the start of the term of office); and Board members must be minimum age of twenty five (25) years of age.
- 6.4.2 Nominations and Seconds:** A candidate needs one (1) nominator and one (1) second who are both members of the Association. The nominee must be present at the time of nomination.

6.5 VOTER CRITERIA:

- 6.5.1 One person-one ballot:** One (1) person shall cast only one (1) ballot, regardless of how many positions within the Association the person occupies;
- 6.5.2 Proxies:** There shall be no proxy voting;
- 6.5.3 Minimum Age:** Voter must be a minimum of age eighteen (18) on the day of the election or, in the case of a mail ballot, on the day the ballots are due;
- 6.5.4 Voting membership deadline:** Except for renewal from the previous year, individuals must be members in the month which ends more than two full months preceding the election (e.g., if the election is held at any time in September, the membership must be processed by June 30);
- 6.5.5 Appointees:** An appointed committee chair or Board member shall not vote in elections in that capacity but may otherwise qualify for a vote;
- 6.5.6 Organizations:** Organizations shall have a minimum of one (1) vote, any club with more than 100 USATF members may have one additional vote for every one hundred (100) USATF members.
- 6.5.7 Organization voter:** If an organization has more than one (1) vote, each ballot must be cast by a different representative; and
- 6.5.8 Membership of all voters:** Organizations and any person representing an organization in Association voting matters must be members of USATF.
- 6.5.9 Uncontested:** Uncontested elections may be voted by acclamation;
- 6.5.10 Ballot type:** A secret ballot must be used for contested elections.
- 6.5.11 Disputes:** Credentials disputes must be resolved before the election process is started with nominations and/or the report of the nominating committee.

6.5.12 Employees: Employees who are not members of the Missouri Valley Association will not be allowed to vote in any election process. If an employee of the Association is a member of USATF, they will be allowed a single vote in each election process.

6.6 COUNTING OF BALLOTS:

6.6.1 Panel: A panel of at least three (3) individuals, at least one (1) of whom must be an athlete when possible, shall count the ballots and sign the tally. All panel members shall be of voting age. The panel shall not include any individual who is a candidate for a contested office.

6.7 NATIONAL DELEGATES:

6.7.1 Delegates to USATF National Convention: The Association Board of Directors will have the right to vote or appoint such number of National Delegates as is reasonably necessary to enable the Association appropriate representation at the annual USATF National Convention in accordance with USATF rules and regulations. Delegates must be a current, active member of the Association, in good standing, and have made positive contributions to the Association.

6.7.2 Plurality: When delegates are elected, a plurality vote may be accepted for election.

6.8 MAJORITY REQUIREMENT:

6.8.1 Officers: The officers of the Association shall be elected by a majority of the ballots cast. If a run-off election is necessary, the notification requirement shall be the same.

6.9 ELECTION PROTESTS:

6.9.1 Article 11: Except as provided, Article 11 shall apply to election grievances. Protests may only be made after the election process is concluded;

6.9.2 Panel composition: An NARB from a different USATF region than the Association whose election is disputed shall be appointed to conduct the hearing. All hearings shall be by conference call;

6.9.3 Invalidation: The NABR panel shall invalidate an election if it is found that one or more infractions occurred and likely changed the outcome of an election; and

6.9.4 Further action: The NABR panel may recommend or require changes for future elections in this Association.

ARTICLE 7 MEETINGS

7.1 ANNUAL MEETING: The Annual Meeting of this Association shall be held on the first Saturday of October at 1:30 p.m. held at the Association's Office, or at such location as the Board shall designate.

7.2 REGULAR MEETINGS: This Association shall hold (quarterly) meetings of the Board at such time and place the Association President shall determine with input from the Board of Directors.

7.3 SPECIAL MEETINGS: Special meetings of this Association shall be held upon the call by the President or upon the written request of one third (1/3) of the membership of the Executive Committee or one tenth (1/10) of the membership of the Association for the purpose of addressing the grievances or matters of the Association.

7.4 MEETING PROCEDURES: The following shall govern the conduct of all meetings of this Association:

7.4.1 Notification of Meetings:

7.4.1.1 Distribution: Notice of the meeting must be distributed by newsletter, local Association web site, e-mail, and/or the National Office's website;

7.4.1.2 Web site use: If a web site is to be used to inform members of the meeting, then members must be informed where to find information on the web site through a mailing, newsletter, or by designating a location on the local Association's website where such notices shall be found;

7.4.1.3 Prior arrival: The initial meeting notice must be sent by means under which it will arrive at least thirty (30) days prior to the beginning of the election process; and

7.4.1.4 Changes: Any notice of a meeting change must be at least fourteen (14) days prior to the meeting;

7.4.2 Publication of agenda: The proposed agenda shall be included along with the meeting notice. Agendas should also be available at the time of the meeting; additional items added to the agenda shall not include any item where action of the committee, unless seventy-five percent (75%) of the members of the group then present agree to such action;

- 7.4.3 Open conduct of business:** All meetings of this Association shall be open to all individual members of the Association, except as otherwise provided. At the Board level, there shall be specified time period at the beginning of the meeting, or any time the Board so determines, where any member may give input or make a brief statement;
- 7.4.4 Closed or Executive Sessions:** No part of any meeting shall be closed unless seventy-five percent (75%) of the members of the group then present agree to such action; and
- 7.4.5 Record of a meeting:** The Association and all its committees shall have a recording secretary. Within (30) days of the meeting, draft minutes should be posted on the Internet. All written reports or a summary of such reports shall be distributed with the draft minutes.
- 7.5 QUORUM:** At this Association's annual meeting, a quorum shall consist of the appointed representatives of at least ten percent (10%) of the member clubs. At all meetings of the Executive Committee, a quorum shall consist of fifteen percent (15%) of the members.
- 7.6 AGENDA:** Prior to each meeting of this Association, the Secretary shall consult with the President and any Association staff member on the agenda. The Secretary shall prepare an agenda to be presented to the members at the start of the meeting as one of the first orders of business. Such agenda items shall include, but not necessarily be limited to:
- 7.6.1 Attendance:** Consideration of the eligibility of members through acceptance of the registrar's report or roll call;
- 7.6.2 Credentials:** Consideration of credentials and challenges;
- 7.6.3 Minutes:** Acceptance of the minutes of the previous meeting;
- 7.6.4 Financial Report:** Treasure's report and approval of the budget
- 7.6.5 Reports:** Reports from the President and those officers and committee chairs which have business to come before the delegates;
- 7.6.6 Introductions:** Group introduction of other officers and committee chairs (without reports);
- 7.6.7 Amendments:** Action on proposed amendments;
- 7.6.8 Elections:** Nominations (without speeches, except for officer positions) and elections as scheduled, including special elections;

7.6.9 Awards: Appropriate awards presentations; and

7.6.10 Other business: New or old business as scheduled,

7.7 RULES OF ORDER: Questions of order shall be decided by the chair in accordance with Roberts Rules of Order (Newly Revised), unless otherwise provided in these Bylaws. Decisions by the chair may be appealed to the Association parliamentarian. The President shall designate a qualified parliamentarian for all the meetings of this Association. Only the chair by a majority rule can vote to relax the order.

ARTICLE 8 OFFICERS AND THEIR DUTIES

8.1 POSITIONS: The officers of this Association shall be: a President, a Vice President, a Secretary, a Treasurer, and Membership Chair. No individual may be an officer of this Association who is also an officer of any other sport governing body at the local or national level.

8.2 DUTIES: The officers shall perform the following duties, as well as any such other duties prescribed by these Bylaws, USATF Bylaws, Operating Regulations, or the Board of this Association.

8.2.1 President: The President shall:

8.2.1.1 Preside at all meetings of USATF and its Board;

8.2.1.2 Be an ex officio non-voting member of all committees;

8.2.1.3 Shall, in consultation with the Chair of the Officials appoint the Officials Certification Chair, who shall perform the duties of set forth in

8.2.1.4 Subject to the direction of the Board of this Association, shall manage and **supervise** the affairs of this Association; and

8.2.1.5 Select Committee Chairs and other such members that he or she is entitled to appoint, as well as make other appointments authorized by these Bylaws, after consultation with the other officers. He or she may likewise terminate such appointments for good cause upon written notice to such appointees or the other officers;

- 8.2.2 Vice President:** The Vice President shall perform duties assigned by the President and Board. In the temporary absence of the President from a meeting, the Vice President shall serve as acting chair;
- 8.2.3 Secretary:** The Secretary shall keep or cause to be kept all records of this Association, and the minutes of all meetings of this Association and its Board and, in general, shall perform all duties normally pertaining to the office of secretary;
- 8.2.4 Treasurer:** The Treasurer shall keep or cause to be kept a correct and complete record of account, showing accurately at all times the financial condition of this Association and, in general, shall perform all duties normally pertaining to the office of treasure; and
- 8.2.5 Membership Chair:** The Membership Chair shall collect or cause to be collected all memberships for individuals, Clubs and groups within the Association, and provide liaison to the USATF National Office in all matters of membership, including reporting and disbursement of benefits.
- 8.3 ELECTION:** All officers are to be elected for 4 years at the annual meeting of the Association. No person may contest more than one (1) officer position during an election. A person may not hold the office of President and any other officer position; however, a person may be named in other dual capacities to fill a vacancy.
- 8.4 LIMITATION ON TERMS:** No person shall serve in an officer position for more than two (2) terms without a period away from that position.
- 8.5 SUCCESSION AND VACANCIES:** There shall be no order of succession to any office. In the event the Board determines that an officer is temporarily unable to serve, it may, in its sole discretion, name another officer to fill the vacancy temporarily. In the event an officer resigns or is permanently unable to serve, the Board shall name a successor until the following annual meeting, subject to the limitations in paragraph (9.3) below, at which time a special election shall be held for the unexpired portion of the term.
- 8.6 REMOVAL FROM OFFICE:** Any officer of this Association may be removed for good cause by a two-thirds (2/3) vote of those members of the Association present and voting at an annual meeting or special meeting called for this purpose, and provided the requisite notice for such meeting (see ARTICLE 7) shall properly set forth the removal vote on its agenda.

**ARTICLE 9
BOARD OF DIRECTORS**

9.1 COMPOSITION: The Board of Directors shall be composed as follows:

9.1.1 Voting members: The voting members of the Board shall be as follows:

9.1.1.1 The **Officers** of this Association (5 persons)

9.1.1.2 The **Chair** of the Officials Committee (1 person)

9.1.1.3 A **Coach** elected by and from the (Coaching Advisory Committee) (1 person)

9.1.1.4 The **Chairs** of the following sports committees: (Men's T&F, Women's T&F, Youth, Masters, Race Walk, LDR, Cross Country, Disabled Athletes, Coaches Education, Communications, and Athlete Advisory (11 persons)

9.1.1.5 Officials Advisory Chair (1)

9.1.1.6 At least that number of **eligible athletes** that shall constitute twenty percent (20%) of the Board, all of whom must be of voting age and at least one of whom must have participated in international competition for the USA within the last ten (10) years, where available.

9.1.1.7

9.1.2 Chair and Secretary: The President of the Association shall serve as chair and the Secretary as Secretary.

9.1.3 Officials Advisory Chair. The Officials Advisory Chair shall be a member of the Board of Directors and shall serve the Board by serving as the Board's representative to coordinate, develop and expand the function of the Officials Advisory Board, the Officials Certification Chair and the Officials Committee and to ensure successful accomplishment of their respective goals and objectives. The Officials Advisory Chair shall be the Chair of the OCRB.

9.1.4 Officials Certification Review Board (OCRB). The OCRB's primarily responsibilities shall include reviewing applications for advancement submitted by officials to the Certification Chair for advancement to Association, National and Master level officials. The OCRB, in conjunction with the Officials Certification Chair, shall determine whether applications for advancement should be approved, The OCRB shall consider the following factors in making its determination: (1) whether the applying official meets the performance standards established by USATF; (2) whether the applying official has followed the Official's Ethical Code established by USATF; (3) whether the applying official's has satisfied the competency and knowledge requirement of USATF

and those of other relevant Athletics national or international bodies; (4) whether the applying official has satisfied the requirements set by USATF for the level to which the applicant has applied; (5) recommendation of other USATF Missouri Valley Association Sport or Administrative Committee provides and (6) whether and how many USATF Missouri Valley Association's Championships the applying official has officiated before the requests for advancement was submitted.

9.1.4.1 Makeup. The members of the OCRB shall be chosen as follows:

9.1.4.1.1 The President shall appoint one (1) member.

9.1.4.1.2 The Officials Committee shall appoint one (1) member.

9.1.4.1.3 The Certification Chair shall appoint one (1) member.

9.1.4.1.4 The Youth Committee shall appoint one (1) member.

9.1.4.1.5 One (1) member shall be elected by the Board of Directors.

9.2 GENERAL PROVISIONS:

9.2.1 Fiduciary responsibility: The Board shall manage and supervise the affairs of the Association and perform those duties specified in these Bylaws; and

9.2.2 Meetings of the Board: The Board may conduct its affairs either at a meeting or by a conference call. It shall hold bimonthly, in-person meetings during each year as called by the President. Additional meetings may be called by the President or upon the written request of any five (5) members of the Board, and if by the latter group, only after a minimum prior notice of five (5) days to the President of such intent by facsimile or e-mail. At least seven (7) days notice of any in-person meeting and at least forty-eight (48) hours notice of any conference call shall be given to all members of the Board. After the members of the Board have called for a meeting, the President shall have twenty-four (24) hours to determine the venue and make appropriate notice to the remainder of the Board. For any meeting, notice may be waived by unanimous consent. Written notice shall include the minutes of the previous meeting.

9.3 ELECTION OR SELECTION OF MEMBERS: All members of the Board are elected by their constituencies and shall serve at the discretion of those constituencies, unless otherwise stated in these Bylaws.

9.4 TERMS: The terms for Board members which are not otherwise set by their terms of office shall be the four (4) years of the Olympiad. No member of the Board shall serve more than two consecutive terms without a one (1) year off of the Board.

9.5 BOARD COMMITTEES: The Board may have committees including, but not limited to, budget, audits, compensation, insurance, and grants. Each Board committee will have no more than five (5) members, at least one (1) of whom must be a Board member. The President shall appoint the members with the approval of the Board.

9.6 EXPULSION: Upon failure to participate in two (2) consecutive board meetings without excuse, the Board may begin procedures to remove such board member with notification whereby after two (2) more absences will result in a vote of expulsion by two-thirds (2/3) vote of the Board members attending a meeting of expulsion.

9.6.1

**ARTICLE 10
COMMITTEES**

10 The following committees of this Association are established with such duties, responsibilities, and makeup as outlined here and in ARTICLES reserved for each type of committee

- MEN TRACK & FIELD
- WOMEN TRACK & FIELD
- RACE WALK
- YOUTH COMMITTEE
- MASTERS
- LDR
- CROSS COUNTRY
- DISABLED ATHLETES
- ATHLETE ADVISORY
- COACHES ADVISORY
- COACHES EDUCATION
- COMMUNICATIONS/MEDIA
- OFFICIALS
- SPORTS MEDICINE
- SPORTS PSYCHOLOGY
- LAWS & LEGISLATION/RULES

10.1 GENERAL PROVISIONS: The following provisions apply to all of this Association's committees:

10.1.1 Age and Terms of members: Unless otherwise provided for, the term for members of all committees shall be four (4) years and shall commence at the conclusion of the annual meeting in each year of the Summer Olympic Games. Minimum age shall be eighteen (18).

10.1.2 Committee makeup: The makeup of each non-sport committee shall be stated in the description for the committee. Sport committees shall be constituted as follows:

10.1.2.1 Association group members: One (1) member to be named by each Association club or organization active in the discipline of the committee;

10.1.2.2 Sports organization members: One (1) member who is a resident of the Association to be named from each sports organization listed in USATF Exhibit B that conducts substantial programs or competitions in the sports discipline of the particular committee;

10.1.2.3 Athletics for the Disabled members: One (1) member to represent the collective disabled athletes in the area;

10.1.2.4 Officials Committee member: One (1) member to be named by and from the Association Officials Committee;

10.1.2.5 At-large members: Three (3) at-large members to be selected by the members of the committee;

10.1.2.6 Elected officers and their positions: Any person elected by the committee to serve in an officer's position, such number not to exceed four (4) additional members.

10.1.2.7 Active athlete members: The number of active athlete members shall be selected by those registered attendees at the meetings of this Association who are active athletes engaged in the particular sport discipline of the Committee. For Youth Athletics, AAC shall appoint four (4) active athletes;

10.1.3 Committee membership and notification: No election, selection, or appointment to a committee shall be effective until the Association secretary or committee chair is formally notified by the organization or other parties entitled to make same. Vacancies in a committee shall be filled by the committee, individual, organization, or group entitled to appoint the vacant committee membership position. The Athletes Advisory Committee chair may appoint an active athlete from the applicable discipline to fill an athlete vacancy and/or serve as a voting alternate on any committee;

10.1.3.1 Elections: The provisions of Article 9-F (USATF Bylaws) shall apply to the election process of committees. The committees shall be free to adopt other portions of Article 9, rules not in conflict with those in Article 9-F;

- 10.1.3.2 Alternates:** The individual or group electing or selecting members of any committee or sub-committee (other than committee members elected by this Association or its Board) may designate an alternate. Appointment of alternates shall be reported to the Association secretary or committee chair in a timely manner;
- 10.1.3.3 Membership:** All elected and appointed members of all committees shall be members of this Association;
- 10.1.3.4 Termination:** Organizations or groups which appoint committee members per this section may terminate such appointments for good cause upon written notice to such appointees;
- 10.1.3.5 Same organization:** No more than two (2) at-large members of administration or developmental committees appointed by the President (other than the chair) may come from the same organization; and
- 10.1.3.6 Listings:** Under every committee member's name in the USATF Directory shall be listed (1) their Association or (2) the governing organization they represent;
- 10.1.4 Committee meetings:** Each committee shall hold at least an annual meeting, which may be in conjunction with the annual meeting of the Association. Committees shall hold special meetings as may be called by the chair, at his or her own initiative, or that of twenty percent (20%) of the membership of the committee, upon twenty (20) days written notice. In the latter case and in the absence of the willingness of the chair to call a meeting, the notice of a special meeting shall be distributed to all committee members at the direction of the Association Secretary upon verification that the requirement of twenty percent (20%) has been met. The notice of a special meeting shall be mailed to the last known address of each committee member or to the committee members' e-mail address;
- 10.1.5 Quorum:** A quorum for any committee meeting shall consist of twenty-five percent (25%) of its members;
- 10.1.6 Athlete representation:** Except for the Youth Athletics Committee and its subcommittees, all Association committees, subcommittees, or other appointed or elected bodies of this Association shall consist of at least twenty percent (20%) active athletes. At least twenty-five percent (25%) of the active athletes shall have competed for the United States in international competition within the last ten (10) years, if such athletes are available; and

10.1.7 Committee responsibility: Any committee project or grant which requires applicants to file a written request form must also require a certification that the Association President and sport chair (if appropriate) have been notified of the application. Any USATF national committee awarding funding for projects or events to be held in the Association must notify the Association President in writing of the date and scope of the activity to be held in the Association.

10.2 COMMITTEE CHAIRS: The chair of each applicable committee shall be elected in accordance with this Association's voting procedures (see ARTICLE 8) for a four (4) year term. Unless otherwise specified, the chairs of all other committees shall be appointed by the Association President and shall serve for the same term as the President's term. Non-sport committees which elect their chairs may also elect an executive committee to act on behalf of the committee between committee meetings.

10.2.1 Duties of chair: Chairs of all committees shall

10.2.1.1 Preside at all meetings of the committee

10.2.1.2 Ensure that all duties and responsibilities of the committee are properly and promptly carried out;

10.2.1.3 Appoint subcommittees with the authorization of the committee, as may be necessary to fulfill the duties and responsibilities of the committee. Subcommittees of administrative and developmental committees shall be appointed only from the membership of those committees, except that non-members (not exceeding 50% of the subcommittee) may be appointed with the authorization of the committee;

10.2.1.4 Communicate with the committee members to keep them fully informed of events concerning the committee and decisions made to carry out the committee's responsibilities; Keep the President and Executive Director informed on all committee actions and recommendations; and

10.2.1.5 Cause to be kept and promptly forwarded to all committee members and the Executive Director copies of the minutes of all meetings of the committee;

10.2.1.6 Vacancies: When an elected committee chair is vacant, the position shall be filled by a vote of the committee as a whole by mail ballot, unless the committee has previously adopted a different procedure. A panel to make recommendations regarding a committee chair may be named by the Board. If such panel is named, the Board may appoint such committee chair; and

10.2.2 Removal of elected chairs: Chairs may be removed for good cause by a two-thirds (2/3) vote of the committee at an annual meeting or at a special meeting called for that purpose and provided that the requisite notice of such meeting (see Article 7) shall be properly set forth the removal vote on its agenda.

10.3 SPORT COMMITTEES GENERAL PROVISIONS: Each sport committee shall:

- 10.3.1 Executive committee:** Have the right to establish an executive committee to perform its duties between annual meetings. The membership of the executive committee shall be at the discretion of the committee of the whole. Except for Youth Athletics, the number of active athletes shall be at least twenty percent (20%) of the membership. If such executive committee is established by either the Men's or Women's T&F committees, at least one-third (1/3) of its membership shall consist of individuals whose vocation includes the administration or coaching of school/college community track & field;
- 10.3.2 Open meetings:** Except upon majority vote of those present, allow the attendance at its meetings of athletics coaches, officials, or representatives of any group engaged in the sport, allowing such invitees voice but no vote;
- 10.3.3 Miscellaneous:** Promote and develop activities related to its sport;
- 10.3.4 Operating procedures:** Have a set of written operating procedures on file with the Association Secretary. These procedures shall not conflict with the provisions of the USATF Bylaws and Operating Regulations or these Bylaws. Any modification of the committees operating procedures shall be promptly reported to the Secretary. Members of the Association may request a copy from the Secretary and copies shall be available at the Annual Meeting; and
- 10.3.5 Task forces:** The President may appoint task forces. No such entity shall continue beyond the term of the President without specific reappointment. The authorized temporary groups will be reported in the minutes of the next meeting.

10.4 SPORTS COMMITTEES:

- 10.4.1 Duties and responsibilities:** In addition to the provisions of Article 13, each Committee shall:
 - 10.4.1.1 Championships:** Have jurisdiction over the Association championships in the particular discipline it controls, and shall institute, locate or award, conduct, and manage all such championships in accordance with the provisions of Regulation 3;
 - 10.4.1.2 Calendar:** Coordinate the local and domestic competition calendar in its discipline; and
 - 10.4.1.3 Records:** Approve records for the events within its discipline;
- 10.4.2 Committee definitions:** The disciplines and age categories under the control of each sport committee of each sport committee in this division are as follows,
 - 10.4.2.1 Men's Track & Field:** Indoor and outdoor track & field activity for junior and senior men, not including track races greater than

10,000m;

10.4.2.2 Women's Track & Field: Indoor and outdoor track & field activity for junior and senior women, not including track races greater than 10,000m;

10.4.2.3 Race Walking: All race walking activity for junior and senior men and women;

10.4.2.4 Long Distance Running: Off-track running at all distances, track running at distances over 10,000m, and cross county running for junior and senior men and women and masters;

10.4.2.5 Youth Athletics: All youth activity not conducted as junior competition for youth boys and girls, including track & field, road running, cross county running, and race walking; and

10.4.2.6 Masters Track & Field: All track, field, and race walking activity for masters men and women, except track running races greater than 10,000m

10.4.3 Makeup: Each sport committee shall be constituted as stated in ARTICLE 13-B-2.

10.4.4 Athlete Advisory: Serve as a source of reference, opinion, and advice to the officers, Board, and all committees with regard to current or contemplated policies of USATF and/or the Association and in all matters relating to athletes and athlete's rights;

10.4.4.1 Athlete representatives: Appoint, elect, or oversee the election or appointment of athletes' representatives to committees or subcommittees when empowered to do so by these Bylaws;

10.4.4.2 Participation in governance: Encourage and foster the representation and active participation of athletes at the meetings of the Association, its Board and its committees;

10.4.4.3 Meetings: Conduct meetings of the active athlete members and other athlete attendees at the Annual meetings of this Association;

10.4.4.4 Performance: Assist athletes in achieving maximum performance in athletics competition;

10.4.4.5 Rights of athletes: Educate athletes about their rights and responsibilities in athletics competition;

10.4.4.6 Athlete advice: Advise all athletes on all matters pertaining to the general structure and operation of athletics;

10.4.4.7 Transition of athletes: Assist with the transition of athletes in post-

competitive years;

10.4.4.8 Operating ruin: Adopt operating rules to assist the committee in carrying out its duties and responsibilities; and

10.4.4.9 Makeup: The committee shall consist of active athletes in each of the following categories where available:

Sprints;
Hurdles;
Multi-events;
Distances of 800m through 1,500m;
Distances of over 1,500m to 10,000m;
Road Racing and Cross Country;
Throws;
Race Walking; and
At-large (active or inactive) athletes

10.5 COACHES ADVISORY: Shall serve as a source of reference, opinion, and advice to the officers, Board, and all committees with regard to current or contemplated policies of this Association and in all matters relating to coaches; and

10.5.1 Coaches representatives: Appoint coaches' representatives to committees or subcommittees when empowered to do so by these Bylaws; and

10.5.2 Makeup: The committee shall consist of a minimum of one (1) coach from each Organization active in the Association (as appropriate), and three (3) club coaches to be selected by the President, plus three (3) active athlete members selected by the Athletes Advisory Committee chair. The member shall elect their chair at the annual meeting in even-numbered years.

10.6 COACHING EDUCATION: The committee shall foster the growth of coaches' education in the local area, using such resources as the national committee can provide. It shall participate in the staging of any coaching education school held in the geographic area of the Association. Recognizing the differences between Associations in the activities of coaches' education, insofar as they can, Associations' coaching education committees shall attempt to parallel the structure of the national subcommittee, such activities being led by an Association coaching education chair appointed by the Association President. The committee shall:

10.6.1 Scope: Investigate, stimulate, plan, and promulgate programs on a broad basis to provide for the overall development of training, competitive facilities, equipment and skills, coaching methods, and athletic skills;

10.6.2 Effect: Perform the above activities in order to develop the maximum number of athletes from the novice to world-class levels;

10.6.3 Makeup: Members, who unless hereinafter specified to the contrary, shall be appointed by the chairs of the Olympic sport committees with the approval of the

President. The chair of each committee, with the approval of the divisional chairs of High Performance and Long Distance Running in consultation with the President, shall have the authority to appoint additional non-voting members necessary to carry out the responsibilities of the committee.

10.7 LAW & LEGISLATION AND RULES: The committee shall consider and present in proper form for action all amendments to the USATF Bylaws and Operating Regulations and may make recommendation thereon

10.7.1 Custodial service: Be the custodian of the local Association Bylaws;

10.7.2 Interpretation: Interpret the Rules of Competition;

10.7.3 Amendments by members: Have the authority to propose amendments to the USATF Bylaws Operating Regulations, and Rules of Competition on behalf of the Association with the signature of the President of the Association; and

10.7.4 Makeup: The committee shall consist of at least three (3) and no more than seven (7) members of the Association, at least twenty percent (20%) of which must be active athletes, as named by the President.

10.8 SPORTS MEDICINE AND SPORTS SCIENCE: Shall study the correlation between health and sports and make such recommendations as deemed advisable for the conduct of the sport of athletics. They shall conduct Sports Medicine and Sport Science seminars. They shall:

10.8.1 Collect and make arrangements for storing reports from contributing medical personnel regarding the health care and solutions to health care problems related to athletics;

10.8.2 Encourage sports medicine and sports science seminars to be held throughout the Association, and act as an advisory body to those interested in conducting sports medicine Seminars;

10.8.3 Prepare a list of medical personnel who are willing to assist the program in any way;

10.8.4 Assist and advise standing sports committees in areas of physiology testing, biomechanical analysis, and psychological preparation for competition and nutrition;

10.8.5 Inventory and evaluate sports medical facilities throughout the Association;

10.8.6 Provide references for the technical knowledge, understandings, and applications of sport related sciences toward improved development in athletics;

10.8.7 Makeup: The committee shall consist of chairman and two (2) at-large delegates appointed by the President, and one (1) delegate from each duly active standing sport committee,

10.9 OFFICIALS: Duties and Responsibilities shall be:

10.9.1 The certifying, training, and general supervision of officials;

10.9.2 The monitoring of the overall requirements for the training and certification of officials;

10.9.3 The encouragement and development of standard uniform attire to be worn when officiating.

10.9.4 In carrying out its overall responsibility, the committee shall provide forms, examinations, clinic programs, and other materials and know-how. The Officials Certification Chair, who shall be appointed by the President in consultation with the Officials Committee Chair who shall be responsible to train, certify and generally supervise officials under such rules and procedures consistent with the directives of the National Committee. The committee may establish certification examination, field experience, clinics, and such other procedures that they may choose as their overall program administration, including the direct responsibility to certify the officiating category of "Association Official" to working officials within the Association. It shall further be the duty of the Officials Certification Chair to:

10.9.4.1 Certify Association officials;

10.9.4.2 In conjunction with the Officials Certification Review Board recommend to the National Committee candidates for National and Master Official certification;

10.9.5 Makeup: The committee shall have the composition as recited in ARTICLE 15.

10.10 ATHLETICS FOR DISABLED. The committee shall serve as liaison between this Association and (i) the Disabled in Sports Committee of the USOC and (ii) those sports organizations for athletes with disabilities which conduct regular programs;

10.10.1 Competitions: Coordinate, through the appropriate sport committee, the competition of athletes with disabilities in events under the jurisdiction of this Association, and promote participation by athletes with disabilities in Association-sanctioned events;

10.10.2 Development: Develop programs to improve athletic performance among athletes with disabilities;

10.10.3 Education: Facilitate the education and training of coaches and officials, and the education of the Athletics community in general in working with athletes with disabilities; and

10.10.4 Makeup: the committee shall consist of a chair and two (2) members selected

by each sports organization for the disabled. One (1) of the two (2) members from each such organization shall be disabled and have competed within ten (10) years. At least twenty percent (20%) of the committee shall be disabled.

ARTICLE 11 REDRESS OF GRIEVANCES

11 REDRESS OF GRIEVANCES: A grievance may be any matter within the cognizance of this Association other than doping offenses described in USATF Operating Regulation 10.

11.1 JURISDICTION: This Association shall have jurisdiction over all disciplinary and formal grievance proceedings relating to matters that arise within the boundaries of the Association, except sexual misconduct allegations and doping violations which shall be under the jurisdiction of USATF. All penalties imposed by this Association shall be effective only within the jurisdiction of this Association.

11.2 ASSOCIATION ARBITRATION PANEL: The following shall apply to the appointment and conduct of the Association Arbitration Panel (AAP):

11.2.1 Members: The Association Arbitration Panel shall consist of three (3) members - a chair, an at-large member, and an athlete member. There shall also be a first alternate, second alternate, and additional alternates who may be appointed from time to time when any of the three (3) members of the AAP are not available. Members of the AAP shall not be members of the Association Board or Executive Committee.

11.2.2 Appointments: Appointments shall be made by the President with the approval of the Association Board. The appointments shall be duly reflected in the minutes of a properly convened Board meeting.

11.2.3 Terms: Terms shall commence on January 1 of each even-numbered year.

11.2.4 Removal: Members and alternates may be removed for good cause by majority vote of the Association's Board. Good cause may include, but is not limited to, the following:

11.2.4.1 Dilatory practices: An AAP member who causes or permits delays in the hearing process; and/or

11.2.4.2 Failure to follow procedures: An AAP member who disregards or fails to apply the hearing procedures or other provisions set forth in the Association Bylaws, Association Regulations, USATF Rules, USATF Bylaws, and/or USATF Regulations.

11.3 GRIEVANCES: A grievance may involve any matter, other than sexual misconduct and doping offenses, within the cognizance of USATF that occurs in the jurisdiction of this Association:

11.3.1 Grievance Complaints: A Grievance Complaint shall state the following:

11.3.1.1 Detrimental conduct: Conduct detrimental to the best interests of Athletics, USATF, or this Association has taken place; or

11.3.1.2 USATF violations: A violation of any of USATF's Bylaws or Operating Regulations and/or a violation of any of this Association's Bylaws or Operating Regulations has occurred.

11.3.2 Parties: Grievance Complaints may be filed only by and against individuals or entities which were, at the time that the conduct complained of occurred, and at the time the Complaint is filed, members, directors, or officers of USATF or otherwise subject to the jurisdiction of this Association. A non-member, former director, or former officer of this Association shall be subject to the jurisdiction of this Association for the purpose of defending against a Grievance Complaint for an incident that occurred while he or she was a member, a director, or officer of this Association or otherwise subject to the jurisdiction of this Association. A Grievance Complaint may only be filed by a person or entity affected by the issues raised in the complaint; and

11.3.2.1 Time limit: Grievance Complaints must be filed within one (1) year from the time the complaining party knew or should have known of the act giving rise to the Complaint.

11.3.3 Disciplinary matters: This Association shall have the authority to discipline any member who, by neglect or by conduct, acts in a manner subject to discipline pursuant to Regulation 11 below.

11.3.3.1 Activities subject to discipline: This Association may discipline any member who, by neglect or by conduct:

11.3.3.1.1 Detrimental conduct: Acts in a manner detrimental to the purposes of USATF, this Association, or Athletics;

11.3.3.1.2 USATF, IAAF, and Sports Act violations: Violates any of the Bylaws, Operating Regulations, or Competition Rules of USATF or the IAAF, or violates the Sports Act;

11.3.3.1.3 Eligibility violations: Violates the rules of eligibility for Athletics;

11.3.3.2 Time limit: Disciplinary proceedings must be requested within one (1) year from the time the complaining party knew or should have known of the issue giving rise to the request for a disciplinary hearing.

11.3.4 Rights of the persons or entities: In all matters subject to this Regulation, all parties shall be provided with fair notice and an opportunity for a hearing prior to the adjudication or imposition of any penalty by the Association or AAP. All parties:

11.3.4.1 Representation: May be represented in any disciplinary, grievance, or Association proceeding by a person(s) who may (but need not) be an attorney;

11.3.4.2 Right to appeal: May appeal any adverse decision in accordance with this Regulation;

11.3.4.3 Attendance at hearing: May be present at any hearing; and

11.3.4.4 Presenting and challenging evidence: Shall have the right to present evidence and witness testimony and to cross-examine witnesses testifying against him, her, or it.

11.3.5 Initiation of proceedings: Formal grievances shall be initiated as follows:

11.3.6 Grievance complaint filing procedures:

11.3.6.1 Filing location: Complaints shall be filed with the Association President and Secretary. The Secretary shall forward a copy of the Complaint to each party charged in the Complaint;

11.3.6.2 Language: All documents filed and exchanged with respect to this Regulation shall be in English; provided, however, that an original document that is in a foreign language must be submitted along with an English translation. The party submitting the document shall bear the cost of obtaining its translation, which shall be conducted by a reputable translator or translation service. In the event of a challenge to the accuracy of a translated document, the panel chairperson may direct USATF to order a translation of the document(s) in question and may allocate the cost of the translation to any party or all parties, as the panel deems appropriate;

11.3.6.3 Basis for the Complaint: The Complaint shall allege clearly the nature of the dispute and, where appropriate, state the specific violation of the Bylaws, Operating Procedures, Competition Rules, or Policies of USATF, this Association, or the IAAF;

11.3.6.3.1 Facts of allegation: Factual allegations shall be separately stated in concise language with one (1) allegation set forth in each numbered paragraph of the Complaint;

11.3.6.3.2 Signature: The Complaint shall be signed by the person filing the Complaint,

11.3.6.3.3 Filing fees: A filing fee of One Hundred U.S. Dollars (US\$100) must accompany an organization's complaint and a filing fee of Seventy-five U.S. Dollars (US\$75) must be paid by individuals filing a Complaint. The filing fee must be in the form of a certified check or money order made payable to this Association;

11.3.6.3.4 Failure to comply with Complaint procedures: Complaints that fail to comply with the procedures outlined in this Regulation shall be returned to the filer with instructions explaining the deficiency. A returned Complaint may be re-filed within thirty (30) days of the initial filing. After thirty (30) days, the Complaint will be deemed abandoned;

11.3.6.4 Informal resolution of grievances: Upon receipt of a Grievance Complaint, the President or his/her designee shall make every effort to resolve the dispute through informal means. In disputes pertaining to a specific sport discipline, the President or his/her designee shall also confer with the chairperson of the sport committee for the discipline involved. All discussions related to the informal resolution of a complaint shall be confidential;

11.3.6.5 Formal resolution: If the informal resolution of the complaint is unsatisfactory to any party, or if a party declines to pursue informal resolution, the party may request that the complaint be resolved by a formal hearing before an AAP panel;

11.3.6.6 Hearing panel: When one party has indicated that the matter cannot be resolved informally, the President or his/her designee shall coordinate the selection of a three (3) person arbitration panel as detailed in Paragraph B of this regulation. The arbitration panel should include at least one (1) Active Athlete. One (1) panel member will be selected as Chairperson with responsibilities to control and conduct the process.

The arbitrators shall not be members of the Association Board or Executive Committee.

11.3.7 Notice of proceedings: Within thirty (30) days of the commencement of a formal grievance, all interested parties and the hearing panel shall be sent the following by the Association Secretary:

11.3.7.1 Documents: A copy of the complaint or other documents giving rise to the proceeding, with any attachments;

11.3.7.2 AAP Members and Contact: The names of the hearing panel members and the address and telephone number of the panel's chairperson;

11.3.7.3 Association Bylaws: A copy of the text of this Regulation of this Association's Bylaws and any other relevant USATF Rule or Regulation; and

11.3.7.4 Other relevant documents: A copy of any specifically identified document(s) related to the dispute.

11.3.8 Answer: The person(s) or entity(ies) named in a Complaint (respondent(s)) must submit a written answer to the Association Secretary within thirty (30) days after receipt of the letter notifying respondents that a proceeding has been filed ("Notice of Proceeding"). A copy of the Answer shall be forwarded by the Secretary to the complainant (the party filing the Complaint) and the AAP panel. The failure of respondent(s) to answer within thirty (30) days after the receipt of the Notice of Proceedings will be deemed a waiver by respondent of the opportunity to have a hearing or have an appeal of any adverse decision. Upon such failure and after confirmation of the receipt of the Notice of Proceeding by all parties, the hearing panel may proceed in the absence of the respondent and may decide the matter with or without a hearing and with or without taking testimony and evidence, as it deems appropriate. If a party raises a hearing panel challenge under Regulation 11, the panel chair may extend the time to answer.

11.3.9 Challenge to arbitrator(s): Within fourteen (14) days following the receipt of the Notice of Proceedings, any party to the hearing may challenge the seating of any AAP panel member, on the ground that the panel member may not be impartial. The panel chairperson may extend the time to answer if a panel member is challenged. Failure to bring a timely challenge against the seating of an AAP arbitrator constitutes a waiver of such challenge.

11.3.10 Procedures: The following procedures apply to formal grievance, and other hearings:

11.3.10.1 Pre-hearing conference call: Within five (5) business days of the expiration of the arbitrator challenge, the AAP panel chairperson shall

conduct a pre-hearing conference by telephone conference call with all parties to discuss scheduling and procedural matters.

11.3.10.2 Date of Hearing: Best efforts should be used to set a convenient time and date for all participants. The AAP hearing panel shall schedule the hearing to take place within thirty (30) days of the initial pre-hearing conference. The hearing date may be delayed beyond the thirty (30) day period only upon a showing to the AAP panel that a substantial injustice would otherwise occur.

11.3.10.3 Location for hearing: Hearings shall be held in-person, unless good cause is shown to the AAP chairperson that holding the hearing by telephone conference call is in the best interest of the sport of Athletics.

11.3.10.4 Reason for request for telephone conference call hearing: If a party requests that the hearing be held by telephone conference call, such request shall be accompanied by a statement identifying the material reasons which the hearing panel should resolve in this venue.

11.3.10.5 Deadline for request: The telephone conference call hearing request must be submitted to the AAP chairperson within ten (10) business days of the receipt of the Notice of Proceedings. Failure to submit a telephone conference call hearing request during the above-described timeframe constitutes a waiver of the right to request a telephone conference call hearing.

11.3.10.6 Delays: If an interested party causes an unnecessary delay, the AAP panel may dismiss the proceeding or, at its discretion, rule against the party causing the delay. If the delay is the result of AAP panel inaction, the President or his/her designee may dismiss the panel and replace it with a new panel. If a party to the proceeding fails to appear at the hearing, then the AAP panel may make a ruling based on available information and the testimony of those present at the hearing;

11.3.10.7 Evidentiary rules: The rules of evidence generally accepted in administrative proceedings shall be applicable to the hearing; the formal rules of evidence shall not apply;

11.3.10.8 Burden of proof: The burden of proof is upon the complainant to prove by a preponderance of the evidence that conduct described in Regulation C-1 or D-1 above has occurred;

11.3.10.9 Hearing record: An official transcript or recording is highly recommended for hearings conducted by an Association. Any party to the proceedings may retain a court reporter or other competent

individual to provide a transcript or recording of the hearing at that party's own expense. If made, such transcripts or recordings shall become the official record of the proceedings and a copy shall be provided to all parties at their own expense; and

11.3.10.10 Closed hearing: Hearings shall be closed to the public. Witnesses shall attend hearings only as necessary to provide testimony.

11.3.11 AAP decisions and opinions: The following shall pertain to AAP final decisions and opinions rendered in hearings and appellate proceedings:

11.3.11.1 Scope of decision: All AAP panel decisions shall be consistent with USATF, this Association's, and IAAF Rules and Regulations, and the Sports Act. If the implementation of any AAP panel decision and opinion would have a significant budgetary impact on this Association, the Budget Committee chair and/or the Association's Treasurer shall review it and report their findings to the Board within thirty (30) days of the issuance of the opinion. In such instances, the decision and opinion shall not become final and binding unless and until approved by the Board. The Board shall determine to what extent any AAP decision and opinion having a significant budgetary impact on this Association may be implemented, in light of fiscal considerations, and may remand the matter back to the AAP panel for modification based upon budgetary directives from the Board;

11.3.11.2 Form of decision and opinion: The AAP decision shall state in one (1) or two (2) brief sentences which party the AAP arbitrators have ruled in favor of. The opinion of the AAP panel shall set forth the following:

11.3.11.2.1 Issue: The question(s) the AAP panel was asked to decide;

11.3.11.2.2 Arguments: A brief summary of the arguments made by each party;

11.3.11.2.3 Findings of fact: The findings of fact upon which the panel based its decision;

11.3.11.2.4 Citations: A citation to the applicable IAAF, USATF, this Association's, Sports Act, or other applicable rule, bylaw or minutes, reports, guidelines, or other documents upon which the AAP panel decision is based, if any; and

11.3.11.2.5 Stay provision: Whether the effect of the decision shall be stayed in the event of an appeal, if appropriate;

11.3.11.3 Time frame: An AAP panel shall issue a decision with respect to the disciplinary, formal grievance, or other proceedings within fifteen (15) days after the conclusion of the hearing. The panel shall render a written opinion no later than thirty (30) days after the conclusion of the hearing, or after the submission of any post hearing documentation to the panel.

11.3.11.4 Effect of decision: All AAP panel decisions shall be effective upon the date rendered, unless otherwise stated in the decision.

11.3.12 Appeals: The decision of the arbitrators may be appealed pursuant to USATF Regulation 11-P.

Adopted August 19, 2001

ARTICLE 12 REVENUE

12 REVENUE

12.1 CLUB Membership: Every active member club shall pay annually to the Membership Chair a membership fee which shall be established by the Association.

12.2 Individual Membership: Each individual member shall pay to the Membership Chair an annual membership fee, in accordance with a fee schedule established by the Association.

12.3 Sanction Fees: The Membership Chair or Sanctions Chair shall collect (in advance) a fee for the granting of a sanction, for the conduct of a competition, exhibition or demonstration. The amount of the fee shall be established by the Association, and shall include the national sanction fee. In addition to the sanction fee, the Association may establish a service charge consistent with the nature of the event and which may be a flat amount, a percentage of receipts, or a combination of both. This service charge shall be retained by the Association.

ARTICLE 13 SANCTIONS

13 SANCTIONS

13.1 The definition of “international competition” shall apply to this article and the corresponding USATF Operating Regulations 14. International competition means an athletics competition between one or more athletes representing the United States,

individually or as a team, and one or more athletes representing a foreign country (i.e., competitions between national teams).

- 13.2 Domestic Sanctions:** USATF or its Associations shall have authority to grant sanctions to sports organizations or persons otherwise wishing to hold athletic competitions in athletics that are not international in nature, within the United States.
- 13.3 Sanctioning policy:** Unless USATF or an Association determines by clear and convincing evidence that holding or sponsoring an athletics competition (international or domestic) would be detrimental to the best interest of the sport, USATF, or the appropriate Association of USATF shall promptly grant a sanction requested by a sport organization or person(s), provided all the requirements of USATP Operating Regulation 14 have been satisfied. The decision as to whether a proposed competition would be detrimental to the best interest of the sport shall be made in the first instance by either USATF or an Association, as appropriate. Approval of sanctions shall not be unreasonably denied.

ARTICLE 14 REPORTS

14 REPORTS

- 14.1 MINUTES:** The Secretary must, within ten (10) days after each meeting of the Association or its Executive Committee, mail to the National Office of USATF a copy of the minutes of such meeting.
- 14.2 NOTICES:** The Secretary must forward to the National Office of USATF copies of all official notices issued from his office, at the time of such issue, including all those sent to the members of the Association and Executive Committee.
- 14.3 ANNUAL REPORT:** The Secretary shall also forward a copy of the audit of the accounts of the Association within thirty (30) days after the end of the calendar year. The audit of accounts is to be signed by a certified public accountant or at least three (3) members of the Finance Committee.

ARTICLE 15 MISCELLANEOUS

15 MISCELLANEOUS

- 15.1 EXEMPTION:** The members, directors, and officers of this Association shall not be personally liable for any debt of this Association, and the private property of the

members, directors, officers of this Association shall be forever exempt from its Association debts.

15.2 CONFLICT OF INTEREST: Any individual representing this Association, or who has a financial entanglement with this Association, or is a member of any of its committees shall not participate in the evaluation or approval of a contract with a supplier to furnish goods or any party to provide services to this Association or any of its committees, if that individual directly or indirectly benefits, financially or otherwise, receives any form of compensation from, or has any interest in any supplier or party under consideration. Each individual referred to in the first sentence of this Article shall, upon learning that this Association or any of its member committees is proposing to enter into an arrangement in which he or she has a financial interest as aforesaid, promptly notify the President or Secretary in writing of the existence of such interest, and the President or Secretary in turn shall disclose such interest to those Association bodies involved in considering entry into the arrangement. In the event of a violation of this provision, this Association shall have the right to recover such benefit or payment and to void the contract or transaction.

15.3 SAVING CLAUSE: Failure of literal or complete compliance with provisions of the Bylaws in respect to dates and times of notice, or the sending of receipts of the same, or errors of phraseology of notice of proposals, which in the judgment of the members at meeting held do not cause substantial injury to the rights of members, shall not invalidate the action or proceeding of the members at the meeting.

15.4 DISSOLUTION: Upon the dissolution of this Association, the Board shall, after paying or making provisions for the payment of all of the liabilities of the Association, dispose of all the assets of the Association exclusively for the purpose of the Association in such a manner, or to such organizations, organized and operated exclusively for charitable, educational, religious, or scientific purposes as shall at the time qualify as exempt organization(s) under Section 501(c)(3).

ARTICLE 16 AMENDMENTS

16 AMENDMENTS

16.1 GENERAL PROVISIONS: Amendments shall be considered by this Association as follows:

16.1.1 Voting for Bylaws approval: Amendments to the Bylaws shall require for passage a two-thirds (2/3) vote of those members present and voting at the meeting, provided notice of the proposed amendment(s) has been submitted in writing to the members of the Association at least thirty (30) days prior to the meeting; and

- 16.1.2** Voting for other regulations approval: Amendments to the other regulations shall require a majority vote of members present and voting, provided notice of the proposed amendment has been submitted in writing to the members of the Association at least thirty (30) days prior to the meeting.
- 16.2 EXCEPTIONS:** Notwithstanding Article 116.1 above, amendments may be considered at any meeting of the Association in any of the following circumstances
- 16.2.1** Tabled amendments: Tabled amendments may be acted upon at any subsequent meeting without redistribution of the proposal;
- 16.2.2** Conformity with the law: To make the Bylaws or other regulations conform with federal or local law or regulation;
- 16.2.3** Conformity with USATF: To make the Bylaws or other regulations conform with USATF requirements; and
- 16.2.4** Uniformity: To make the Bylaws and other regulations conform with each other; such items need not meet the time requirement of 116.1 above and 116.4 below.
- 16.3 EMERGENCY circumstances:** In emergency circumstances, this Association or its Board may adopt changes as follows:
- 16.3.1** Vote of the membership: Upon a ninety percent (90%) vote at any meeting of this Association; and
- 16.3.2** Vote of the Board: Where immediate relief is deemed necessary, the Bylaws and other regulations may be amended upon vote of ninety percent (90%) of the total membership of the entire Board, such amendment to be effective only until the next meeting of the Association.
- 16.4 SUBMISSIONS:** The following provisions shall govern submissions of amending legislation:
- 16.4.1** Time of submission: Amendments shall be submitted at least sixty (60) days prior to the meeting at which they are to be considered, so as to allow proper review and submittal to the members of the Association. This sixty (60) day requirement may be waived, in emergency circumstances, upon a ninety percent (90%) vote at any meeting of this Association;
- 16.4.2** Submitters: Amendments may be submitted only by a member of this Association;
- 16.4.3** Persons receiving submissions: Amendments to the Bylaws and other Regulations shall be submitted to the chair of the Law & Legislation/Rules Committee;

16.4.4 Form of submission: The proposed amendments shall be in such form as to show the entire section, subsection, or paragraph, as the case may be, as it will read if adopted, with all proposed additional language underlined or shaded, and all proposed deleted language in double parentheses. Each submission shall be accompanied by a brief statement of the rationale for the submission. If there is a budgetary impact, it shall be estimated with the submission or, lacking such estimation, shall be provided by the Treasure and/or the chair of the Budget Subcommittee of the Board; and

16.4.5 Approval of submissions: All proposed amendments must first be recommended for approval at the time of submission by someone other than the submitter, who shall be another member of the Association;

116.5 Effective date: Unless otherwise specified at the time of adoption, amendments to the Bylaws and other regulations shall be effective immediately.