

2007 LAW & LEGISLATION
Items for Consideration

Below please find the items submitted to the Law and Legislation Committee and the action recommended on them for the Annual Meetings in Hawaii. If you wish to comment on any of these items, please send your comments by email to Tim Baker tbaker03@verizon.net.

*Item BR-a.....Submitted by Bill Roe, President
.....L&L Recommendation - Table*

Amend all instances where the USTCA is referred to by replacing "USTCA" with "USTFCCCA," and in the definitions with the correct full name, "United States Track & Field and Cross Country Coaches Association."

[Need discussion with legal]

Reason: This is the new name of the organization. We have not done this, because Craig has mentioned some issue with the new name as an infringement on our name and/or naming rights.

*Item BR-b Submitted by Bill Roe, President
.....L&L Recommendation - Table*

This is an open item so that any article which defines or affects the Board of Directors can be the subject of restructuring changes in 2007 if USATF receives a mandate to consider such legislation prior to the end of the Quadrennium.

I am asking that L&L spend some time pondering the question "what if the USOC comes to us in 2008 and mandates change?" In other words, what might we be able to do (or not do) to enable mid-year change. Among the elements which need to be considered are allowing the Board to deliberate and pass special legislation without the emergency provisions being invoked, changing election law mid-year to fit the circumstances, electing board members for a shorter period to enable changes to occur, changes to the election year, and the processes by which all of this might occur with the active participation and consent of L&L.

Reason: I present this article as an open item without specific language to prepare for any requested changes by the USOC before the Honolulu annual meeting. It may be tabled if it is determined that USATF does not need to address such requests in 2007.

*Item BR-c Submitted by Bill Roe, President
..... L&L Recommendation - Table*

Open item to discuss elections next year.

Reason: To allow changes to the Bylaws in the area of elections as we may review.

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Item BR-dSubmitted by Tim Baker
..... L&L Recommendation – passage

Change all instances of “Sports Committee” to “Sport Committee”.

Item BR-e Submitted by Lionel Leach and Ken Ferguson
.....L&L Recommendation - Table
Open item to make Youth a separate Division

Item B2-a.....Submitted by Bill Roe, President
.....L&L Recommendation –Open for Further discussion

Amend appropriate article by removing specific items and relocating them as follows:
Article 2 Definitions of outside organizations Reg 1-E, new paragraph 1

Reason: These are items identified by USOC consultants and our Board management consultant as provisions which belong in the Regulations.

Item B2-b..... Submitted by Mark Timmons
.....L&L Recommendation –Open for Further discussion

Amend Article 2 as follows:

DEFINITIONS

I. Coach:

1 Coach means an individual who is, or was, actively engaged in the training of athletes within the sport of athletics within the preceding ten (10) years, the coaching of school/college community Athletics, the coaching of club athletes, or the coaching of International Athletes, or who are USATF-certified coaches;

2 Active Coach means any individual who is actively engaged in coaching Athletics on the collegiate or post-collegiate level.

Reason: Currently the term “Active Coach” is utilized in the bylaws and regulations in a number of locations, this provides the definition of the term consistent with how CAC would like it utilized.

Item B6 Submitted by Bill Roe, President
..... L&L Recommendation –Recommend Rejection

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Add the mandate for Association grievance procedures to the Bylaws by amending Article 6, paragraph A-1-d as follows:

d. Open governance: Provision for the democratic election of directors and officers of the Association, as set forth in Regulation 15, and a grievance process which is modeled after the provisions of Regulation 11, insofar as those provisions are applicable to and practical for the Association level;

Reason: To make sure grievances are addressed properly at the local level.

Item B7a Submitted by Mark Timmons
..... L&L Recommendation –Recommend for acceptance

Amend Article 7 as follows:
ELEGATES AND THEIR SELECTION TO MEETINGS

D. Association delegates

3. Coaches: ((There shall be a minimum number of individuals who are, or were, actively engaged in the training of athletes within the sport of athletics within the preceding ten (10) years, the coaching of school/college community Athletics, the coaching of club athletes, or the coaching of International Athletes, or who are USATF-certified coaches)) The number of coaches who shall be delegates is set forth in Exhibit D-1. If available, at least one (1) of the coaches shall be a high school coach; and

Reason: Provides a percentage of the delegation that is to be coaches, rather than just “a minimum number of individuals” without defining what a minimum number should be. Also removes language that is already defined elsewhere in the Bylaws.

Item B8 Submitted by Bill Roe, President
..... L&L Recommendation –Open for Further discussion

Amend appropriate articles by removing specific items and relocating them as follows:
Article 8-G Agenda (all the detail) Regulation ____

Reason: These are items identified by USOC consultants and our Board management consultant as provisions which belong in the Regulations.

Item B9a Submitted by Bill Roe, President
..... L&L Recommendation –Recommend Rejection

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Amend Article 9-D-1 as follows:

a. Officers and elected division chairs shall be elected for four-year terms at the Annual Meeting in each year in which the Summer Olympic Games are scheduled to be held;

Reason: To correct an omission in the first instance and a potential problem in the other.

Item B9b Submitted by Bill Roe, President
..... L&L Recommendation –Recommend Rejection

Amend Article 9-D-1 as follows:

a. Officers shall be elected for four-year terms at the Annual Meeting in ((each)) the calendar year following the calendar year in which the Summer Olympic Games are held;

Reason: To move our elections away from what is already a very crowded year, and to provide some separation between the CEO contract renegotiation period and the elections, which now are scheduled to occur at the same time. It also removes any Olympic politics from our elections. It would have to include an enabling provision, which I have purposefully not composed because I am unsure of what would be workable.

Item B9c Submitted by Bill Roe, President
..... L&L Recommendation –Open for Further discussion

Amend appropriate article by removing specific items and relocating them as follows:

Article 9-F Elections (all the detail) Regulation ____

Reason: These are items identified by USOC consultants and our Board management consultant as provisions which belong in the Regulations.

Item B9d Submitted by Mark Timmons
..... L&L Recommendation –Open for Further discussion

Amend Article 9 as follows:

VOTING

G. USATF divisional chairs and committee chairs' elections:

2. High performance division: The divisional chair of the High Performance Division shall be selected by the chairs of the three sports committees of the High Performance Division, the chair of the Coaches Advisory Committee, and the chair of the Athletes Advisory Committee and a member of the Athletes Advisory Committee of opposite gender selected by the Athletes Advisory

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Committee. A meeting or conference call of these individuals shall be convened for this purpose by the chair of the Organizational Services Committee or his/her designee, after the above named individuals have been selected by their respective committees;

Reason: The chair of the Coaches Advisory Committee should have a voice in determining the Chair of the High Performance Division since the interests of active coaches and the Division are intricately tied together.

*Item B11b Submitted by Mark Timmons
..... L&L Recommendation –Recommend Rejection
Amend Article 11 as follows:*

BOARD OF DIRECTORS

A. Composition: *The Board shall be composed as follows:*

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

g. *A active coach elected by and from the Coaching Advisory Committee (1 person);*

Reason: It is the CAC’s belief that the representative to the Board from the CAC should be an Active Coach, rather than just a Coach.

*Item B11c Submitted by Mark Timmons
..... L&L Recommendation –passage
Amend Article 11 as follows:*

BOARD OF DIRECTORS

H. Board committees: *The Board may have committees including, but not limited to, athlete performance and support, audit, budget, compensation, diversity and leadership, grants, insurance, and international relations. 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 with due consideration for any directly and substantially effected constituency.*

Reason: It is the CAC’s belief that at anytime a Board Committee considers an issue that affects a constituency of USATF that a member of the constituency should be a participating member of that committee.

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Item B12e Submitted by Bill Roe, President
..... L&L Recommendation –Open for Further discussion

Amend appropriate article by removing specific items and relocating them as follows:

Article 12-A Chief Executive Officer (all the detail) Regulation ____

Article 12-B Staff activities (all the detail) Regulation ____

Reason: These are items identified by USOC consultants and our Board management consultant as provisions which belong in the Regulations.

Item B12f Submitted by Bill Roe, President
..... L&L Recommendation –Recommend Rejection

Amend Article 12 by adding a new paragraph E:

E. Complaints against volunteer sector leadership and/or members by staff:

1. Volunteers other than the President: A complaint by a part- or full-time member of the national staff shall be sent to the Secretary of USATF and the CEO. By agreement, either shall cause the President and Counsel to the Board to receive the complaint within ten (10) days of receipt. The President shall be given not less than thirty (30) days to investigate the complaint, and shall have a written report of his or her investigation at the next appropriate Board meeting, including any action (if necessary) to be taken to remedy the situation;

2. Involving the CEO and/or President: A complaint by the CEO, or through the CEO by a staff member, against the President shall be delivered to the Secretary of USATF. The Secretary shall cause copies to be delivered within ten (10) days to the Vice-President and Counsel to the Board. All decisions with respect to the resolution of a complaint by the CEO or a member of the staff are within the sole discretion of the Board; and

3. Response: All complaints by staff shall be acknowledged promptly. A written response shall be made within thirty (30) days of the resolution of the complaint. Interim reports shall be made to the President and CEO every one hundred twenty (120) days, pending resolution. The final report and resolution of complaint by staff shall be given to the Board at a regularly scheduled meeting.

Reason: Both the President and CEO have been frustrated by verbal abuse of the staff by members of and leaders in the volunteer sector. Our bylaws are silent as to whether staff have any option except to quit. We lose good staff because of undocumented abuse by volunteers. It is time to recognize it and deal with it.

Item B13a Submitted by Mark Timmons
..... L&L Recommendation –Open for Further discussion

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Amend Article 13 as follows:

COMMITTEES

D. Sport committees 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 committee. 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 Active Coaches; ((individuals whose vocation includes the administration or coaching of school/college community track & field;))*

Reason: While the CAC feels that administrators have an important voice in the sport committee's, it is our belief that the participation of active coaches is critical at the Executive Committee level.

Item B13b Submitted by Mark Timmons
..... L&L Recommendation –passage

Amend Article 13 as follows:

COMMITTEES

E. *Task forces: The President may appoint task forces which shall include the requisite twenty percent (20%) Active Athlete membership named in consultation with the AAC chair. When appointing members thereto, the President shall give due consideration for any directly and substantially effected constituency. No such entity shall continue beyond the term of the President without specific reappointment. The authorized task forces will be listed in the exhibits section of this handbook.*

Reason: It is the CAC's belief that at anytime a Task Force considers an issue that affects a constituency of USATF that a member of the constituency should be a participating member of that committee.

Item B14a Submitted by Bill Roe, President
..... L&L Recommendation –Recommend Rejection

Amend Article 14, High Performance Division," Paragraph B, "Divisional Organization," as follows:

3. *International Staff ((Selection Subcommittees)): All of the coaching, managerial and other non-medical and non-media staff for the Olympic Games, IAAF World Outdoor Championships in Athletics, and Pan American Games shall be screened and selected by the Men's or Women's International Staff Selection Subcommittees, as outlined in Regulation 3. All other international staff,*

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including Youth and Masters shall be selected in accordance with selection procedures approved by the High Performance chair.

Reason: To make it clear that youth and masters' processes are open and transparent. I was assured last time that this would happen without legislation, but -- to my knowledge -- it has not. I am still hearing complaints.

Item B14b Submitted by Mark Timmons
..... L&L Recommendation –Open for Further discussion

Amend Article 14 as follows:

HIGH PERFORMANCE DIVISION

B. Divisional organization:

2. *Divisional executive committee: The members of the executive committee shall consist of the divisional chair, the three (3) divisional sports committee chairs, the two Development Chairs or their representatives, the CAC Chair or designee, the AAC Chair or designee, and two additional athletes, at least one of whom shall be an LDR athlete, who shall be named by the LDR Divisional Chair. The divisional chair shall also chair the executive committee. The divisional executive committee shall be solely responsible for establishing policy regarding the creation and maintenance of the High Performance Plan, and establishment of funding priorities. The executive committee shall meet periodically on an in-person or teleconference basis. Nothing defined in this section shall be construed to limit the authority of the three (3) divisional sports committees from carrying out their independent responsibilities, as defined elsewhere in these Bylaws and Operating Regulations.*

Reason: The chair of the Coaches Advisory Committee should have a voice on the Divisional executive committee of the High Performance Division since the interests of active coaches and the Division are intricately tied together.

Item B14c Submitted by Bill Roe, President
..... L&L Recommendation –Recommend Rejection

Amend Article 14-C-3, "Committee makeup," as follows:

3. *Makeup: ((Each sport c)) The Race Walking Committee shall be constituted as stated in Article 13-B-2. The Men's and Women's Track & Field Committees shall be composed as follows, which shall be reflected in the chart in the exhibits section of this handbook:*

(The current language of Article 13-B-3 is presented here so that the changes can be reflected properly.)

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- a. Association members: One (1) member to be named by ((each accredited Association. In the event that two Associations merge, the two incumbent representatives on the committee may continue to serve. When at least one incumbent no longer serves on the committee, the merged Association's representation shall revert to one committee member)) the Associations Committee from each of USATF's 15 youth regions;
- b. Sports organization members: One (1) member to be named by each sports organization listed in the exhibits section of this handbook and an additional ((two (2))) five (5) members to be named by any sports organizations listed in the exhibits section of this handbook that conduct substantial programs or competitions in the sports discipline of the particular committee;
- c. Other constituent members: ((One (1) member)) Two (2) members to be named by any sports organization listed in the exhibits section of this handbook that conducts programs in the sports discipline of the particular committee. The Coaches Advisory Committee shall also appoint (without limitation), elect or oversee the election or appointment of the representatives for each of the NCAA I, NCAA II, NCAA III, NAIA, high school, NJCAA, NWAACC/CCCCTCA, and club coaches, that are active in the discipline of the applicable committee, and one (1) at-large member in all sport committees;
- d. Athletics for the Disabled members: One (1) member to represent the collective members of USATF which are listed in the exhibits section of this handbook, such member to be selected by the Athletics for the Disabled Committee;
- e. Officials Committee member: ((One (1) member)) Two (2) members to be named by and from the Officials Committee;
- f. At-large members: Five (5) at-large members to be selected by the members of the committee;
- g. Elected officers and other positions: Any person elected by the committee to serve in an officer position, such number not to exceed ten (10) additional members; and
- h. Active Athlete members: That number of Active Athlete members which shall be at least twenty percent (20%) of the total authorized membership of the committee, such Active Athletes to be selected by those registered attendees at the meetings of USATF who are Active Athletes engaged in the particular sport discipline of the committee((. For Youth Athletics, AAC shall appoint four (4) Active Athletes));

Reason: To better reflect the membership of these two important committees.

Item B14d Submitted by Mark Timmons
..... L&L Recommendation –passage

Amend Article 14 as follows:

D. Joint Development Group: There shall be a Joint Development Group serving the High Performance and Long Distance Running Divisions. It shall consist of the four committees below. The group shall report to the divisional chairs for High Performance and Long Distance Running, the chair of the Coaches Advisory Committee, and to the chair of the Athletes Advisory Committee. The two divisional chairs, chair of the Coaches Advisory Committee, and the chair of the Athletes Advisory Committee shall appoint a group coordinator with the approval of the President.

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Reason: Coaches are intimately tied to development on all levels of the sport and the Coaches Advisory Committee, as the clearinghouse for coaches' interests, should have an active role in the Joint Development Group.

Item B15

*Submitted by Jim Murphy for National Office
L&L Recommendation - Table*

Amend Article 15 by inserting a place holder

*Item B15&16 Submitted by Bill Roe and Mary Rosado for Bill Quinlisk
..... L&L Recommendation -passage*

Amend Article 15.D.1.a.i Cross Country Running Council as follows:

Article 15 - Long Distance Running Division

D. Councils

1. Cross Country Running Council

a. Duties and responsibilities: The Cross Country Council shall:

i. Championships: Have jurisdiction over national and regional (where regional coordinators are appointed) championships in the particular sport it controls, except that masters' championship bids recommended by the Council must be approved by Masters Long Distance Running. In conjunction with the National Office, the Council shall institute, locate or award, conduct and manage all championships with the provisions of Regulation 4. A joint Site Selection Sub-Committee consisting of three members selected by the Cross Country Council, three members selected by the Club Council and one member selected by the Masters Long Distance Running Committee shall select and award a site for the national Club Cross Country Championships. The Masters LDR representative shall be the chairperson of this joint sub-committee.

Further,

Amend Article 16.D.3.a.i as follows:

Article 16 – General Competition Division

D. Associations Committee:

3. Club Council: The Associations Committee shall organize a council of club leaders which shall hold a business meeting at the Annual Meeting and hold information and club-building meetings and exercises at the national club championships.

a. Duties and responsibilities: The Club Council shall:

i. Championship series: Solicit bids for the national club championships' events, hear bidders and make a final recommendation to the Associations' executive committee. A joint Site Selection Sub-Committee consisting of three members selected by the Cross Country Council, three members selected by the Club Council and one member selected by the Masters Long Distance Running Committee shall select and award a site for the national Club Cross Country Championships. The Masters LDR representative shall be the chairperson of this joint sub-committee.

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Reason: The 2007 USATF Governance Manual has conflicting information between the Cross Country Council and the Club Council regarding the site selection process for the Club Cross Country Championships. This proposal will codify the selection process for the national Club Cross Country Championships, placing it in the hands of a joint sub-committee consisting of all interested parties.

*Item B17a Submitted by Bill Roe, President
..... L&L Recommendation –Open for Further discussion*

Amend Article 17, “Administrative Division,” paragraph E, “Coaches Advisory Committee,” as follows:

E. Coaches Advisory Committee:

2. Makeup: The committee shall consist of forty eight (48) members, including the following numbers of coach delegates: US Track Coaches Association ((USTCA)) (8), USWTCA (4), NCAA I TCA (2), NCAA II TCA (2), NCAA III TCA (2), NAIA TCA (2), NHSACA (2), NJCAA TCA (2), NWAACC / CCCCCTCA (2), RRCA (2), club coaches (4) to be selected by the President of USATF, youth coaches (2) appointed by the Youth Coaches Association((2)) and the four (4) elected officers of the CAC to total forty (40), plus ((seven-(8))) such Active Athlete members selected by the Active Athlete delegates to USATF as will constitute at least 20% of the committee's voting members. The members shall elect their chair at the annual meeting in the post-Summer Olympic year.

Reason: I leave this primarily as an open item as we explore ways to more fully empower coaches.

*Item B17b Submitted by Mark Timmons
..... L&L Recommendation –passage*

Amend Article 17 as follows:

ADMINISTRATIVE DIVISION

E. Coaches Advisory Committee:

2. Makeup: The committee shall consist of forty eight (48) members, ((including)) representing the following numbers of coach delegates: USTCA (8), USWTCA (4), NCAA I TCA (2), NCAA II TCA (2), NCAA III TCA (2), NAIA TCA (2), NHSACA (2), NJCAA TCA (2), NWAACC / CCCCCTCA (2), RRCA (2), club coaches (4) to be selected by the President of USATF, two (2) youth coaches appointed by the Youth Coaches Association and the four (4) elected officers of the CAC to total thirty eight (38), plus ten (10) Active Athlete members selected by the Active Athlete delegates to USATF. The members shall elect their chair at the annual meeting in the post-Summer Olympic year.

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Reason: Language change for consistency of language present else where in the Bylaws, as well at to reflect current practice.

Item B17c Submitted by Dexter McCloud
..... L&L Recommendation –Open for Further discussion

Amend Article 17, “Administrative Division,” by adding as follows:

K. Diversity

1. **Duties and responsibilities: The committee shall:**
 - a. **Policy advice: Serve as a source of reference, opinion and advice to the officers, National Office, Board, and all national and Association committees with regard to current or contemplated policies of USATF and in all matters relating to diversity; and**
 - b. **Diversity representatives: Appoint, elect or oversee the election or appointment of Diversity representatives to each operating committee.**
 - c. **Further the commitment of USATF to diversity: Encourage and foster the active participation of members in the governance of USATF at the Board-level, in it’s committees and at all other levels of decision-making within USATF and in Athletics.**
 - d. **Education: Provide necessary content and knowledgebase to USATF and its constituency to help them understand diversity issues.**

2. **Makeup: The committee shall consist (?) members: ??? members (including it’s chair) named by the President, one (1) member named by each of the eight (8) sports committees, the Associations Committee, The Coaches Advisory Committee, and the Officials Committee, and (?0 Active Athlete members selected by the Active Athlete delegates to USATF.**

Reason: the purpose of this proposed legislation is to “demonstrate and strengthen USATF’s commitment to diversity within its organizational structure. To provide a clear conduit for mentoring and leadership training that’s accessible by everyone”.

Item B17d Submitted by John Bahake
..... L&L Recommendation –passage

Amend Article 17 – H as follows:

H Officials Committee:

- 1 **The National ((Athletics)) Officials Committee:**
 - a **Duties and responsibilities: The committee shall:**
 - i **Certify, train, and generally supervise officials of Athletics;**
 - ii **Establish and monitor overall requirements for the training and certification of officials;**
 - iii **Delegate to Association Officials Committees such duties as this committee directs;**

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- iv *Develop and encourage the use of standard uniform attire to be worn when officiating;*
- v *Request, when appropriate, advice and reports from Associations' officials committees concerning the training, certification, and other activities that they are conducting; and*
- vi *Provide each Association, when appropriate or requested, with forms, examinations, clinic programs, and other material or know how to assist the Associations' officials committees in carrying out their duties;*

b Makeup: The committee shall consist of:

i The certification chair ((of each Association Officials Committee)) from each accredited Association((.)); ((In the event that two Associations merge, the two incumbent representatives on the committee may continue to serve. When at least one incumbent no longer serves on the committee, the merged Association's representation shall revert to one committee member;))

ii In addition to the certification chair, up to five (5) additional members of each accredited Association, one for each one hundred (100) certified officials in the Association, who are (((a) National or Master officials)), a((b)) members of USATF, and b((c)) delegates to the annual meeting they are attending;

iii One (1) member named by each of the sport committees;

v ((iv)) Three (3) at-large members to be elected by the members of the committee;

vi ((v)) Four (4) at-large members appointed by the President; and

vii ((vi)) That number of Active Athletes equal to at least twenty percent (20%) of the total authorized membership, if such athletes are available, to be selected by the Active Athlete delegates to USATF; ((and))

c Elections: The committee shall elect its chair and other officers at the annual meeting in the year in which the Summer Olympic Games occur, except for the offices of Treasurer, Vice Chair Certification, and Vice Chair Awards ((which)) who shall be elected at the annual meeting occurring at the next even year after the Games. All terms shall be for four (4) years. All officers shall be eligible to serve up to two (2) successive four (4) year terms;

((2 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

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examinations, rules reviews, clinics, and other such activities as it may prescribe;

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; and

e Minimum make-up and concurrence: Each local official's committee shall be composed of at least one representative from each locally active discipline of USATF; and

3 Equipment & Facilities Specifications Subcommittee:

a Duties and responsibilities: The subcommittee shall:

i Provide technical information and training expertise for training of officials and other personnel to assure that rules relating to track & field venues and measurements are realistically enforced;

ii Provide a training program for officials on the certification of implements;

iii Establish criteria for, inspect, evaluate, and maintain a register of USATF-standard track & field facilities;

iv Establish requirements for firms which certify track & field facilities and maintain a list of firms meeting those standards;

v Provide guidance to USATF, and through USATF to the IAAF, on specifications for equipment and facilities;

vi Assist the Records Committee, when requested, in auditing the technical data involved with records, including specifications of the track or field facility;

vii Maintain a working relationship with the various manufacturers of athletic equipment to insure compliance with specifications and provide input for improvements; and

viii Assist any sport committee, when requested, in auditing the specifications of track & field facilities for national and regional championships.

b Makeup: The subcommittee shall consist of a chair, plus (a) eight (8) at-large technical members

appointed by the chair of the National Athletics Officials Committee, at least two (2) of whom should be master level certified officials who are inspectors of implements, (b) one representative each

from Men's Track & Field, Women's Track & Field, Masters Track & Field, Youth Athletics, and Race Walking Committees, and (c) four (4) athletes selected by the Athletes Advisory Committee.))

Reason: These changes reflect the composition of the National Officials Committee and also represent the NOC membership on the other committees. Associations Officials Committee and Equipment and Facilities Subcommittee are subcommittees of the NOC and therefore do not need to be included in the Governance Handbook.

Item B22a Submitted by Bill Roe, President
..... L&L Recommendation –Open for Further discussion

Amend Article 22 as follows:

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A. *IAAF delegates and alternates: USATF shall be represented in the IAAF Congress by the President, the CEO, and one (1) other delegate who shall be elected quadrennially at the annual meeting of USATF immediately preceding the IAAF Congress held in conjunction with the World Championships held prior to the Summer Olympic Games. ~~((Three (3) alternate delegates shall be elected in the same balloting as the one (1) regular delegate. The second, third, and fourth place candidates shall be the alternates, regardless of whether or not they have achieved a majority, and for purposes of service they shall be ranked according to votes received.))~~ Alternates for any of these three members who are unable to attend an IAAF Congress shall be named by the Board when known in advance of a Board meeting, or by the President in consultation with the other two (2) delegates when such absence is noted after the last opportunity for the Board to ratify a selection has passed.*

B. *IAAF Council, officers, and committees: USATF shall also elect candidates to be placed in nomination by USATF for positions on the IAAF Council, ~~((including IAAF officers,))~~ and for ~~((chairs and))~~ members of all IAAF committees. Nominations for the committees shall be voted upon only after due consideration is given to the recommendations of the appropriate USATF committees and councils. These nominations shall be made at the annual meeting of USATF immediately preceding the IAAF Congress at which elections for such positions take place. ~~((A candidate for an IAAF officer position must also be a candidate to be an IAAF Council member. A candidate for the chairpersons of an IAAF committee must also be a candidate to be a member of that committee. With the foregoing exceptions, n))~~ No individual shall be nominated by USATF for more than one (1) position in any IAAF election. Where the opportunity presents itself, the Board shall review the election results and other membership in the IAAF Council and committees, and make a separate determination whether an individual shall be permitted to or encouraged to contest an officer position. If, prior to the IAAF's deadline for making nominations, a candidate elected by USATF ceases to be a candidate, the Board shall elect a substitute candidate for nomination by USATF.*

1. *Cross Country ~~((& Road Running))~~ Committee: The Long Distance Running Division shall make a recommendation for the Cross Country ~~((& Road Running))~~ Committee;*
2. *Masters Committee: The Masters Track & Field and Masters Long Distance Running Committees shall each make recommendations for the Masters Committee;*
3. *~~((Race))~~ Walking Committee: The Race Walking Committee shall make recommendations for the Walking Committee;*
4. *Technical Committee: The Rules Committee shall make recommendations for the Technical Committee; and*
5. *Women's Committee: The Women's Track & Field and Women's Long Distance Running Committees shall each make recommendations for the Women's Committee.*

C. *IAAF expenses: USATF shall budget for and pay ~~((the))~~ its reasonable share of expenses for attending meetings of its representatives ~~((on))~~ to the IAAF Congress, and of its nominees elected to serve on the IAAF Council and committees.*

Reason: The name of the Cross Country Committee has changed. Also, we need to have a better handle on how to get qualified people into IAAF leadership roles. Also, the current election process has some idiosyncrasies which need to be addressed, so this opens them up.

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Item B22b Submitted by Bill Roe, President
..... L&L Recommendation –passage
Amend Article 22 by adding a new paragraph "D" as follows and re-lettering subsequent paragraphs:

D. Early IAAF nominations: Where USATF has no member of an IAAF Committee or on the Council, the Board may authorize moving the nominations process up by one (1) full year, to afford the nominee an greater opportunity to build name awareness prior to the next IAAF election.

Reason: The example shown by Rex Harvey (IAAF Masters Committee) needs consideration as a strategy at the international level. The submitter also recognizes that the International Relations Committee of the Board may have additional suggestions it wishes to codify, and offers this amendment as a way to do that.

Item B22c Submitted by Bill Roe, President
..... L&L Recommendation –Open for Further discussion

Amend Article 22-F as follows:

F. Expenses of USOC representatives: USATF shall pay the reasonable expenses for its representatives to attend meetings of the USOC (~~Board~~) and Athletes Advisory Council.

Reason: We are not afforded any direct representation to the USOC Board.

Item B26 Submitted by John Bahakel
..... L&L Recommendation –Recommend Rejection

Amend Article 26, F as follows:

1. Upon rewriting the approved amendments to the USATF Governance Handbook each calendar year, a 21-day review period shall take place during which the chair of each sport, development, and operating committee will have the opportunity to review said copy (PDF) of the Handbook to ensure it accurately reflects all approved amendment, changes and additions to the Bylaws, Operating Regulations, and Exhibits. The chairs are also charged with verifying that no unauthorized changes have been made to the Handbook. Committee chairs must report to the designated USATF staff person any discrepancies in the Handbook before the 21-day review period ends; any discrepancies reported after the review period ends will not be considered.
2. USATF staff must investigate all discrepancies reported and promptly edit any sections of the Handbook that have been incorrectly changed.
3. If a committee chair is unavailable during the review period he/she may designate the committee's vice-chair to take his/her place. All such designations must be sent to the appropriate USATF staff at least seven (7) days prior to the beginning of the review period. The committee chair bears the sole responsibility for making such designations.
And reletter accordingly

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Reason: It is vital that the Governance Handbook be correct and error-free to ensure the smooth operation of our organization.

*Item R3a Submitted by Bill Roe, President
..... L&L Recommendation –rejection*

Amend Regulation 3, “National Team Staffs,” as follows:

A. Conduct: Any plan by any committee or council to fill any international team staff position shall be approved by the chair of the High Performance Division before advertising the position. The plan shall require that all applicants be USATF members. The approved plan shall be mailed to each Association's sport committee chair for the appropriate sport discipline, and be listed in a special section of the USATF web site. This requirement shall apply to all sport committees, including youth and masters international events, all council programs, regardless of whether the Council is allowing an outside organization to fund and send the team and staff to the international competition.

Reason: To conduct an open process. See companion item BR6??.

*Item R3b Submitted by Bill Roe, President
..... L&L Recommendation –Recommend Rejection*

Amend staff selection procedures as follows:

D. General selection procedures: Team staff for international competitions other than the Olympic Games, IAAF World Outdoor Championships in Athletics, and Pan American Games shall be nominated by the executive committees of the relevant sports committees or councils having jurisdiction over the sport disciplines and voted upon by the members of the committee. In all cases, the selection panel and voting membership of the approving body must have a minimum of 20% coaches who are approved by the chair of the Coaches Advisory Committee. In the event that the applicable sports committees or councils cannot agree, the selection shall be made by the Board. In the event that a national team staff person resigns or is unable to serve, prior to the next scheduled meeting of the appropriate sports committee or council, the chair of that body shall appoint a replacement in consultation with his or her executive committee, after giving due regard to the staff performance records on file and the resultant diversity of the staff.

E. Conflicts of interest: No change

F. Olympic Games, IAAF World Outdoor Championships in Athletics and Pan American Games:

- 1. Men's International Staff Selection Subcommittee:
 - b. ~~((Eleven (11)))~~ Four (4) representatives of the Men's Track and Field Committee chosen either by election or appointed by the Men's Track and Field chair and approved by the Men's Track and Field Executive Committee(~~(, at least seven (7) of whom shall be active coaches)~~);**

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Seven (7) active coaches of international male athletes chosen either by election or appointed by the Coaches Advisory Committee chair and approved by the Coaches Advisory Committee executive committee;

(re-letter subsequent subparagraphs)

2. *Women's International Staff Selection Subcommittee:*

b. ~~((Eight (8)))~~ Five (5) representatives of the Women's Track and Field Committee, chosen either by election or appointed by the Women's Track and Field chair and approved by the Women's Track & Field Executive Committee(~~(, at least three (3) of whom shall be active coaches)~~);

c. Three (3) active coaches of international female athletes chosen either by election or appointed by the Coaches Advisory Committee chair and approved by the Coaches Advisory Committee executive committee;

(re-letter subsequent subparagraphs)

Reason: It should be clear that international team staff selection for all levels of USATF involvement must meet these criteria, and Coaches Advisory should have a role to play where the mandate is for active coaches to be involved in the process.

Item R3c Submitted by Mark Timmons
..... L&L Recommendation –Accept

Amend Regulation 3 as follows:

NATIONAL TEAM STAFFS

F. *Olympic Games, IAAF World Outdoor Championships in Athletics and Pan American Games: All of the coaching, managerial, and other non-medical and non-media staff for the Olympic Games, IAAF World Outdoor Championships in Athletics, and Pan American Games shall be screened and selected by the Men's or Women's International Staff Selection Subcommittees of the High Performance Division. These subcommittees shall normally be constituted at the USATF annual meeting held in the year of each summer Olympic Games.*

1. *Men's International Staff Selection Subcommittee: The Men's International Staff Selection Subcommittee shall consist of the following persons:*

a. *The High Performance Division chair, or his or her designee, who shall serve as chair of the subcommittee and who may cast a vote only in the event of a tie;*

b. *Eleven (11) representatives of the Men's Track and Field Committee chosen either by election or appointed by the Men's Track and Field chair and approved by the Men's Track and Field Executive Committee, with consultation with the chair of the Coaches' Advisory Committee at least seven (7) of whom shall be active coaches;*

c. *One (1) representative appointed by the chair of the Men's Long Distance Running Division;*

d. *One (1) representative appointed by the chair of the Race Walking Committee;*

e. *One (1) agent, appointed by the President in consultation with the chair of the Athletes' Advisory Committee. The agent shall have represented at least one athlete who has competed internationally within the last year; and*

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f. *Eight (8) Active Athletes appointed by the chair of the Athletes Advisory Committee, at least five (5) of whom shall be International Athletes, and at least one of whom shall be either a long distance runner or a race walker;*

2. *Women’s International Staff Selection Subcommittee: The Women’s International Staff Selection Subcommittee shall consist of the following persons:*
- a. *The High Performance Division chair, or his or her designee, who shall serve as chair of the subcommittee and who may cast a vote only in the event of a tie;*
 - b. *Eight (8) representatives of the Women’s Track and Field Committee, chosen either by election or appointed by the Women’s Track and Field chair and approved by the Women’s Track & Field Executive Committee, with consultation with the chair of the Coaches’ Advisory Committee at least three (3) of whom shall be active coaches;*
 - c. *One (1) representative appointed by the chair of the Women’s Long Distance Running Division;*
 - d. *One (1) representative appointed by the chair of the Race Walking Committee; and*
 - e. *Five (5) Active Athletes appointed by the chair of the Athletes Advisory Committee, at least four (4) of whom shall be International Athletes, and at least one of whom shall be either a long distance runner or race walker;*

Rationale:

While the CAC believes that the Sport Committees, have the right and obligation of selecting team staffs, it also our belief that the CAC should be afforded some input on the active coaches that are selected to participate in the process of naming coaching staffs for the Olympic Games, IAAF World Outdoor Championships in Athletics and Pan American Games. This change in language provides for some level of communication and consultation concerning the selection of the active coaches involved in the process.

Reason: While the CAC believes that the Sport Committees, have the right and obligation of selecting team staffs, it also our belief that the CAC should be afforded some input on the active coaches that are selected to participate in the process of naming coaching staffs for the Olympic Games, IAAF World Outdoor Championships in Athletics and Pan American Games. This change in language provides for some level of communication and consultation concerning the selection of the active coaches involved in the process.

*Item R4b Submitted by John Bahakel
..... L&L Recommendation –Recommend Rejection*

Amend Regulation 4.H.1.d as follows:

Regulation 4, Section H.1.d

Chair: The chair of the Selection Committee shall be the Chair of the National Officials Committee ((elected for a one year term by the Committee members at the Annual Meeting. This process will normally follow any elections for the chairs of the committees that appoint members to this committee, and their subsequent appointment of any new members to the Selection Committee)) and

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Reason: The chair would have to be elected at the Annual Meeting one year prior to the Selection Committee meeting. The Chair would then preside over a group that did not elect him/her. The Chair also has many duties that must be fulfilled prior to the actual selection process at the Annual Meeting. In addition, the cost of meals, printing, postage, etc for the selection process comes entirely from the National Officials Committee Budget.

*Item R7 Submitted by Bill Roe for Skip Stolley
..... L&L Recommendation –Recommend Rejection*

Amend Regulation 7.B as follows:

B. Residency exceptions:

1. Residency exceptions: An Association may permit an athlete who is a bona fide resident to be a member of another Association by the agreement of the two Associations, provided that the athlete in question has provided a true address within the Association of residence, and the proper protocol has been observed by the athlete, the athlete's club (if any), and the two Associations involved. An agreement may concern individual athletes or all athletes who reside in a certain area. An athlete who is unable to obtain agreement of the two Associations may appeal to the NABR, which shall conduct a hearing by conference call and make a determination on the basis of what is in the best interests of the sport and of the athlete.

2. Team Scoring: Sport committees and the Club Council may establish residency requirements for championships' team scoring and participation in USATF sponsored events (e.g. Youth Athletics/Junior Olympics) which shall be reflected in the competition rules and/or in the information provided by the event in its athlete information.

I would also like to add the phrase somewhere:

All memberships for any category of membership shall reflect the individual's true and correct address. Club coaches or managers, or sponsors, shall not use a common address for athletes who represent them. Failure to provide a true and correct address will result in the membership of the individual in question being suspended until such time as a correct address has been verified by the National Office. Failure to provide an address in the athlete's actual Association of residence may result in an athlete's not being able to represent any club or team for one (1) year from the time of discovery. Any coach or manager who falsely submits such information on behalf of an athlete shall automatically be the subject of a local Association grievance from the Club Council against said individual(s).

Reason: Now eight years old, the club championships program is growing. But it is witnessing some of the same abuses by overzealous club managers and coaches which occurred under AAU -- athletes who should not be representing clubs far from their home popping up on national championship rosters. We wish to curb this practice.

*Item R15a Submitted by Jim Murphy for the National Office
.....L&L Recommendation - Table*

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Open item to review for next year.

Item R15b Submitted by Bill Roe, President
..... L&L Recommendation - Table
Open item to Amend grievance procedures as follows to allow for attention to Association grievances which are not addressed in a timely manner by reflecting the resolution passed by the Board in January 2007:

WHEREAS, USATF Regulation 15-A-1-b requires that Association grievances be heard by an impartial panel within 45 days of the filing of the proceedings; and

WHEREAS, grievances regarding the administration of associations have been filed, then ignored by certain Associations; and

WHEREAS, the resolution of such grievances is essential to proper governance by USATF Associations and by USATF as a whole; and

WHEREAS, an enforcement mechanism must be provided to address Associations which fail to conduct grievance proceedings in a timely manner.

BE IT THEREFORE RESOLVED that the Board authorizes the Associations Committee to bring grievance proceedings under Regulation 11-C to cause compliance with the Association grievance procedures in Regulation 15-A-1-b; and

BE IT FURTHER RESOLVED that the Board authorizes the Associations Committee to pursue additional grievances under Regulation 11-C against offending Associations and individuals which have failed to process grievances in a timely manner if the Associations Committee reasonably believes that conduct giving rise to the unprocessed grievances constitutes conduct detrimental to the best interests of Athletics or USATF.

Reason: To put some restraints on Associations who wilfully ignore legal issues confronting them.

Item R15c Submitted by Scott Erwin
..... L&L Recommendation –Open for Further discussion

Amend Regulation 15-A-1-a as follows:

a. Required standards: [no change]:

ix. Association Bylaws: Each Association’s Bylaws must contain provisions for removal or replacement of officers and committee chairs, ~~(and)~~ grievance and disciplinary procedures, and nomination and election procedures for officers and sport committee chairs to ensure fairness and openness as more fully detailed ((below)) in Regulation 15-B below.

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Reason: In addition to the requirement for the provisions already included in this paragraph (removal/replacement of officers and committee chairs and grievance and disciplinary procedures) Associations are also required to include nomination and election procedures in their Bylaws.

*Item R15d Submitted by Scott Erwin
..... L&L Recommendation –Open for Further discussion*

Amend Regulation 15-A-1-b as follows:

Move the relevant contents of this paragraph to Regulation 15-B

- b. — Association Bylaws: Beginning in 2007, all Association bylaws must contain clear and concise provisions related to:*
 - a. — Removal: The removal or replacement of Association officers and committee chairs; and*
 - b. — Dispute resolution: Detailed procedures for filing and resolving Association grievances and disciplinary matters, which at a minimum provide for:*
 - c. — Arbitrators: The selection of an impartial three person arbitration panel, to include at least one Active Athlete, to hear and decide grievance and disciplinary matters. The arbitrators shall not be members of the Association Board or Executive Committee;*
 - d. — Challenge: The opportunity for a party to a grievance or disciplinary proceeding to object to the participation of an arbitrator who the party feels cannot act impartially due to a real or perceived conflict of interest;*
 - e. — Filing: Special procedures for filing and handling grievances against an officer of the Association which exclude the officer from the grievance administration process;*
 - f. — Dates: Grievance or disciplinary hearing to be held within forty five (45) days of the filing of the proceeding;*
 - g. — Delay: The opportunity for the arbitrators to dismiss or rule against any party who delays the proceedings, is uncooperative or is unprepared to present evidence or a defense at the grievance or disciplinary hearing; provided that proper advance notice of the hearing has been given to the party; and*
 - h. — Appeals: The decision of the arbitrators to be appealed pursuant to USATF Regulation 11-P.*
- ((c)) b. Other standards: [no other change];*

Reason: Regulation 15-A-1-a-ix already explains the Association’s general requirements for what must be included in their Bylaws. Likewise, Regulation 15-B already provides detailed information for elections provisions that must be included in Association Bylaws and thus for consistency purposes the specific details of the removal/replacement of officers and the disciplinary procedures should also be in Regulation 15-B.

*Item B15f Submitted by Scott Erwin
..... L&L Recommendation –Open for Further discussion*

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Amend Regulation 15 as follows:

A. ~~((Association elections: All Association elections for officers and sport committee and other chairs shall use common guidelines and procedures to ensure fairness and openness. These provisions shall include))~~ Association Bylaws: As detailed below, Association Bylaws must contain clear and concise provisions related to the elections of officers and sport committee chair, the replacement or removal of officer and committee chairs, and disciplinary proceedings.

~~((B))~~ 1 Association elections: All Association elections for officers and sport committee and other chairs shall use common guidelines and procedures to ensure fairness and openness. These provisions shall include:

[Repaginate the remainder of this section accordingly]

2 Removal of Officers & Committee Chairs: Association Bylaws shall provide a fair process for the removal or replacement of Association officers and committee chairs.

3 Dispute Resolution: Association Bylaws shall provide detailed procedures for filing and resolving Association grievances and disciplinary matters, which at a minimum provide for:

Except as noted, the following language is currently in Regulation 15-A-1-b (ii – viii)

i. Arbitrators: The selection of an impartial three-person arbitration panel, to include at least one Active Athlete, to hear and decide grievance and disciplinary matters. The arbitrators shall not be members of the Association Board or Executive Committee;

j. Challenge: The opportunity for a party to a grievance or disciplinary proceeding to object to the participation of an arbitrator who the party feels cannot act impartially due to a real or perceived conflict of interest;

k. Filing: Special procedures for filing and handling grievances against an officer of the Association which exclude the officer from the grievance administration process;

l. Dates: Grievance or disciplinary hearing to be held within ~~((forty five (45)))~~ ninety-five (95) days of the filing of the proceeding;

m. Delay: The opportunity for the arbitrators to dismiss or rule against any party who delays the proceedings, is uncooperative or is unprepared to present evidence or a defense at the grievance or disciplinary hearing; provided that proper advance notice of the hearing has been given to the party; and

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

Reason: To consolidate all Association Bylaw requirements into a single paragraph. Currently Regulation 15 has the requirements in different paragraphs and thus the Bylaw requirements are difficult to piece together.

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??Reason (change in dates for the dispute resolution sub-paragraph): It has been determined that to offer a fair process which provides for adequate time to meet the other requirements of this regulation that 45 days is not sufficient. Review of Regulation 11 indicates that it takes approximately 95 days to convene a grievance hearing after it has been filed.

*Item 15g..... Submitted by Scott Erwin
L&L Recommendation –Table*

Amend Regulation 15-D as follows:

Open item to provide for a procedure for conflicts of interest statements to be completed by Associations officers and directors, submission of those forms to a review committee and the handling of those statements, as well as other conflicts issues, by the review committee set up by the Associations committee.

*Item R16 Submitted by Jim Murphy for the National Office
.....L&L Recommendation –Open for Further discussion*

Amend Regulation 16 by deleting and replacing with the Following:

REGULATION 16

AUTHORIZATION OF ATHLETE REPRESENTATIVES

A. Authority: In accordance with IAAF Competition Rule 7, USATF shall authorize Athletes' Representatives to assist athletes in planning, arranging and negotiating their competition programs under the following procedures.

B. Applicability: Any individual who represents American athletes who are members of USATF must be authorized by USATF under this regulation to assist such athletes in planning, arranging and negotiating their competition programs.

C. Authorization application: Athletes' Representatives shall obtain authorization through USATF by submitting a fully completed USATF Athletes' Representative application form along with applicable fees set by the Board. Athletes' Representatives acting solely for foreign athletes, shall not be required to pay any fee for authorization to act on behalf of their clients, but shall be offered the option to purchase any benefits package offered to Athletes' Representatives authorized by USATF under this regulation.

D. Criminal background screening: Individuals wishing to be authorized under this regulation to represent United States athletes shall be required to submit to and successfully complete USATF's criminal background screening process.

E. State license: Any USATF-authorized Athletes' Representative who has a principal place of business in the United States shall maintain a license to act as an athlete agent in that place of business, if required by state law.

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F. Professional license: USATF-authorized Athletes' Representatives who are licensed professionals in the fields of accounting, law, real estate, finance, banking, investment advising, or consulting shall be required to be in good standing with the relevant professional licensing body.

G. Education: USATF seeks to ensure that USATF-authorized Athlete Representatives remain current regarding the law, the obligations and standards of the profession, and the management of their practices. Accordingly, each calendar year, each USATF-authorized Athlete Representative or applicant for such designation shall (1) attend either the USATF Athlete Representative seminar conducted in connection with the USATF Outdoor National Championships or the USATF Athlete Representative seminar conducted in connection with the USATF Annual Meeting, and (2) provide an affirmative showing of compliance with the foregoing requirement in a manner prescribed by the Agent Screening Committee. USATF reserves the right to issue conditional authorization to an applicant in such circumstances as USATF, in its sole and unfettered discretion, shall deem appropriate. .

H. Agent screening committee: The USATF President, after consulting with the Chair of the Athletes Advisory Committee, shall appoint a three-person Agent Screening Committee, consisting of one professional athlete in Athletics, one USATF-authorized Athletes' Representative with at least 10 years' experience, and one other person with a legal or business background. The President shall also appoint an alternate for each position. The Agent Screening Committee's duties shall include:

- 1. Review applications for authorization;*
- 2. Review criminal background reports which contain adverse information about an applicant;*
- 3. Grant or deny authorization to applicants.*

I. Application review and appeal: After an applicant submits a fully completed application, the following procedures shall apply:

- 1. Initial review: The Elite Athlete Programs Department of USATF shall review the application for completeness and return any incomplete application form for completion and resubmission.*
- 2. Background screening: A criminal background screening search report shall be ordered for each applicant. After the initial background screening, additional background screening shall take place only if more than two years have elapsed since the last background screening report ordered by USATF.*
- 3. Explanation request: USATF shall request that an individual whose application or background screening report reveals adverse information, or who has not met one or more of the other requirements set forth above, provide an explanation to the Agent Screening Committee. The Committee may, but need not, request that the applicant appear before it, in person or by telephone conference.*
- 4. Action after explanation request: The Agent Screening Committee shall accept or deny the application after affording the applicant an opportunity to provide an explanation.*
- 5. Appeal: An applicant who is denied authorization shall have the right to appeal the decision to the NABR under Regulation 11.*

J. Contracts: Every contract between a USATF-authorized Athletes' Representative and an athlete shall be in writing in the athlete's native language, and describe the respective obligations of the

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Athletes' Representative and the athlete. Any contract between a USATF authorized athlete representative and an athlete with remaining collegiate eligibility shall contain a statement that discloses that by signing the agreement the athlete will forfeit any remaining eligibility he or she has to compete at the collegiate or university level.

K. Revocation of authorization: The Agent Screening Committee may, after affording the affected USATF-authorized athlete representative an opportunity to be heard, fine, revoke the certification of or otherwise discipline a USATF-authorized athlete representative for any appropriate reason, including those listed below:

- 1. False information: Providing false or misleading information on his or her application;*
- 2. Failure to update information: Failing to update material changes in information provided on his or her application;*
- 3. Professional license: Revocation or suspension of a professional license, and/or suspension, reprimand or revocation of membership in the applicable professional organization (e.g. UAAA certification, State or Federal Bar, NASD/SEC, State Board of Public Accountancy);*
- 4. Conviction of crimes: A conviction or plea of nolo contendere for any felony, or for any crime involving fraud or embezzlement in state or federal criminal proceedings;*
- 5. Civil or administrative proceeding: Any finding in a civil or administrative proceeding of fraud or embezzlement; or*
- 6. USATF bylaw violation: Any finding by an NABR panel of a violation of USATF Bylaws or Operating Regulations.*
- 7. Failure to comply with continuing education requirement. The failure by any USATF-authorized Athlete Representative to satisfy the annual education requirements set forth in Regulation 16-Section G.*
- 8. Inappropriate Conduct. Any finding by the Agent Screening Committee that a USATF-authorized Athlete Representative has engaged in inappropriate conduct, including, but not limited to, verbal or physical abuse of an athlete, misappropriation of funds, failure timely to pay a client, or provision of inaccurate financial data to a client.*

L. Initiation of revocation proceedings: USATF shall initiate revocation proceedings against a USATF-authorized Athletes' Representative when it has received credible evidence that there exists good cause for such revocation.

M. Appeal of revocation: A USATF-authorized Athletes' Representative may appeal a revocation to the NABR under Regulation 11.

N. Agent compensation: The Agent Screening Committee may establish and publish a schedule of recommended maximum compensation rates for USATF-authorized Athletes' Representatives. USATF shall distribute such a schedule, if established, at least annually, to all U.S. athletes listed by USATF-authorized Athlete Representatives in their client lists.

O. Insurance: Each USATF-authorized Athlete Representative or applicant for such designation shall either (1) obtain professional liability or errors and omissions insurance through the program administered by USATF or (2) certify to the Agent Screening Committee in the manner that the

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Committee prescribes that the Athlete Representative or applicant is covered by professional liability insurance that the Committee deems adequate. .

Reason - The basic reason behind the submission is strengthening the USATF Authorized Agents program by (1) implementing firm education requirements; (2) giving the Agent Screening Committee the ability to address egregious conduct by agents; and (3) implementing our requirement that each agent obtain professional liability insurance coverage. I hope this information will suffice. Please advise if any further information is needed.