

**BY LAWS
OF
USA TRACK & FIELD GEORGIA, INC.**

**ARTICLE 1
NAME**

The name of this Association shall be USA TRACK & FIELD GEORGIA, INC., hereinafter referred to as “this Association”.

**ARTICLE 2
DEFINITIONS**

As used in these Bylaws:

Athlete:

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

Eligible Athlete means any athlete who meets the eligibility standards established by USATF for Athletics.

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

Athletics Competition means a contest, game, meet, match, tournament, or other Athletics event in which Eligible Athletes compete.

Board of Directors means the Executive Committee, the chairs of each sport and administrative committee, and twenty percent Athlete representation.

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

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

Executive Committee means the President, Executive Vice President, Vice Presidents, Secretary, and Treasurer of this Association.

Guest – anyone who is not a member of USATF Georgia Association, or anyone attending a committee meeting of which he/she is not a member.

Member means any person or entity having met the current requisite (including financial – e.g., payment of annual dues) requirements in order to belong to USATF. A member has the right to full participation, including the right to vote.

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

Past President – the person who previously served as President of USATF Georgia.

Sanction means the document which evidences the authority granted by either USATF or an Association to conduct a competition, and which also evidences that the recipient has complied with the requirements of USATF Article 20 and USATF Operating Regulation 14.

Sports Organization means a non-profit corporation, club, federation, union, association, or other group organized in the United States, which sponsors or arranges any Athletics competition.

Unattached Athlete – An active athlete that is not a member of a club, school, or organization, and does not compete for a club, school, or organization.

USATF means USA Track & Field, the national governing body.

Written Notice – can include written or any type of electronic delivery. Examples: mail, email, newsletter, website.

ARTICLE 3 PURPOSES AND DUTIES

This Association shall act as the governing body (as defined by the Ted Stevens Olympic and Amateur Sports Act of 1978) for Athletics in the State of Georgia.

A Purposes: This Association shall have the following purposes:

1. **Development:** Developing interest and participation in Athletics in the State of Georgia at all levels;
2. **Management:** Promoting Athletics and Athletes by conducting competitions and other events, and by cooperating with and encouraging other organizations which may do so; and
3. **Marketing:** Generating public awareness, appreciation, and support for Athletics, USATF, and this Association, creating opportunities for athletes and Athletics events, and generating sponsorships to aid this Association in fulfilling its purposes and duties.

B Duties: This Association shall have the following duties:

1. **Responsibility to constituency:** Being responsible to the persons and sports organizations active in Athletics;
2. **Coordination of scheduling:** Minimizing, through coordination with other sports organizations, conflicts in the scheduling of all practices and competitions in Athletics;
3. **Communication with Athletes:** Keeping Eligible Athletes active in Athletics informed of policy matters and reasonably reflecting the views of such athletes in the policy decisions of USATF and this Association;
4. **Sanctioning of events:** Sanctioning competition in Athletics in accordance with the provisions of these Bylaws and Regulations, USATF Bylaws, and USATF Operating Regulations;
5. **Participation in competition:** Providing for the participation by Eligible Athletes in competition in Athletics, in accordance with the provisions of these Bylaws and Regulations, USATF Bylaws, and USATF Operating Regulations;
6. **Support of diversity in Athletics:** Providing equitable support and encouragement for participation by all persons in Athletics, regardless of gender, age, race or ethnicity, or disabilities;

7. **Coordination of certification and education:** Providing the means for certification of coaches and officials throughout the State of Georgia in all disciplines and at all levels of Athletics;
8. **Registration and certification of athletes:** Registering Eligible Athletes as Members and certifying such athletes as eligible for competition; and
9. **Administration of athletics:** Performing all other duties necessary for the administration of Athletics in the State of Georgia and to achieve this Association's purposes.

ARTICLE 4 AUTHORITY

This Association shall be the governing body for Athletics in the State of Georgia, and shall exercise the following powers:

- A Representation:** Representing the State of Georgia in USATF.
- B Establishment of Association goals:** Establishing Association goals and encouraging the attainment of those goals in Athletics.
- C Coordination of Athletics:** Serving as the coordinating body for activity in Athletics in the State of Georgia.
- D Jurisdiction:** Shall have jurisdiction over Athletics competition in the State of Georgia, including Association championships, with the exception that any sports organization which conducts closed Athletics competition (participation in which is restricted to a specific class of Eligible Athletes such as high school students, college students, members of the Armed Forces, or similar groups or categories) shall have exclusive jurisdiction over such competition.
- E Autonomy:** This Association shall be autonomous in its governance of Athletics in the State of Georgia, in that it shall independently determine and control all matters central to such governance in accordance with the USATF Bylaws and Operating Regulations and these Bylaws and Regulations, it shall not delegate such determination and control, and it shall be free from outside restraint except in recognition of its role as a part of USATF. This provision shall not be construed as preventing this Association from contracting with third parties for administrative assistance and support in connection with its purposes and authority.

ARTICLE 5 MEMBERSHIP

- A Individuals:** Any person who meets the criteria for individual membership as determined by USATF shall be eligible for membership. This includes athletes, officials, coaches, administrators, and any other sets of individuals named by USATF.
- B Groups:** Any organization that meets the criteria for group membership as determined by USATF shall be eligible for membership. This includes clubs, organizations administering competitions, and any other groups designated by USATF.
- C Applications:** Application for membership shall be in accordance with the USATF Bylaws and Operating Regulations.

- D Suspension and expulsion:** Any individual or group recognized by this Association which violates any of the provisions of these Bylaws or Regulations, USATF Bylaws or Operating Regulations, any operating policy approved by the USATF Board of Directors, or any operating policy approved by this Association may be suspended, after due notice and an opportunity to be heard by the body designated to conduct such hearings, until the next meeting of this Association, to which meeting action of suspension shall be reported by the Secretary. At such meeting the suspension may be rescinded by a majority vote of the Members, or such individual or group may be expelled by a two-thirds vote of the Members present.
- E Renewal of Membership:** All persons who hold elected or appointed positions must have current year membership by January 31st. Failure to do so will result in the immediate removal from office of that person.

ARTICLE 6 MEETINGS

- A Annual meeting:** The annual meeting of this Association shall be held in the third quarter of the year (July, August, September), at such date, time, and place as may be fixed by the Association President upon recommendation of the Executive Committee, and announced by requisite notice of such meeting.
- B Regular meetings:** This Association shall hold meetings of the Executive Committee and the Board of Directors as defined below.
- 1. Executive Committee Meetings** shall be held quarterly, with additional meetings called by the President or upon the request of a majority of the members of the Executive Committee.
 - 2. Meetings of the Board of Directors:** The Board may conduct its affairs either at a meeting or by a conference call. It shall hold quarterly meetings as called by the President. Additional meetings may be called by the President or upon the request of a majority of the members of the Board of Directors.
 - 3. Standing Sports or Administrative Committee Meetings:** Each committee shall hold at least an annual meeting, which may be in conjunction with the annual meeting of the Association. Committees shall hold such special meetings as may be called by the chair, at his or her own initiative, or that of twenty percent (20%) of the membership of the committee.
- C Meeting procedures:** The following shall govern the conduct of all meetings of this Association:
- 1. Notification of meeting:** Distribution will be via written notice and/or the Association web site;
 - 2. Publication of agenda:** The proposed agenda shall be made available prior to the meeting. The agenda should also be available at the time of the meeting.
 - 3. Open conduct of business:** All meetings of this Association shall be open to all individual Members of the Association. All attendees shall be identified as to whether they are members of the committee or Guests. Input to the meeting will be limited to the committee members. There shall be a specified time period in the meeting where any Guest may give input or make a brief, three minute statement;
 - 4. Closed or executive sessions:** No part of any meeting shall be closed unless seventy-five percent (75%) of the members of the group then present agree to close the session; and
 - 5. Record of a meeting:** Within (30) days of the meeting, all committees shall submit a draft of the minutes to the Association Secretary. All written reports shall be distributed

with the draft minutes. Once the committee minutes are approved by the committee members, the minutes will be available for public viewing.

D Quorum:

1. Executive Committee and Board of Directors – 50% of membership.
2. Annual Meeting - provided that proper notice of the meeting has been given as outlined in C above, a quorum shall be constituted by the voting Members present.

E Rules of order: The chair, in accordance with Roberts Rules of Order (Newly Revised), shall decide Questions of order, unless otherwise provided in these Bylaws. Decisions by the chair may be appealed to the Association parliamentarian. The Meeting Chair shall designate a qualified parliamentarian for the meeting.

ARTICLE 7 ELECTIONS

The following guidelines shall apply to all elections for officers in this Association:

A Election notice:

1. **Distribution:** will be via written notice and/or the Association web site;
2. **Prior arrival:** The initial meeting notice must be sent by means under which it will arrive at least thirty (30) days prior to the beginning of the nomination and elections process; and
3. **Changes:** Any notice of a meeting change or a change in the election process must be at least fourteen (14) days prior to the meeting.

B Nominating process of the Executive Committee:

1. Method of nominations:

- a. At least 90 days prior to the annual meeting, the Executive VP shall act as the chair of the nominating committee and appoint a Nominations Committee of at least three members. Twenty percent of the nominations committee must be comprised of active athletes recommended by the AAC chair. At least 75 days prior to the Annual Meeting, the Nominating Committee shall send out a request for nominations to all members of the Board of Directors. Included in this mailing shall be a listing of all positions to be elected.
- b. Each nomination shall be approved by the nominee.
- c. All nominations must reach the chair of the nominating committee no later than 60 days prior to the Annual Meeting. The committee shall prepare a nomination report listing all eligible candidates in alphabetical order, without indicating preference, no less than 30 days prior to the Annual Meeting. This report shall be circulated to all Executive Committee members, all members of the Board of Directors, all nominees, all nominating parties, and all those present at the Annual Meeting. It may contain an optional one-quarter page biographical sketch prepared by each candidate.
- d. Further nominations may be made and must be allowed from the floor at the Annual Meeting. No person may be nominated who has previously, in the same election, been nominated for the same office and has declined. No nomination may be made for an absent person unless that person has notified the Nominations Committee in writing of his willingness to accept that specific nomination.
- e. Immediately following the close of all nominations, the nominator and/or the candidate may make a nominating speech for a period not to exceed three minutes. All speeches for each position shall be called alphabetically.

2. **Membership & age criteria:** A candidate must be a member of the Association who is at least 18 years of age (at the start of the term of office); and
3. **Nominations and seconds:** A candidate needs one (1) nominator and one (1) second who are both Members of the Association.

C Voter criteria:

1. **One person-one ballot:** One (1) person shall cast only one (1) ballot as an individual, regardless of how many positions within the Association the person occupies;
2. **Proxies:** There shall be no proxy voting;
3. **Minimum age:** In order to vote, Members must be at least 18 years of age on the day of election;
4. **Voting membership deadline:** Except for renewals from the previous year, individuals must be members in the month which ends more than one full month preceding the election (e.g., if the election is held at any time in September, the membership must be processed by July 31);

D Conduct of voting: This Association shall use an open meeting ballot where all Members of the Association are eligible to attend and vote in Executive Committee elections and other Association voting matters. This does not include committee elections and committee voting matters, which are defined in the individual committee's Operating Procedures.

1. **Disputes:** Credential disputes must be resolved by the Membership Chair (or his or her designee) before the election process is started with nominations and/or the report of the nominating committee.
2. **Uncontested:** Uncontested elections may be voted by acclamation; and
3. **Ballot type:** A secret ballot must be used for contested elections.

E Counting of ballots:

1. **Panel:** A panel of at least three (3) individuals, as appointed by the President or committee chair, 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; and
2. **Consultation:** The panel may consult as necessary with the President, Chair, Secretary, Association Counsel, and/or Parliamentarian (so long as they are not candidates for contested offices) on procedural matters.

F National delegates: The Executive Committee, with the approval of the Board of Directors, shall appoint National delegates.

G Majority requirement:

1. **Officers:** All officers of the Association must be elected by a majority of the ballots cast. If a run-off election is necessary, the run-off election will immediately follow the general election.
2. **Run-off candidates:** In run-off elections, candidates equal to twice the remaining positions shall be on the ballot.

H Election protests:

1. **Operating Regulation 11:** Except as indicated below, USATF Operating Regulation 11 shall apply to election grievances. Protests may only be made after the election process is concluded;
2. **Panel composition:** An NABR panel from a different USATF region shall be appointed to conduct the hearing. All hearings shall be by conference call;
3. **Invalidation:** The NABR panel shall invalidate an election if it is found that one or more infractions occurred and likely changed the outcome of an election; and
4. **Further action:** The NABR panel may recommend or require changes for future elections in the Association.

- I **Transition Period:** The effective date of the term of the newly elected officers shall be November 1st.

ARTICLE 9 EXECUTIVE COMMITTEE, OFFICERS AND THEIR DUTIES

- A Positions:** The Executive Committee of this Association shall be composed of: a President, an Executive Vice President, Vice President of Communications, Vice President of Sponsorship, a Secretary, a Treasurer, and the immediate Past President. No individual may be an officer of this Association who is also an elected or appointed officer of another sport governing body at the local or national level.
- B Duties:** The officers shall perform the duties as prescribed by these Bylaws, the USATF Bylaws, the Operating Regulations, and/or the Board of Directors of this Association:
1. **President:** The President:
 - a. **Shall Preside** at all meetings of this Association, its Executive Committee, and its Board of Directors;
 - b. Be an **ex officio non-voting member** of all committees;
 - c. Is subject to the direction of the Executive Committee and the Board of Directors of this Association, shall **manage and supervise** the affairs of this Association; and
 - d. **Shall select non-elected committee chairs and members** and administrative positions, with the approval of the Board of Directors. He or she may likewise terminate such appointments for good cause upon written notice to such appointees and the other officers;
 - e. May not hold any other officer positions on the Executive Committee.
 2. **Executive Vice President:** The Executive Vice President shall act as liaison, overseeing the operations of all committees, and perform duties assigned by the President and Executive Committee. In the temporary absence of the President from a meeting, the Executive Vice President shall serve as acting presiding officer. In case of the disability of the President, the Executive Vice President shall perform the duties of the President until a successor is named in accordance with these By-laws;
 3. **Vice Presidents:** The Vice Presidents shall perform duties assigned by the President and Executive Committee. In the temporary absence of the President and Executive Vice President from a meeting, one of the Vice Presidents shall serve as presiding officer. The Vice Presidents may establish such subcommittees as they deem necessary and desirable to undertake their duties;
 4. **Secretary:** The Secretary shall keep, or cause to be kept, all records of this Association and all agenda and approved minutes of meetings of this Association, its Executive Committee, its Board of Directors, and all committees. The secretary shall also perform all duties normally pertaining to the office of secretary;
 5. **Treasurer:** The Treasurer shall keep or cause to be kept a correct and complete record of account, showing accurately at all times the financial condition of this Association, and, in general, shall perform all duties normally pertaining to the office of treasurer;
 6. **Immediate Past President:** The Immediate Past President shall serve in an advisory capacity as a non-voting member.
- B Term of Office:** With the exception of the Immediate Past President, all officers are to be elected for two (2) year terms at the annual meeting of this Association held in odd-numbered years. Terms shall start on November 1st of the election year.

C Succession and vacancies: There shall be no order of succession to any Executive committee office except for the position of President. The Executive Vice President will temporarily assume the duties and responsibilities of the President until the following annual meeting, at which time a special election shall be held for the unexpired portion of the term. In the event the Board of Directors determines that any other officer is temporarily unable to serve, it may, in its sole discretion, name another officer to fill the vacancy. In the event an officer resigns or is permanently unable to serve, the Board of Directors shall name a successor until the following annual meeting, at which time a special election shall be held for the unexpired portion of the term.

D Removal from office: Any officer of this Association may be removed for good cause by one of the following methods:

- by a two-thirds vote of the Board of Directors
- a two-thirds vote of those Members present and voting at the annual meeting or
- a special meeting called for this purpose. The Association shall provide the requisite notice for such meeting (see Article 7) properly setting forth the removal vote on its agenda.

Good cause can be, but is not limited to, the following examples:

- Failure to follow these By-laws and associated Operating Procedures;
- Engaging in conduct that reflects unfavorably on USATF.
- Failure to have current year membership by January 31st.
- Misappropriation of funds;
- Requesting reimbursement of expenses when said expenses were reimbursed by another party (double-dipping);
- Failure to comply with any local or national rules or policies (for example, illegal use of logos);
- Unethical behavior;
- Conflict of interest.

2. Notification: A written notice shall be sent to the officer by the Secretary, stating the current standing, the reason for removal and the date to respond to the Board of Directors. The letter shall be sent by registered or certified mail.

3. Committee Chairs: Removal of standing and administrative committee chairs is addressed in each of the committee's standard operating procedures. The Board of Directors has the authority to remove a chair as prescribed by these By-laws as stated above.

ARTICLE 10 BOARD OF DIRECTORS

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

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

- President (only votes in case of a tie)
- Executive Vice President
- Vice President of Communications
- Vice President of Sponsorship
- Secretary
- Treasurer
- Athletes Advisory Committee Chair
- Long Distance Running Committee Chair
- Masters Committee Chair
- Membership Committee Chair

- Officials Committee Chair
- Race Walk Committee Chair
- Track & Field Committee Chair
- Youth Committee Chair

Of the voting members of the Board, at least 3 (20% of the Board) shall be **Eligible Athletes**. All voting members must have current year membership and be of voting age. The Board must include an Active Athlete, where available, as defined by USATF National HQ under the 10 year rule.

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

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

C Election or selection of members: All members of the Board are elected by their constituencies and shall serve at the discretion of those constituencies, unless otherwise stated in these Bylaws.

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

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

F Mail balloting: Upon authorization by a majority vote at a duly convened meeting or by call of the officers, the Board may conduct a vote through the use of an email ballot. The procedure and subject matter for such a vote shall be set forth in the authorizing resolution.

G Board committees: The Board may have committees including, but not limited to, budget, audits, compensation, insurance, and grants. Each Board committee will have no more than five (5) members, at least one (1) of whom must be a Board member. The President shall appoint the members with the approval of the Board.

H Expulsion: Failure to participate in two (2) consecutive meetings may, by a 2/3 vote of the Board members attending, cause expulsion of the member or representative. Other grounds for expulsion include for good cause, as set forth in 9D, Removal from Office.

ARTICLE 11 COMMITTEE COMPOSITION

A Committees: The committees of this Association may be established, but are not limited to, the following:

- **Sports Committees:**
 - Long Distance Running
 - Masters
 - Race Walking
 - Track & Field
 - Youth Athletics
- **Administrative Committees:**
 - Athletes Advisory
 - Finance
 - Membership
 - Officials

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

1. **Term of members:** Unless otherwise provided for, the term for members of all committees shall be two (2) years and shall commence at the conclusion of the Annual Meeting in each odd-numbered year.
 2. **Committee makeup:** The makeup of each committee shall include a chair, vice-chair and a secretary. Any additional positions will be stated in the committee's Operating Procedures. When possible, each committee shall have at least twenty percent (20%) of the active athletes in the particular sport discipline as members of the committee.
 3. **Committee membership and notification:** No election, selection, or appointment to a committee shall be effective until the Association Secretary or committee chair is formally notified. Vacancies in a committee shall be filled by the committee, or by the President, or by special election. The Athletes Advisory Committee chair may nominate an active athlete from the applicable discipline to fill an athlete vacancy and/or serve as a voting alternate on any committee.
- C Committee officers:** All elected and appointed members of all committees must reside within the jurisdiction of the Association. The Athlete Advisory Chair must be an active athlete representing the Georgia Association. Unless otherwise specified, members appointed by the Association President shall serve for the same term as the President's term.
- D Operating procedures:** Each committee will have a set of written operating procedures on file with the Association Secretary. These procedures shall not conflict with the provisions of the USATF Bylaws and Operating Regulations or these Bylaws. Any modification of the committee's operating procedures shall be promptly reported to the Secretary. Members of the Association may request a copy from the Secretary and copies shall be available at the Annual Meeting.

ARTICLE 12 COMMITTEE RESPONSIBILITIES

A Sport:

1. **Duties and responsibilities:** In addition to the provisions of Article 11, each committee shall:
 - a. **Championships:** Have jurisdiction over the Association championships in the particular discipline it controls, and shall institute, locate or award, conduct, and manage all such championships in accordance with the provisions of Regulation 3. By the November Board or Executive Committee meeting, must submit the proposed dates of the next year's championships to the Board for approval;
 - b. **Calendar:** Coordinate the local and domestic competition calendar in its discipline;
 - c. **Records:** Approve records for the events within its discipline;
2. **Committee definitions:** The disciplines and age categories under the control of each sport committee in this division are as follows:
 - a. **Age categories:**
 - **Senior athletes** are of any age 14 years and over;
 - **Junior athletes** must be at least age 14 on the day of competition and under age 20 on December 31 in the year of the competition;
 - **Masters athletes – Track & Field** shall be at least age 30 on the day of competition;
 - **Masters athletes – LDR** shall be at least age 40 on the day of competition;
 - **Youth athletes** shall not be 19 before the final day of the national Junior Olympics track & field competition and are divided into specified age categories.

b. Jurisdiction:

- i) Long Distance Running:** Off-track running at all distances, track running at distances 10,000 meters and over, and cross country running for junior and senior men and women;
- ii) Masters:** All track and field, long distance running, and cross country activity for masters men and women;
- iii) Race Walking:** All race walking activity for men and women;
- iv) Track & Field:** Indoor and outdoor track & field activity for junior and senior men and women.
- v) Youth Athletics:** All youth activity not conducted as junior competition for youth boys and girls, including track & field, road running, cross country running, and race walking.

**ARTICLE 13
DISCIPLINARY AUTHORITY**

This Association shall have the authority to discipline any member who, by neglect or by conduct,

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

NOTE: The disciplinary and reinstatement procedures of USATF and its member Associations are set forth in USATF Operating Regulations 11 and 12.

**ARTICLE 14
REDRESS OF GRIEVANCES**

A Redress of grievances: A grievance may be any matter within the cognizance of this Association as described in USATF Operating Regulation 10. A Grievance shall be filed and administered in accordance with Regulation 1.

**REGULATION 1
FORMAL GRIEVANCES AND DISCIPLINARY PROCEEDINGS**

- 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. All penalties imposed by an Association shall be effective only within the jurisdiction of that 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:** An 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, USATF Georgia 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 Georgia 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 Georgia. A non-member, former director, or former officer of USATF Georgia shall be subject to the jurisdiction of USATF Georgia 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 Georgia or otherwise subject to the jurisdiction of USATF Georgia. 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 Georgia shall have the authority to discipline any member who, by neglect or by conduct, acts in a manner subject to discipline pursuant to the following.
1. **Activities subject to discipline:** USATF Georgia may discipline any member who, by neglect or by conduct:
 - a. **Detrimental conduct:** Acts in a manner detrimental to the purposes of USATF, USATF Georgia, 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 Georgia, 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 Georgia 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 paragraph I below, 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 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 Georgia, 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 Georgia, the Budget Committee chair and/or the USATF Georgia 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 Georgia 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 Georgia, 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.

ARTICLE 15 SANCTIONS

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

- A **Definition:** The definition of "international competition" shall apply to this article and the corresponding USATF Operating Regulation 14. International **competition** means an athletics competition between one or more athletes representing the United States, individually or as a team, and one or more athletes representing a foreign country (i.e., competitions between national teams).
- B **Domestic Sanctions:** USATF or its Associations shall have authority to grant sanctions to sports organizations or persons otherwise wishing to hold athletic competitions in athletics that are not international in nature, within the United States.
- C **Sanctioning policy:** Unless USATF or an Association determines by clear and convincing evidence that holding or sponsoring an athletics competition (international or domestic) would be detrimental to the best interests of the sport, USATF or the appropriate Association of USATF shall promptly grant a sanction requested by a sports organization or person(s), provided all the requirements of USATF Operating Regulation 14 have been satisfied. Either USATF or an Association shall make the decision as to whether a proposed competition would be detrimental to the best interests of the sport in the first instance, as appropriate. Approval of sanctions shall not be unreasonably denied. The decision to deny a sanction may be appealed:
 - a. In the case of a denial by an Association, to USATF, or
 - b. In the case of a denial by USATF, to the NABR.
- D **Sanction requirements:** Sanctions are issued, withheld, or withdrawn in accordance with the requirements and provisions of USATF Operating Regulation 14.

ARTICLE 16 LEGAL MATTERS

A Legal counsel:

- 1. Counsel to the Board:** The President with the approval of the Board may appoint The Counsel to this Association. The Counsel to the Board shall be responsible for overseeing the legal affairs of this Association and shall be available to advise and consult with the officers, the Executive Director, and other agents of this Association, render legal advice and assistance, and perform such other duties as the President or the Board may request. The Counsel to the Board shall have the right to the floor at any meeting of this Association, its Board, and its committees to comment on legal matters. The files, records, and documents created by the Counsel to the Board during the course of duties for this Association shall belong to this Association; and
 - 2. Special Legal Counsel:** On those occasions when the nature or scope of a particular matter requires expertise or a commitment of time, or cannot otherwise be adequately dealt with in the ordinary course by the General Counsel, and it appears to be in the best interests of this Association, the Board may authorize the President, in consultation with the Counsel to the Board and Executive Director, to retain Special Legal Counsel. Where prior authorization by the Board is impractical, the President, in consultation with the Counsel to the Board, may in the best interests of USATF and this Association, retain such Special Legal Counsel. All agreements with Special Legal Counsel as to legal services to be rendered and the fees and compensation to be paid shall be in writing and executed in accordance with this paragraph.
- B Contracts:** Contracts not in the ordinary course of affairs of this Association, shall be examined and approved for form by the Counsel to the Board or by the Special Legal Counsel of the Association, prior to execution. The contents of all contracts affecting sport committees shall, during their negotiation phase, be communicated to the appropriate committee(s). Unless otherwise directed by the Board, all written contracts shall be executed on behalf of this Association by (i) the President (or another officer designated by the President) and (ii) the Executive Director, and, if required, attested to by the Secretary.
- C Arbitration:** This Association agrees to submit to binding arbitration conducted in accordance with the commercial rules of the American Arbitration Association, in any controversy involving its recognition as a national governing body, as provided for in Paragraph 395, Subchapter II, Chapter 17, of Title 36 (page 93) of the United States Code, or in any controversy involving the opportunity of any athlete, coach, trainer, manager, administrator, or official to participate in Athletics competition, as provided for in the constitution and bylaws of the USOC.
- D Conflict of interest:** Any individual representing this Association, or who has a financial arrangement with USATF or this Association, or who is a member of any of its committees, shall not participate in the evaluation or approval of a contract with a supplier to furnish goods or provide services to USATF or this Association, if that individual directly or indirectly benefits financially, or otherwise receives any form of compensation from, or has any interest in, any supplier under consideration. The Board may require that such individuals disclose all financial interests that may influence the performance of their duties for USATF or this Association. Each individual referred to in the first sentence of this paragraph shall, upon learning that this Association is proposing to enter into an arrangement in which he or she has financial interest, promptly notify the President in writing of the existence of such interest, and the President shall, in turn, promptly disclose such interest to those bodies of USATF involved in considering entry into the arrangement. In the event of a violation of this provision, this Association shall have the right to recover such benefit or payment and to void the contract or transaction.

ARTICLE 18 DISSOLUTION

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

ARTICLE 19 SAVING CLAUSE

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

ARTICLE 20 AMENDMENTS

A General provisions: This Association shall consider Amendments and revisions as follows:

- 1. Voting for Bylaws approval:** Amendments to the Bylaws shall require for passage a two-thirds vote of those members present and voting at the meeting, provided notice of the proposed amendment has been submitted in writing to the members of this Association at least thirty (30) days prior to the meeting; and
- 2. Voting for other regulations approval:** Amendments to the other regulations shall require a majority vote of members present and voting, provided notice of the proposed amendment has been submitted in writing to the members of this Association at least thirty (30) days prior to the meeting.

Exceptions: Notwithstanding paragraph A above, amendments may be considered at any meeting of this Association in any of the following circumstances:

- a. Tabled amendments:** Tabled amendments may be acted upon at any subsequent meeting without redistribution of the proposal
- b. Conformity with the law:** To make the Bylaws or other regulations conform with federal or local law or regulation;
- c. Conformity with USATF:** To make the Bylaws or other regulations conform with USATF requirements; and
- d. Uniformity:** To make the Bylaws and other regulations conform to each other. Such items need not meet the time requirement of subparagraphs A-2 above and D-1 below.

B Emergency circumstances: In emergency circumstances, this Association or its Board may adopt changes as follows:

- 1. Vote of the membership:** Upon a ninety percent (90%) vote at any meeting of this Association; and

2. **Vote of the Board:** Where immediate relief is deemed necessary, the Bylaws and other regulations may be amended upon vote of ninety percent (90%) of the total membership of the entire Board, such amendment to be effective only until the next meeting of this Association.
- C Submissions:** The following provisions shall govern submissions of amending legislation:
1. **Time of submission:** Amendments shall be submitted at least thirty (30) days prior to the meeting at which they are to be considered. This thirty (30) day requirement may be waived, in emergency circumstances, upon a two-thirds vote at any meeting of this Association;
 2. **Submitters:** Only a member of this Association may submit Amendments;
 3. **Persons receiving submissions:** Amendments to the Bylaws and other regulations shall be submitted to President and the Secretary;
 4. **Form of submission:** The proposed amendments shall be in such form as to show the entire section, subsection, or paragraph, as the case may be, as it will read if adopted, with all proposed additional language underlined or shaded, and all proposed deleted language in double parentheses. A brief statement of the rationale for the submission shall accompany each submission. If there is a budgetary impact, it shall be estimated with the submission or, lacking such estimation, shall be provided by the Treasurer and/or the chair of the Finance Committee; and
 5. **Approval of submissions:** All proposed amendments must first be recommended for approval at the time of submission by someone other than the submitter who shall be another member of this Association.
- D Effective date:** Unless otherwise specified at the time of adoption, amendments to the Bylaws and other regulations shall be effective immediately.

ARTICLE 21 - NATIONAL CONVENTION

- A. Delegate Selection:** The Association will have twelve (12) delegates and select additional delegates as dictated by membership numbers at the time of the selection. The delegates should be selected in the following order of priority:
1. Member of a National Committee
 2. Committee Chair that holds an Association Championship
 3. Officers who are in good standing and have been active in the association for five (5) years.
 4. Twenty percent (20%) of selected delegates shall include athletes as prescribed in Article 2 in these By-laws.
- B. Reimbursement:** The association shall reimburse the selected delegates as prescribed in the Associations Accounting & Finance Procedures.

ARTICLE 22 - DISCLAIMER

Anything not covered in these Association By-laws and Operating Procedures shall be governed by the most current USATF Governance Manual.

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