

BY-LAWS OF THE USA Track & Field, Mid Atlantic

Amended August 27, 2008

Table of Contents

Article 1 Name 1
Article 2 Definitions 1
Article 3 Purposes 1
Article 4 Authority of the Association 1
Article 5 Membership 1
 A. Membership Types 1
 1. Athlete 1
 2. Competition Official 1
 3. Coach 2
 4. Administrators 2
 5. Club..... 2
 6. Sports Organization..... 2
 7. Contributors 2
 8. Parents 2
 9. Honorary 2
 B..... 2
 C 2
 D. Application and Miscellaneous 2
 1. Application 2
 2. Miscellaneous 2
Article 6 Meetings of the Association 3
 A. General 3
 B. Agenda at Meeting 3
 C. Procedure 3
Article 7 Officers of the Association 3
Article 8 Elections 3
 A. Election of Officers 3
 B. General 3
 C. Election of Sport Committees 4
 D. Election of Annual Meeting Delegates 5
 E. Removal of Officers and Committee Chairs..... 5
Article 9 Duties of Officers 5
 A. President 5
 B. Vice President 5
 C. Treasurer 5

D. Secretary	6
E. Financial Secretary	6
Article 10 Board of Directors	6
Article 11 Committees	6
A. Sport Committees	6
1. Distribution of Responsibility	7
2. Duties	7
B. Administration (Permanent-Appointed)	7
1. Executive Committee	8
a. Duties and Responsibilities	8
b. Composition	8
2. Law and Legislation	8
a. Duties and Responsibilities	8
b. Composition	8
3. Membership	8
a. Duties and Responsibilities	8
b. Composition	9
4. Budget and Finance	9
a. Duties and Responsibilities	9
b. Composition	9
5. Athletes Advisory	9
a. Duties and Responsibilities	9
b. Composition	9
6. Strategic Planning	9
a. Duties and Responsibilities	9
b. Composition	10
7. Coaching Education	10
a. Duties and Responsibilities	10
b. Composition	10
c. Sports Medicine and Sports Science Sub-committee	10
1. Duties and Responsibilities	10
8. Officials	10
a. Duties and Responsibilities	10
b. Composition	10
C. Administration (Temporary-Appointed)	10
1. General Rules	10
2. Awards	11

a. Duties and Responsibilities	11
3. Market and Media	11
a. Duties and Responsibilities	11
4. Nominating	11
a. Duties and Responsibilities	11
5. Property	11
a. Duties and Responsibilities	11
6. Competition Committee	11
a. Duties and Responsibilities	11
b. Composition	12
c. Records Sub-Committee	12
1. Duties and Responsibilities	12
7. Special Committees	12
a. Duties and Responsibilities	12
b. Composition	12
Article 12 Arbitration and Appeals	12
Article 13 Suspension	13
Article 14 Amendments	14
Article 15 Future Mandatory Adoption	14
Article 16 Fiscal Year	14
Article 17 Dissolution	14
Article 18 Saving Clause	14
Article 19 Effective Date.....	14

BY-LAWS OF THE
USA Track & Field, Mid Atlantic

Article 1

Name: The name of this corporation shall be the USA Track & Field, Mid Atlantic. (The Association)

Article 2

Definitions: The word "Athletics", herein, shall include cross country running, long distance running, race walking, road running, track and field, and any other athletic disciplines administered by USA Track & Field, Inc. (USATF)

Article 3

Purposes: The Association shall be organized and operated exclusively for charitable, educational and scientific purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or corresponding provisions of any subsequent federal tax laws (the "Code"). The Association shall have no power to act in a manner which is not exclusively within the contemplation of Section 501(c)(3) of the Code, and the Association shall not engage directly or indirectly in any activity which would prevent it from qualifying, and continuing to qualify, as a Corporation as described in Section 501(c)(3) of the Code. Without limiting the generality of the foregoing, the purposes for which the Association is organized are to advance, promote, encourage participation in, improve, and govern amateur athletics in the Mid-Atlantic area consistent with and subject to the authorities delegated to it by USA Track & Field, Mid Atlantic.

The Association will not be operated for the pecuniary gain or profit, incidental or otherwise, of any private individual. No part of the net earnings of the Association shall inure to the benefit of or be distributable to (Directors), Officers or other private persons, except that the Association shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth herein. No substantial part of the activities of the Association shall be the carrying on of propaganda, or otherwise attempting to influence legislation; the Association shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office.

Article 4

Authority of the Association: The Association shall possess, through USATF, the authority of that body in the sport of Athletics in the Mid-Atlantic area. The Association shall be autonomous in the administration of Athletics, and to that end shall exercise independent jurisdiction, supervision and control over the administration, eligibility, sanctioning authority, representation, and rules of competition for Athletics in the Mid-Atlantic area as defined by USATF.

Article 5 Membership:

A. The Association may have the following types of members all of whose application for membership shall be subject to approval by the Association, as recommended by the Membership Committee:

1. Athlete: who shall submit a membership application as an amateur athlete and shall pay dues as determined by the membership committee. Athlete members 18 years or older shall be entitled to one vote.
2. Competition Official: Any person serving as a competition official may join this Association. A subset of this membership category shall be those members whose proficiency is certified at one of three (3) levels by the Officials Committee, who shall be considered as being members of this Association during the term of that certification. Dues for a competition official and for a certified competition official to be determined by the Membership Committee, and both shall have the right to vote.

3. **Coach:** This class of membership shall be open to any coach of any eligible active athlete, club or institution in Athletics. A subset of this membership category shall be those members whose proficiency is certified by the national Coaching Education Committee who shall be considered coach members. The Membership Committee shall determine dues for coach member and certified coach member and both shall have the right to vote.
 4. **Administrators:** This class of membership shall be open to all persons who serve as club administrators, staff members, or event directors of sanctioned events by the National Governing Body (NGB). The Membership Committee shall determine dues and each shall have the right to a vote.
 5. **Club:** This class of membership shall consist of organizations whose programs involve competitive member athletes or education in Athletics and shall submit membership application and subsequent annual dues on the forms and in amounts as may be decided. A club may vote in Association business by one vote for the club registered by the listed Delegate or President. In the absence of both, the President of the club may designate the right to vote to any club member.
 6. **Sports Organization:** This class shall consist of corporations or organizations which sponsor, arrange or otherwise organize athletic competitions, but which do not involve competitive member athletics
 7. **Contributors:** This class shall consist of individuals who are contributors to programs sponsored or administered by the Association. The Membership Committee shall determine the dues and they shall have the right to one vote.
 8. **Parents:** This class consists of individuals who support the Youth Athletics program of the Association. The Membership Committee shall determine the dues and they shall have the right to one vote.
 9. **Honorary:** This class shall be such persons who shall be the recipient of the title of Honorary Member as bestowed upon them by the President after recommendation of the Executive Committee. They shall have neither voting power nor dues obligation.
- B. Any member or class of member may be suspended for a given period of time or indefinitely, consistent with Article 13.
- C. All paying members, upon notice, shall pay such dues or assessments as the Association may determine from time to time.
- D. Application and Miscellaneous:
1. Application: For Competition Official, Coach, Administrator, Contributor, Parent and Honorary, application and lists of (certified Officials) shall be made to the Membership Committee who will recommend to the Executive Committee acceptance of the application. Final decision on membership applications shall rest with the Executive Committee. All other applications for membership shall be by the normal dues paying process as prescribed herein.
 2. Miscellaneous: All Association members referred to previously shall be entitled to notice of meetings, and may attend regular meetings of this Association with voice and have a vote where designated. No member shall have the right to use the name or logo of this Association or that of the NGB without prior written approval of the Executive Committee.

Article 6 Meetings of the Association:

- A. General: Regular meetings shall be held in December, March, June and September as determined by the Executive Committee. The Annual Meeting shall be held in September. The President or Secretary shall call special meetings at any time, after proper notification. Notice of all regular and special meetings, stating the time, place, and purpose thereof, shall be given to each member known to the Association at least ten (10) days before any such meeting. Written notice via website, quarterly newsletter, and email shall be considered notice by the Association.
- B. Agenda at Meeting: At all meetings of the Association, the following shall be its agenda unless changed by a two-thirds (2/3) vote of those present at such meeting:
1. Roll Call of Delegates
 2. Voting, if necessary, according to other provisions of these By-Laws
 3. Reading of Minutes of Preceding Meeting
 4. Finance Report
 5. Report of Officers
 6. Report of Coordinators and Committees
 7. Unfinished Business
 8. New Business
 - a. General Business
 - b. Annual resolutions, if applicable
 9. Adjournment
- C. Procedure: Unless waived by ninety percent (90%) attendance, the current edition of Roberts Rules of Order is the general rule of order at any meeting of the Association or its committees except where there is a conflict with the provisions of these By-Laws and in such cases these By-Laws prevail.

Article 7

Officers of the Association: The Officers of the Association are: President, Vice-President, Treasurer, Secretary, and Financial Secretary. These officers shall be elected from among the voting membership. Each shall serve for a term of two years following election, or until his or her successor is elected and qualifies. There shall be no established order of succession to any office.

Should the President become unable to fulfill the duties of office or resign, the Vice-President shall become the President and shall serve the unexpired term. A special election shall be held at the next quarterly meeting to elect a Vice-President who shall serve the unexpired term. If any office becomes vacant during the last six (6) months of the term, the President may appoint a successor for the unexpired term. If any elective office becomes vacant prior to the last six (6) months of the term, a special election shall be held at the next quarterly meeting to elect a replacement for the unexpired term.

Article 8

Elections:

- A. Election of Officers: Election of all officers of the Association, unless uncontested, shall be conducted by secret ballot at the Annual meeting of the Association held in even-numbered years; such term to commence the January 1st following the election.
- B. General: The following provisions shall apply to all elections of officers and any other elective position:
1. The ballot, when drawn, shall list the candidates alphabetically and without distinction as to how their names were placed in nomination. (A candidate for election shall be a member of the Association who is at least 18 years of age [at the start of the term of office.]
 2. The Nominating Committee (see Article 11-C-4) shall create a slate of nominees and **each nominee's**

consent shall be so listed. This slate shall be delivered to the Secretary at least forty-five (45) days prior to the meeting for election; who in turn shall notify the membership of the slate at least thirty (30) days prior to the election along with instructions for additional nominees by petition. Nominations shall also be allowed from the floor at an in-person election meeting.

3. Nominations by petition shall be delivered to the Secretary at least fifteen (15) days prior to the election and shall contain the name of a nominee, his or her consent and the signature of at least three (3) voting members as nominators. Any notice of a meeting change or a change in the election process shall be given at least fourteen (14) days prior to that proposed meeting.
4. Voting, except for uncontested offices, shall be by open meeting secret ballot of the members entitled to a vote. Except for renewals from the previous year, individuals shall be members in the month which ends more than one full month preceding the election (e.g., if the election is held at any time in September, the membership shall be processed by July 31). A panel of at least three (3) individuals, at least one (1) of whom must be an athlete, shall count the ballots and sign the tally. All panel members shall be of voting age. The panel shall not include any individual who is a candidate for a contested office. There shall be no mail, phone or proxy vote. In the absence of the delegate or president of a club or sports organization the president thereof may designate in writing an individual to vote for that organization. No individual person may cast a vote in more than one category of membership. An appointed committee chair or board member shall not vote in elections in that capacity, but may otherwise qualify for a vote. There shall be a one person, one vote policy, and no dual vote capacities for any person. Current Association employees (working within the past ninety days) shall not participate in any part of the elections process (nominations or campaigning), but may, at the discretion of the Association, be permitted to vote if they are members and otherwise eligible. Organizations and any person representing an organization in Association voting matters shall be members of USATF.

Minimum provisions for an open meeting ballot where all members of the Association are eligible to attend and vote are:

- i) Credential disputes shall be resolved before the election process is started with nominations and/or the report of the nominating committee;
- ii.) Uncontested elections may be voted by acclamation;
- iii.) A secret ballot shall be used for contested elections.

5. In the event that no candidate receives a majority vote, there shall be an additional ballot and vote eliminating the candidate(s) with the least votes; such procedure to continue until one candidate receives a majority vote.

C. Election of Sport Committees: (See Article 11-A for the three sport disciplines.)

1. When requested by two (2) or more member clubs, sport committee chairs shall be elected. When a sport chair is elected, the election shall take place at a meeting, which is held separately from the general elections, either by time or location, and at a minimum, shall be advertised to all member clubs in the Association active in the discipline. Voting members of this Association shall, in odd-numbered years, elect nine (9) members to each of the three (3) sport committees. The nine members shall have a thirty-percent (30%) representation of Active Athletes. Each committee shall elect its own chair and vice-chair within 30 days following the Annual meeting, both of whom will serve for two years commencing on January 1st. All committee chairs, whether elected or appointed, shall be at least 18 years of age and members of the Association. Chairs shall be elected or appointed for specific terms, which are determined prior to the voting for the position. The President shall appoint three (3) members to each committee bringing the total to twelve (12). If in the election phase or appointment phase the representative portion of thirty-percent (30%) Active Athletes is not arrived at for the entire committee, the President shall have the prerogative to increase the committee total number to reflect that representation.

2. If any sport has less than fifteen (15) athlete members, the President shall appoint a committee of no less than five (5) persons, charging them with the duty to take the action they feel necessary to develop the sport of that committee.
3. The twelve (12) persons on each sport committee shall consist of the thirty-percent (30%) Active Athletes as described above; at least three (3) coaches (defined as anyone currently USATF certified or listed as a coach for any college, school or club), preferably from that sport; and the remaining number, any other dues paying member. Notwithstanding the above, the Long Distance Running Committee shall be exempt from the requirement of 3 coaches as members of that committee.
4. The term of the committee members shall be two (2) years, all to serve until their successors are elected and qualify.

D. Election Of Annual Meeting Delegates:

1. Voting members of this Association shall, at the Annual meeting elect individuals to serve as Delegates to the USA Track And Field Annual Meeting.

Nominations shall be made from the floor during the Annual meeting. Only members of USA Track & Field, Mid Atlantic shall stand as qualified candidates for nomination.

2. Voting shall be by secret ballot of the members entitled to a vote. Except for renewals from the previous year, individuals shall be members in the month which ends more than one full month preceding the election (e.g., if the election is held at any time in September, the membership shall be processed by July 31). A panel of at least three (3) individuals, at least one (1) of whom must be an athlete, shall count the ballots and sign the tally. There shall be no mail, phone or proxy vote. In the absence of the delegate or president of a club the club president may designate in writing an individual to vote for that club. No individual person may cast a vote in more than one category of membership. There shall be a one person, one vote policy, and no dual vote capacities for any person. Minimum provisions for an open meeting ballot where all members of the Association are eligible to attend and vote are:
 - i. Credential disputes shall be resolved before the election process is started with nominations and/or the report of the nominating committee;
 - ii. Uncontested elections may be voted by acclamation;
 - iii. A secret ballot shall be used for contested elections.
4. In the event that no candidate receives a majority vote, there shall be an additional ballot and vote eliminating the candidate(s) with the least votes; such procedure to continue until one candidate receives a majority vote.

E. Removal of Officers and Committee Chairs:

Any officer or committee chair of USATF Mid Atlantic may be removed for good cause by a two-thirds vote of those delegates of USATF present and voting at an annual meeting or special meeting called for this purpose, and provided the requisite notice for such meeting (see Article 6) shall properly set forth the removal vote on its agenda.

Article 9

Duties of Officers: The duties of the Officers of the Association are those promulgated by the Association in these Bylaws, including the following:

- A. President: Shall conduct the business of the Association as prescribed by these By-Laws and the Executive Committee, shall preside at all meetings of the Association, and do such other acts normally associated with that office. The President shall be an ex-officio voting member of all committees. The President may appoint an administrative assistant upon approval of the Executive Committee.

- B. Vice President: Shall perform such duties assigned to him/her in these Bylaws and as assigned by the President, and act for the president in his or her absence.
- C. Treasurer: Shall receive and deposit all funds of the Association in financial institutions approved by the Executive Committee, write checks, pay debts of the Association as approved by the President, maintain accurate records of the Association's financial transactions, reporting same to the Association each quarter, as well as doing such other acts that are normally associated with that office as assigned by the President.
- D. Secretary: Shall make proper arrangements for keeping the records of the Association, conducting all official correspondence of the Association, serve as Secretary of the Board of Directors, as well as doing such other acts normally associated with that office.
- E. Financial Secretary: Shall i) serve as the Chief Financial Officer of the Association and as such shall receive, record, approve and otherwise certify that all requests for expenditures of the Association are within the constraints of the approved budget and are in compliance with accepted accounting principles after approval of any such expenditure by the President, ii) Record and otherwise properly account for all revenue of the Association so as to provide an accurate reflection of the financial condition of all budgetary accounts of the Association.

Article 10

Board of Directors:

- A. There shall be a Board of Directors of the Association composed of the following:
 - i. The five officers
 - ii. The chair of each Sport Committee (See Article 11-A)
 - iii. The Chairs of the Law & Legislation, Membership, Budget and Finance and Athletic Advisory Committees
 - iv. The Chair of the Officials Committee and another selected by the Officials Committee.
 - v. Two (2) at-large delegates appointed by the President.

The President and Secretary shall serve as the Chair and Secretary of the Board respectively.

- B. Powers and Responsibilities. The business, affairs and property of the Corporation shall be administered and governed by the Board of Directors which shall exercise the powers and responsibilities of the Corporation, consistent with the Articles of Incorporation and these Bylaws. The Board shall have authority to act for the Association between meetings of the Association. The Board shall have the authority to adopt policies and regulations and procedures for the effective governance and operation of the Association not inconsistent with these Bylaws or violative of the Bylaws and Regulations of the NGB as may be applicable to the governance and operations of the Association.

Meetings of the Board shall be held upon the call of the Chair. The Secretary shall give 10 days prior written notice of such meetings to the members of the Board. The presence of a majority of the Board or any of its Committees members shall constitute a quorum, at any meeting thereof. Each member of the Board shall have one vote.

Article 11 Committees:

There shall be the following categories of committees:

Sports
Administration (Permanent-Appointed)
Administration (Temporary-Appointed)

A. Sport Committees: The following are the Sport Committees:

Track & Field-High Performance Long
Distance Running
Youth Athletics

1. Distribution of Responsibility:

- a) Track & Field-High Performance shall have responsibility for Men's Track & Field, Women's Track & Field, Masters Track & Field, Race Walking, and Athletics for the Disabled within these categories.
- b) Long Distance Running shall have responsibility for Men's Long Distance Running, Women's Long Distance Running, Masters Long Distance Running, and Athletics for the Disabled within these categories.
- c) Youth Athletics shall be responsible for all phases of Youth Athletics and Athletics for the Disabled that fall within the prescriptive of Youth Athletics.

2. Duties: Each Sport Committee shall, with the approval of the Executive Committee:

- a. Have jurisdiction over the Association's activities in that particular sport and shall institute, locate, conduct and manage all of its championships.
- b. Award Championship events.
- c. Have full authority to make allotments for expenses of athletes and teams taking part in the championship using funds appropriated for that purpose.
- d. Have authority to appoint subcommittees, whose members need not be members of the Sport Committee, to manage, but not conduct, the various championships.
- e. Approve the competition officials for championships.
- f. In cooperation with USATF, coordinate the competition of foreign athletes in its sport within the Association.
- g. Have the authority to open its meeting, by a majority vote of the committee members present, to all athletic coaches, competition officials, and representatives of any group actually engaged in the sport who shall have voice during the committee meeting but without the right to vote.
- h. The President shall direct a meeting and hold elections for any sport committee, providing that: (1) he/she has given at least sixty (60) days notice to the chair of such committee of intention to hold an election for chair, and (2) such committee has neither held one meeting, other than for the election of a chair, nor conducted a championship meet for one year or more.
- i. Notwithstanding anything to the contrary, the President may fill vacancies on any sport committee created by resignation or non-participation for six (6) months.

B. Administration-(Permanent-Appointed)

Executive
 Law and Legislation Membership
 Budget and Finance Athlete
 Advisory
 Strategic Planning
 Coaching Education
 Officials

1. Executive Committee:

a. Duties and Responsibilities - the Committee shall:

1. Discharge the duties of the Board in between the meetings of the Board subject to any limitations imposed by the Board or these Bylaws.
2. Conduct its affairs by either meeting or conference telephone call.
3. Have at least three (3) days notice to any meeting.
4. Distribute its minutes to the membership.
5. Distribute a proposed budget for review and adoption at least ten (10) days before the December meeting..

b. Composition: The committee shall consist of the officers, the chairpersons of the Law & Legislation Committee, the Membership Committee, the Athlete Advisory Committee, and the Budget & Finance Committee. The President and Secretary shall act as the chair and secretary, respectively, of this committee. The immediate Past President shall serve in an Ex-Officio capacity on the Executive Committee. The total members of this committee shall be ten (10).

2. Law and Legislation:

a. Duties and Responsibilities - the Committee shall:

1. Take action on all cases involving interpretation or enforcement of any Article of the By-Laws and any general policy regulation of the Association, which relates to two or more members of the Association.
2. Consider, present and make recommendations, in proper form, for action on all proposed amendments to these By-Laws.
3. Have the authority to propose amendments to these By-Laws.
4. Act as the committee on the Order of Business at all meetings of the Association and its chair serves as parliamentarian.
5. Review the National By-Laws and Operating Rules on the even-numbered years and recommend to the Association changes in these By-Laws that will be consistent with the National By-Laws and Operating Rules; and
6. Prepare and submit analysis of proposed USATF legislation.

b. Composition: The committee shall consist of a chair and a minimum of two (2) members to be appointed by the President.

3. Membership:

a. Duties and Responsibilities - the Committee shall:

1. Have the responsibility to promote, solicit, review and recommend clubs, individuals and organizations for membership.
 2. Review application from athlete members to ensure that each application is complete and valid. Applications from non-resident athletes may be accepted in accordance with USATF procedures.
 3. Have power to sanction events with recommendation of the appropriate Sport Committee. They may also withdraw a previously issued sanction.
- b. Composition: This committee shall consist of an elected chair and seven (7) members to be appointed by the President.

4. Budget and Finance:

- a. Duties and Responsibilities - the committee shall:
1. With the consent of the Association, establish all dues and fees to be paid to the Association.
 2. Prepare an annual budget for the Association, including anticipated income and expenditures for the ensuing fiscal year and submit it to the Executive Committee at least three (3) weeks before its November meeting.
 3. Within thirty (30) days following the April meeting, audit and examine the accounts of the Treasurer and report to the Association on the results thereof for the preceding fiscal year at the Annual meeting.
 4. Examine the accounts of the Treasurer at any other times as requested by the Association and report to the Association thereon, and may in such cases require the Treasurer to turn over to it all moneys, accounts, books, papers, vouchers and records appertaining to the office.
 5. Advise the Association regarding the opening of new accounts or closing old ones.
 6. Analyze the accounts receivable and recommend collection efforts or a "write-off" of such accounts as appear to be uncollectible.
 7. Consult with the various committees on matters pertaining to the financial well being of the Association.
- b. Composition: The committee shall consist of the Treasurer, Financial Secretary, Vice President, and a minimum of two (2) At-Large members appointed by the President. Additionally, each sport committee may name one individual.

5. Athletes Advisory:

- a. Duties and Responsibilities - the Committee shall:
1. Serve in a consultative capacity to the Executive Committee as well as the membership in general.
 2. Provide, on request of the President or other Committee chair, input on matters that impact competition (i.e., dates, location, prizes, order of events, etc.)
 3. Have the discretion to recommend to the President active athletes to those committees that do not have their full contingent of active athletes.
- b. Composition: The committee shall consist of a minimum of seven (7) active athletes from the Open and Masters categories, all appointed by the President to serve a two

year period. The Committee shall select from their membership a chairperson who shall serve on the Executive Committee of the Association.

6. Strategic Planning:

a. Duties and Responsibilities - the Committee shall:

1. Have the responsibility of monitoring and facilitating strategic planning sessions for this Association and its committees.
2. Propose new or revised goals and objectives to guide the Association in its implementation of its stated purpose.

b. Composition: The committee shall consist of a chair and up to five (5) members, all appointed by the President.

7. Coaching Education:

a. Duties and Responsibilities: - the Committee shall:

1. Develop strategies consistent with those of the NGB as listed in USATF Bylaws Article 16, A, 1.

b. Composition: The committee shall consist of a minimum of three (3) members including its chair as named by the President, one (1) member of the Sports Medicine and Sports Science Sub-committee, and three (3) athletes, not to be from the same athlete registration category, all appointed by the President.

c. Sports Medicine and Sports Science Sub-committee:

1. Duties and Responsibilities - the sub-committee shall:

- a. Study the correlation between health and sports and make any recommendations deemed advisable for the conduct of Athletics, acting as the Medical Advisory Committee to the Association.
- b. Encourage sports medicine seminars to be held throughout the Association from time to time, and act as an advisory body to those interested in conducting sports medicine seminars.
- c. Assist and advise sport committees in areas of physiology testing, biomechanics and nutrition.

8. Officials:

a. Duties and Responsibilities - the Committee shall recruit, train, and certify USATF officials.

b. Composition: The Officials Committee shall consist of a Central Committee of twelve (12) members, elected by the membership. The members of the Central Committee shall elect one of their members as the Chairperson. All committee members shall be certified at the Master or National levels and shall serve for a two (2) year term, elected in even numbered years.

C. Administration-(Temporary-Appointed)

Awards
Market and Media
Nominating
Property

Competition
Special Committees

1. General Rules

- a. The establishment of each of these committees will be at the discretion of the President. The decision to establish a committee and the length of time the committee serves will be on a need basis as determined by the President.
- b. The composition of each committee shall be a chair and a minimum of three (3) members and a maximum of seven (7) members, all appointed by the President.

2. Awards:

a. Duties and Responsibilities - the Committee shall:

1. Have the responsibility to purchase, select, and arrange for the distribution of any and all awards given at functions of the Association and otherwise as designated by the President.
2. Have the responsibility for the maintenance of the name of every award given by the Association, the methods for nomination and selection of each awardee and the criteria used for each award.

3. Market and Media:

a. Duties and Responsibilities - the Committee shall:

1. Have the responsibility to collect and circulate information to the media on athletes, this Association or any committee thereof.
2. Have the responsibility to assist with public relations and publicity of any event conducted by the Association or any member, where directed by the President.

4. Nominating:

a. Duties and Responsibilities - the Committee shall:

1. Have the power to develop nominees for the Officers, Sports Committee and Officials Committee members of the Association pursuant to these Bylaws.

5. Property:

a. Duties and Responsibilities - the Committee shall:

1. Establish and maintain an accurate record of all equipment and property assets of the Association.
2. List the quantity, type, location and disposition of all assets that are owned or leased by the Association.
3. The chair shall make a report at each general meeting of the Association as to the state and disposition of all property of the Association.

6. Competition Committee (CC):

a. Duties and Responsibilities - the Committee shall:

1. Serve as the coordinating committee for all Association Championships.

2. Establish dates and locations in concert with the Sports Committees for all Association's Track & Field, Long Distance Running and Youth Athletics championships.
 3. Coordinate all inter-committee activities (i.e., Officials, etc.).
 4. Establish dates, times and locations for a championship in the lack of a response by the responsible committee.
 5. Establish a series of local competitions, both indoors and outdoors, to promote the development of Association athletes. These meets shall not serve as Association championships but may be used as qualifiers if such a need arises.
- b. Composition: The committee shall consist of a Coordinating Chair, appointed by the President and the chair of the three (3) sport committees (i.e., Track & Field, Long Distance Running, Youth Athletics) and the Officials Committee. The Coordinating Chair may appoint, as required, the chair of any other standing or temporary committee to serve on the competition committee.
- c. Records Sub-committee:
1. Duties and Responsibilities - the Sub-committee shall:
 - a. Maintain a registry of Association records established by athletes of the Association.
 - b. Investigate every performance submitted for an Association record and make recommendations to the Association at its Annual meeting.
 - c. Encourage prompt and accurate application for National and World records as prescribed by USATF and International Association Of Athletics Federations (IAAF) rules.
 - d. Submission
 - 1) Form. All applications for records must be submitted on the official Record Application form and must contain all pertinent information called for in the form.
 - 2) Report. It shall be the responsibility of the Meet Director where the performance was made, or of the member club or affiliated organization sponsoring or conducting such competition, to apply for the record by having the Record Application form properly filled in and forwarded to the Association Records Chair without delay.
 - 3) Records Clerk. For all meetings in sports in which records of time, distance or height are maintained, there shall be included in the list of officials, a Records Clerk, whose sole duty shall be to see that record conditions are met and that record applications are promptly and properly prepared.
 - 4) Completeness. Any record application not submitted in the proper form, including all pertinent information and signatures, shall be rejected.
7. Special Committees: The President may, at any time, create special committees to handle specific activities.
- a. Duties and Responsibilities: These committees shall carry out such duties, as the President shall, from time to time, direct.
 - b. Composition: Each committee shall consist of a chair and such persons that the President shall appoint.

Article 12
Grievances and Disciplinary Proceedings

A grievance may be any matter within the cognizance of USATF, Mid Atlantic ("The Association") as described in

Regulation 1. Grievances shall be filed and administered in accordance with Regulation 1 and these Bylaws.

A. Jurisdiction:

This Association shall have jurisdiction over all disciplinary and formal grievance proceedings relating to matters that arise within the boundaries of the Association, except sexual misconduct allegations and doping violations which shall be under the jurisdiction of USATF or unless otherwise provided for in the Bylaws and/or Operating Regulations of USATF. All penalties imposed by an Association shall be effective only within the jurisdiction of the Association.

B. Process:

Grievances and disciplinary matters shall initially be directed to the President of the Association for disposition consistent with these Bylaws, applicable Association policy and regulations and applicable Operating Regulations of USATF. Where the subject of the grievance or disciplinary matter is the Association President, the Vice President shall assume the responsibilities of the President under this Article.

Article 13

Suspension:

- A. The Association shall have the right to suspend for a definite or indefinite period of time any member organization, delegate, athlete, coach, official, manager or member of any committee or party affiliated with any member organization who has contravened any of the By-Laws or rules of the Association. This shall also apply to any of the above that have acted in a manner detrimental to the objectives of the Association and amateur sports, which tends to bring disrespect upon the Association and the sport of Athletics.

The Association, further, shall have the right to suspend any athlete who has violated the rules of amateurism as specified by the IAAF.

- B. The Board, upon recommendation and investigation by the Law and Legislation Committee, shall have the power to suspend any member organization, delegate, athlete, coach, manager or member of any committee, as stated in A. above, until the next meeting of the Association.
- C. Before exercising its power under this Article, the party initiating the complaint shall notify, in writing, the person or organization involved; and the matter shall be heard in a swift and equitable manner.
- D. The Association upon recommendation of the Board may reinstate any currently suspended person or organization from whom the Board has received an application stating, in detail, the reasons for reinstatement.

The Board shall direct the Law and Legislation Committee to refer all information concerning any suspected illegal activity as it relates to USA Track & Field, Mid Atlantic by any member organization, delegate, athlete, coach, manager, official or member of any committee as it relates to that suspected illegal activity to the appropriate legal authority for investigation and prosecution.

Article 14

Amendments:

- A. These Articles may be amended or revised by a two-thirds vote of the Membership of the Association present and voting at a meeting thereof, .
- B. Proposed Amendments to these Articles shall be submitted to the Chair of the Law and Legislation Committee at least sixty (60) days prior to any vote of the Association thereon for proper review and submittal to the membership. Proposed amendments may be voted on at any meeting of the Association following review and recommendation of the Law & Legislation Committee and notice of the proposed amendment or planned revision has been submitted in writing to the membership at least thirty (30) days prior to the meeting at which the vote is taken.
- C. Conflict with USATF Regulations: The Association will operate in accordance with the Bylaws, rules and regulations of USATF. Any Bylaws or Regulations of the Association which conflicts with USATF Bylaws or regulations binding on the Association will be null and void until brought into the conformance. If any article is rendered null and void, the remainder of the Bylaws and Regulations shall remain in full force and effect.

Article 15

Future Mandatory Adoption: This Association shall automatically adopt, as additions to these By-Laws, any paragraph adopted by USA Track & Field which is stated to be mandatory on its associations; which additions shall be attached to these By-Laws and effective from the date of attachment. Further, this Association shall revise the present By-Laws where necessary to comply with changes adopted by USATF and shall automatically adopt those revisions, after review by the Association, as submitted by the Law & Legislation Committee.

Article 16

Fiscal Year: The fiscal year of this Association shall be a calendar year commencing on January 1 of each year.

Article 17

Dissolution: Upon the dissolution and final liquidation of the Association all of its assets, after paying or making provision for payment of all known debts, obligations and all liabilities shall be distributed as determined by the Association to such organization or organizations which as, in the sole judgment of the Association, furthers or have purposes most closely aligned to those of the Association and which are organized and operated for charitable, educational or other purposes which qualify as exempt organizations under Section 501 (c)(3) of the Internal Revenue Code of 1954, or corresponding provisions of any future law. Any assets not so disposed of shall be disposed of by a court of competent jurisdiction exclusively to one or more corporations, trust, funds or other organizations as said court shall determine, which at the time are exempt from federal income tax as organizations described in Sections 501(c)(3) of the Code and which are organized and operated exclusively for such purposes. No private individual shall share in the distribution of the Association assets upon dissolution of the Association.

Article 18

Saving Clause: Failure of literal or complete compliance with provisions of the By-Laws with regard to dates and times of notice, or the sending or receipt of the same, or errors in phraseology of notice or **proposals**, which in the judgment of the members at meeting held does not cause substantial injury to the rights of members, shall not invalidate the actions or proceedings of the members at any meeting.

Article 19

Effective Date: The effective date of these By-Laws shall be November 1, 1989.

[Article 11 B 3 a 2 was amended on February 20, 1991.]
[Articles 1,7, and 9 were amended May 12, 1993.]

[Articles 5, 8, and 11 were amended May 11, 1994.]

[Articles 2, 4, 5, 6,7,8,9,10,11,12,13,14,15, and 17 were amended August 28, 1996]

[Articles 8 and 11 were amended February 10 and May 12, 1999]

[Articles 5, 6, 8, 9, 10, 11, and 13 were amended February 25, 2003]

[Articles 8,1 2 were amended August 27, 2008]

**USATF MID ATLANTIC
Regulation I**

Grievance and Disciplinary Proceedings

The USATF Mid Atlantic Board hereby adopts this regulation and the procedures set forth herein as the process to be followed in addressing all disciplinary and formal grievance proceedings relating to matters that arise within the boundaries of the Association.

- A. Jurisdiction:** This Association shall have jurisdiction over all disciplinary and formal grievance proceedings relating to matters that arise within the boundaries of the Association, except sexual misconduct allegations and doping violations which shall be under the jurisdiction of USATF or unless otherwise provided for in the Bylaws and/or Operating Regulations of USATF. All penalties imposed by an Association shall be effective only within the jurisdiction of the Association.
- B. Association Arbitration Panel:** The following shall apply to the appointment and conduct of the Association Arbitration Panel (AAP):
1. **Members:** The Association Arbitration Panel shall consist of three (3) members - a chair, an at-large member, and an athlete member. There shall also be a first alternate, second alternate, and additional alternates who may be appointed from time to time when any of the three members of the AAP are not available. Members of the AAP shall not be members of the Association Board or Executive Committee.
 2. **Appointments:** Appointments shall be made by the President with the approval of the Association Board. The appointments shall be duly reflected in the minutes of a properly convened Board meeting.
 3. **Terms:** Terms shall commence on January 1 of each even-numbered year.
 4. **Removal:** Members and alternates may be removed for good cause by majority vote of the Association's Board. Good cause may include, but is not limited to, the following:
 - a. **Dilatory practices:** A AAP member who causes or permits delays in the hearing process; and/or
 - b. **Failure to follow procedures:** An AAP member who disregards or fails to apply the hearing procedures or other provisions set forth in the Association Bylaws, Association Regulations, USATF Rules, USATF Bylaws, and/or USATF Regulations.
- C. Grievances:** A grievance may involve any matter, other than sexual misconduct and doping offenses, within the cognizance of USATF that occurs in the jurisdiction of this Association:
1. **Grievance Complaints:** A Grievance Complaint shall state the following:

- a. **Detrimental conduct:** Conduct detrimental to the best interests of Athletics, USATF, and/or USATF Mid Atlantic has taken place; or
 - b. **USATF violations:** A violation of any of USATF's Bylaws or Operating Regulations and/or of a violation of any of USATF Mid Atlantic Bylaws or Operating Regulations has occurred.
 2. **Parties:** Grievance Complaints may be filed only by and against individuals or entities which were, at the time that the conduct complained of occurred, and at the time the Complaint is filed, members, directors, or officers of USATF or otherwise subject to the jurisdiction of USATF Mid Atlantic. A non-member, former director, or former officer of USATF Mid Atlantic shall be subject to the jurisdiction of USATF Mid Atlantic for the purpose of defending against a Grievance Complaint for an incident that occurred while he or she was a member, a director, or officer of USATF Mid Atlantic or otherwise subject to the jurisdiction of USATF Mid Atlantic. A Grievance Complaint may only be filed by a person or entity affected by the issues raised in the complaint; and
 3. **Time limit:** Grievance Complaints must be filed within one (1) year from the time the complaining party knew or should have known of the act giving rise to the Complaint.
- D. Disciplinary matters:** USATF Mid Atlantic shall have the authority to discipline any member who, by neglect or by conduct, acts in a manner subject to discipline pursuant to Regulation I below.
1. **Activities subject to discipline:** USATF Mid Atlantic may discipline any member who, by neglect or by conduct:
 - a. **Detrimental conduct:** Acts in a manner detrimental to the purposes of USATF, USATF Mid Atlantic or Athletics;
 - b. **USATF, IAAF, and Sports Act violations:** Violates any of the Bylaws, Operating Regulations, or Competition Rules of USATF or the IAAF, or violates the Sports Act;
 - c. **Eligibility violations:** Violates the rules of eligibility for Athletics;
 2. **Time limit:** Disciplinary proceedings must be requested within one (1) year from the time the complaining party knew or should have known of the issue giving rise to the request for a disciplinary hearing.
- E. Rights of the persons or entities:** In all matters subject to this Regulation, all parties shall be provided with fair notice and an opportunity for a hearing prior to the adjudication or imposition of any penalty by the Association or AAP. All parties::
1. **Representation:** May be represented in any disciplinary, grievance, or Association proceeding by a person(s) who may (but need not) be an attorney;
 2. **Right to appeal:** May appeal any adverse decision in accordance with this Regulation;
 3. **Attendance at hearing:** May be present at any hearing; and

4. **Presenting and challenging evidence:** Shall have the right to present evidence and witness testimony and to cross-examine witnesses testifying against him, her or it.
- F. Initiation of proceedings:** Formal grievances shall be initiated as follows:
1. **Grievance complaint filing procedures:**
 - a. **Filing location:** Complaints shall be filed with the Association President and Secretary. The Secretary shall forward a copy of the Complaint to the each party charged in the Complaint;
 - b. **Language:** All documents filed and exchanged with respect to this Regulation shall be in English; provided, however, that an original document that is in a foreign language must be submitted along with an English translation. The party submitting the document shall bear the cost of obtaining its translation which shall be conducted by a reputable translator or translation service. In the event of a challenge to the accuracy of a translated document, the panel chairperson may direct USATF to order a translation of the document(s) in question and may allocate the cost of the translation to any party or all parties, as the panel deems appropriate;
 - c. **Basis for the Complaint:** The Complaint shall allege clearly the nature of the dispute and, where appropriate, state the specific violation of the Bylaws, Operating Procedures, Competition Rules, or Policies of USATF, USATF {Association name}, or the IAAF;
 - d. **Facts of allegation:** Factual allegations shall be separately stated in concise language with one allegation set forth in each numbered paragraph of the Complaint;
 - e. **Signature:** The Complaint shall be signed by the person filing the Complaint,
 - f. **Filing fees:** A filing fee of One Hundred U.S. Dollars (US\$100) must accompany an organization's complaint and a filing fee of Seventy-five U.S. Dollars (US\$75) must be paid by individuals filing a Complaint. The filing fee must be in the form of a certified check or money order made payable to the Association;
 2. **Failure to comply with Complaint procedures:** Complaints that fail to comply with the procedures outlined in this Regulation shall be returned to the filer with instructions explaining the deficiency. A returned Complaint may be re-filed within thirty (30) days of the initial filing. After thirty (30) days, the Complaint will be deemed abandoned;
 3. **Informal resolution of grievances:** Upon receipt of a Grievance Complaint, the President or his/her designee shall make every effort to resolve the dispute through informal means. In disputes pertaining to a specific sport discipline, the President or his/her shall also confer with the chairperson of the sport committee for the discipline involved. All discussions related to the informal resolution of a complaint shall be confidential;

4. **Formal resolution:** If the informal resolution of the complaint is unsatisfactory to any party, or if a party declines to pursue informal resolution, the party may request that the complaint be resolved by a formal hearing before an AAP panel;
 5. **Hearing panel:** When one party has indicated that the matter cannot be resolved informally, the President or his/her designee shall coordinate the selection of a three-person arbitration panel as detailed in Paragraph B of this regulation. The arbitration panel should include at least one Active Athlete. One panel member will be selected as Chairperson with responsibilities to control and conduct the process. The arbitrators shall not be members of the Association Board or Executive Committee.
- G. Notice of proceedings:** Within thirty (30) days of the commencement of a formal grievance all interested parties and the hearing panel shall be sent the following by the Association Secretary:
1. **Documents:** A copy of the complaint or other documents giving rise to the proceeding, with any attachments;
 2. **AAP Members and Contact:** The names of the hearing panel members and the address and telephone number of the panel's chairperson;
 3. **Association Bylaws:** A copy of the text of this Regulation of the USATF Mid Atlantic Bylaws and any other relevant USATF Rule or Regulation; and
 4. **Other relevant documents:** A copy of any specifically identified document(s) related to the dispute.
- H. Answer:** The person(s) or entity(ies) named in a Complaint (respondent(s)) must submit a written answer to the Association Secretary within thirty (30) days after receipt of the letter notifying respondents that a proceeding has been filed ("Notice of Proceeding"). A copy of the Answer shall be forwarded by the Secretary to the complainant (the party filing the Complaint) and the AAP panel. The failure of respondent(s) to answer within thirty (30) days after the receipt of the Notice of Proceedings will be deemed a waiver by respondent of the opportunity to have a hearing or have an appeal of any adverse decision. Upon such failure, and after confirmation of the receipt of the Notice of Proceeding by all parties, the hearing panel may proceed in the absence of the respondent and may decide the matter with or without a hearing and with or without taking testimony and evidence, as it deems appropriate. If a party raises a hearing panel challenge under Regulation I, the panel chair may extend the time to answer.
- I. Challenge to arbitrator(s):** Within fourteen (14) days following the receipt of the Notice of Proceedings any party to the hearing may challenge the seating of any AAP panel member, on the ground that the panel member may not be impartial. The panel chairperson may extend the time to answer if a panel member is challenged. Failure to bring a timely challenge against the seating of an AAP arbitrator constitutes a waiver of such challenge.

- J. Hearing procedures:** The following procedures apply to formal grievance, and other hearings:
- 1. Pre-hearing conference call:** Within five (5) business days of the expiration of the arbitrator challenge the AAP panel chairperson shall conduct a pre-hearing conference by telephone conference call with all parties to discuss scheduling and procedural matters.
 - 2. Date of Hearing:** Best efforts should be used to set a convenient time and date for all participants. The AAP hearing panel shall schedule the hearing to take place within thirty (30) days of the initial pre-hearing conference. The hearing date may be delayed beyond the thirty (30) day period only upon a showing to the AAP panel that a substantial injustice would otherwise occur.
 - 3. Location for hearing:** Hearings shall be held in-person, unless good cause is shown to the AAP chairperson that holding the hearing by telephone conference call is in the best interest of the sport of Athletics.
 - a. Reason for request for telephone conference call hearing:** If a party requests that the hearing be held by telephone conference call, such request shall be accompanied by a statement identifying the material reasons which the hearing panel should resolve in this venue.
 - b. Deadline for request:** The telephone conference call hearing request must be submitted to the AAP chairperson within ten (10) business days of the receipt of the Notice of Proceedings. Failure to submit a telephone conference call hearing request during the above-described timeframe constitutes a waiver of the right to request a telephone conference call hearing.
 - 4. Delays:** If an interested party causes an unnecessary delay, the AAP panel may dismiss the proceeding or, at its discretion, rule against the party causing the delay. If the delay is the result of AAP panel inaction, the President or his/her designee may dismiss the panel and replace it with a new panel. If a party to the proceeding fails to appear at the hearing, then the AAP panel may make a ruling based on available information and the testimony of those present at the hearing;
 - 5. Evidentiary rules:** The rules of evidence generally accepted in administrative proceedings shall be applicable to the hearing; the formal rules of evidence shall not apply;
 - 6. Burden of proof:** The burden of proof is upon the complainant to prove by a preponderance of the evidence that conduct described in Regulation I-C-I or I - D-1 above has occurred;
 - 7. Hearing record:** An official transcript or recording is highly recommended for hearings conducted by an Association. Any party to the proceedings may retain a court reporter or other competent individual to provide a transcript or recording of the hearing at that party's own expense. If made, such transcripts or

recordings shall become the official record of the proceedings and a copy shall be provided to all parties at their own expense; and

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

- K. AAP decisions and opinions:** The following shall pertain to AAP final decisions and opinions rendered in hearings and appellate proceedings:

- 1. Scope of decision:** All AAP panel decisions shall be consistent with USATF, USATF Mid Atlantic and IAAF Rules and Regulations, and the Sports Act. If the implementation of any AAP panel decision and opinion would have a significant budgetary impact on USATF Mid Atlantic the Budget Committee chair and/or the USATF Mid Atlantic Treasurer shall review it and report their findings to the Board within thirty (30) days of the issuance of the opinion. In such instances, the decision and opinion shall not become final and binding unless and until approved by the Board. The Board shall determine to what extent any AAP decision and opinion having a significant budgetary impact on USATF Mid Atlantic may be implemented, in light of fiscal considerations, and may remand the matter back to the AAP panel for modification based upon budgetary directives from the Board;
- 2. Form of decision and opinion:** The AAP decision shall state in one or two brief sentences which party the AAP arbitrators have ruled in favor of. The opinion of the AAP panel shall set forth the following:
 - a. Issue:** The question(s) the AAP panel was asked to decide;
 - b. Arguments:** A brief summary of the arguments made by each party;
 - c. Findings of fact:** The findings of fact upon which the panel based its decision;
 - d. Citations:** A citation to the applicable IAAF, USATF, USATF Mid Atlantic Sports Act, or other applicable rule, bylaw or minutes, reports, guidelines, or other documents upon which the AAP panel decision is based, if any; and
 - e. Stay provision:** Whether the effect of the decision shall be stayed in the event of an appeal, if appropriate;
- 3. Time frame:** An AAP panel shall issue a decision with respect to the disciplinary, formal grievance, or other proceedings within fifteen (15) days after the conclusion of the hearing. The panel shall render a written opinion no later than thirty (30) days after the conclusion of the hearing, or after the submission of any post hearing documentation to the panel.
- 4. Effect of decision:** All AAP panel decisions shall be effective upon the date rendered, unless otherwise stated in the decision.

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

Adopted: _____, 2008

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