

**2002**

**LAW AND LEGISLATION**

**Proposed Bylaw and Regulation Amendments**

The Law and Legislation Committee is pleased to provide the initial 2002 report. The report is composed of Bylaw and Regulation amendment proposals that you will be asked to consider for action at the Second general session of this year's USATF annual meetings. Because no new items are allowed to be considered in the even years, the items listed in these pages are those that have been tabled from last year. The items at the beginning of the report were those voted on by the Executive Committee at its meetings at the time of the Outdoor Championship, and are covered by an amendment to the Regulations that was an open item that was tabled last year.

The Law and Legislation Committee has scheduled a number of working meetings at this year's Annual Meetings and welcomes input from the membership either at the meetings or prior thereto. Anyone wishing to speak to any of these items before the Committee should contact the Secretary, Tim Baker at [Tbake03@attglobal.net](mailto:Tbake03@attglobal.net) or 301-588-4426. The Committee continues to work toward the final amendment package that will be presented prior to the second general session.

The following are the Amendments drafted in response to the requirements of the USOC and Approved by the USATF Board of Directors in their meeting on June 20, 2002.

**Amendment A**

**Submitted by Bill Roe, Ed Koch and David Greifinger  
Approved by the USATF Board of Directors on 20 June, 2002**

**ARTICLE 2**

**C Athlete:**

- 1 **International athlete** means an athlete who has represented the United States in international competition held under IAAF jurisdiction in Athletics (not including World Youth or World Masters events) within the preceding the (10) years or who have placed in the top half of specifically authorized national open championship events within the preceding twenty-four (24) months, such competitions to be designated by the Athletes Advisory Committee;
- 2 **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)) meets the above definition of international athlete; and
- ((2)3 **Eligible athlete** means any athlete who meets the eligibility standards established by USATF for Athletics.

**Amendment B**

**Submitted by Bill Roe, Ed Koch and David Greifinger  
Approved by the USATF Board of Directors on 20 June, 2002**

**ARTICLE 3**

**PURPOSES AND DUTIES**

This non-profit corporation shall act as the national governing body (as defined by the Ted Stevens Olympic and Amateur Sports Act of 1998 set forth in Exhibit H, pages 69-77) for Athletics in the United States, as authorized by the United States Olympic Committee as the NGB for Athletics (track & field, long distance running, and race walking), and act as the IAAF member in the United States.

A Purposes: This corporation shall have the following purposes:

- 3 Performance: Fielding the most competent United States individuals and teams for international competition in Athletics and providing support and conditions for athletes at all levels of the sport which ensure optimal performance; ((and))
- 4 Marketing: Generating public awareness, appreciation, and support for Athletics and for USATF, creating opportunities for athletes and Athletics events, and generating sponsorships to aid this corporation in fulfilling its purposes and duties((.)); and

B Duties: This corporation shall have the following duties:

- 5 Participation in competition: Providing for the participation by eligible athletes, coaches, trainers, managers, administrators, and officials in competition in Athletics, in accordance with the provisions of these Bylaws and the Operating Regulations, and provide for protections guaranteed by the Amateur Sports Act and contained in Article 21 (page 56);

**Amendment C**

**Submitted by Bill Roe, Ed Koch and David Greifinger  
Approved by the USATF Board of Directors on 20 June, 2002**

**ARTICLE 4**

**AUTHORITY**

This corporation shall be the national governing body for Athletics in the United States, and shall exercise the following powers:

- A **IAAF representation:** Representing the United States in the IAAF, meeting the obligations of such membership, and having criteria relating to eligibility for competitions or to participation in the Olympic, Pan American, or Paralympic Games that are not more restrictive than those of the IAAF.

**E** **Autonomy:** USATF shall be autonomous in its governance of Athletics, in that it shall independently determine and control all matters central to such governance, it shall not delegate such determination and control, and it shall be free from outside restraint. This provision shall not be construed as preventing USATF from contracting with third parties for administrative assistance and support in connection with its purposes and authority. It shall also not be construed as setting this corporation apart from the membership requirements for and compliance with the USOC. The applicable USOC bylaws shall be contained in Exhibit J in the Bylaws.

**Amendment D**

**Submitted by Bill Roe, Ed Koch and David Greifinger  
Approved by the USATF Board of Directors on 20 June, 2002**

**ARTICLE 5  
CONSTITUENCY**

Membership in USATF shall be open to any eligible athletes, coaches, trainers, managers, administrators, and officials, and to those sports organizations which conduct a national program or regular national competition in Athletics, on a level of proficiency appropriate for the selection of eligible athletes to represent the United States in international Athletics competition, and have the managerial and financial capability of conducting a national championship.

**D** **Other membership categories:** These membership categories shall be for both individuals and organizations. Such membership classes shall be proposed by the National Office at any quarterly Board meeting. The Board shall authorize the distribution of the proposal, with such changes as it may also propose, to all constituencies of USATF for evaluation and reaction. At the next quarterly Board meeting, the Board may act on the proposal or refer it for further study to the National Office or a task force. Membership categories may include, but are not limited to, ((affiliate, contributing, life, athlete, elite athlete, international athlete, official/volunteer, coach, trainer, administrator, club, associate, parent, or student)) eligible athlete, active athlete, international athlete, coach, trainer, manager, administrator, official, volunteer, club, associate, parent, student, affiliate, contributing, or life.

**Amendment E**

**Submitted by Bill Roe, Ed Koch and David Greifinger  
Approved by the USATF Board of Directors on 20 June, 2002**

**ARTICLE 6  
ASSOCIATIONS**

**A** **Associations:**

**1** **Association documents:**

**b** **Members:** Membership qualifications consistent with the provisions of the preceding paragraph of this article, and which secure the right of any individual who is an athlete, coach, trainer, manager, administrator, or official active in the sport of Athletics to join the Association;

**Amendment F**

**Submitted by Bill Roe, Ed Koch and David Greifinger  
Approved by the USATF Board of Directors on 20 June, 2002**

**ARTICLE 7  
DELEGATES AND THEIR SELECTION TO MEETINGS**

The following persons shall be entitled to participate as voting delegates at USATF meetings, provided however, that all delegates must be 18-years of age and current USATF members or delegates named by an Article 5-B or Article 5-C (page 28) member organization and, in the case of the annual meeting, must be registered:

**D** **Association delegates:**

**2** **Athletes:** There shall be a minimum number of athletes in each delegation (at least twenty percent (20%) of the delegates) as set forth in Exhibit E. If available, at least one (1) such active athlete delegate shall ((have competed for the United States in international Athletics competition held under IAAF jurisdiction within the last ten (10) years)) be an international athlete. The National Office shall provide the following ((no later than August 1 of)) during the month of August each year:

- a **Athlete notice:** Notice to all athlete members meeting the ((ten-year rule))definition of international athlete of the address and telephone number of their Association; and
- b **Association notice:** Notice to each Association of those athlete members meeting the ((ten-year rule))definition of international athlete who belong to that Association;

**G Active athletes:** The members of the Athletes Advisory Committee (page 50) and ((ten (10) delegates named by the Athletes Advisory Committee chair)) additional international athlete delegate so that the number shall be at least twenty percent (20%) of the total number of delegates. Such athletes shall be elected by the (international)(active) athletes using a method approved by the Athletes Advisory Committee.

((F))HAlternates:

**Amendment G**

**Submitted by Bill Roe, Ed Koch and David Greifinger  
Approved by the USATF Board of Directors on 20 June, 2002**

**ARTICLE 8  
MEETINGS**

**D Quorum:** At least fifty percent (50%) of the total of USATF's Associations and Article 5-B (page 28) members must be represented by at least one (1) delegate or alternate, and at least ten (10) international athletes (who may also be Association delegates or alternates) must be present to establish a quorum for the conduct of business at general sessions of this governing body.

**I Credentials:**

**4 Preservation of athlete delegation or committee voting power:** In any challenge and in any change resulting from the successful challenge, the representation of athletes within the delegation or committee must be preserved.

**Amendment H**

**Submitted by Bill Roe, Ed Koch and David Greifinger  
Approved by the USATF Board of Directors on 20 June, 2002**

**ARTICLE 9  
VOTING**

**G Committee elections:**

**8 Athlete representatives in sport committees:** At the first full committee meeting of each sport committee, time will be set aside for the active athletes attending the meeting to determine the voting membership of athletes((, except in Youth Athletics, where the four (4) athlete members are appointed by the chair of the Athletes Advisory Committee)). The election shall be conducted by the Member Services Committee. If there are fewer athletes than the number authorized, the athletes may determine that they are all eligible to vote. Where the number of athletes present is more than ((the number of eligible athletes are in attendance)) twenty percent (20%), the athletes shall select by consensus, or conduct an election to determine, the voting athletes and alternates, or the athletes present may request the remaining members of the committee to allow all athletes present to vote. Each athlete shall serve until an election is conducted at the following year's annual meeting. Athlete representatives shall determine by election or appointment the athlete members on a sport committee's executive committee. For athlete representatives' vacancies, see Article 13-B-3-a (41).

**Amendment I**

**Submitted by Bill Roe, Ed Koch and David Greifinger  
Approved by the USATF Board of Directors on 20 June, 2002**

**ARTICLE 11  
BOARD OF DIRECTORS**

USATF shall be governed by a Board of Directors whose members are elected or who shall be selected without regard to race, color, religion, national origin, or sex.

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

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

- g ((The second USOC Board member from USATF (1 person, non-voting) ));
- ((h)) **A representative from each of the sports organizations which conduct a national program or a regular national competition in Athletics, on a level of proficiency appropriate for the selection of eligible athletes to represent the United States in international Athletics competition, as described in Article 5-B-1. Current members are listed in Exhibit B (page 66) (currently 6 persons);**
- ((i))h **A coach elected by and from the Coaching Advisory Committee (1 person);**
- ((j))i **At least twenty percent (20%) of the membership must be active athletes, named by the Athletes Advisory Committee, and shall consist at a minimum of ((T))the officers of USATF's AAC and the USOC Athlete's Advisory Council member and alternate member (currently 6 persons); and**
- ((k))j **The immediate past president (1 person);**
- 2 **Chair and Secretary:** The President of USATF shall serve as chair and the Secretary as secretary; and
- 3 **Non-voting members:** ((High Performance Division chair: )) The chair of the High Performance Division shall be a non-voting member of the Board, but shall serve as an alternate voting member in place of any chair of the three sport committees of the High Performance Division who is absent from any Board meeting. The second USOC Board member from USATF shall also be a non-voting member.

**H Board committees:** The Board may have committees including, but not limited to, athlete performance and support, budget, audits, compensation, insurance, ((elite athlete performance,)) and grants. Each Board committee will have no more than ten (10) members, at least one (1) of whom must be a Board member, and at least twenty percent (20%) of whom must be active athletes appointed by the AAC chair. The President shall appoint the other members with the approval of the Board.

**Amendment J**

**Submitted by Bill Roe, Ed Koch and David Greifinger  
Approved by the USATF Board of Directors on 20 June, 2002**

**ARTICLE 13  
COMMITTEES**

- B General provisions:** The following provisions apply to all of USATF's committees:
  - 6 **Athlete representation:** ((Except for the Youth Athletics Committee and its subcommittees, a))All national or Association committees, subcommittees, or other appointed or elected bodies of USATF or any 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)). All athlete elections and appointments must be approved by AAC, which may delegate this responsibility to a subcommittee or its chair; and
- E Task forces:** The President may appoint task forces, which shall include the requisite twenty percent (20%) active athlete membership which shall be named in consultation with the AAC chair. No such entity shall continue beyond the term of the President without specific reappointment. The authorized task forces will be listed in Exhibit G (page 68).

**Amendment K**

**Submitted by Bill Roe, Ed Koch and David Greifinger  
Approved by the USATF Board of Directors on 20 June, 2002**

**ARTICLE 17  
ADMINISTRATIVE DIVISION**

- C Athletes Advisory Committee:**
  - 2 Elections: The committee, except for its at-large athletes, shall be elected at the annual meeting in even-numbered years by the athlete representatives to USATF who have competed or been selected to compete in international competition under IAAF jurisdiction within the preceding ten (10) years as a representative of the United States or who have placed in the top half of specifically authorized national open championship events within the preceding twenty-four (24) months, such competitions to be designated by AAC prior to August 1 of any election year. Its at-large members shall be elected by the other members of the committee;

**Amendment L**

**Submitted by Bill Roe, Ed Koch and David Greifinger**

ARTICLE 18  
DISCIPLINARY AUTHORITY

- A Disciplinary authority: USATF shall guarantee the right to a fair notice and opportunity for a hearing to any athlete, coach, trainer, manager, administrator, or official before declaring such individual ineligible to participate, pursuant to the provisions of Article 19, Article 21, and Regulations 10, 11, and 12. USATF 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 (iii) has violated the rules of eligibility. Any athlete, coach, trainer, manager, administrator, or official who alleges that he or she has been denied an opportunity to participate in Athletic competition shall be entitled to fair notice and opportunity for a hearing. The hearing shall be conducted as pursuant to Regulation 11. An expedited hearing may be requested, in which case such hearing shall be conducted by a three-person arbitration panel appointed from the NABR by the Chair of the Law & Legislation Committee.

**Amendment M**

Submitted by Bill Roe, Ed Koch and David Greifinger  
Approved by the USATF Board of Directors on 20 June, 2002

ARTICLE 21  
OPPORTUNITY TO PARTICIPATE IN CERTAIN ((INTERNATIONAL)) ATHLETIC COMPETITIONS

- A Opportunity to compete ((internationally)): ((No)) USATF, its Associations ((or)) and sports organizations recognized by USATF may not deny or threaten to deny any eligible athlete, coach, trainer, manager, administrator, or official the opportunity to ((compete)) participate in the Olympic Games, the Pan American Games, world championship competition, or other such protected competitions as defined in the USOC Constitution from time to time, nor may USATF, ((any such)) its Associations, or sports organization members, subsequent to such competition, censure or otherwise penalize (1) any such ((athlete)) person who participates in such competitions, or (2) any organization which the ((athlete)) person represents. USATF shall, by all lawful means at its disposal, protect the right of a((n athlete)) person representing the United States in any of the aforesaid competitions. Any eligible athlete, coach, trainer, manager, administrator, or official who alleges that he or she has been denied an opportunity to participate in Athletics competition shall be entitled to fair notice and opportunity for a hearing pursuant to Article 18 and Regulation 11.
- B Investigations: Any eligible athlete, coach, trainer, manager, administrator, or official who alleges that he or she has been denied by an Association or sports organization a right established in paragraph A above shall immediately inform the CEO, who shall cause an investigation to be made and steps to be taken to settle the controversy without delay. If the CEO is unable to settle such controversy, he/she shall refer the matter promptly to the CEO of the USOC for action under Article 9 of the USOC Constitution. By maintaining membership in USATF, each recognized Association and sports organization agrees that any such aforesaid controversy may be dealt with in accordance with the foregoing.
- C Protection of ((athlete's)) rights: Any eligible athlete, coach, trainer, manager, administrator, or official who alleges that he or she has been denied an opportunity to compete in any Athletics competition (whether or not by an Association or sports organization, and other than restricted competition referred to in the proviso in Article 4, page 27) shall immediately inform the CEO, who shall consult with the General Counsel of USATF to determine whether the situation appears to be of sufficient seriousness and relevance to the obligations and responsibilities of USATF to warrant action by USATF in support of the ((athletes)) claim. In the event that action by USATF appears to be warranted, the matter will be promptly referred to the Board, which will decide the nature and extent of the action to be taken in each case. The right to an expedited hearing in paragraph A above shall be considered where time is an issue.
- ((D Other person's rights: The rights granted to athletes under this Article shall apply equally to any coach, trainer, manager, administrator, or other official seeking to participate in the conduct of any of the international Athletics competitions designated, or referred to, in paragraph A above.))

**Amendment N**

Submitted by Bill Roe, Ed Koch and David Greifinger  
Approved by the USATF Board of Directors on 20 June, 2002

REGULATION 3  
SELECTION OF TEAM STAFF

This is for placement of an amendment for which we currently lack language and specifics. The USOC made a mandatory change in the composition of the Men's Selection Subcommittee, bumping the number of international athletes from 4 to 5.

**Amendment O**

**Submitted by Bill Roe, Ed Koch and David Greifinger  
Approved by the USATF Board of Directors on 20 June, 2002**

REGULATION 9  
ELIGIBILITY

The eligibility of an athlete shall be governed by the applicable IAAF and IOC rules, except when such rules are inconsistent with United States Law. USATF shall not impose criteria for eligibility to compete in Athletics or to participate in the Olympic, Pan American, or Paralympic Games that are more restrictive than those of the IAAF.

NOTE: Select IAAF rules are stated in Exhibit M (pages 131-135).

**Amendment P**

**Submitted by Bill Roe, Ed Koch and David Greifinger  
Approved by the USATF Board of Directors on 20 June, 2002**

REGULATION 11  
PROCEDURES RELATING TO DISCIPLINARY PROCEEDINGS AND FORMAL GRIEVANCE MATTERS

I Hearings:

7 Expedited hearing: If a matter before an NABR panel affects the rights of any eligible athlete, coach, trainer, manager, administrator, or official to take part in competition scheduled to take place prior to the time set for hearing, the NABR panel shall, upon request by the athlete, conduct the hearing upon notice to the parties concerned and to USATF, at a time and in a manner which will enable the athlete to compete, should the athlete prevail at the hearing.

**Amendment Q**

**Submitted by Bill Roe, Ed Koch and David Greifinger  
Approved by the USATF Board of Directors on 20 June, 2002**

NEW EXHIBIT J  
USOC CONSTITUTION AND BY-LAWS PROVISIONS FOR NATIONAL GOVERNING BODIES

The United States Olympic Committee's current Constitution and Bylaws, including those provisions affecting the authority, jurisdiction, and operation of national governing bodies, are on the World Wide Web at [www.usoc.org](http://www.usoc.org).

**The Following are items that were tabled in 2001**

**Item B02**

**Submitted by Ed Parrot, approved for submission by Bill Roe**

Amend Article 2-K (page 25), where conflicting definitions of international competition are used, to conform to the current definition that appears in Article 20 (page 56) as follows:

**2-K International ((Athletics)) competition** means ((any Athletics)) a competition ((involving athletes from two (2) or more countries)) 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).

**REASON:** Conformity.

Amend Article 6 (page 29) as follows:

**ARTICLE 6  
ASSOCIATIONS**

**1 Association Documents:** Each Association shall submit to the USATF National Office a copy of its Articles of Incorporation, charter, constitution, bylaws, any other organic documents, and its annual filings with the internal revenue service, or equivalent if no such filings are required by the Internal Revenue Service. These documents shall demonstrate by their contents:

- a USATF authority:** Agreement of the Association to abide by the Bylaws, and Operating Regulations of USATF;
- b Members:** Membership qualifications consistent with the provisions of the preceding paragraph of this Article;
- c Consistency:** Statements of Association purposes, powers, and autonomy consistent with those appearing in these Bylaws;
- d Open governance:** Provision for the democratic election of directors and officers of the Association, as set forth in Regulation 15; ((and))
- e Non-profit status:** Proof that the Association is covered under the USATF 501(c)(3) group exemption or has their own 501(c)(3) exemption with the IRS; and
- f Other:** Such other provisions as may be prescribed by the Board of USATF.

**REASON:**

The non profit requirement which was modified last year was not added to the list of items demonstrated by association documents, and should be.

Amend Article 6-B-1 (page 29) as follows:

**1 Minimum standards:** In order to maintain good standing, an Association shall be required to meet the following standards:

- a ((Membership)) Required standards:** Associations shall be required to maintain minimum ((membership)) standards as recommended by ((the)) either the Member Services Committee, or the Associations Committee, with notice to the other committee, and approved by the Board in such categories proposed by either ((the)) Committee and approved by the Board;
- b Other categories ((standards)):** Associations shall be required to fulfill other requirements. The minimum levels shall be recommended by either the Member Services Committee, or the Associations Committee, with notice to the other committee, and approved by the Board unless otherwise specified; and
- c Revision to categories:** The Member Services Committee or the Associations Committee, with notice to the other committee, may propose to the Board ((of Directors)) the addition or deletion of standards;

**Item B09C**

**Ed Parrot for the Associations Committee**

Amend Article 6-B-1-b (page 29) as follows:

**b Other standards:** Associations shall be required to fulfill other requirements. The minimum levels and standard definitions shall be recommended by either the Member Services Committee, or the Associations Committee, with notice to the other committee, and approved by the Board unless otherwise specified; and

**Item R01**

**Baker**

Amend Regulation 1 (Page 81) by adding D and relettering:

**D Certified official membership:** Open article for language agreed to by the Association, Officials and Member Services Committee.

**REASON:** To accomplish the ends intended in the resolution passed by the L&L Committee last year.

**Item R06**

**Koch**

Amend Reg. 3 A (Page 83) as follows:

**A. Sport committees and councils:** Coaches, managers and personnel for international competition, all of whom must be USATF members, shall be selected...

**REASON:** This was passed last year but failed to get into the book.

**Item R26**

**Koch**

Amend Regulation 7 (Page 89) by adding a new Reg. 7-C-3-d and re-lettering existing Reg. 7-C-3-d as 7-C-3-e:

d National club/local club transfer: An athlete may transfer from a national club to a local club or from a local club to a national club immediately but may not thereafter transfer to another club for ninety days unless another exception applies.

**REASON:** This item will be unnecessary if national clubs are abolished, but if not, athletes who are dropped by national clubs need immediate assistance, and unattached athletes seeking national club support be allowed to have local club affiliations in the meantime instead of being forced to compete unattached at national championships and other events.

**Item R27**

**Submitted by Ed Parrot, approved for submission by Bill Roe**

Amend Regulation 7 (page 88) by amending the current regulation as follows:

**A General:** An athlete shall be considered a member of the Association in which the athlete is a bona fide resident except as otherwise provided in paragraph B below:

**1 Attached athletes:** In order for an athlete to compete as a representative of a ((national club or of a)) local club, educational institution, or other organization, that organization must be a member in good standing of USATF:

**a.((National clubs:** Athletes belonging to a national club shall be considered members of the associations in which they reside, unless paragraph B below is applicable. National clubs shall not be eligible to compete for Association team championships, but athletes belonging to national clubs may compete in their Associations' championships and shall be scored as though they are unattached athletes; or))

**((b)) Local clubs, educational institutions, and other organizations:** An athlete ((who is not a member of a national club (or is only by reason of subparagraph C-3-c below) )) may compete as a representative of any local club, educational institution, or other organization that is a member of the athlete's Association. Any such athlete shall score for the athlete's team in any championship or other competition;

**2. Unattached athletes:** An unattached competitor is an athlete member who represents no club, educational institution, or other organization. An unattached athlete may compete in the Association in which the athlete is a member;((. An unattached athlete shall be identified at athletics events with the Association or place of residence in which he is a member, and not with a club. Examples of this would be “John Doe, Unattached (Mid-Atlantic),” and “John Doe, Unattached (Philadelphia, PA);”))

**Item R27B**

**Submitted by Ed Parrot, approved for submission by Bill Roe**

Amend Regulation 7-C-3-c (page 88) by amending the current regulation as follows:

**c. Race walker:** An athlete may compete as a member of a club or organization in race walking and for another club or organization in another Athletics discipline, provided the two clubs or organizations involved do not both participate in race walking. For example, an athlete may race walk for one club which may or may not have a running program ((that has no running program)), and run for another club that has no race walking program; and

**REASON:**

Simply correct the example to more accurately reflect the rule. The example implies that an athlete could not race walk for a club that did both race walking and running, and run for another club which only had a running program. But the wording of the regulation indicates that this would be allowed, and in fact that was the intention. The example does not contradict the wording of the regulation but it implies a more restrictive situation.

**Item R30**

**Ed Parrot for the Associations Committee**

Amend Regulation 8 (page 89) as follows:

**REGULATION 8**  
**CLUBS**

**A Definition:** Clubs are organizations of athletes and others which compete in USATF programs as teams or individuals representing the club. There shall be various types of USATF clubs, based on the ((geographic location of their membership and/or the)) types of programs and purposes they serve. ((While clubs may be of only one geographic type, they)) Clubs may have more than one purpose. All clubs shall be considered Association clubs and shall become members by joining the Association in which they are located. Clubs shall be allowed to vote in the activities of the Association in which they are members.

**((B Geographic types:**

**1 Association clubs** shall become members by joining the Association in which they are located; and

**2 National clubs** are those clubs which meet the requirement of paragraph E below. They shall register with the National Office or the Association in which they are headquartered.))

**C) B Club classifications:** Clubs are classified as follows:

**1 Competitive:** ((Association or national c)) Clubs which primarily prepare athletes for competitive opportunities shall be referred to as competitive clubs;

**2 Affiliated:** ((Association c)) Clubs which primarily stage events or provide competitive opportunities to the public shall be referred to as affiliated clubs;

**3 Training:** ((Association c)) Clubs which exist to provide non-collegiate athletes training at an educational institution's facilities shall be referred to as training clubs; and

**4 Elite development clubs:** USATF may designate a member club as an Elite Development Club. These clubs may provide coaching, training groups, facilities, travel to events, financial assistance, stipends, and/or other forms of assistance. Elite development clubs shall receive additional benefits and information to assist them with elite development and ((the same information provided to national clubs. Association-based elite development clubs)) may be charged additional dues and fees to cover such additional benefits.

**((D) C Club names:** Internal grievance proceedings may be instituted in situations regarding disputes over the naming of clubs. Generally these proceedings may be instituted when:

**1 Duplication:** Two (2) clubs choose the same or confusingly similar names (except with the concurrence of both clubs);

**2 National team:** A club uses a name that could reasonably be interpreted to refer to a "national team;"

**3 Sponsorship:** A club uses a name which causes public confusion with USATF-related sponsorship or advertising; or

**4 Trademark:** A club uses a trademark or service mark of USATF or the USOC (See Article 19, page 54).

**((E Special: . . .)) Delete Regulation 8-E in its entirety**

**((F) D Conflicts of interest:** No club shall represent a member athlete in any transaction if such a representation is a conflict of interest.

REASONS:

This item was tabled last year so that a club task force could look at the issue of clubs. The task force had email discussions and also met in Palo Alto during Outdoor Nationals. The task force

agreed that national clubs should be abolished. Some of the reasons for abolishing national clubs are:

1. There are few if any official USATF competition opportunities for national clubs any more. The Winter National Cross Country Championships is the primary one (Team Scoring is also done at indoor nationals). Several of the road race championships have national club competition, but in most cases, it is an afterthought on the part of the clubs.
2. Many of the national clubs are run by shoe companies, and it is their very lack of desire to have meaningful national club competition that has led to its demise. These companies, rightfully so, are concerned with exposure, and the exposure of a logo on a winning jersey and other jerseys in the top ten is better than that of a winning team.
3. There are a small number of national clubs that do train together and compete together, although their number is not getting any larger. However, these groups can, and in some cases already have, become Association clubs in the Association in which they are based. Since there is little or no opportunity for national club competition, this rule change will actually enhance the competition opportunities for clubs because they will now be able to compete in their Association's championships.
4. In practice, event directors may stage an event with any form of team competition they desire. This has been happening for a long time. This means that there will be no hindrance to having "shoe company" divisions, "corporate divisions" or any other form of team competition that an event desires. No longer, however, will a roster used once or twice per year interfere with the real lifeblood of clubs – competition between groups of people who train and race regularly together.

This proposal also eliminates the section of Reg 7-A-2 that indicates how unattached athletes should be identified in results. In practice, event directors refer to athletes however they want to, even in some cases at association championships. And nowhere does it say how "attached" athletes shall be identified – the assumption is that it would be with their club, but it doesn't say that. In practice, it varies greatly. By eliminating this section, we give event directors the flexibility to refer to athletes however is appropriate for that event. This will allow the national championships and other USATF events to refer to athletes by their sponsor, even with the elimination of national clubs.

### Item R31

Submitted by Mark Cleary

Amend Regulation 8-E-1 (Page 90) as follows:

- 1 **Limitation:** A national club shall be limited to competitions at the senior and masters level.

Further

Amend Regulation 8-E-4 by adding:

- i The logistical-support and educational requirements enumerated in subsections c and f of this section shall not be binding upon masters clubs.

### Item R38

Jim Murphy, L&L chair on behalf of the National Office

Amend Regulation 13 (Page 101) as follows:

## **REGULATION 13 A**

### **((COMMITMENTS AND)) CONDUCT OF NATIONAL TEAM ATHLETES ((AND STAFF))**

**A** **National team participation:** Selection to and participation in USATF national team competition is a privilege accorded to those eligible athletes who agree to abide by, and do abide by, the applicable rules and regulations of USATF, the IAAF, the USOC, the IOC or the laws of the country in which the national team competition is being held. The privilege of national team participation may be withdrawn due to the violation of an applicable rule and/or regulation of USATF, the IAAF, the USOC, the IOC or laws of the country in which the national team competition is being held. No athlete will have the privilege of national team participation withdrawn, after having been extended the privilege in writing, without the opportunity for an administrative hearing as provided in this Regulation. The decision of a national team coach not to enter an athlete who is a member of a national team in a particular race or competition shall not be deemed a withdrawal or denial of national team participation for purposes of the preceding sentence.

**B.** **Athlete commitment:** The commitment of an athlete to participate on a USATF national team and to abide by the rules and regulations of USATF, the IAAF, the USOC, and the IOC, shall be evidenced by any one or combination of the following actions by the athlete:

- 1 Becoming a member of USATF;
- 2 Execution of an agreement stating his/her intention to be a member of a USATF national team; and/or
- 3 Accepting delivery from USATF of equipment, clothing, airline tickets and similar items customarily provided only to USATF national team members.

**((Written agreement:** Individuals selected or elected to represent the United States in international competition shall enter into a written agreement setting forth the obligations and expectations of their participation. The written agreement shall include the date and place of the competition, the text of this Regulation, and that part of Regulation 11 (pages 97-99) explaining the hearing process. The staff member who is taking the individual's commitment must make specific reference to these regulations.))

**((B))C** **Failure to participate:** It shall be a breach of his or her commitment to the USATF national team for an athlete to:

1. fail or refuse to participate in any competition for which he or she has committed to participate,
2. fail to adequately notify the national team coach, manager, team leader or the National Office, at least seventy-two (72) hours (if traveling with the team or delegation), or seven (7) days (if not traveling) prior to the scheduled competition, of his or her inability to participate on a national team, unless he or she was precluded from timely communication by extraordinary circumstances.

3. fail to appear for the scheduled departure without having notified the appropriate coach, manager, team leader, or the National Office at least seventy-two (72) hours prior to departure, unless she or he was precluded from timely communication by extraordinary circumstances..((Any individual who, without reasonable cause, fails to participate in any such competition for which he or she has signed an agreement to participate shall be in breach of that commitment. Furthermore, should any individual fail for any reason to participate in such a competition, and fail adequately to notify the appropriate coach, manager, team leader, or the National Office at least seventy-two (72) hours (if traveling with the team or delegation) or seven (7) days (if not so traveling) prior to the scheduled competition of his or her inability to participate, he or she shall be in breach of his or her commitment, unless he or she was precluded from timely communication by extraordinary circumstances. In addition, should any athlete scheduled to travel with the team to such competition fail to appear for the scheduled departure without having notified the appropriate coach, manager, team leader, or the National Office at least seventy-two (72) hours prior to departure, he or she shall be in breach of his or her commitment, unless he or she was precluded from timely communication by extraordinary circumstances.))

**C Responsibilities of national team members:** All members of USATF national teams are required to:

- 1 Conduct themselves at all times as goodwill ambassadors for the USATF national team and the United States of America, and refrain from any act(s) that may reflect unfavorably upon the USATF national team, the sport of track and field, USATF or the United States of America.
- 2 Dress appropriately and respectfully for all official national team functions (including training session, competitions, press conferences, award lunches and dinners, receptions etc.) wearing and using the apparel and products of USATF's national team apparel sponsor; provided, however, that at the Olympic Games, Pan American Games and World University Games, the official presentation uniforms and clothing will be provided to the national team by the United States Olympic Committee may be worn at certain designated times and functions.
- 3 Attend functions, meetings, banquets, parades and other USATF national team activities, as required, wearing the apparel or using the products of USATF's national team apparel sponsor
- 4 Honor their commitment to train and report to compete.

The failure of any national team athlete to abide by the above described responsibilities shall result in the discipline of the athlete as provided in this Regulation or in the national team agreement signed by the athlete.

**((C))E Penalties:** An allegation that an athlete has violated his/her commitment to a USATF national team, if made while outside the United States, shall be heard by a three (3) person panel comprised of one individual selected by the national team coach, one individual selected by the national team athlete representative and one individual selected by the two previously selected individuals, within twenty-four (24) hours of the filing of a written complaint with the national team manager, or head coach. At any other time, ((H))hearings regarding alleged breaches of national team commitments shall be conducted in accordance with Regulation 11. Although the ((coaches or team leaders)) hearing panel may recommend the imposition of a more severe penalty, as well as monetary damages, ((for the breaches above stated)) the

following minimum penalties shall be ((enforced)) imposed as appropriate, if an athlete is found in violation of his or her commitment:

- 1 **((First offense))** The athlete shall receive a ((written)) public reprimand, and, if ((Should)) the athlete ((be)) is receiving payments pursuant to USATF-sponsored financial aid programs, those payments shall be discontinued for a period of not more than twelve (12) months;
- 2 **((Second offense))** The athlete shall receive a ((written)) public reprimand((.) and ((T))the athlete shall not be eligible for USATF-sponsored financial aid programs for a period of twelve (12) or more months; or
- 3 **((Third offense))** The athlete shall immediately be suspended and rendered ineligible to participate in certain designated competitions ((the national championships,)) and shall be barred ((for a period of one (1) year)) from representing the United States as a member of any USATF national ((sanctioned international competition)) team(s), for the period of one (1) or more years.

In addition, in the appropriate circumstances, the athlete may be required to issue a public apology, prior to regaining his/her privilege of participating on future USATF national teams.

## REGULATION 13 B

### CONDUCT OF NATIONAL TEAM DELEGATION AND STAFF

- A National staff participation:** Selection to and participation as USATF national team staff member is a privilege accorded to those persons who agree to abide by, and do abide by, the applicable rules and regulations of USATF, the IAAF, the USOC, and the IOC. The privilege of national team staff service may be withdrawn due to the violation of an applicable rule and/or regulation of USATF, the IAAF, the USOC, the IOC or illegal or immoral conduct. No person will have the privilege of national team staff service withdrawn without the opportunity for an administrative hearing as provided in this Regulation.
- B National team delegation and staff commitment:** The commitment of any person to serve on a USATF national team staff and abide by the rules and regulations of USATF, the IAAF, the USOC, the IOC and the laws of the country in which national team competition is being held, shall be evidenced by any one or combination of the following actions:
- 1 Becoming a member of USATF;
  - 2 Execution of an agreement stating his/her intention to be a member of a USATF national team staff;
  - 3 Accepting delivery from USATF of equipment, clothing, airline tickets and other items customarily provided only to USATF national team staff members.
- C Failure to participate:** It shall be a breach of his or her commitment to the USATF national team staff for a person to:
- 1 Fail or refuse to perform the duties incidental to his or her selected position;
  - 2 Fail to adequately notify the USATF President, national team head coach head manager or the National Office, at least seventy-two (72) hours (if

traveling with the Staff or delegation), or seven (7) days (if not traveling) prior to the scheduled competition of his or her inability to fulfill his or her functions as a national team staff member, unless he or she was precluded from timely communication by extraordinary circumstances.

- 3 Fail to appear for the scheduled departure of the USATF national team staff without having notified the USATF President, national team head coach, head manager, or the National Office at least seventy-two (72) hours prior to departure, unless he or she was precluded from timely communication by extraordinary circumstances.

**D Responsibilities of national staff members:** All members of USATF national team staff members are required to:

- 1 Conduct themselves as a goodwill ambassadors for the USATF national team and the United States of America at all times, and refrain from any act(s) that are illegal or immoral and that may reflect unfavorably upon the USATF national team, the sport of track and field, USATF or the United States of America.
  - a. Wear and use the designated national team staff apparel and products, during the entire duration of his or her service as a national team staff person, including but not limited to during travel, at all official USATF national team staff functions (including training sessions, competitions, press conferences, dinners, receptions etc.); provided, however, that at the Olympic Games, Pan American Games and World University Games, the official presentation uniforms and clothing will be provided by the United States Olympic Committee may be worn at certain designated times and functions.
  - b. Attend functions, meetings, banquets, parades and other USATF national team activities, as required, wearing the apparel and using the products of USATF's national team apparel sponsor.
  - c. Devote their full time focus and efforts to their service as a national team staff member.
  - d. Consent to conduct of background check by USATF.

The failure of any national team staff member to abide by the above-described responsibilities shall result in the discipline as provided in this Regulation or in the national team agreement signed by the staff member.

**E Penalties:** An allegation that any person has violated his/her commitment as a USATF national team staff member, if made while outside the United States, shall be heard by a three (3) person panel comprised of one individual selected by the national team staff member charged with the violation, one individual selected by the USATF Director of Elite Athlete Programs or his/her designee and one individual selected by the chair of the USATF High Performance Division, within twenty-four (24) hours of the filing of a written complaint with the national team staff manager, or head coach. At any other time, hearings regarding alleged breaches of commitments by national team staff members shall be conducted in accordance with Regulation 11. Although the hearing panel may recommend the imposition of a more severe penalty, as well as monetary penalty, the following minimum penalties shall be enforced if a national team staff member is found in violation of his or her commitment:

- 1 The national team staff member shall receive a letter of reprimand.
- 2 The national team staff member shall receive a public reprimand. In addition, in the appropriate circumstances, the national team staff member may be required to issue a public apology; or

- 3** The national team staff member shall be rendered ineligible for selection or election to participate as a member of any USATF national team staff, for the period of one (1) or more years. In addition, in the appropriate circumstances, the national team staff member may be required to issue a public apology.

**Item R41a**

**Submitted by Bob Bowman and Scott Davis**

Amend Regulation 15.A.1.a on Membership Minimum standards, by deleting the following two levels:

(( ii Dues-paying members per 100,000 population in the Association;))

(( iv Organizational members per 100,000 population in the Association;))

Reason: This is a greatly misleading indicator of an Association in good standing. Regardless of the current minimum standards for these two indicators as set by the Member Services Committee, these two standards favor the smaller populated associations over the larger populated associations, totally ignoring the quality of programs in these associations. Looking at the "2000 Association Accreditation Statistics and Reports", it is interesting to note that such associations as Wyoming with 123 members and Nevada with 191 members meet the above ii standard, whereas such associations as Southern California with 2982 members, Mid-Atlantic with 1599 members, and Metropolitan with 1499 members do not. It is a grossly oversimplification to assume that the larger populated associations have an equal chance of meeting these standards.

**Item R43a**

**Submitted by Bob Bowman and Scott Davis**

Amend Regulation 15.A.1.b on Other Categories Minimum standards, by deleting the following requirement:

(( v sanction a minimum number of events each year per 100,000 population;))

Reason: This requirement has no relevancy whatsoever to the breath and quality of events sanctioned by each association. To link the number of sanctions granted to population is not a valid measure of an association's activity level. There are too many other variables involved that determine the optimum number of sanctioned events per association per year. For example, population may have less bearing on the optimum number of sanctioned events than the geographic size of the association, and yet we would not propose a minimum number of sanctioned events per X number of square miles. This too would be an inappropriate standard.

**Item R43B**

**Ed Parrot for the Associations Committee**

Amend Regulation 15-A-1 (page 99) as follows:

- 1 Minimum standards:** In order to maintain good standing, an Association shall be required to meet the following standards:
  - a ((Membership))Required standards:** Associations shall be required to maintain minimum standards and membership levels set by either the Member Services Committee or the Associations Committee and approved by the Board in each of the

following categories. Such membership levels may vary for individual Associations or categories of Associations. Standards and membership levels are:

- i** Dues-paying members;
- ii** Dues-paying members per 100,000 population in the Association;
- iii** Organizational members;
- iv** Organizational members per 100,000 population in the Association;
- v** Member officials;
- vi** **Association documents:** Associations shall be required to submit to the USATF National Office a copy of its organic documents, as set forth in Article 6;
- vii** **Annual meeting:** Associations shall hold an annual meeting; and
- viii** **Financial report:** Associations shall be required to submit to the USATF National Office annually a copy of the 990 or 990EZ (or such form as shall replace them at the discretion of the Internal Revenue Service) tax form for the Association. If the Association is not required to file the tax form by the IRS, they shall submit a completed 990 EZ to the National Office.

**b Other ((categories))standards:** Associations shall be required to fulfill at least six of the following ((eight))nine requirements. The minimum levels shall be set by either the Member Services Committee or the Associations Committee and approved by the Board unless otherwise specified. Each Association shall:

- ((i** have its organic documents (see Article 5, page xx) on file with the National Office;
- ii** hold an annual meeting;
- iii))** **i** hold association championships in each sport committee's discipline;
- ((iv))** **ii** sanction a minimum number of events each year;
- ((v))** **iii** sanction a minimum number of events each year per 100,000 population in the Association;
- ((vi))** **iv** be represented by a minimum number of delegates at the Annual Meeting ((,including at least one representative at each sport committee meeting));
- v** be represented by one or more representatives at each session of the Associations Committee meeting at the Annual Meeting;
- ((vii))** **vi** maintain a viable web site; ((,and))
- vii** mail and/or e-mail at least one newsletter per year to its members; ((,and))
- viii** host ((conduct)) at least one Coaches' Education school every four years; and
- ix** attend at least one Association workshop every two years;

#### REASONS:

1. Since having organic documents on file is NOT optional according to Article 6, it should not be optional in Reg 15.
2. Make the Association annual meeting required since it is effectively required by the association election procedures section of this Regulation and it is not appropriate to run an association without an annual meeting.
3. Add several "other categories" and subdivide some existing ones.
4. Remove the requirement of attendance of sport committee meetings at Annual Meeting - it is currently and will be for the foreseeable future very difficult to obtain accurate data on this.

Item R43C

Ed Parrot for the Associations Committee

Amend Regulation 15-A-1-b (page 99) as follows:

**b Other categories:** Associations shall be required to fulfil at least six of the following eight requirements. The minimum levels and standard definitions shall be set by either the Member Services Committee or the Associations Committee and approved by the Board unless otherwise specified. Each Association shall:

**REASON:** This simply clarifies that not only are the minimum levels for quantitative items (such as sanctions) set by Member Services or Associations and approved by the Board, but the definition of what constitutes having met the other standards is handled the same way. For example, the definition of what actually constitutes a viable web site or a championship needs to be proposed by Members Services or Associations and approved by the Board. This proposal simply corrects that oversight and is supported by Member Services and the Associations Committee.