

## **By-Laws Snake River Association**

### **ARTICLE 1 NAME**

The name of this corporation shall be SNAKE RIVER ASSOCIATION, hereinafter referred to as "this Association," "this corporation," or "SNKRV"

### **ARTICLE 2 DEFINITIONS**

As used in these Bylaws:

A Athlete:

1 Active athlete means any individual who is actively engaged in Athletics or who has represented the United States in international competition held under IAAF jurisdiction in Athletics within the preceding ten (10) years; and

2 Eligible athletes mean any athlete who meets the eligibility standards established by USATF for Athletics.

B Athletics means, inclusively, track & field, long distance running, cross country running, road running, race walking, and any other sport discipline recognized by the IAAF.

C Athletics competition means a contest, game, meet, match, tournament, or other Athletics event in which eligible athletes compete.

D Club means a local or national organization whose programs involve competitive member athletes, events, and/or education in Athletics.

E Coach means a person who is currently engaging in the training of athletes on an active basis, whether on a paid basis or not, and regardless of the extent to which coaching is a part of the person's vocation, or retired from the vocation of coaching.

F NABR means the National Athletics Board of Review, as established in USATF Operating Regulation 11.

G Sanction means the document 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 20 and USATF Operating Regulation 14.

H 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.

I This geographic area means the State of Idaho south of Idaho County.

J USATF means USA Track and Field, the national governing body.

### **ARTICLE 3 PURPOSES AND DUTIES**

This non-profit corporation shall act as the governing body (as defined by the Ted Stevens Olympic and Amateur Sports Act of 1998) for Athletics in this geographic area.

A Purposes: This Corporation shall have the following purposes:

1 Development: Developing interest and participation in Athletics in this geographic area at all levels.

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

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

B Duties: This Corporation shall have the following duties:

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

- 2 Coordination of scheduling: Minimizing, through coordination with other sports organizations, conflicts in the scheduling of all practices and competitions in Athletics;
- 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;
- 4 Sanctioning of events: Sanctioning competition in Athletics in accordance with the provisions of these Bylaws and Regulations, USATF Bylaws, and USATF Operating Regulations;
- 5 Participation in competition: Providing for the participation by eligible athletes in competition in Athletics, in accordance with the provisions of these Bylaws and Regulations, USATF Bylaws, and USATF Operating Regulations;
- 6 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;
- 7 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;
- 8 Registration and certification of athletes: Registering eligible athletes as members and certifying such athletes as eligible for competition; and
- 9 Administration of athletics: Performing all other duties necessary for the administration of Athletics in this geographic area and to achieve this corporation's purposes.

## **ARTICLE 4 AUTHORITY**

This corporation shall be the governing body for Athletics in this geographic area, and shall exercise the following powers:

- A. Representation: Representing this geographic area in USATF.
- B. Coordination of Athletics: Serving as the coordinating body for activity in Athletics in this geographic area.
- C. Jurisdiction: Shall have jurisdiction over Athletics competition in this geographic area, including Association championships, with the exception that 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.
- D. Autonomy: This Association shall be autonomous in its governance of Athletics in this geographic area, in that it shall independently determine and control all matters central to such governance in accordance with the USATF Bylaws and Operating Regulations and these Bylaws and Regulations, it shall not delegate such determination and control, and it shall be free from outside restraint except in recognition of its role as a part of USATF. 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**

- A. 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.
- B. Groups: Any organization that meets the criteria for group membership as determined by USATF shall be eligible for membership. This includes clubs, organizations administering 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 must make any changes to this in a timely manner before such individuals are recognized to vote.

C Applications: Application for membership shall be in accordance with the USATF Bylaws and Operating Regulations.

D. Suspension and expulsion: Any individual or group recognized by this Association that violates any of the provisions of these Bylaws or Regulations, USATF Bylaws or Operating 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 a two-thirds vote.

## **ARTICLE 6 VOTING MEMBERS**

All members who are over the age of eighteen are entitled to participate in voting at meetings of this Association. No individual may cast more than one vote 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.

## **ARTICLE 7 MEETINGS**

A Annual meeting: The annual meeting of this Association shall be held at such date, time, and place as may be fixed by the president, and announced by requisite notice of such meeting. The Junior Olympic Track & Field Championships held in this association will be considered the "time of year" the Annual Meeting will be held.

B Special meetings: Special meetings of this Association shall be held upon call by the president

D Meeting procedures: The following shall govern the conduct of all meetings of this Association;

1 Notification of meetings:

a Distribution: Notice of the meeting must be distributed by mail, local Association web site, or email.

b 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 or newsletter;

c 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

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

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.

3 Open conduct of business: All meetings of this Association shall be open to all individual members of the Association except as otherwise provided.

4 Record of a meeting: The Association and all of its committees shall have a recording secretary. Within thirty (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.

E Quorum: A. Quorum shall consist of a majority of those members present.

F Rules of order: Questions of order shall be decided by the chair in accordance with Roberts Rules of Order, unless otherwise provided in these Bylaws.

## **ARTICLE 8 VOTING**

The following guidelines shall apply to all elections for officers and sport committee and other chairs in this Association:

A Election notice:

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

B Nominating process:

- 1 In-person meeting nominations: Nominations may be made and must be allowed from the floor at an in-person election meeting;
- 2 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
- 3 Nominations and seconds: A candidate needs one (1) nominator and one (1) seconder who are both members of the Association.

C Voter criteria:

- 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;
- 2 Proxies: There shall be no proxy voting;
- 3 Minimum age: Voters must be a minimum of age eighteen (18) on the day of the election.
- 4 Voting membership deadline: Except for renewals from the previous year, individuals must be members in the month, which ends more than one full month preceding the election
- 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 'Organizations': Organizations shall have a minimum of one (1) vote, with the Association having the option of awarding additional votes based on the size of organizations. Organizations and any person representing an organization in association voting matters must be members of USATF.

D Conduct of voting: This Association shall use an open meeting ballot where all members of the Association are eligible to attend and vote.

- 1 Disputes: Credential disputes must be resolved before the election process is started with nominations.
- 2 Uncontested: Uncontested elections may be voted by acclamation; and
- 3 Ballot type: A secret ballot must be used for contested elections.

E Counting of ballots:

- 1 Panel: A panel of at least three (3) individuals, at least one (1) of whom must be an athlete, 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;
- 2 Consultation: The panel may consult as necessary with the chair, secretary, and/or parliamentarian (so long as they are not candidates for contested offices) on procedural matters; and

F Committee chairs:

- 1 Age and terms: All committee chairs, whether elected or appointed, must be at least 18 years of age and members of the Association. Chairs shall be elected or appointed for specific terms, which are determined prior to the voting for the position;
- 2 Election: When requested by two (2) or more member organizations of the Association, sport committee chairs shall be elected. When a sport chair is elected, the election shall take place at a meeting, which is held separately from the general elections, either by time or location, and at a minimum, shall be advertised to all member organizations in the Association active in the discipline;

G National delegates:

- 1 National delegate's may be elected or appointed.
- 2 Plurality: When delegates are elected, a plurality vote may be accepted for election.

H Majority requirement:

- 1 Officers: The president and secretary of the Association must be elected by a majority of the ballots cast. If a run-off election is necessary, the notification requirement shall be the same;
2. A plurality may not be accepted in the first round except for the election of national delegates.
- 4 Run-off candidates: In run-off elections, candidates equal to twice the remaining positions shall be on the ballot.

I Election protests:

- 1 Except as indicated below, USATF Operating Regulation 11 shall apply to election grievances. Protests may only be made after the election process is concluded;
- 2 An NABR panel from a different USATF region shall be appointed to conduct the hearing. All hearings shall be by conference call.
- 3 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
- 4 The NABR panel may recommend or require changes for future elections in the Association;

J. Employees and elections: Current employees (working within the past ninety days) shall not participate in any part of the elections process (nominations or campaigning), but may, at the discretion of the Association, be permitted to vote if they are members and otherwise eligible.

## **ARTICLE 9 OFFICERS AND THEIR DUTIES**

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

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

- 1 President: The President shall:
  - a. Preside at all meetings and its Board;
  - b. Be an ex officio non-voting member of all committees;
  - c. Subject to the direction of the Board of this Association, shall manage and supervise the affairs of this Association; and
  - d. Select committee chairs and other such members that he or she is entitled to appoint as well as 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 and the other officers;
- 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.
- 3 Secretary: The Secretary shall keep or cause to be kept all records of this Association, and all minutes of meetings of this Association and its Board, and, in general shall perform all duties normally pertaining to the office of secretary;
- 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 treasurer; and
- 5 Membership Chair: The Membership Chair shall collect or cause to be collected all memberships for individuals and groups within the Association, and provide liaison to the

USATF National Office in all matters of membership, including reporting and disbursement of benefits.

C Election: All officers are to be elected for 2 years at the annual meeting of the Association.

D 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 limitation in paragraph C above, at which time a special election shall be held for the unexpired portion of the term.

E. Removal from office: Any officer of this Association may be removed for good cause by a two-thirds 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 8) shall properly set forth the removal vote on its agenda.

## **ARTICLE 10 BOARD OF DIRECTORS**

A Composition: The Board of Directors shall be composed as follows:

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

- a. The officers of this Association;
- b. The chair of the Officials Committee;

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

B General provisions:

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

2 Meetings of the Board: The Board may conduct its affairs either at a meeting or by a conference call. It shall hold quarterly 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 one half 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.

C 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.

D Terms: The term for Board members, which is not, otherwise set by their terms of office shall be the four (4) years of the Olympiad.

E Quorum: A quorum for meetings of the Board shall consist of a majority of the members of the Board.

F Voting: Except as otherwise provided herein, all matters shall be decided by majority vote of those present and voting. There shall be no voting by proxy.

G Mail balloting: Upon authorization by a majority vote at a duly convened meeting or by call of the officers, the Board may conduct a vote through the distribution and/or collection of ballots using the U.S. Postal Service or any other service that may be authorized. The procedure and subject matter for such a vote shall be set forth in the authorizing resolution.

H 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.

I Expulsion: Failure to participate in two (2) consecutive meetings may, by a 2/3 vote of the Board members attending, cause expulsion of the member or representative.

## **ARTICLE 11 COMMITTEES**

A Committees: The following committees of this Association are established with such duties, responsibilities, and make-up as outlined here and in Articles reserved for each type of committee:

- High Performance (Men TF, Women TF)
- Race Walking
- Coaching Ed
- Long Distance Running Committee (Men LDR, Women LDR, Masters LDR)
- Cross Country Running
- Masters Track & Field
- Youth Athletics
- Officials

B General provisions: The following provisions apply to all of this Association's committees:

- 1 Term 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;
- 2 Committee membership and notification:
  - a. Notification & vacancies: 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 party 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.
  - b. Elections: The provisions of Article 8-F shall apply to the elections process of committees. The committees shall be free to adopt other portions of Article 9, or other rules not in conflict with those in Article 8-F;
  - c. Alternates: The individual or group electing or selecting members of any committee or subcommittee (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;
  - d. Membership: All elected and appointed members of all committees shall be members of this Association;
  - e. Termination: Organizations or groups which appoint committee members per this section may terminate such appointments for good cause upon written notice to such appointees;
  - f. Same organization: No more than two (2) at-large members of administrative or developmental committees appointed by the President (other than the chair) may come from the same organization.
- 3 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 such 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 in writing, setting forth the date, time, place, and purpose of the meeting, and shall be mailed to the last known address of each committee member;
- 4 Quorum: A quorum for any committee meeting shall consist of a majority of its members.
- 5 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.

C Committee chairs: The chair of each applicable committee shall be elected in accordance with this Association's voting procedures (see Article 8) for a one-, two-, three-, or four-year term, as shall be determined by the committee prior to voting. 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.

1 Duties of chair: Chairs of all committees shall:

- a. Preside at all meetings of the committee;
- b. Ensure that all duties and responsibilities of the committee are properly and promptly carried out;
- c. 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;
- d. 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;
- e. Keep the President and Executive Director informed on all committee actions and recommendations; and
- f. 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;

2 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 named by the Association President shall supervise the elections in a manner approved by the Board; and

3 Removal of elected chairs: Chairs may be removed for good cause by a two-thirds vote of the committee at an annual meeting or at a special meeting called for that purpose, provided that the members of the committee shall receive notice of the proposed action at least twenty (20) days prior to the meeting.

D Sport committee's general provisions: Each sport committee shall:

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 Track & Field Committees, at least one-third of its membership shall consist of individuals whose vocation includes the administration or coaching of school/college community track & field;

2 Open meeting: 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;

3 Miscellaneous: Promote and develop activities related to its sport; and

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 committee's 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.

## **ARTICLE 12**



## COMMITTEES DUTIES

### A Sport:

1 Duties and responsibilities: In addition to the provisions of Article 11, each committee shall:

- a. 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
- b. Calendar: Coordinate the local and domestic competition calendar in its discipline; and
- c. Records: Approve records for the events within its discipline;

2 Committee definitions: The disciplines and age categories under the control of each sport committee in this division are as follows

a. Age categories:

- i. Senior athletes are of any age 14 years and over;
- ii. Junior athletes must be at least age 14 on the day of competition and under age 20 on December 31 in the year of the competition;
- iii. Masters athletes shall be at least age 35 on the day of competition; and
- iv. Youth athletes shall not be 19 before the final day of the national Junior Olympics track & field competition and are divided into specified age categories.

b. Jurisdiction:

- i. Men's Track & Field: Indoor and outdoor track & field activity for junior and senior men, not including track races of greater than 10,000 meters;
- ii. Women's Track & Field: Indoor and outdoor track & field activity for junior and senior women, not including track races of greater than 10,000 meters;
- iii. Race Walking: All race walking activity for junior and senior men and women;
- iv. Men's Long Distance Running: Off-track running at all distances, track running at distances over 10,000 meters, and cross country running for junior and senior men;
- v. Women's Long Distance Running: Off-track running at all distances, track running at distances over 10,000meters, and cross country running for junior and senior women;
- vi. Masters Long Distance Running: All off-track running, cross country running, and track running over 10,000-meters for masters men and women;
- vii. Cross Country Running: jurisdiction reserved pending LDR task force study; and
- viii. Youth Athletics: All youth activity not conducted as junior competition for youth boys and girls, including track & field, road running, cross country running, and race walking; and
- ix. Masters Track & Field: All track, field, and race walking activity for masters men and women, except track running races of greater than 10,000 meters.

### B Coaching Education:

1 Duties and responsibilities: 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; and

2 Makeup: 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 unless otherwise provided for in the Association's bylaws.

C Officials Committee:

1 Associations officials committees: Recognizing the possible differences between Associations in the number of meetings held, the availability of officials, and the availability of personnel to administer programs, each of the Association committees shall:

- a. Administration: Select a person or committee responsible for training, certifying, and generally supervising officials within the Association, under such rules and procedures consistent with the directives of the national committee, as it may adopt;
- b. Methods: Establish (by examination, rules review, field experience, clinics, and such other procedures as it may choose) their overall program administration, including the direct responsibility of certifying the officiating category of "Association Official" to working officials within its Association;
- c. Instruction: Develop and maintain instructional programs for officials, including examinations, rules reviews, clinics, and other such activities as it may prescribe; and
- d. Certification: Be responsible for:
  - i Designating pre-certified officials;
  - ii Certifying Association-level officials; and
  - iii Recommending to the national committee candidates for national- and master-level official certification.

## **ARTICLE 13 DISCIPLINARY AUTHORITY**

This Association shall have the authority to discipline any member, delegate, athlete, coach, manager, official, trainer, member of any committee, and any other person or entity participating in Athletics who, by neglect or by conduct,

- (i) acts in a manner detrimental to the purposes of USATF or Athletics, or
- (ii) has violated any of the Bylaws, Operating Regulations, or Rules of Competition of USATF, or of the Association, or
- (iii) has violated the rules of eligibility.

## **ARTICLE 14 REDRESS OF GRIEVANCES**

A 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. A Grievance Complaint shall state that

- (i) conduct detrimental to the best interest of Athletics or USATF has taken place, or
- (ii) a violation of any of the Bylaws or Operating Regulations of USATF has occurred,
- (iii) the rules of eligibility as defined by the IAAF have been broken. Only individuals who were, at the time that the conduct complained of occurred, members, directors, or officers of USATF, may file grievance Complaints. Except as provided in USATF Regulation 11-A-3, Grievance Complaints must be filed within two (2) years from the time the complaining party knew or should have known of the act giving rise to the Complaint.

B Grievance Complaints: Grievance Complaints shall

- (i) be filed with the Association office and the Secretary,
- (ii) be signed under oath,

- (iii) allege with particularity the nature of the grievance, and, where appropriate, the USATF or IAAF rule which has been violated or broken, and
- (iv) ask that USATF take such action as may be appropriate and in accordance with its rules. Factual allegations shall be separately stated in concise language with one such allegation set forth in each numbered paragraph of the Grievance Complaint. The failure of a Complaint to comply with the preceding sentence shall not be grounds for its dismissal, provided the Complaint clearly makes specific allegations that, if proven, would justify one of the conclusions set forth in paragraph A above. The Association Office shall forward a copy of each Grievance Complaint to the President.

C Informal resolution of grievances: Upon receipt of a Grievance Complaint, the President or his/her designee shall use every effort to resolve the grievance through informal means, and, in the case of grievances pertaining to a specific athlete or a specific sport discipline, the Executive Director shall also confer with the chair of the sport committee for the discipline involved. As part of the informal resolution process, all respondents named in the Grievance Complaint shall be served with a copy.

D Formal resolution of grievances: If the informal resolution of the Grievance Complaint is unsatisfactory to any party, such party may invoke the provisions of USATF Regulation 11 and request that the grievance be resolved by a formal grievance proceeding before a National Athletics Board of Review.

## **ARTICLE 15 SANCTIONS**

The general sanction provisions of USATF, which affect local Associations, appear in this Article. Additional regulations appear in USATF Operating Regulation 14.

A Definition: The definition of "international competition" shall apply to this article and the corresponding USATF Operating Regulation 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).

B 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.

C 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 interests of the sport, USATF or the appropriate Association of USATF shall promptly grant a sanction requested by a sports organization or person(s), provided all the requirements of USATF Operating Regulation 14 have been satisfied. The decision as to whether a proposed competition would be detrimental to the best interests 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. The decision to deny a sanction may be appealed: In the case of a denial by an Association, to USATF, or In the case of a denial by USATF, to the NABR.

D Sanction requirements: Sanctions are issued, withheld, or withdrawn in accordance with the requirements and provisions of USATF Operating Regulation 14.

## **ARTICLE 16 FISCAL AND LEGAL MATTERS**

A Fiscal year: The fiscal year of this Association is January 1 through December 31

B Depositories: The Association shall, from time to time as necessary, designate depositories for funds, property, and assets belonging to or under the control of USATF.

- 1 Signatories: Funds on deposit in banks may be withdrawn only by voucher check upon the signatures of the president or treasurer. Other assets or property of this Association may be transferred from one depository to another by action of the Board; and

2 Imprest accounts: The Association may establish separate accounts employing the imprest system for the liquidation of obligations requiring prompt payment and for payroll obligations requiring prompt payment, and it may authorize checks to be drawn thereon upon the facsimile of any one (1) officer or employee.

C Bonding: Corporate fidelity bonds shall be obtained at the expense of this Association in a form and amount approved by the Board, indemnifying USATF and this Association against losses resulting from infidelity, defalcation, or misappropriation by officers, employees, or agents of funds, property, or assets owned by or under the control of this Association.

D Indemnification: This Association shall immediately indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending, or completed action, suit, or proceeding, whether civil, administrative, or investigative, by reason of the fact that he or she is or was a director, officer, employee, or official representative of this Association against expenses, including attorney's fees, judgments, fines, and amounts actually and reasonably incurred by him or her in connection with such action, suit, or proceeding, if he or she acted in good faith and in a manner he or she reasonably believed to be in or not opposed to the best interests of USATF and this Association, and, with respect to any criminal action or proceedings, had no reasonable cause to believe his or her conduct was unlawful. The termination of any action, suit, or proceeding by judgment, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent, shall not, of itself, create a presumption that the person did not act in good faith and in a manner which he or she reasonably believed to be in or not opposed to the best interests of USATF and this Association.

1 Standards of conduct: Any indemnification under this article shall be made by this Association only as authorized in the specific case upon a determination that the officer, director, employee, or official representative has met the applicable standard of conduct set forth herein. Such determination shall be made by the Board by a majority vote of a quorum consisting of members of the Board who were not parties to such action, suit, or proceeding. If such a quorum is not obtainable, such determination shall be made either

(1) by a majority vote of the full Board pursuant to opinion of independent legal counsel or

(2) by the members of this Association at the next meeting;

2 Expenses: Expenses, including attorney's fees, incurred in defending a civil action, suit, or proceeding may be paid by this Association in advance of the final disposition of such action, suit, or proceeding as authorized in the manner provided above upon receipt of an undertaking by or on behalf of the director, officer, employee, or official representative to repay such amount unless it shall be ultimately determined that he or she is entitled to be indemnified by this Association; and

3 Applicability: The indemnification provided by this section shall not be deemed exclusive of any other rights to which the director, officer, employee, or official representative may be entitled under bylaw, agreement, vote of the membership, or disinterested directors or otherwise. The indemnification provided by this section shall continue as to a person who has ceased to be a director, officer, employee, or official representative and shall inure to the benefit of the heirs, executors, and administrators of such a person.

E Liability insurance: This Association shall secure comprehensive liability insurance coverage, including insurance for athlete/participant injury liability.

F Contracts: Contracts not in the ordinary course of affairs of this Association, shall be examined and approved for form by the Counsel to the Board or by the Special Legal Counsel of the Association, prior to execution. The contents of all contracts affecting sport committees shall, during their negotiation phase, be communicated to the appropriate committee(s). Unless otherwise directed by the Board, all written contracts shall be executed on behalf of this Association by the President (or another officer designated by the President) and

G. Arbitration: This Association agrees to submit to binding arbitration conducted in accordance with the commercial rules of the American Arbitration Association, in any controversy involving its recognition as a national governing body, as provided for in Paragraph 395, Subchapter II, Chapter 17, of Title 36 (page 93) of the United States Code, or in any controversy involving the

opportunity of any athlete, coach, trainer, manager, administrator, or official to participate in Athletics competition, as provided for in the constitution and bylaws of the USOC.

H Conflict of interest: Any individual representing this Association, or who has a financial arrangement with USATF or this Association, or who is an employee of this Association or of its Associations, or who 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 provide services to USATF or this Association, if that individual directly or indirectly benefits financially, or otherwise receives any form of compensation from, or has any interest in, any supplier under consideration. The Board may require that such individuals disclose all financial interests that may influence the performance of their duties for USATF or this Association. Each individual referred to in the first sentence of this paragraph shall, upon learning that this Association is proposing to enter into an arrangement in which he or she has financial interest, promptly notify the president in writing of the existence of such interest, and the president shall, in turn, promptly disclose such interest to those bodies of USATF involved in considering entry into the arrangement. In the event of a violation of this provision, the Association shall have the right to recover such benefit or payment and to void the contract or transaction.

## **ARTICLE 17**

### **DISSOLUTION**

Upon the dissolution of the corporation, the Board shall, after paying or making provisions for the payment of all of the liabilities of the corporation, dispose of all the assets of the corporation exclusively for the purpose of the corporation in such a manner, or to such organization or organizations, organized and operated exclusively for charitable, educational, religious, or scientific purposes as shall at the time qualify as exempt organization or organizations under Section 501(c)(3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law), as the Board shall determine.

## **ARTICLE 18**

### **SAVING CLAUSE**

Failure of literal or complete compliance with provisions of the Bylaws in respect to dates and times of notice, or the sending or receipt of the same, or errors in phraseology of notice of proposals, which in the judgment of the members at meetings held do not cause substantial injury to the rights of members, shall not invalidate the actions or proceedings of the members at any meeting.