

Proposed Changes to the USATF Bylaws and Regulations – 2013

The following are amendments to the USATF Bylaws and Regulations for consideration at the Annual Meetings in 2013. The Law and Legislation Committee has reviewed these, and their recommendation is included. Anyone wishing to comment on these or suggest friendly amendments is encouraged to email the proposer with a copy to the Committee Secretary tbaker03@verizon.net.

These proposals are presented en toto containing the action requested, the proposed amendment with deleted language within ((double parentheses)) and added language underlined, the rationale, the constituencies affected, and the estimated budget impact. If you would like to make comment on any of the items to the Committee, please forward it to the Secretary, Tim Baker at tbaker03@verizon.com for distribution. If you would like to speak before the Committee, we would appreciate it if you would write out your remarks and send them to Tim before the beginning of the Annual Meetings. He will distribute these to the Committee. You may then contact Tim (301-602-1656) when you get to Indianapolis to schedule a time.

Recommend Approval

01 - Reg 9.E.10 Elections, Comm Elect, Athl Rep Alan Kolling alincoln115@yahoo.com

Recommend Approval by L&L and the Board

Action requested: Delete Reg 9.E.10

Proposed amendment:

Delete Regulation 9, Elections E. Committee elections.

~~10. Athlete representatives in sport committees.~~

~~At the first full committee of each sport committee, time shall be set aside for the Active Athletes attending the meeting to determine the Athletes voting membership. . . . If the number of Athletes present is more than twenty five percent percent (25%) for Men's and Women's Track and Field. . . . the Athletes shall select by consensus, or elect, the voting Athletes and alternates. . . . The Athletes present may also request the remaining members of the committee to allow all Athletes present to vote.~~

Rationale:

This section is confusing because it does not follow established procedures for the selection of AAC representatives and explicitly contradicts the provisions of Exhibit E as it relates to Sport Committee make-up. It also predates the recent change that now permits greater AAC representation on the sports committees.

Constituencies Affected:

AAC

Estimated budget impact:

None

02 - Reg 12.D.3 housekeeping [Alan Kolling alincoln115@yahoo.com](mailto:Alan.Kolling@lincoln115@yahoo.com)

Recommend Approval by L&L and the Board

Action requested:

Correct the language in Regulation 12, High Performance Division D. Sports Committees.

Proposed amendment:

3. Makeup: Each sports committee shall be constituted under ~~Article~~Regulation 11-A-4.

Rationale:

Housekeeping. The citation to Article 11 is incorrect.

Constituencies Affected: Sports committees

Estimated budget impact:

None

03 - Housekeeping items Jim Murphy (on behalf of National Office)

jimjmurphy1@comcast.net

Recommend Approval by L&L and the Board

Action Requested:

Amend the following Bylaws and Regulations because of grammatical and spelling errors:

Amend Article 3-B-12 as follows:

12. Maintaining athlete eligibility requirements: Establishing eligibility criteria for participating or competing in Athletics, or in the Olympic, Pan American, or ((and)) Paralympic Games that are not more restrictive than the IAAF's criteria; and

Amend Article 12-A-5 as follows:.

5. International communications: Supervise correspondence and communications regarding United States' teams and regarding competition by United States' athletes abroad or foreign athletes in the United States, to comply with IAAF rules;

Amend Article 17-D as follows:

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

Amend Regulation 7-A as follows:

Any Association failing to comply with this paragraph shall not be entitled to participate in USATF's affairs until the failure is remedied. The Organizational Services Committee shall promptly inform the USATF Secretary and National Office Management of any failure to comply.

Amend Regulation 7-G-3-a to provide clarification that the National Office will provide the membership list with the email addresses for notices to be sent as follows:

((to become optional in lieu of the existing requirements in 2012 and mandatory in 2015)):

a. Notice must be sent by email to the Association's current membership list provided by the National Office. The Association must also comply with state law requirements for not-for-profit corporations; and

Amend Regulation 12-D-3 to clarify that the makeup of Sport Committees shall be constituted under Regulation 11-A-4.

3. Makeup: Each sport committee shall be constituted under Regulation ((Article)) 11-A-

Amend Regulation 13-D-3-b as follows:

b. Makeup ((Make-up)): The Council shall consist of a chair and members appointed by the President. At least twenty percent (20%) of the members shall be Active Athletes selected by the Active Athlete delegates to USATF.

Amend Regulation 14-C-1-d as follows:

d. IAAF candidates: Recommend candidates for nomination to serve ((in)) on the IAAF Masters Committee under Article 17.

Amend Regulation 16-H-2 as follows

2. Makeup: The committee shall consist of twenty-three ((two)) (23((2))) members: six (6) members (including its chair) appointed by the President, one (1) member appointed by each of the eight (8) sport committees, the Associations Committee, the Coaches Advisory Committee, and the Officials Committee, and six (6) Active Athlete members selected by the Active Athlete delegates to USATF.

Amend Regulation 21 as follows:

B. USATF Hearing Panels: Panels of the National Athletics Board of Review (NABR) shall conduct hearings and appeals heard by USATF. NOTE THAT REGIONAL PANELS ARE NO LONGER REQUIRED.

1. Panel Members: The NABR panel ((in each region)) shall consist of three (3) members: a chair, an at-large member, and an Active Athlete member. There shall also be first and second alternates. Additional alternates may be appointed. If a member is disqualified or declines to serve, an alternate for the member shall substitute for the member. If an insufficient number of NABR members and alternates are available for a hearing, the panel shall be filled with emergency special appointments. The special appointments shall end when the hearing concludes. All panels shall include at least one Active Athlete.

2. Appointments and Terms: Appointments and emergency special appointments shall be made jointly by the Law and Legislation Committee and Athletes Advisory Committee chairs, and approved by the President. Panel members shall serve four (4) - year terms that commence on January 1 of the year following the Summer Olympic Games.

3. Removal of an NABR member: An NABR arbitrator's term may be terminated for good cause by majority vote of the Law and Legislation and Athlete's Advisory Committee chairs and the President. Good cause may include, but is not limited to, the following:

a. Dilatory practices: An NABR arbitrator who causes or permits unjustified delays in the hearing process;

b. Failure to follow procedures: An NABR arbitrator who disregards the hearing procedures in USATF's Rules, Bylaws, or Regulations; or

c. Failure to apply rules: An NABR arbitrator who fails to apply USATF and IAAF Rules.

R. Appeals: NABR panel decisions and Association hearing decisions may be appealed as follows:

1. Parties to Appeals: Any party adversely affected by an NABR panel or Association hearing decision may appeal it.

2. USATF appeal of NABR and Association Decisions: Upon their own initiative, the Board and the CEO, after consulting with the General Counsel and Counsel to the Board, may initiate stay and appeal proceedings of any NABR or Association decision and opinion that in their opinion clearly contravenes:

a. Federal law: The Sports Act or any other federal law;

b. USATF Rules and Regulations: USATF Bylaws, Operating Regulations, and/or Rules;

c. IAAF Rules and Regulations: IAAF Rules and Regulations; or

d. Other laws: Any other applicable law.

3. Notice of appeals: A party shall commence an appeal with a written Notice of Appeal. The appellant (the party filing the appeal) must sign the Notice. The Notice must be postmarked within thirty (30) days of the rendering of the final decision (see exhibits section of this handbook). The notice of appeal from an NABR decision shall be sent to the CEO and the USATF Secretary. The notice of appeal from an Association hearing decision shall be sent to the CEO, the USATF Secretary, the Association President, and the Association Secretary.

4. Filing fee: The notice of appeal shall be accompanied by a Two Hundred and Fifty Dollar (\$250) filing fee paid by cashier's check or money order to USA Track & Field, Inc.

5. Appointment of appeals panel: USATF shall appoint a panel of arbitrators to hear appeals as follows:

a. Appeal of Association decision: The CEO shall appoint an NABR appeals panel ((from the Association's region)) within thirty (30) days of receiving of the notice of appeal; or

b. Appeal of NABR decision: Within thirty (30) days of receiving the notice of appeal from an NABR decision, the Law and Legislation Committee chair shall select three (3) committee members, including at least one Active Athlete, to hear the appeal.

6. Panel chairperson: The appeals panel shall select a chair within five (5) days of appointment to hear the appeal. The CEO shall select the chair if the panel fails to do so.

7. Appeals panel replacement: The CEO or Law and Legislation Committee Chair, as appropriate may dismiss and replace one or more members of an appeals panel who cause or permit unjustified delays in the appeals process or who disregards USATF Rules, Bylaws, or Regulations.

8. Information to parties and panel: National Office Management shall send a copy of the notice of appeal and any supporting documents to all parties and the appeals panel.

9. Appellate procedures: The following procedures shall apply to appeals:

a. Date: The appeals panel chairperson shall establish a hearing date within ten (10) days of appointment, after consulting with the parties and the other panel members. The hearing shall be scheduled to start within thirty (30) days following the appointment of the panel chair. The appeals panel chairperson may grant a reasonable postponement request, not to exceed thirty (30) days, if she or he determines that neither party will be prejudiced.

b. Venue: All hearings shall be conducted by telephone conference call.

c. Burden of proof: The burden of proof is upon the appellant to prove that the decision being appealed was clearly erroneous.

d. Presentation of appeal: The appeal shall, at the option of the panel chair, be made by written presentation and/or oral presentation before the appeals panel, with each party presenting its reasons why the decision appealed from is correct or incorrect.

e. Failure to prosecute appeal: If the appellant fails to appear at the hearing, the appeal shall be deemed abandoned and shall be dismissed. If the appellee fails to respond to the notice of appeal or to appear at the hearing, the panel may find the appellee in default, and rule in favor of the appellant.

f. Evidentiary limitations: No new evidence may be presented to the appeals panel unless circumstances have changed or new facts have been discovered that were unavailable at the time of hearing. If the panel accepts new evidence, all parties involved in the appeal must be given notice and adequate time to respond to the changed circumstances or previously undiscovered or unavailable facts.

g. Appeals panel decisions: An NABR appeals panel shall render a decision within fifteen (15) days after the appellate hearing concludes. The NABR appeals panel shall render a written opinion and recommendation no later than thirty (30) days after the hearing concludes, or the submission of any post-hearing documentation to the panel. The opinion and recommendation shall be forwarded to the Board for appropriate action.

h. Costs: The appeals panel may award the costs of appeal, including filing fees, but not including attorney's fees, to the prevailing party.

Rationale:

They contain grammatical and/or spelling errors and/or inaccurate references.

Constituencies Affected:

All USATF Constituents.

Estimated Budget Impact:

None.

04 - Article 18.K Conflict of Interest Jim Murphy for National Office Management

jimjmurphy1@comcast.net

Recommend Approval by L&L and the Board

Action requested:

Amend 18 FISCAL AND LEGAL MATTERS -K. Conflict of Interest, allowing the Board to waive this requirement in specific instances if it feels that it is in the best interests of USATF.

Proposed amendment:

ARTICLE 18 FISCAL AND LEGAL MATTERS -K. Conflict of interest: Any individual representing USATF, or who has a financial arrangement with USATF, or who is an employee of USATF or of its Associations, or who is a member of any of its committees or Associations, shall not participate in evaluating or approving any contract with a supplier to furnish goods or provide services to USATF, if that individual directly or indirectly benefits financially, or otherwise receives any form of compensation from, or has any interest in, any supplier under consideration. The Board may require that individuals disclose all financial interests that may influence the performance of their duties for USATF. Each individual referred to in the first sentence of this paragraph shall, upon learning that USATF is proposing to enter into an arrangement in which he or she has financial interest, promptly notify the CEO in writing of the

existence of the interest, and the CEO shall, in turn, promptly disclose the interest to those bodies of USATF involved in considering entry into the arrangement. If this provision is violated, USATF shall have the right to recover the benefit or payment and to void the contract or transaction. The Board may waive this requirement in specific instances if it feels that it is in the best interests of USATF by a vote of at least 60%. Members must recuse themselves if the waiver is about them. The waiver shall include language identifying the best interests being served by the waiver. The Board may authorize USATF to enter into a contract with a person described in the first sentence of this paragraph if the Board finds that special circumstances exist under which USATF's interests would best be served by entering into the contract, and the Board adopts a resolution identifying those special circumstances.

Rationale:

The Board is Responsible for contractual arrangements of USATF to carry out the mission of the Organization. It is sometimes necessary to contact with people to do a specific piece of this work. There are times when the best person to hire to do a particular task is an elected or appointed officer on a committee or Association. If the Board feels that it would be cost-beneficial to USA to pay such an official to perform specific tasks, it may waive the Conflict of Interest requirements. If such a waiver is used, the Board will be required to include in the resolution a statement identifying why it is in the best interests of USATF to do so. It is assumed that elected officers will not be contacted to do work that is part of the duties of their office over and above authorized expenses.

Constituencies Affected:

Potentially, all constituencies may be affected if they need something done or if an elected or appointed member is considered to be the best person to do it.

Estimated budget impact: It can be assumed that the Board will consider the budget impact and will not take action that is not cost-beneficial.

05 - Reg 21- Formal Grievances **Timothy Baker** tbaker03@verizon.net

Recommend Approval by L&L and the Board

Action requested:

Amend Reg 21 to not allow complaints concerning the Rules to be heard by an NABR Hearing Panel

Proposed amendment:

Amend *REGULATIREGULATION 2. A as follows:*

Matters Governed by this Regulation: *This regulation governs Grievance and Disciplinary Matter proceedings, and hearings for any athlete, coach, trainer, manager, administrator, or official who alleges that he or she has been denied an opportunity to participate in an Athletics competition. It does not govern doping offense hearings, which are governed by Regulation 20 or findings by a Referee or Jury of Appeals under the Rules.*

1. **Grievances:** *Grievances include disputes between parties regarding matters governed by USATF.*

Rationale:

A grievance was brought concerning a correctable error at a road race. The Referee and Jury rejected the decision. If I were the referee or on the Jury I would not have made that decision. The person could have made a request to the Chair or the President to reverse the decision "for the good of the sport", i.e. to not have us look foolish. In my opinion, it should not have been heard by an NABR Panel.

Recommend Discussion

06- Reg 4.c.3.c – Represent, Transfer, RW **Michael Roth & Ray Funkhouser**
rfunkhouser@pbigordon.com

Recommend Discussion by L&L and the Board

Action Requested:

Removal of Regulation 4.c.3.c

Proposed amendment:

Delete in toto Reg 4.c.3.c

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, and run for another club that has no race walking program.

Rationale:

This regulation is outdated and unnecessary. It cannot be properly handled in real life in meet situations nor in the USATF membership database without having 2 separate athlete memberships. It also creates special rights (or a class that receives them) based solely on an event choice. In a time where Youth handles all athletes and events for competitors 18 & under (where rule strictly prohibits this action for their athletes), and Open/Masters athletes can join any Club in any Association, the need to represent 2 separate clubs is no longer a reality of the sport.)

Constituencies Affected:

Open & Masters Race Walkers

Estimated budget impact:

None

07 - Reg 7.G Association Dispute Resolution **Scott Erwin** erwinacc@aol.com

Recommend Further Discussion by L&L and the Board

Action requested:

Amend Reg 7 (G) by adding item 3, as follows:

Proposed amendment:

7(G) (3) All Associations shall be required to make effective use of the dispute resolution process outlined in their bylaws and failure to effectively administer grievances in an orderly and timely process, as determined by the Member Services Committee, after recommendation by the Associations Committee, shall subject an Association to restricted accreditation as described in Reg. 7 (E)(2)(j).

Rationale: : ??

08 - Reg 7.E – Association Matters, Accreditation **Ed Koch** edkoch@yahoo.com

Recommend Further Discussion by L&L and the Board

Action requested:

Amend USATF Regulation 7.E to reflect changes to the Association accreditation process approved by the USATF Board of Directors in December 2012.

Proposed amendment:

E. Association accreditation: All Associations shall be accredited biennially by the Organizational Services Committee. The standards and process shall be:

1. Standards: In order to maintain good standing, an Association shall be required to meet the following standards in each accreditation year:

a. Individual Memberships: at least 20 dues-paying individual members per 100,000 population, but in all cases, at least 400 individual members;

b. Club Memberships: at least 12 organizational members, and at least 50% of its individual members belonging to a club;

c. Sanctions: at least 1 sanction per 100,000 population;

d. Championships: at least 21 championships (some of which may be combined) covering Youth, Men's, Women's, and Masters Track & Field; Youth, Men's, Women's, and Masters Racewalking; Youth, Men's, Women's, and Masters Cross Country; and Men's, Women's, and Masters Roadrunning at three distance levels – 5km to 5 mile, 10km to 10 miles, and 20km to Marathon.

e. Officials: at least 50 certified officials, except for Associations with a population under 1 million which shall have at least 30 certified officials;

f. Fiscal Solvency: Associations shall be fiscally solvent - i.e., they shall have a positive net worth;

g. Communications: Associations shall maintain a current and viable web site, and shall send at least two emails to the membership (at least 90 days apart) and provide other emails to differing membership segments such that it conducts e-mail activity in each calendar quarter. It shall also send via U.S. Postal Service a hard copy notice of its annual meeting, election, and selection of USATF Annual Meeting delegates to members making a written request of such notices in the past year.

h. Representation: Associations shall have (i) at least one representative at Association Committee meetings at the USATF annual meeting; (ii) at least one representative at the annual USATF Association Workshop; and (iii) shall also have a minimum of eight delegates at the USATF annual meeting unless there is financial hardship in which case the Accreditation Subcommittee of the Organizational Services Committee shall have the discretion to reduce the standard;

i. Documents: Associations shall submit (i) copies the organic documents and filings required pursuant to paragraph A; (ii) a copy of the completed first page of the 990 or 990 EZ, or equivalent tax form (and if the IRS does not require such a form, the Association shall nevertheless submit a completed first page of a 990 EZ to the National Office); (iii) a copy of the Association's bylaws in compliance with paragraph G; and (iv) a copy of minutes of the Association's annual meeting.

j. Coaches Education: at least one Level One Coaches Education school to be held in the Association during each four-year Olympiad.

((a. Minimum standards: Associations shall be required to maintain minimum standards and membership levels set by either the Organizational Services Committee or the Associations Committee, and subject to Board approval, in each of the categories listed below. These 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 National Office Management a copy of their Association organic documents listed in, and complying with, Regulation 7-A, above;

vii. Annual meeting: Associations shall hold an annual meeting of their membership;

viii. Financial report: Associations shall be required to submit annually to National Office Management a copy of their completed first page of the 990 or 990 EZ, or equivalent tax form for the Association. If the IRS does not require the Association to file either tax form by the IRS, it shall submit a completed 990 EZ to National Office Management;

ix. Fiscal Solvency: Associations shall be fiscally solvent.

x. Association Bylaws: Each Association's Bylaws must comply with Regulation 7-G; and

b. Other standards: Associations shall be required to meet at least six of the following nine standards. The minimum levels and standard definitions shall be set by either the Organizational Services Committee or the Associations Committee, subject to Board approval. Each Association shall:

i Hold association championships in each Athletics sport discipline: men's and women's track and field, men's and women's long distance running, masters' track and field including masters Race Walking, masters long distance running, open and masters cross-country, open race walking, youth track and field, including youth Race Walking, and youth cross-country;

ii. Sanction a minimum number of events each year;

iii. Sanction a minimum number of events each year per 100,000 population in the Association;

iv. Be represented by a minimum number of delegates at the Annual Meeting

- v. Be represented by one or more representatives at each session of the Associations Committee meeting at the Annual Meeting;
- vi. Maintain a current and viable web site;
- vii. Mail and/or e-mail at least one newsletter per year to its members;
- viii. Host at least one Coaches' Education school every four years; and
- ix. Be represented by at least one individual at a USATF Association workshop meeting every two years.))

c. Revision to categories: The Organizational Services Committee or the Associations Committee, with notice to the other committee, may propose adding and removing categories and minimum standards, subject to Board approval.

d. All Association submissions shall be accurate and timely.

2. Timeline: The accreditation process shall commence in each odd-numbered year, and shall follow the following one-year ((two-year)) cycle to the extent practical as set forth below:

a. Collection of statistics and other information: During January through April of the accreditation ((process's first (odd))) year, National Office Management shall collect and provide to the Organizational Services Committee the previous year's statistical and other information for each Association, necessary for evaluating accreditation standards.

b. Analysis: During May and June of the ((first (odd))) year, the Organizational Services Committee shall analyze the statistical and other information provided for each Association by National Office Management current through March and April of the first year.

c. Notification: During June and July of the ((first (odd))) year, each Association shall be notified by the Organizational Services Committee of the results of its analysis of the Association's statistical and other information. Associations shall also be notified whether they meet requirements for: (i) accreditation, (ii) special recognition, or (iii) if they have any deficiencies.

d. Plans for improvement: During the months of July ((June)) through October of the first (odd), year, Associations that are deficient in any accreditation requirement shall prepare and submit a plan for improvement with assistance from the Associations Committee.

e. Approval of plans: By the end of December of the ((first (odd))) year, all Association plans for improvement shall be subject to approval by the Organizational Services Committee or its designated subcommittee. If an Association fails to present a plan or is not fiscally solvent, the timeline ((for the second (even) year shall)) may be accelerated and the Organizational Services Committee ((shall)) may take one of the actions outlined in Regulation 7-E-2-j.

((f. Updating of statistics: During January through April of the second (even) year, National Office Management shall collect and provide to the Organizational Services Committee updated statistical and other information for each Association necessary to evaluate Association accreditation.

g. Updated analysis: During March and April of the second (even) year, the Organizational Services Committee shall analyze the updated information provided by National Office Management focusing on Associations previously determined to be deficient.))

f. ((h.)) Implementation of improvements: The Associations Committee shall monitor and assist deficient Associations in implementing improvement plans during the ((second (even))) accreditation year.

g. ((i.)) Analysis for compliance: During the months of September through November of the ((second (even))) year National Office Management shall further update and provide the statistical and other information stated in the requirements for accreditation to the accreditation subcommittee of Organizational Services as needed.

j. Accreditation: The Organizational Services Committee shall take one of the following actions for each Association by the end of December of the ((second (even))) year:

i. Full accreditation;

ii. Provisional accreditation, subject to further improvement;

iii. Suspension or removal of an Association's voting rights;

iv. Suspension or removal of an Association's officers and/or its Board as a condition for continued accreditation;

v. Decertification of an Association and recognition of a new Association in that territory; or

vi. Voluntary merger of an Association with another Association or decertification of the Association and division of that territory into one or more accredited Associations. Each Association shall be notified in writing of the decision as soon as practical. The decision shall take effect as soon as notice has been given and the appeal period has expired or unless it is stayed during an appeal

k. Accreditation update: During the accreditation process, the Organizational Services Committee may update an Association's established accreditation based on the Association's compliance with, or lack of compliance with, the required accreditation standards;,

3. Appeals: Adverse recommendations made by the Organizational Services Committee may be accepted or may be appealed by the Association as follows:

a. Deadline: All appeals shall be made in writing by an Association no later than January 15 following the end of the second (even) year, or in the case of an accelerated action under Regulation 7-E-2-e, no later than 20 days following the receipt of notice of an adverse action. If an appeal involves a boundary or merger with a neighboring Association, the other Association will also be deemed a party to the appeal, given a copy of the appeal, and permitted to file a cross appeal within thirty days of receiving notice, and otherwise participate in the appeal;

b. Appeal panels: Appeals shall be referred to an NABR panel composed of arbitrators who are not from the same USATF Association appealing its accreditation status, as provided in Regulation 21-B.

NOTE THAT REGIONAL PANELS ARE NO LONGER REQUIRED.

c. Final decision: The NABR panel's decision shall be final, unless appealed under Regulation 21;

d. Basis of appeal: Incorrect statistical data or other incorrect information about accreditation requirements shall not form the basis of an appeal unless those objections were previously raised before the Organizational Services Committee.

e. Pending appeal: The Organizational Services Committee's decision shall be effective on the following January 1 unless:

i. Organizational Services, as part of its decision, votes in favor of an automatic stay in case of an appeal, or

ii. As part of its appeal, the Association obtains a stay under Regulation 21.

4. Recognition of outstanding Associations: The Organizational Services Committee, subject to Board approval, shall set standards of excellence for recognition of "Gold," "Silver," and

“Bronze” Associations. The Associations Committee shall annually present awards, which shall be published in USATF’s annual report and on USATF’s web site.

Rationale:

To update USATF Regulation 7.E to reflect changes to the USATF Association accreditation process that were recommended by the USATF Task Force on Accreditation, the Associations Committee, and the Organizational Services Committee, and which were approved by the USATF Board of Directors at its meeting in December 2012.

Constituencies Affected:

The changes affect the Associations of USATF, the members of those Associations who receive services from Associations, the Organizational Services Committee which oversees the accreditation process, the Associations Committee which assists deficient Associations to improve, and the Law & Legislation Committee members and the Board of Directors which are involved in any appeals of Accreditation decisions. The changes were approved to improve the accreditation process, making it more efficient, easier to understand, and more focused on improving Association performance. Better Associations improve USATF.

Estimated budget impact:

The amendment of Regulation 7.E is not expected to have any national budgetary other than a negligible increase in administrative costs if there is an increase in the level of appeals resulting from certain accreditation standards being more difficult than in the past.

09 - Reg 7.G.6 Assns. Bylaws, Voting Options Jim Garcia & Tom Derderin as amended by L&L tderderi@ix.netcom.com

Recommend Further Discussion by L&L and the Board

Action requested:

Amend Regulation 7 (Association Matters) to allow for on-line voting of association officers and sports chairs.

Proposed amendment:

Reg. 7.G.6.

6. Voting options: ((There are four methods that an)) Associations may ((choose to use for)) conduct elections in-person or by mail, facsimile, electronic mail, or online. Association bylaws must clearly state the election procedures to be used. Association bylaws concerning nominations and elections, and the methods for amending them, shall be subject to approval by the Organizational Services Committee. Associations may allocate one vote to each member eligible to vote or apportion voting rights to categories of members ((use open-meeting or balanced-meeting ballots)).

((b))a. ((**Open meeting ballots**)) **Voting where each member has one vote:** ((Open meeting ballot w)) Where all members of the Association are eligible to attend and vote:

- i. Credential disputes must be resolved before the election process is started (i.e. before taking nominations and/or before the report of the nominating committee);
- ii. Uncontested elections may be voted by acclamation;
- iii. A secret ballot must be used for contested elections; and
- iv. Any ballot opened outside the presence of the entire voting panel shall not be counted.

((c))b. ((Balanced meeting ballots)) Voting where votes are apportioned: ((A balanced meeting ballot w))Where ((only designated members of the Association are eligible to vote)) votes are apportioned by membership category:

- i. The Association bylaws must state how a maximum number of available votes will be determined;
- ii. The bylaws must explain how 100 percent of the available votes are divided among the following five constituencies: Active Athletes, coaches, officials, organizational members, and other members (which may include elected officers of the Association);
- iii. The bylaws must guarantee that each constituency above be entitled to a minimum of ten percent (10%) of the votes, except that Active Athletes must receive a minimum of twenty percent (20%);
- iv. Individuals who are eligible to cast a ballot in more than one constituency may only vote once and must choose one constituency in which to vote;
- v. Constituencies with more individuals than votes allowed will be allotted time to caucus before the election to determine the voters or apportionment of votes;
- vi. In an athlete caucus, youth (18-year old), open (non-international ages 19-39), Active Athletes, and masters (40-and-above) athletes must each be represented if member athletes are present and available. In such a case, the number of votes granted to each age division above shall be as equal as possible, regardless of the number of athletes present from a division;
- vii. Credential disputes must be resolved before the election process is started (i.e. before taking nominations and/or before the report of the nominating committee);
- viii. Uncontested elections may be voted by acclamation;
- ix. A secret ballot must be used for contested elections; and
- x. Any ballot opened outside the presence of the entire voting panel shall not be counted.

((a))c. Mail or electronic (fax or e-mail) voting: ((An open mail or electronic ballot (fax or e-mail) to all members of an Association)) Voting by mail, facsimile or electronic mail shall be conducted as follows:

- i. All ballots must be distributed at the same time;
- ii. The minimum time allowed for returning the ballot shall be thirty (30) days;
- iii. The return address or fax number must be indicated on the ballot;
- iv. The ballots must be held together, must remain unopened--if mail ballots--until the voting panel is assembled, and be counted together by the voting panel; and
- v. Any mail ballot opened outside the presence of the entire voting panel shall not be counted.

d. Voting online: Voting may be conducted online through a standardized mechanism administered by National Office Management and the Organizational Services Committee. The online mechanism must be secure; verify that all voters are USATF members and eligible to vote; provide for an electronic signature for each voter when voting; prevent robotic voting; and be auditable. Members wishing to use this form of voting must inform NOM of their intention to do this using the email address listed in their profile, and NOM must respond to this address so that the member can question it if they did not send the message. Results shall be transmitted

through the Organizational Services Committee. No results shall be transmitted until voting concludes.

7. Counting of ballots:

a. **Voting panel:** A panel of at least three (3) individuals, at least one (1) of whom must be an Active Athlete, shall count the ballots, or confirm the proper count of electronic ballots, and sign the vote tally. All panel members shall be at least 18 years old. The panel shall not include any individual who is a candidate for an office.

b. **Consultation:** The panel may consult with the Association's president, secretary, or parliamentarian—so long as they are not candidates for offices--on procedural matters.

c. **Mail ballots:** Mail ballots shall only be opened in the entire panel's presence. If circumstances prevent the appointed panel from convening in a timely manner, a new panel meeting the criteria in (a) above may be convened to count the ballots. Any ballots opened outside the entire voting panel's presence shall not be counted.

Also – related. If this is desired to be consistent

10 - Reg 11.M Board, Mail Balloting Jim Garcia & Tom Derderin as amended by L&L

Action requested:

Article 11 (Board of Directors), paragraph M.

Proposed amendment:

M. Mail balloting: The Board Chair on his or her own initiative or the Board by a majority vote, may authorize a vote by mail, facsimile, or electronic mail, or on-line ballot. The resolution or motion shall specify the procedure and subject matter.

Rationale:

This topic has been a topic of discussion in our association for a while. Many members have asked why we do not do it. Our association spans 4 states. The clubs and members in the Greater Boston area. There are plenty of pros and cons for this. The main point is that our association is very large. Only the Clubs in the greater Boston area typically make it to our annual meetings. Clubs from Rhode Island, Vermont, Northern New Hampshire and Western Massachusetts rarely make it to the annual meeting. We would like the option of doing something more modern. Almost everyone has a voting location within a short commute of their home/work place. We think that USATF should strive to have a system in place that tries to include more members, than exclude more of its members. Having on-line voting will allow for more members to participate. As an example, when USATF-New England moved from in-person voting for the LDR Grand Prix races to on-line voting, we went from 80-100 members voting to well over 400 members. USATF-New England has not decided whether we will move to on-line voting, but since our national by-laws do not allow for it, the point is moot. We would like to make a proposal to National to have them allow for on-line voting in association elections. This will not be in conflict with any other provision of the Bylaws or Regulations

Constituencies Affected: This will affect any USATF association that wants to use on-line voting. It will not affect any association that does not vote to use on-line voting. Members that are far from the location of the annual meeting will be able to partake in the election

process. We feel that this change advances the mission and operation of USATF by making the election process open to more members.

Estimated budget impact: There will be minimal budget impact to USATF. The primary expense will be in the processing of the change, and any updates to the By-Laws. These are standard expenses for the approval process. If the By-Laws are updated, and If an association does choose to use on-line voting, the association will most likely use USATF National assistance in setting up the ballot and verifying member eligibility. Currently New England Association uses USATF National to assist in the LDR Grand Prix Series voting. This consists of National putting our ballot on line, and having members log in via their member number and password. There has never been a mention of cost in this LDR voting. We feel that on-line voting for officers will require the same level of assistance.

11 - Reg 9.E.4 Elections, Committee Elections Ed Koch edrkoch@yahoo.com

Recommend Further Discussion by L&L and the Board

Action requested:

To Amend USATF Regulation 9.E.4 by replacing the current language with the following.

Proposed amendment:

E. Committee elections: The following are general rules for committee elections:

4. The Coaches Advisory Committee may opt to conduct its elections on the day of the first general session in the afternoon. Five committees (the Athletes Advisory Committee, the Men's and Women's Track & Field Committees, the Officials Committee, and the Youth Athletics Committee may each opt to hold their elections separately on the day following the first general session in an exclusive two-hour time slot. At least ninety days prior to the annual meeting, the Organizational Services Committee shall notify the five committees of the available time slots. The Athletes Advisory Committee shall have the first choice of a time slot, and the remaining time slots shall be allotted in order of response. The above committees may conduct nominating (with or without speeches) and also the election of uncontested positions by acclamation prior to the exclusive two-hour time slot but balloting of contested positions shall take place during the exclusive two-hour time slot. Representatives of the Organizational Services Committee shall oversee and conduct the balloting of the above elections.

((4. The Athletes Advisory Committee shall determine the place and time of its election. The Men's Track and Field, Women's Track and Field, Officials, and Coaches Advisory Committee may opt to conduct their elections separately during the Annual Meeting. Elections held under this paragraph shall take place at a predetermined time that shall be posted for at least twenty-four (24) hours prior to the election. If nominations must be made in a session of the committee prior to the session in which the election is held, the place and time of the nomination session must also be posted twenty-four (24) hours prior to the nominations. A three-member panel, including at least one Active Athlete, of the Organizational Services Committee, shall oversee and conduct elections under this paragraph.))

Rationale:

To improve the election procedures for committee elections resulting in improvements over the 2012 conduct of committee elections.

Constituencies Affected:

Committees with elections, the Organizational Services Committee which conducts and oversees committee elections. The change will allow USATF better to plan and conduct fair committee elections in an efficient manner.

Estimated budget impact:

None

12 - Reg 9.E.14 Elections, Comm Elect, Youth Committee **Lionel Leach**

lionel@youthusatf.org

Recommend Further Discussion by L&L and the Board

Action requested:

Amend the section on Committee Elections to include the Youth Division among the Committees for which there is an exception.

Proposed amendment:

4. The Athletes Advisory Committee shall determine the place and time of its election. The Men's Track and Field, Women's Track and Field, Officials, the Youth Division and Coaches Advisory Committee may opt to conduct their elections separately during the Annual Meeting. Elections held under this paragraph shall take place at a predetermined time that shall be posted for at least twenty-four (24) hours prior to the election. If nominations must be made in a session of the committee prior to the session in which the election is held, the place and time of the nomination session must also be posted twenty-four (24) hours prior to the nominations. A three-member panel, including at least one Active Athlete, of the Organizational Services Committee, shall oversee and conduct elections under this paragraph.

Rationale:

The Youth Division has always conducted its own elections in the same location as its meeting areas during the Annual Meeting. The above amendment allows the Youth Division to continue holding its elections in the same location as its meeting areas during the Annual Meeting.

Constituencies Affected: Youth Division

Estimated budget impact:

None

13 - Reg 13.C.2.a.1 LDR, Women's age categories **Nina Kuscsik**

Recommend Further Discussion by L&L and the Board

Action Requested:

Amend Reg 13.C.2.a.1

Proposed amendment:

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

a. Age categories:

i. Open athletes are of any age ((14 years and over for women and age)) 16 years and over for both men and women;

Rationale:

Raising the age for Women open athletes from 14 to 16 coincides with Men's LDR and also allows longer distances such as marathons and ultras to have an open category that has the age limit of 16 instead of 14

Constituencies Affected:

Women's Long Distance Runners

Estimated budget impact:

None

14 - Reg 16.I.1.g Ad Division, Officials Committee , Duties Alan Kolling and John Bahakel

Recommend Further Discussion by L&L and the Board

Action requested: Amend Reg 16.I.1

Proposed amendment:

Regulation 16, Administrative Division I. Officials Committee: 1. Duties and responsibilities:
The National Officials Committee shall:

g. Administer, supervise and coordinate competition officials assigned to competitions listed in Regulation 18-J-1 and Regulation 18-J-3.

Rationale:

This function has been the de facto operating procedure for many years without the proper authority being listed. It is time for it to be codified.

Constituencies Affected:

Officials Committee

Budget Impact: None

15 - Reg 18.J.1.d Championships Select Officials, Chair Alan Kolling and John Bahakel

Recommend Further Discussion by L&L and the Board

Action requested:

Amend Reg 18.J.1.d

Proposed amendment:

Regulation 18, Championships

J. Selection of officials: Competition officials shall be selected for the events below as follows:
1. USA Indoor and Outdoor Championships, Junior Track & Field Championships, and Olympic Track & Field Trials:
d. Chair: The chair of the Selection Committee shall be the National Officials Committee chair, or his or her designee, who shall serve for a term that coincides with the National Officials Committee chair's term of office. This position shall have overall responsibility for any and all decisions regarding those selected as competition officials while at the competition site.

Rationale:

This function has been the de facto operating procedure for many years without the proper authority being listed. It is time for it to be codified. There have been many instances where replacements needed to be determined or other issues related to those officiating needed to be solved. An on-site person with that responsibility is required. It makes the most sense to have that person be the Chair of the Officials Committee.

Constituencies Affected:

Officials Committee

Estimated budget impact:

None

16 - Reg 18.J.1.d Championships Select Officials, referee and jury selection John Bahakel

Recommend Further Discussion by L&L and the Board

Action requested:

Proposed amendment:

Proposed amendment:

Regulation 18

J. Selection of officials: Competition officials shall be selected for the events below as follows:
1. ...
b. Selection: Competition officials for these championships shall be selected at the USATF annual meeting. A list of recommendations for referees and members of the juries of appeals may be submitted from the chair of the Officials Committee to the Men's and Women's Track & Field committees through National Office Management by November 15. Referees, NTOs, and members of the juries of appeals must be USATF members, and shall be selected by the chairs of the two Track & Field Committees, or their designees. Other competition officials (excluding race walk judges and race walk referees) shall be recommended by a joint subcommittee after a review of the applications and approved by the chairs of each of the two Track & Field Committees, or their designees. Any recommended referee, NTO's, member of the juries of appeals or other competition official not selected and/or approved by the chairs of the sports

committees as the result of a personality conflict may appeal such non-selection/non-approval to an arbiter selected by the Chair of the Law & Legislation Committee or his designee according to the procedures of Regulation 21. The Sports Committee chairs shall present to the CEO a list of individuals selected as competition officials. The CEO shall have fifteen (15) days to accept the individuals, or to reject any of them for good cause. The Selection Committee or their designees shall select replacements for any rejected individuals and forward the names to the CEO. The officials selected shall be notified as soon as possible.

Rationale:

Allow those Referees, NTO's, members of the juries of appeals and/or competition officials an opportunity for due process when not accepted because of a personality conflict.

Constituencies Affected:

Sports committees and Officials

Recommend Further Discussion

17 A.18.I MURPHY (on behalf of National Office)

Recommend Further Discussion by L&L and the Board

a. **Action Requested:** Amend Article 18-I to clarify the required value of contracts referenced in this article.

b. **Proposed Amendment:** Amend Article 18-I as follows (new language is underlined):

I. Contracts: Contracts not in USATF's ordinary course of affairs shall be examined and approved for form by the Counsel to the Board or by USATF's Special Legal Counsel prior to execution. The contents of all contracts affecting sport committees shall, during their negotiation phase, be communicated to the appropriate committee(s). The CEO, and the President (or another officer the President designates) shall sign, on behalf of USATF, all contracts of one year or less exceeding \$250,000 in cash value, and all multi-year contracts valued at more than \$100,000, cash value, for any contract year. If required, the Secretary shall attest to those contracts. Unless the Board otherwise directs, the CEO or another USATF staff member the CEO designates shall sign all other contracts.

c. **Rationale:** To specify that signature requirements will be based on the cash value of contracts.

d. **Constituencies Affected:** All USATF Constituents.

e. **Estimated Budget Impact:** None.

18 R23.B MURPHY (on behalf of National Office)

Recommend Further Discussion by L&L and the Board

a. **Action Requested:** Amend Regulation 23-B to remove the distinction between elite and general competition in granting domestic sanctions.

b. **Proposed Amendment:** Amend Regulation 23-B as follows (new language is underlined; deletions were omitted in their entirety):

B. Domestic Sanctions: Provided that USATF has not determined that granting a sanction will be detrimental to the sport, USATF shall promptly grant a sanction to an organization or person (i) seeking to hold a domestic athletics competition in the United States if:

1. **Fee:** It has paid USATF a sanctioning fee that is reasonable and nondiscriminatory;

2. **Records:** It has established that appropriate provision has been made for validation of any records established during the competition;

3. **Officiating:** It has established that the competition will be conducted by qualified officials;

4. **Medical:** It has established that proper medical supervision will be provided for athletes who will participate in the competition; and

5. **Safety:** It has established that proper safety precautions have been taken to protect the personal welfare of the athletes and spectators at the competition.

((USATF shall have the authority to grant two (2) types of domestic sanctions, namely elite and general competition:

1. **Elite event sanctions:** All Athletics competitions held within the United States that meet one or more of the following criteria shall be issued an Elite sanction:

a. **Value:** Competitions which award prizes or funds with a lasting value of more than \$500 for any individual performance or participation;

b. **Championships or trials:** National championships and/or trials competition for selecting international teams (other than Youth or Masters);

c. **Doping Controls:** Competitions that may be subject to formal doping controls; and/or

d. **International:** Competitions that anticipate including five (5) or more athletes who are foreign citizens (excluding national team competitions).

2. **General competition sanctions:** All athletics competitions held within the United States that do not meet the requirements for obtaining an Elite sanction shall be issued a general competition sanction.

3. **Domestic sanction requirements:** USATF shall grant a sanction for domestic athletics competitions provided that the person or entity applying for the sanction has:

a. **Elite:** For Elite sanctions, (i) complied with subparagraphs A-1 through A-8 above; (ii) made adequate provisions for the conduct of doping controls; (iii) disclosed to USATF the names and addresses of invited foreign citizens as well as the conditions of those invitations; and (iv) complied with paragraph E below.

b. **General:** For general competition sanctions, complied with subparagraphs A-1, A-7, and A-8 above.))

c. **Rationale:** Removing the distinction between an elite and a general competition sanction while giving USATF the ability to deny a sanction if it will be detrimental to the sport will create a more uniform and efficient sanction application process. The addition of the Fee, Records, Officiating, Medical, and Safety provisions also makes the domestic sanction application process more uniform with the international sanction application process outlined in Regulation 23-A.

d. *Constituencies Affected:* USATF, Associations, and persons seeking a USATF domestic sanction.

e. *Estimated Budget Impact:* None.

19 R.25 MURPHY (on behalf of National Office)

Recommend Further Discussion by L&L and the Board

a. *Action Requested:* Amend Regulation 25.

b. *Proposed Amendment:* Amend Regulation 25 as follows (new language is underlined):

REGULATION 25 AUTHORIZATION OF ATHLETE REPRESENTATIVES

- A. Authority:** Under IAAF Competition Rule 7, USATF shall authorize Athletes' Representatives to assist athletes in planning, arranging and negotiating their competition programs under the following conditions and procedures. USATF shall also administer additional IAAF requirements for Representatives wishing to represent athletes in the IAAF Top-30 List.
- B. Applicability:** Any individual who represents United States athletes who are members of USATF must be authorized by USATF under this regulation to assist those athletes in planning, arranging and negotiating their competition programs.
- C. Eligibility:** To be eligible to become an Authorized Athletes' Representative, an applicant must:
1. be an individual (and not a company);
 2. have proper experience in Athletics;
 3. demonstrate the requisite integrity to act as a fiduciary for athletes;
 4. demonstrate sufficient education and knowledge of the activity of Athletes' Representatives;
 5. not within the previous ten (10) years have been convicted of a felony, other crime of moral turpitude, anti-doping rule violation, or had his or her debts discharged under Chapter 7 of the United States Bankruptcy Code, or its functional equivalent in any other jurisdiction;
 6. agree to abide by the USATF Code of Conduct for Athletes' Representatives; and
 7. be eligible for membership in USATF.
- D. Authorization:** Athletes' Representatives or applicants shall be required to annually: ((for authorization through USATF by)) (1) submit((ting)) a fully completed USA Track & Field Authorized Athletes' Representative Application and Agreement; (2) submit((ting)) the application fee and/or registration fee, which shall include membership in USATF((,)) and the security for claims established in Section E below, established by USATF; ((and))(3) unless the applicant is authorized by USATF to serve as an Athlete((s')) Representative at the time the application is submitted((,)) or is otherwise exempt, satisfactorily complete((ing)) the

examination administered by USATF and the Athlete Representative examination administered by the IAAF; and (4) satisfactorily complete any and all other requirements stated herein or reasonably required by USATF. National Office Management shall be responsible for assessing whether an applicant satisfies all of the relevant requirements for authorization. Authorizations are granted for a period of four (4) years and are subject to revocation if the requirements herein are not met. If at any time an individual is not authorized by USATF as an Athlete Representative, said individual shall not be registered as a USATF Athlete Representative with the IAAF during that same period.

E. Recognition: Athlete Representatives who have been authorized by other member federations of the IAAF may apply to USATF for recognition by USATF. Any Athlete Representative applying for such recognition shall comply with all of the requirements of Paragraph D, above.

((E))F. Security for Claims: Upon satisfactory completion of all requirements stated herein, individuals wishing to be authorized under this regulation to represent United States athletes shall be required to provide appropriate proof that he/she holds professional liability insurance which adequately cover any risks that may arise from an Athlete Representative's activity. At the discretion of the National Office Management, USATF may require USATF-authorized Athlete Representatives to obtain such professional liability insurance through a group program administered by USATF.

((F))G. 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 annually, or as otherwise required by USATF.

((G))H. 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.

((H))I. 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.

((I))J. Education: Each USATF-authorized Athlete Representative or applicant shall attend one USATF-~~((A))~~authorized Athletes' Representative seminar annually, and shall demonstrate compliance with this requirement in a manner prescribed by USATF~~((,))~~ prior to obtaining authorization as an Athletes' Representative. USATF reserves the right to issue conditional authorization to an applicant in circumstances that USATF, in its discretion, deems appropriate. If an applicant is not able to attend one of the USATF-~~((A))~~authorized Athletes' Representative seminars in person, the applicant may satisfy this requirement by satisfactorily completing an online course, if one is available.

((J))K. 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)) may include:

1. Reviewing applications for authorization; and
2. Granting or denying authorization to applicants.

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

1. **Initial review:** USATF shall review the application for completeness and return any incomplete application forms for completion and resubmission.
2. **Background screening:** A criminal background screening search report shall be ordered for each applicant.
3. **Explanation request:** USATF shall request that an individual whose application reveals adverse information, or who may have not met one or more of the other requirements stated 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 Agent Screening Committee.

((L))M. 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 Athletes' Representative and the athlete. All contracts shall comply with IAAF rules and regulation. Any contract between a USATF-authorized Athletes' 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. Furthermore, every contract between a USATF-((A))authorized Athletes' Representative and an athlete shall comply with any and all rules and regulations established for such purpose, including but not limited to those established by the IAAF.

((M))N. Revocation of authorization: The Agent Screening Committee may, after affording the affected USATF-authorized Athletes' Representative an opportunity to be heard, fine, revoke the ((certification)) authorization of or otherwise discipline a USATF-((A))authorized Athletes' Representative for any appropriate reason, including:

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. **Failure to meet eligibility requirements:** Failing to meet all of the requirements of this Regulation (National Office Management shall have the right to revoke the authorization of a USATF-authorized Athletes' Representative if eligibility requirements are not met);
4. **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);

5. **Civil or administrative proceeding:** Any finding in a civil or administrative proceeding of fraud or embezzlement;
6. **USATF bylaw violation:** Any finding by an NABR panel of a violation of the USATF Bylaws or Operating Regulations.
7. **Rules and Regulations:** Failure to abide by an USATF or IAAF rules and regulations, including but not limited to the USATF Athletes' Representatives Code of Conduct and USATF Code of Ethics;
8. **Continuing education:** Failure to comply with continuing education requirements in this Regulation;
9. **Co-workers:** Working in a partnership, employer-employee, or other relationship or otherwise sharing clients with a person who is not a USATF-authorized Athletes' Representative, but who nevertheless assists American athletes in planning, arranging, and negotiating their competition programs; or
10. **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, verbally or physically abusing an athlete, misappropriating funds, failing to pay a client timely, or providing inaccurate financial data to a client.

(N)Q. **Initiation of revocation proceedings:** ((USATF)) National Office Management or the affected athlete or ((agent)) USATF-authorized Athletes' Representative may initiate proceedings before the Agent Screening Committee against a USATF-authorized Athletes' Representative when it, he or she has received credible evidence that there exists good cause for revocation, unless revocation is otherwise permitted herein.

(O)P. **Appeal of revocation:** A USATF-authorized Athletes' Representative may appeal a revocation or other sanction imposed by the Agent Screening Committee to the NABR under Regulation 21.

(P)Q. **Credentials:** USATF shall provide credentials to USATF-((A))authorized Athletes' Representatives at USATF events as Athletes' Representatives, with appropriate rights and privileges.

(Q)R. **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-((A))authorized Athletes' Representatives in their client lists.

c. **Rationale:** The amendments to Regulation 25 will now reflect current practices.

d. **Constituencies Affected:** Athletes' Representatives.

e. **Estimated Budget Impact:** None.

Recommend Further Discussion by L&L and the Board

a. **Action Requested:** Amend the opening paragraph of Article 3 to clarify the international relationship between USATF and IAAF.

b. **Proposed Amendment:** Amend Article 3 as follows (new language is underlined):

This non-profit corporation shall act as the national governing body for Athletics in the United States under the Sports Act, as authorized by the USOC, and act as the *IAAF member organization for the United States. USA Track & Field is affiliated to the IAAF (and through the IAAF to the North American, Central American and Caribbean Athletic Association). USA Track & Field recognizes, accepts, applies, observes and abides by the current Constitution, Rules and Regulations of the IAAF and the North American, Central American and Caribbean Athletic Association, as well as any future amendments. This applies especially to the anti-doping rules, the handling of disputes, and relations with Athletes' Representatives.

Any citizen of the United States of America elected to the IAAF Council is de jure a member of the Council and/or Executive Body of USA Track & Field with full voting rights.

c. **Rationale:** This language is required, by the IAAF, to be included in our governance documents

d. **Constituencies Affected:** All USATF Constituents.

e. **Estimated Budget Impact:** None.

L&L Recommends Discussion; Board Recommends Rejection

21 - Reg 18 Championships.B Title&F Awarding David Greifinger&Lionel Leach

Action requested:

Amend Regulation 15 to say that the Sports Committees shall conduct USATF national championships under their jurisdiction and other items

Proposed amendment:

Amend Regulation 18 by adding the underlined language and ((deleting the language in double parentheses)) as follows:

REGULATION 18 – Championships. B. Title: Proposed titles of all national championships must be submitted to the CEO for approval, not to be unreasonably withheld.

E. Special criteria: A bidder for a national championship event must meet the following sport committee specifications:

4 Cross-Country Championships:

b. A joint Site Selection Subcommittee consisting of three members selected by the Cross-Country Running Council, three members selected by the Club Council, and one member

selected by the Masters Long Distance Running Committee shall ((recommend a)) select the site for the national Club Cross-Country Championships ((to the CEO)). The Masters LDR

F. Awarding procedure: ((The CEO may authorize that)) Sports Committees shall conduct USATF national championships ((be conducted by the Sport Committee concerned.)) under their jurisdiction. The concerned Sports Committees may authorize ((by)) USATF to conduct the championships, or ((be awarded)) award the championships to a sponsoring organization under these Regulations and a contract between the organization and USATF. ((The CEO should approve awards of)) USATF championships shall be awarded at annual meetings, when feasible.

7. ((Award method)) **Approval of bids:** The concerned Sport Committees, after consulting with National Office Management, and verifying the bidder's legal authority, shall ((recommend the bid awards to the CEO for approval)) award bids for national championships. The award of a championship shall be to USATF, an Association, to a member in good standing of that Association, or to a competent third party within the Association's geographic area. ((The awardee)) Awardees shall assume all financial and operating responsibilities required by the bid applications and all applicable agreements. Joint bids shall not be contingent upon approval of all parties unless specified by the applicant.

8. **Unawarded championships:** Championship events that remain unawarded after the annual meeting may be recommended to ((the CEO)) National Office Management under a process formulated by the particular Sport Committee in consultation with National Office Management.

9. **Contract:** The championship contract shall include the legal and financial obligations and responsibilities of all parties and shall be approved and signed by USATF and the awardee. The contract shall include provisions containing a list of the parties responsible for equipment, facilities, personnel, volunteer recruitment, clerical work, and other matters relating to conducting the championship. If the awardee is not an Association, the services to be provided by the Association, together with the fees to be paid by the awardee to the Association for providing these services and sanctioning the event shall also be included in the contract. ((Prior to approval by the parties, the)) The CEO may ((make)) require that changes ((in)) to the championship contract necessary to protect USATF be made before the contract is entered into.

H. Championship meet management: At least ninety (90) days prior to a championship event, the involved Sports Committee chairs and organizations conducting the event shall ((present to the CEO)) provide National Office Management a list of individuals who will oversee the competition or serve in managerial capacities (including referees, jurors of appeals, and NTOs.) ((The CEO shall have fifteen (15) days to accept the individuals, or reject any of them for good cause))

I. Competition officials staffing: Prior to the assignment of competition officials and meet management referees to a track and field championship event, the chairs of the Officials and Men's and Women's Track and Field Committees shall ((submit)) adopt a plan specifying the titles and numbers of competition officials, referees, NTOs, jurors of appeal, and others in a managerial capacity. ((The CEO shall then have fifteen (15) days to accept the plans, or to reject them for good cause))

J. Selection of officials: Competition officials shall be selected for the events below as follows:

1. USA Indoor and Outdoor Track and Field Championships, Junior Track & Field Championships, and Olympic Track & Field Trials:

b. Selection: Competition officials for these championships shall be selected at the USATF annual meeting. A list of recommendations for referees and members of the juries of appeals may be submitted from the chair of the Officials Committee to the Men's and Women's Track &

Field or Race Walk committees through National Office Management by November 15. Referees and, NTOs must be USATF members, in good standing, preferably certified as a competition official at the national or master level, who shall be selected by the chairs of the two Track & Field Committees, or their designees. Members of jury of appeals must be USATF members in good standing, preferably certified as a competition official at the national or master level, who shall be selected by the chairs of the two Track & Field Committees, or their designees. Other competition officials (excluding race walk judges and race walk referees) shall be recommended by a joint subcommittee after a review of the applications and approved by the chairs of each of the two Track & Field Committees, or their designees. The Sports Committee chairs shall ((present to the CEO)) provide National Office Management a list of individuals selected as competition officials. ((The CEO shall have fifteen (15) days to accept the individuals, or to reject any of them for good cause. The Selection Committee or their designees shall select replacements for any rejected individuals and forward the names to the CEO)) The officials selected shall be notified as soon as possible.

J. Selection of officials

c. Makeup: The recommending subcommittee shall consist of the following:

i. From the Officials Committee:

- a. The Officials Committee chair or designee; and
- b. One (1) additional member selected by the executive committee.

ii. From the championship sites:

- a. The certification chair of the Association where the championships take place, or the certification chair's designee; and
- b. The event's meet director, or the meet director's designee.

NOTE: For subsections ii (a) and (b), all persons shall have voice, but only the appropriate persons from that site under consideration jointly shall have one vote, and if unable to decide, the person designated in (b) shall cast that vote.

iii. From the two Sport Committees:

- a. The chair of each committee or their designees; and
- b. One (1) additional member from each committee selected by the chair of the applicable Sport Committee.

iv. From Athletes Advisory: three (3) Active Athletes appointed by the AAC chair. Regulation 18

d. Chair: The chair of the Selection Committee shall be the National Officials Committee chair, or his or her designee, who shall serve for a term that coincides with the National Officials Committee chair's term of office.

2. LDR and race walking championships: The selection of competition officials and referees for national championships in long distance running and race walking shall be made by the applicable Sport Committee(s) in consultation with the local event director and comply with the certification requirements of Regulation 18-J-1b.

3. Special selections: Selection of officials for an Olympic Games, the IAAF Outdoor or Indoor World Championship in Athletics or the IAAF Continental Cup in Athletics, if hosted in the USA shall occur as follows:

a. Process: The application and selection process shall follow Regulation 18-J-1, with the following additions:

i. There shall be a co-chair of the Committee certified at the Master or National level selected by the President after consulting with the USA member to the IAAF Council, if any; and

ii. The President may also select two additional at-large members to the Committee certified at the Masters or National level, after consulting with the USA IAAF Council member.

4. Diversity: In nominating officials for selection for national championships or Olympic Trials, the selection body shall give appropriate consideration to recommending a diverse pool of qualified officials, taking into account the age, gender, Association and ethnic background of each nominee recommended for selection.

K. World or area championships: Any organization in the United States wishing to host a world or area championship in any discipline governed by USATF shall first obtain the approval of National Office Management and the USATF Board. The organization must first notify the host Association and the appropriate USATF sports committees, which shall be provided with

RATIONALE: During the last round of restructuring, a great deal of authority over matters traditionally under the control of USATF's membership was ceded to the CEO and National Office Management. This included the selection of national team coaches and the awarding and conduct of national championships, among other items. We have now had the opportunity to ascertain which parts of restructuring worked out for the good, and which of those need remediation. For example, we found that the coaching-selection decisions (Regulation 17) were better handled under the former system, and decreased National Office Management's role two years ago. The submitters believe that a similar approach is necessary for awarding and conducting our national championships. The sports committees have the best expertise relative to their championships. Bringing the CEO and National Office Management into the fray saps their time—which would be better spent on bigger-picture tasks, and creates potential for endless conflict while unnecessary disenfranchising the membership.

CONSTITUENCIES AFFECTED: Athletes, all sports committees and councils, officials, staff.

ESTIMATED BUDGET IMPACT: Possible savings of CEO and staff paid time, replaced by volunteer labor, in performing ministerial duties related to national championships.

Action requested:

THIS IS A PLACE HOLDER – Concerning the intention of the Youth Committee to Amend Regulation 9.E.4

Proposed amendment:

THE INITIAL LANGUAGE SHOULD BE PRESENTED BEFORE THE FALL MEETING

Rationale: Pending ongoing discussions with the Board of Directors, the National Office and other constituencies, the Youth Division will propose language that would resolve current conflicting language between Regulation 10 and Regulation 15 respecting the Jurisdiction of the Youth Division to conduct its national championships.

Constituencies Affected:

Youth Division

Withdraw

**Reg 9.E.14 Elections, Comm Elect, Youth Committee-placeholder Lionel Leach
Article 10 – Vice President - Timothy Baker. I will be back in 2 years advocating for
democracy☺**