

**USA TRACK & FIELD
LAW & LEGISLATION COMMITTEE**

**PROPOSED AMENDMENTS
TO THE BYLAWS AND
OPERATING REGULATIONS
FOR 2005**

**For the consideration of USA Track & Field
at its Annual Meeting in Jacksonville, Florida**

November 30-December 4, 2005

SUMMARY OF ITEMS

BYLAWS

Item	title	maker
01	USTCA = USTFCCCA	Roe
02	Exhibits reference	Roe
03	Association authority	Ferguson
04	Professional athlete.....	Farmer-Patrick
05	Association bylaws.....	Roe
06	Background screening	Roe
07	Delegate changes	Roe
08	Housekeeping title change.....	Koch
09	Elections under restructuring	Roe
10	Nominating constituency	Koch
11	HPD chair selection.....	Cannon
12	Divisional chairs under restructuring	Roe
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15	Committee election supervision	Koch
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21	Staff function as regards Foundation	Roe
22	General Competition to Grassroots	Koch/Roe
23	Membership of committee members.....	Murphy
24	HPD chair responsibilities	Cannon
25	HPD division executive committee.....	Cannon
26	Committee jurisdictions for 10k.....	Roe for LDR
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35	Amending L&L exceptions	Koch
36	Form of amendment submittals	Koch

REGULATIONS

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37	New membership language	Roe
38	Professional athlete membership	Farmer-Patrick
39	Single / multiple Association members	Koch
40	Suspension not part of Reg 15	Koch
41	Medical staff recruitment.....	Roe
42	Plan for staff recruitment in general.....	Roe
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44	Regulation 4 clean-up	Light
45	Officials' compensation and oversight	Melzer
46	Officials' compensation	Koch
47	Championships date issues.....	Hott
48	Selection of officials	Melzer
49	Residency rules for championships	Roe/Green
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51	Youth representation & residency.....	Brown
52	Terminology changes to representation	Koch
53	Revisions to Regulation 10	Hickman
54	Revisions to Regulation 11	Murphy
55	Non-compliance language for Reg 11	Murphy
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58	Revisions to Regulation 14	Murphy
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60	Bylaws and grievance procedures.....	Erwin
61	Association elections meeting notice.....	Koch
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EXHIBITS

Item	title	maker
66	Youth Track Coaches Association	Wissler
67	Revisions to Exhibit N	Murphy

Item 01..... Submitted by Bill Roe, President

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

Reason: *This is the new name of the organization.*

L&L recommendation: Needs discussion with legal.

Item 02..... Submitted by Bill Roe, President

Amend all references to exhibits to (see exhibits’ section of this handbook).

Reason: *Changes are too often missed.*

L&L recommendation: Housekeeping.

Item 03..... Submitted by Ken Ferguson, L&L Member

Amend Article 6, Associations, by adding a new paragraph E as follows:

E Association authority: Associations shall be limited to the authority delegated to them under these Bylaws and the Operating Regulations.

Reason: *Association Bylaws frequently “mirror” language from the national Bylaws without recognizing that Associations cannot usurp authority granted to USATF by the Sports Act and the USOC. This provision provides added “clarity” on this point.*

L&L recommendation: Needs discussion with Associations.

Item 04..... Submitted by Sandra Farmer-Patrick, AAC Chair

Amend Article 5 as follows:

Membership in USATF shall be open to any eligible individual, club, organization, national sports organizations, and other constituencies as described herein. The process for applying for membership is set forth in Regulation 1.

B Professional athlete: A USATF athlete who has, within the past two years, been ranked among the top twenty-five (25) in the world on the IAAF performance list and/or whose primary source of income is derived by virtue of participation in Athletics.

~~(B)~~**C** **Clubs/organizations:** *[no other change]*

~~(C)~~**D** **Associations:** *[no other change]*

~~(D)~~**E** **National sports organizations:** *[no other change]*

~~(E)~~**F** **Other constituencies:** The constituency of USATF shall also include the following organizations which are all listed in Exhibit C of these Bylaws:

1 **National Athletics organizations:** *[no other change]*

2 **National coaching organizations:** *[no other change]*

3 **Sports for the Disabled:** *[no other change]*

7 Professional Athletics Association: The organization established by, and to represent the interests of, the professional athletes within USATF.

Reason: To provide a voice within USATF for special interests and objectives of professional track and field athletes

L&L recommendation: Acceptable substantive amendment.

Item 05..... Submitted by Bill Roe, President

Amend Article 6, Associations as follows:

A Associations:

1 Association documents: *[no change to a-e]*

f **Bylaws:** Association bylaws that comply with the minimum content requirements of Regulation 15.

f))g **Other:** *[no other change]*

Reason: Many Association bylaws are unclear, incomplete and fall short of basic governance requirements leading to disruptive and unproductive disputes and grievance filings. Adding this language will also “signal” the importance of Association bylaw compliance and cross-reference that minimum requirements are contained in Regulation 15, as in Articles 6-A-2, 6-B-2, and 6-C.

L&L recommendation: Needs discussion with Associations.

Item 06..... Submitted by Bill Roe, President

Amend Article 6, Associations as follows:

D Background screening program: Associations shall participate in any youth coach/volunteer criminal background screening program approved by the Board and administered by the National Office.

~~(D)~~**E Association support from USATF:**

~~(E)~~**E Conflict of interest:**

Reason: A program has been approved by the Board and needs to be worked with on the Association level.

L&L recommendation: Needs discussion with Associations.

Item 07..... Submitted by Bill Roe, President

This is an open item so that Article 7 in particular can be the subject of restructuring changes in 2006.

Reason: I present this article as an open item without amendments to prepare for any requested changes by the USOC or High Performance Division. It will be tabled if it is determined that 2006 could hold such requests.

L&L recommendation: Table with other restructuring package items.

Item 08..... Submitted by Ed Koch, L&L Member

Amend Article 7-D by changing ~~((Member Services Committee))~~ to Organizational Services Committee.

Reason: Housekeeping.

L&L recommendation: Housekeeping.

Amend Article 9-F, voting in general elections, as follows:

F General elections: Contested elections shall be decided by the delegates at the annual meeting of USATF in the following manner:

1 Terms of office:

- a** ~~((Officers shall be elected for four year terms at the Annual Meeting in each year in which the Summer Olympic Games are held;))~~ An at-large Board member shall be elected in even-numbered years;
- b** An IAAF delegate shall be elected at the annual meeting immediately preceding the IAAF Congress held in conjunction with the World Championships held the year before the Summer Olympic Games. One (1) delegate and three (3) alternates shall be elected on the same ballot in accordance with the provisions in Article 22;
- c** IAAF Council, officer, and committee nominees shall be elected at the annual meeting immediately preceding the selection of such positions at the IAAF level in accordance with the provisions in Article 22; and
- d** Special elections may be held at any annual meeting upon approval of the Board;

2 Method of nominations:

- a Request:** At least one hundred twenty (120) days prior to the opening general session at any meeting of USATF where elections are to be held, the Nominations Subcommittee of the Organizational Services Committee shall send out a request for nominations to all members of the Board, all members of executive committees of all sport committees, the Associations Committee, and the Officials Committee, all members of administrative and developmental committees (except the Associations and Officials Committees), all presidents and secretaries of USATF Associations, and all officers and offices of constituent bodies listed in Exhibit C. Included in this mailing shall be a listing of the positions to be elected and a concise 500-word summary of any eligibility requirements of these Bylaws;
- b Nominators and seconders:** Each candidate may have up to a maximum of five (5) nominators. The nominations must be collectively seconded by at least ten (10) and no more than twenty (20) other members of those nominating constituencies listed in (a) above and include the written approval of the nominee;
- c Submittal:** Nominations shall be sent to the designated chair of the Nominations Subcommittee no later than sixty (60) days prior to the opening general session of the annual meeting. The subcommittee shall prepare a nomination report listing all eligible candidates in alphabetical order, without indicating preference, no less than thirty (30) days prior to the opening general session of the meeting. This report shall be circulated to all nominees and all nominating constituencies listed in (a) above, and shall be included in each delegate's packet. It shall contain a one-page biographical sketch prepared by each candidate, including his or her qualifications for the position; and
- d At the annual meeting:** Further nominations may be submitted to the registration desk prior to the scheduled start of the opening general session and must be on the standard nomination form. This requirement includes the ten (10) seconders;

3 Campaigning:

- a Speeches:** Nominating speeches shall only be permitted for the ~~((officer))~~ at-large Board member and IAAF Council nominations at the opening general session. Immediately following the close of all nominations, the chair of the Nominations Subcommittee shall call upon one (1) or two (2) nominator(s) to speak for each candidate for a period not to exceed three (3) minutes. If the candidate wishes to speak to his or her nomination, his or her time shall come from that allocation. Speeches for each position shall be called alphabetically;
- b Forums:** Prior to the election, USATF shall, through the Associations Committee, provide adequate forums for all candidates for all USATF-wide contested offices to be heard and questioned by delegates. A notice of any such general forum shall be posted twenty-four (24) hours in advance and such forum shall be available to such candidates or their representatives to be heard at the forum; and

- c **No recommendations:** Committees shall not make recommendations for general offices within USATF, except as provided in Article 22;

Reason: *This item is to allow for changes in voting contemplated by restructuring the Board.*

L&L recommendation: Table with other restructuring package items.

Item 10.....Submitted by Ed Koch, L&L Member

Amend Article 9-F-2-a as follows:

- a **Request:** At least 120 days prior ... the Nominations Subcommittee ... shall send out a request for nominations to all members of the Board, all members of ~~((executive committees of all sport committees, the Associations Committee, and the Officials Committee, all members of administrative committees (except the Associations and Officials Committee))~~ all USATF committees, councils, and Board committees,, all presidents and secretaries of Associations, and all officers and offices of constituent bodies listed in Exhibit C. ...

Reason: *This would broaden the nominating constituency a bit while simplifying the process which currently needlessly excludes some committee members.*

L&L recommendation: Needs general discussion.

Item 11.....Submitted by Lynn Cannon, Secretary

Amend Article 9-G-2 as follows:

- 2 **High performance division:** The divisional chair of the High Performance Division shall be ~~((selected by the chairs of the three sports committee of the High Performance Division, and the chair of the Athletes Advisory Committee and a member of the Athletes Advisory Committee of opposite gender selected by the athletes Advisory Committee. A meeting or conference call of these individuals shall be convened for this purpose by the chair of the Member Services Committee or his/her designee, after the above named individuals have been selected by their respective committees))~~ nominated by the President and Chief Executive Officer (with input from the Athletes Advisory Committee and the Coaches Advisory Committee) and approved by the Board of Directors.

Reason: *USOC support is documented in the Performance Partnership Agreement, which includes a High Performance Plan as outlined in the USOC Resource Allocation Process Policy. The Executive Director and the President are responsible for signing this document and the Executive Director is responsible for presenting and implementing this plan. Since the Executive Director and President are held responsible for the High Performance Plan, he/she at should have the authority to nominate those key individuals who will help coordinate the organization's volunteer components that will assist in implementing the plan. The High Performance plan is to be athlete centered and coach driven. The role of the AAC and the CAC is to provide advise to the organization from the perspective of athletes and coaches respectively therefore their input in the selection of the HP Chair is also appropriate.*

L&L recommendation: Reject as unacceptable substantive change.

Item 12..... Submitted by Bill Roe, President

Amend Article 9, "Voting," paragraph G, "USATF divisional chairs and committee chairs' elections," as follows:

- G **USATF divisional chairs ~~((and committee chairs'))~~ elections:**
 - 1 **Long distance running division:** The members of the long distance running division, which shall include the voting members of the three committees and the three councils, shall elect its divisional

chair. This election shall be conducted by balloting at the same time as the general election. An individual shall only be eligible to be a candidate in a division if he or she is a member of one of the three committees within the division. ~~((If a candidate is a member of more than one sport committee in the division, he or she must designate one committee only on the nominating form.))~~ Nominators and seconders must be within the division. ~~((After the election of the divisional chair of the long distance running division, the committee from which the divisional chair was elected shall meet to elect its chair. The other two committees shall each meet to elect their respective Board representatives of USATF and shall then elect their chairs. A divisional chair or other board representative may or may not also be elected as chair of a committee));~~

2 **High performance division:** *[no change]*

3 **General competition and administrative divisions:** The President shall designate a divisional chair of the General Competition Division. ~~((The chairs of the three (3) committees of the division shall each serve as a Board representative.))~~ The USATF Secretary shall oversee the administrative division; and

4 Term limits: No person shall serve as a chair of a division for more than eight (8) years without a period away from that position.

And further, amend Article 14, "High Performance Division," paragraph B, "Divisional organization," as follows:

B Divisional organization:

1 **Divisional chair:** This division shall have a chair, who shall be elected in accordance with the provisions of Article 9-H. The chair shall be responsible for the maintenance of a High Performance Plan in cooperation with the National Office. This plan shall provide strategic direction for USATF towards the goals of maximizing the performance of USA athletes in international competition in Olympic events in Athletics. The chair shall report to the Board annually about the content and progress towards implementing the High Performance Plan. The chair shall have the responsibility to coordinate the activities of the High Performance Division for the purpose of implementing the approved High Performance Plan;

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

3 **International Staff**~~((Selection Subcommittees))~~: All of the coaching, managerial and other nonmedical and non-media staff for the Olympic Games, IAAF World Outdoor Championships in Athletics, and Pan American Games shall be screened and selected by the Men's or Women's International Staff Selection Subcommittees, as outlined in Regulation 3. All other international staff, including Youth and Masters, shall be selected in accordance with selection procedures approved by the High Performance chair.

Reason: *The High Performance Chair is one of the most critical positions in the federation, and a broader group of selectors is desired for its selection. As well, there are a couple of pieces missing from the operation of the staff selection puzzle.*

L&L recommendation: Table with other restructuring package items.

Item 13..... Submitted by Ed Koch, L&L Member, and Bill Roe, President

Amend Article 9-F-4 as follows:

4 **Election Procedures:**

a **First Round:** The Organizational Services Committee ~~((and))~~ assisted by the national staff shall open first-round balloting by 7:00 a.m. on the day prior to the second general session of the annual meeting and allow ballots to be cast until ~~((10 a.m.))~~ Noon that day.

- b **Results:** First Round Results Ballots shall be counted.... The first round results shall be posted at ~~((11 a.m.))~~ 1 p.m. or as soon as possible ...
- c **Second round and results:** Run –off election balloting if necessary shall open in a secure voting location by ~~((12:00 Noon))~~ 2 p.m. and casting ballots shall be allowed until ~~((2 p.m.))~~ 6 p.m. that day. The Organization Services Committee shall exercise its best efforts to have complete results available ... on or before ~~((3 p.m.))~~ 7 p.m.
- d *[no change]*
- e **Protests:** Protests may be made within one hour One of the three (3) protest members shall be from the ~~((Organization Services))~~ Law & Legislation Committee, and at least one from a list provided by the Athletes Advisory Committee, ... The Protest Panel and alternates shall be appointed at least thirty (30) days prior to the elections. All candidates shall be notified of the appointments and may submit challenges to a panelist or alternate in a manner similar to challenges to NABR panelists (see Regulation 11-I).
- f *[no change]*

Reason: Now that there is only one Vice President and no at-large Board members, it is very rare to have a third round. By elimination a third round in the election day schedule, it is possible to lengthen the time for voting in the first two rounds to the benefit of the voters. The protest panel should not include a member of the Organization Services Committee, since that committee conducts the election and can therefore be an interested party.

L&L recommendation: Acceptable substantive amendment.

Item 14..... Submitted by Ed Koch, L&L Member, and Bill Roe, President

Amend Article 9-F-4 as follows, by conducting a third round by either of two methods:

OPTION 1

- d **Third round:** If a third Round: If a third round of balloting is necessary, it shall be conducted ~~((on the same day as the second round from 4 PM to 6 PM...))~~ at the second general session. Results shall be posted ...

OPTION 2

- 5 ~~((Third round: If a third round of balloting is necessary, it shall be conducted on the same day as the second round from 4:00 p.m. until 6:00 p.m. Results will be posted at several meeting locations, including the registration center as soon as possible after voting is concluded;~~
- Majority requirement:** ~~((Except for the positions of IAAF and USOC alternate delegates, n))~~ No candidate shall be declared to have won an election in the first ~~((two))~~ valid round~~((s))~~ without receiving votes from a majority of the ballots cast for the position in question. The second round voting shall employ preference balloting where necessary to produce a result. The procedure for election is:
 - a **Voting:** Each voter shall be permitted to vote for as many candidates as there are positions to be filled in first-round balloting;
 - b **Majority:** Positions shall be filled when a candidate has received votes from a majority of the ballots cast, including balloting using preference balloting;
 - c **Runoff:** Remaining positions will be filled by a run-off election in which there shall be a choice of candidates double the number of remaining positions, plus any and all candidates tied for the last qualifying position;
 - 7 d **Advancement:** The candidates in the run-off election shall be those candidates who received the highest number of votes in the previous round of balloting without being elected; and ~~((Plurality: After two rounds of voting, a plurality of the votes cast is sufficient to elect candidates in the following round.))~~ Preference balloting: The system commonly called preference balloting will be used in the second round of voting in order to assure a decision. In this system, each voter shall rank all remaining candidates, and voting shall be determined as if multiple rounds have been held.

Reason: Two alternatives to consider.

L&L recommendation: Needs general discussion.

Item 15.....Submitted by Ed Koch, L&L Member

Amend Article 9-H as follows:

- 1 **Supervision:** The Organizational Services shall have the authority to appoint a three-person panel for each committee holding elections This panel shall establish the roster of eligible voters, shall adjudicate all issues regarding ~~((delegate))~~ credentials, ~~((may conduct the elections when requested, shall verify the posting of the notice of elections for that committee and shall intervene when requested by any ten (10) committee members))~~ and shall supervise all aspects of the committee elections process.
- 2 ~~((Requests for assistance: Committee chairs who anticipate the need for Organizational Services Committee assistance ... shall notify .. so there is appropriate time to appoint a three person panel.))~~ **Scheduling:** The Committee Chair shall notify the Organizational Services Committee chair no later than October 1 of the preferred time and date during the annual meeting to conduct the committee election. If there are conflicts among the times and dates preferred by the different committees for elections, the Board shall make the make the final determination of the committees' election schedule.

Reason: *All committee elections should have the appearance of being run impartially and scheduling conflicts need to be avoided.*

L&L recommendation: Needs discussion with all committees.

Item 16..... Submitted by Bill Roe, President

Amend Article 9-H, committee elections, as follows:

- H Committee elections:** The following are general rules for committee elections:
 - 1 **Supervision:** The Organizational Services Committee shall have the authority to appoint a three-person elections panel for each committee holding elections, none of whom shall be a voting member of that committee and at least one (1) of whom must be an Active Athlete not involved in the discipline of the committee. This panel shall consult with the chair of each committee or his/her designee (e.g. an elections chair) prior to the beginning of the elections process (including nominations). This panel shall establish the roster of eligible voters, shall adjudicate all issues regarding delegate credentials, shall supervise the elections process, may conduct the elections when requested, shall verify the posting of the notice of elections for that committee, and shall intervene in an election when requested by any ten (10) committee members;
 - 2 **Requests for assistance:** Committee chairs who anticipate the need for the Organizational Services Committee assistance in conducting an election should notify the Organizational Services chair in advance of the annual meeting so that there is an appropriate time frame to appoint the three-member panel. In cases where the chair does not request assistance, but supervision is desired by one or more members of the committee, any five (5) members of the committee may also may such a request for assistance;
 - 3 **Procedures:** Written guidelines for committee elections shall be prepared and updated by the Organizational Services Committee as approved by the Law & Legislation Committee;
 - 4 **Posting:** All elections shall take place at a predetermined time which shall be posted for at least twenty-four (24) hours prior to the election. If nominations must be made in a session of the committee prior to the session in which the election is held, the nomination session must also be posted twenty-four (24) hours prior to the nominations. No committee elections shall be held on the day designated for general voting by the entire body of USATF;
 - 5 **Ballots:** Written ballots shall be used for all contested elections;
 - 6 **Runoffs:** Run-off elections shall be conducted in accordance with the majority requirement (see paragraph F-5 above);
 - 7 **Voting eligibility:** Regardless of internal committee rules, only those members of a committee set forth by the Bylaws of USATF as bona fide members or their properly registered alternates shall be

eligible to vote (see Articles 13-17 and Exhibit E). Such members must be credentialed by the panel from the Organizational Services Committee prior to the nominations, and again prior to the actual election if held in a different session. Where possible, voting members of a committee shall sit separately from non-members for ease of the conduct of voting, such division to be administered by the supervising group from Organizational Services; and

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

Reason: *There are reasons to change our voting process, including the issues brought on by recent committee elections. This item will be subject to discussions by the Elections Task Force.*

L&L recommendation: Needs discussion with all committees.

Item 17 Submitted by Bill Roe, President

Amend Article 10, "Officers and Their Duties," as follows:

- A Positions:** The officers of this national governing body shall be a President, ~~((Vice President,))~~ Secretary, and Treasurer. No individual may be an officer of USATF who is also an officer of another national governing body.
- B Duties:** The officers shall perform the following duties as well as any other duties prescribed by these Bylaws, USATF, or the Board:
- 1 President:** The President shall:
- a-d** [no changes];
- 2** ~~((Vice President: The Vice President shall perform duties assigned by the President and Board. In the temporary absence of the President from a meeting, the Vice President shall serve as acting chair;~~
- 3)) Secretary:** The Secretary shall keep or cause to be kept all records of USATF, and all minutes of meetings of USATF and its Board, and, in general shall perform all duties normally pertaining to the office of Secretary. In addition, the Secretary shall serve as liaison to the administrative division of committees; and
- ~~((4))~~ **3 Treasurer:** The Treasurer shall:
- a-f** [no changes]
- C Election:** All officers are to be elected for ~~((four (4) years at each annual meeting of USATF following the Summer Olympic Games. No person may contest more than one (1) officer position during an election))~~ a two-(2)-year term at its last meeting in even numbered years by and from the fully-constituted membership of the Board. A person may not hold the office of President and any other officer position; however, ~~((a person may be named in other dual capacities to fill a vacancy))~~ the Board may determine that the positions of secretary and treasurer shall be held by a single individual.
- D Limitation on terms:** No person shall serve in an officer position for more than ~~((two (2) four-))~~ one (1) two-(2)-year term~~((s))~~ without a period away from that position.
- E Succession and vacancies:** There shall be no order of succession to any office. In the event the Board determines that an officer is temporarily unable to serve, it may, in its sole discretion, name another ~~((officer))~~ member to fill the vacancy~~((temporarily))~~. In the event an officer resigns or is permanently unable to serve, the Board shall name a successor ~~((until the following annual meeting, subject to the limitation in paragraph C above, at which time a special election shall be held for the unexpired portion of the term)).~~

F Removal from office: Any officer of USATF may be removed for good cause by a two-thirds vote of ~~((those delegates of USATF present and voting at an annual))~~ the Board at a regular meeting or special meeting called for this purpose, and provided the requisite notice for such meeting (see Article 9) shall properly set forth the removal vote on its agenda.

Reason: *As part of the Board restructuring.*

L&L recommendation: Table with other restructuring package items.

Item 18..... Submitted by Bill Roe, President

Amend Article 11, "Board of Directors," as follows:

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

A Composition: The Board shall be composed as follows:

- ~~((1 **Voting members:** The voting membership of the Board shall be as follows:~~
- ~~a The officers of USATF, including the immediate past president (5 persons);~~
- ~~b The three (3) sport chairs of the High Performance Division;~~
- ~~c The three (3) sport chairs of the Long Distance Running Division;~~
- ~~d Three (3) representatives of the General Competition Division (the three committee chairs);~~
- ~~e The chair of the Officials Committee (1 person);~~
- ~~f The IAAF Council member from the U.S.A. (1 person);~~
- ~~g A coach elected by and from the Coaching Advisory Committee (1 person);~~
- ~~h A representative from each of the sports organizations which conduct a national program or a regular national competition in Athletics, on a level of proficiency appropriate for the selection of eligible athletes to represent the United States in international Athletics competition, as described in Article 5-D. Current members are listed in Exhibit C (currently 6 persons); and~~
- ~~i At least twenty percent (20%) of the membership must be Active Athletes, named by the Athletes Advisory Committee, and shall consist at a minimum of the officers of USATF's AAG and the USOC Athlete's Advisory Council member and alternate member (currently 6 persons);~~
- ~~2 **Chair and Secretary:** The President of USATF shall serve as chair and the Secretary as secretary; and~~
- ~~3 **Non-voting members:** The chair of the High Performance and Long Distance Running Division shall be non-voting members of the Board, but shall serve as an alternate voting member in place of any chair of the three sport committees of the High Performance and Long Distance Running Division, respectively who may be absent from any Board meeting.))~~
- 1 Three (3) members chosen from nominees from its international athlete constituents;
- 2 Three (3) members chosen from nominees from the public sector and Article 5-D members;
- 3 Three (3) members chosen from nominees from the various divisions of USATF who specific skill sets and credentials (international athlete, Level III coach, etc.);
- 4 Three (3) members elected by and from the general members of the federation; and
- 5 The IAAF Council member from the U.S.A. If no U.S.A. member sits on the IAAF Council, then the elected delegate to the IAAF Congress shall serve in this capacity.

B General provisions:

- 1 Fiduciary responsibility:** The Board shall manage and supervise the affairs of USATF and perform those duties specified in these Bylaws and the Operating Regulations;
- 2 Meetings of the Board:** The Board may conduct its affairs either at an meeting or by a conference call. It shall hold quarterly in-person meetings during each year as called by the President. Additional meetings may be called by the President or upon the written request of any ~~((ten (10))~~ three (3) members of the Board, and if by the latter group, only after a minimum prior notice of five (5) days to the President of such intent by facsimile or e-mail. In all cases where meetings are held in-person, individuals who cannot attend the meetings may participate fully by conference call. At least fourteen (14) days notice of any in-person meeting and at least forty-eight (48) hours notice of any conference

call shall be given to all members of the Board. After the members of the Board have called for a meeting, the President shall have twenty-four (24) hours to determine the venue and make appropriate notice to the remainder of the Board. For any meeting, notice may be waived by unanimous consent; written notice shall include the minutes of the previous meeting. In addition, all committee chairs, past presidents, and IAAF delegates and committee members shall receive both notice and minutes of every meeting, and may attend at their own expense, except when the agenda requires that person's attendance; and

3 Board resolutions: The same provisions for general resolutions apply to Board resolutions (see Article 8-H).

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.))~~

1 Election: Three (3) members of the Board shall be elected by and from the general membership of the federation according to Article 9, one in each even-numbered year at the Annual Meeting. The IAAF Council member from the USA shall be a member of the Board, nominated in accordance with Article 9 and elected by the IAAF Congress. In case the nominee from the USA is not elected by the IAAF, the elected delegate to the IAAF Congress shall serve on the Board.

2 Selection: Except in the case of the at-large elections from within the federation and the IAAF Council member from the USA, the members of the Board shall be selected from nominations provided by specific membership groups to the Board Selection Committee:

a Public sector nominations: Any five (5) USATF members or any three (3) members of national sports organization members of USATF may nominate a person who, prior to their nomination, has not been a part of the governance structure for a minimum of two (2) years. At the Annual Meeting in even-numbered years, the nominations shall be considered for all open seats in the public sector category by the Board Selection Committee.

b Athlete nominations: Any international athlete member of USATF may nominate someone, such nominees to be reduced to a maximum of three (3) athletes per open seat by vote of the AAC. At the Annual Meeting in even-numbered years, the nominations shall be considered for all open seats in the athlete category by the Board Selection Committee.

c Divisional nominations: Any five (5) USATF members may nominate a person who, prior to their nomination, has been a part of the High Performance Division, the Long Distance Running Division, or the General Competition Division for a minimum of two (2) years. At the Annual Meeting in even-numbered years, the nominations shall be considered for all open seats in the public sector category by the Board Selection Committee.

d Board Selection Committee: The Board Selection Committee shall be composed of five (5) members, none of whom may be considered as potential members of the Board without a minimum of two (2)-years away from the Committee:

i One (1) member selected by and from the past presidents of USATF;

ii One (1) member selected by and from the past chairs of AAC;

X One (1) member selected by and from the representatives of all national sports organization

iv One (1) member selected by and from the Coaches Advisory Committee; and

v One (1) member selected by and from the USATF Ethics Committee.

e Selection process: The Board Selection Committee shall gather all nominations for all open positions and consider race, ethnicity, gender, discipline, and general personal attributes as it selects a well-rounded, business-oriented Board whose members collectively will have the capability of providing the policy-making and financial leadership of the federation. The internal operating methods used by the Committee shall be solely within its own discretion.

f Independence of members: Upon selection to the Board, any person holding any elective or appointed position within USATF must resign such position.

D Terms: The term for Board members ~~((which is not otherwise set by their terms of office))~~ shall be ~~((the four (4) years of the Olympiad and))~~ a single six- (6-) year term which shall commence at the conclusion of the annual meeting ~~((in each Summer Olympic Games year))~~ during which s/he is chosen.

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

F 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.

G Mail balloting: As ordered by the President on his/her own initiative or upon authorization by a majority vote at a duly convened meeting, the Board may conduct a vote through the distribution and/or collection of ballots using the U.S. Postal Service, facsimile, e-mail, or any other service that may be authorized. The procedure and subject matter for such a vote shall be set forth in the authorizing resolution.

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

I Expulsion: Failure to participate in two (2) consecutive meetings may, by a two-thirds (2/3) vote of the Board members attending, cause reprimand or expulsion of the member or representative. ~~In the case of Article 5-D national sports organizations, the sports organization's president and office will be notified and asked to name a replacement.~~

J Board Information Group: The Board Information Group shall consist of the Board, all division, committee, and council chairs, all USATF members currently serving on committees and commissions of the IAAF and USOC, and the most recently retired member of the Board in each position. The Board Information Group shall receive notice of all Board meetings, and be permitted access to the meetings at their own expense (there shall be limitations on the use of USATF budget money to attend Board meetings, with the exception of the four Divisional chairs, the chair of CAC, and the AAC.)

K Transition Board composition: For the initial transition to a smaller Board, the following shall take place on or by December 31, 2006:

- 1 All-federation members: The Board Selection Committee shall determine which of USATF's current national officers shall occupy a two (2)-year term, a four (4)-year term, and a six (6)-year term. The remaining officer shall be considered in the pool for the divisional members, so long as he or she meets the requirement of C-2-c above.
- 2 Athlete members: The Board Selection Committee shall determine which of USATF's six current athlete Board members shall occupy a two (2)-year term, a four (4)-year term, and a six (6)-year term. The remaining athlete members shall be considered in the pool for the divisional members, so long as they meet the requirement of C-2-c above.
- 3 Public sector members: The (3) members chosen to represent the public sector will be considered in accordance with C-2-a above, and the nomination pool shall include the six 5-D representatives currently on the Board;
- 4 Divisional members: The remaining members of the current Board shall all be considered in the pool for selection by the Board Selection Committee, which shall occupy a two (2)-year term, a four (4)-year term, and a six (6)-year term; and
- 5 Full term: The term limitation of one six-year term shall not apply to Board members initially nominated to a two (2)-year or four (4)-year term. Those members shall be eligible for a full six-year term.

Reason: *Our current Board has several flaws. While it is democratic, it is too large, and no scheme for paring down the Board by eliminating only some of the current members preserves a balance to the new arrangement. An independent Board model is preferred by experts in the field, and a smaller Board will enable more concentration on policy and strategic planning, and less on consideration of narrowly-focused purposes and missions.*

L&L recommendation: Table with other restructuring package items.

Item 19..... Submitted by Alan Kolling and Cliff Wiley, L&L members, for the High Performance Division

Ammend Article 11, "Board of Directors," as follows:

ARTICLE 11
BOARD OF DIRECTORS AND ADVISORY COUNCIL

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

~~((A))~~ **1 Composition:** The Board shall be composed of as follows:

~~((Delete all of the remaining current language under A))~~

- a The Chair of the Athlete’s Advisory Committee;
- b The Vice-Chair of the Athlete’s Advisory Committee;
- c Two Active Athletes elected by the Athlete’s Advisory Committee;
- d The IAAF Council Member from the United States. *Note: needs some language about what we do if we don’t have a member;*
- e The Chair of Women’s Track and Field;
- f The Chair of Men’s Track and Field;

- g The Chair of either the Long Distance Running Division or the Race Walking Committee, rotated each year; the other shall be ex-officio without a vote the year that they are not a voting member;
- h The Chair of the High Performance Division;
- i A member elected by the General Competition Division. *Note: need to add Officials to this division; and*
- j Two public Sector Members chosen by the other members of the Board. *Note: at the initial meeting of the Board, one of the Public Sector Members will be elected for a four year term, and the other for a two year term.*

2 Chair and Secretary: The Chair and Secretary shall be selected by the Board.

3 General provisions: *[no change and reorder letters]*

B Advisory Committee:

1 Composition: Include as voting members all but b) the three sport chairs of the High Performance Division, f) the IAAF Council Member.

2 General Provisions: *THEY NEED TO WRITE THIS UP*

a What they are going to do – make recommendations to the Board, work together to enhance competition opportunities for non-elite athletes; etc.

b Maybe something about a business plan and how they can raise and spend money.

Reason: *To provide language for consideration for restructuring.*

L&L recommendation: Table with other restructuring package items.

Item 20.....Submitted by Scott Erwin, L&L Member, for the Associations Executive Committee

Amend Article 11-A as follows:

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

~~((delete the remainder of the section and replace as follows:))~~

- 1 The four officers of USATF;
- 2 The three Division chairs;
- 3 Two representatives elected by the membership from the sports organizations which are described in Article 5-B-1;
- 4 Two individuals, nominated and elected by the membership who are not affiliated with any particular USATF constituency but who have appropriate experience or expertise in business, sports, or not for profit organizations outside of USATF; and
- 5 The four officers of the Athlete’s Advisory Council.

Reason: *To provide an alternative for discussion, contemplating that there will be other proposals to shrink the size of the board.*

L&L recommendation: Table with other restructuring package items.

Item 21..... Submitted by Bill Roe, President

Amend Article 12, "National Staff," paragraph B-8, Staff activities-fund raising, as follows:

- 8 Fund raising:** ~~((C))~~ Assist the USATF Foundation in the conduct of fund raising programs ~~((for USATF as approved by the Board))~~ to benefit the sport;

Reason: *USATF no longer initiates its own Foundation activities.*

L&L recommendation: Acceptable change to reflect current practice.

Item 22..... Submitted by Ed Koch, L&L Member, and Bill Roe, President

Amend Article 13, "Committees," Article 16, "General Competition Division," and elsewhere to change the title of the ~~((General Competition Division))~~ to the Grassroots Division .

Reason: *More descriptive.*

L&L recommendation: Needs discussion with the division committees.

Item 23..... Submitted by Jim Murphy, L&L Chair

Amend Article 13-B, Committees general provisions, as follows (renumber the remaining paragraphs):

- B General provisions:** The following provisions apply to all of USATF's committees:
7 USATF membership: In order to participate as a USATF committee member, an individual must be a member of USATF;

Reason: *To require that individuals participating in and making decisions for, USATF be members of this organization. Budget impact: positive!*

L&L recommendation: Table with other restructuring package items.

Item 24..... Submitted by Lynn Cannon, Secretary

Amend Article 14-B-1-a as follows:

- 1 Divisional chair:** This division shall have a chair, who shall be elected in accordance with the provisions of Article 9-F. The chair shall be responsible for ~~((the maintenance of))~~ coordinating the activities of the volunteer committees within the High Performance Division for the purpose of assisting staff with a High Performance Plan. This plan shall be drafted and implemented by USATF staff, and shall provide strategic direction for USATF towards the goals of maximizing the performance of USA athletes in international competition in Olympic events in Athletics. The chair shall report to the Board, the Athletes's Advisory Committee, and the Coaches Advisory Committee annually about the content and progress towards implementing the High Performance Plan. ~~((The chair shall have the responsibility to coordinate the activities of the High Performance Division for the purpose of implementing the approved High Performance Plan.))~~

Reason: *This clarifies current practice by delineating the role of staff and volunteers relative to the High Performance Plan. The activities within this plan are primarily funded by USOC and this delineation is consistent with the expectations of the USOC.*

L&L recommendation: Table with other restructuring package items.

Item 25.....Submitted by Lynn Cannon, Secretary

Amend Article 14-B-2-a as follows:

- 2 Divisional executive committee:** The members of the executive committee shall consist of the divisional chair, the three (3) divisional sports committee chairs, [the Chair of the Coaches Education Committee or designee](#), [the Chair of the Sports Medicine & Science Committee or designee](#), the two Development Chairs or their representatives, the AAC Chair or designee, and two additional athletes, at least one of whom shall be an LDR athlete. The divisional chair shall also chair the executive committee. The divisional executive committee shall ~~((be solely responsible for establishing policy regarding the creation and maintenance of the High Performance Plan, and establishment of funding priorities))~~ [provide input to staff regarding the High Performance Plan and shall serve to enhance the coordination of the committees within the division](#). The executive committee shall meet periodically on and in-person or teleconference basis. Nothing defined in this section shall be construed to limit the authority of the three (3) divisional sports committees from carrying out their independent responsibilities, as defined elsewhere in the Bylaws and Operation Regulations.

Reason: *The High Performance Plan is to be “science-based and coach-driven.” The chairs of Coaches Ed and Sports Medicine & Science are the only committee chairs within the division that have been excluded from the executive committee. If our programs are to be indeed science-based and coach-driven, it seems reasonable to include them at this level. The second part clarifies the role of staff and volunteers regarding the High Performance plan – consistent with USOC expectations.*

L&L recommendation: Reject as unacceptable substantive change.

Item 26..... Submitted by Bill Roe, President, for the LDR Division

Amend Article 14, “High Performance Division,” paragraph C-2, “Committee definitions,” as follows:

- 2 Committee definitions:**
 - b Jurisdiction:**
 - i Men’s Track & Field:** Indoor and outdoor track & field activity for junior and open men, not including track races of greater than ~~((10,000))~~ [5000](#) meters;

ii **Women's Track & Field:** Indoor and outdoor track & field activity for junior and open women, not including track races of greater than ~~((10,000))~~ 5000 meters; and

And further amend Article 15, "Long Distance Running Division," paragraph C-2, "Committee definitions," as follows:

2 Committee definitions:

b Jurisdiction:

- i **Men's Long Distance Running:** Off-track running at all distances and track running at distances over ~~((10,000))~~ 5000 meters;
- ii **Women's Long Distance Running:** Off-track running at all distances and track running at distances over ~~((10,000))~~ 5000 meters; and

Reason: *The development of 10,000-meter runners is much more closely associated with LDR programs than track & field programs, and most of the activities of elite 10,000-meter runners are within the LDR Division, as opposed to the Track & Field committees (cross country, road runs, and marathon.) This remains, however, a high performance activity through the Joint Development Group*

L&L recommendation: Reject as unacceptable substantive change.

Item 27..... Submitted by Bill Roe, President

Amend Article 14-E-2, "High Performance Division -- Men's Development and Women's Development," as follows:

2 Men's Development and Women's Development:

- b Makeup:** Members who, unless hereinafter specified to the contrary, shall be appointed by the divisional chairs of High Performance and Long Distance Running and the chair of AAC, with the approval of the President. The chair of each sport committee shall be responsible for selecting its development committee representatives and/or event chairs for the discipline(s) under its purview:

Reason: *First, the AAC chair should have the right to be involved here. Secondly, the reference to sport committees is incomplete.*

L&L recommendation: Needs discussion with AAC and the division chairs.

Item 28..... Submitted by Kevin Lucas,

Amend Article 15, "Long Distance Running Division," by deleting the current text of the Road Running Technical Council and replacing it with the following (consider all underlined):

- 7 a Duties and responsibilities:** Thru each USATF Association the council shall:
 - i Manage the national program of accurate road course measurements and certification;
 - ii Maintain the national list of "active" and "archived" certified courses, both online thru the USATF Certified Course Search Engine and a hard copy library;
 - s Adopt and implement a system to grade and certify road course certifiers and measurers;
 - iv Train and supervise individual association road course certifiers and measurers;
 - v Provide technical information and advice to assure that rules relating to course measurement and certification are enforced;
 - vi Assist the Records Committee and RRIC by providing current information as to race course certification status;
 - X Assist the RRIC by providing record validation measurers as necessary; and
 - viii Maintain regular communications with all interested parties nationally and with technical counterparts in international federations;

7 **b** **Makeup:** The Council shall consist of members nominated by each Association and selected by Sports and Associations Committees:

 i **Elected chair:** The person elected from and by nominees made by each Association;

- ii Elected vice-chairs: Two persons elected from and by the nominees made by each Association;
- iii Sport committee members: One representative each from the Women’s LDR, Men’s LDR, and Masters LDR;
- iv Associations committee members: Three representatives from each Associations; and
- v Athletes: At least twenty percent (20%) of the council shall be active athletes selected by active athlete delegates to USATF; and
- c Implementation: Individual Associations shall implement all aspects of the Road Running Technical Council and the USATF Course Certification Program.

Reason: *This amendment supports the USATF's ongoing efforts to service and broaden the relationship to the sport in accord with our charter's purpose and duties.*

L&L recommendation: Needs discussion with the LDR community.

Item 29..... Submitted by Bill Roe, President

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

E Coaches Advisory Committee:

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

Reason: *Organizational changes reflected in the makeup of the Committee (does not change the number of members).*

L&L recommendation: Needs discussion with Organizational Services and Legal.

Item 30..... Submitted by Bill Roe, President

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

E Coaches Advisory Committee:

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

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

L&L recommendation: Table with other restructuring package items.

Item 31..... Submitted by Sandra Farmer-Patrick, AAC Chair

Amend Article 17, Administrative Division as follows

- A Administrative division constituency:** This division consists of the following operating committees:
- | | |
|----------------------------|-------------------------|
| Athletes Advisory | Organizational Services |
| Athletics for the Disabled | Officials |
| Coaches Advisory | Records |

In order to participate as a member of a USATF operating committee, an individual must be a member of USATF.

B Reporting: The eight (8) committee chairs of this division report to the USATF Secretary.

Reason: *A basic constituency issue which continually comes up.*

L&L recommendation: Acceptable substantive amendment.

Item 32..... Submitted by Sandra Farmer-Patrick, AAC Chair

Amend Article 17, Administrative Division as follows

C Athletes Advisory Committee:

1 Duties and responsibilities: The committee shall:

7 a Policy advice: Serve, along with the Professional Athletics Association, as a source of reference, opinion, and advice to the officers, National Office, Board, and all national and Association committees with regard to current or contemplated policies of USATF and in all matters relating to athletes and athlete's rights;

b-d *[no change]*

7 e Performance: ~~((A))~~In conjunction with the Professional Athletics Association, assist athletes in achieving maximum performance in Athletics competition;

2 Makeup: The committee shall consist of one (1) male and one (1) female Active Athlete in each of the following categories:

a-k *[no change]*

NOTE: Only athletes with a current USATF athlete membership can be elected to the AAC, hold office, or vote(~~(-, or in any way represent athletes)~~).

Reason: *To acknowledge the role of the Professional Athletics Association as a voice for professional track and field athletes, as distinct from all AAC athletes. To require that individuals participating in, and making decisions for, USATF be members of this organization.*

L&L recommendation: Needs discussion with AAC and formation of the PAA.

Item 33..... Submitted by Ed Koch, L&L Member

Amend Article 17-F-1. "Law & Legislation," as follows:

1 Duties and responsibilities: The committee shall:

a-b *[no change except to remove the "and" after 'a']*

c Panels: have its members serve on protest and election panels as required by the bylaws and regulations;

d Review: Review legal and legislative matters as requested by the General Counsel and Counsel to the Board; and

7 e Other duties: perform such other duties as requested by the President or the Board.

Reason: *To reflect current practice.*

L&L recommendation: Acceptable substantive amendment.

Item 34..... Submitted by Bill Roe, President

Amend Article 21, "Opportunities to Participate in Certain International Athletic Competitions," paragraph A, as follows:

A Opportunity to ~~((compete))~~participate: USATF, its Associations and sports organizations recognized by USATF may not deny or threaten to deny any eligible athlete, coach, trainer [and other medical support staff](#), manager, administrator, or official the opportunity to participate in the Olympic Games, the Pan American Games, world championship competition, or other such protected competitions as defined in the USOC Constitution from time to time, nor may USATF, its Associations, or sports organization members, subsequent to such competition, censure or otherwise penalize (1) any such person who participates in such competitions, or (2) any organization which the person represents. USATF shall, by all lawful means at its disposal, protect the right of a person representing the United States in any of the aforesaid competitions. Any eligible athlete, coach, trainer, manager, administrator, or official who alleges that he or she has been denied an opportunity to participate in Athletics competition shall be entitled to fair notice and opportunity for a hearing pursuant to Article 19 and Regulation 11.

Reason: *There are far too many committees and groups which are not conducting fair and open processes for the selection of team staff, and we need to include medical staff to be fair here.*

L&L recommendation: Acceptable substantive amendment.

Item 35.....Submitted by Ed Koch, L&L Member

Amend Article 26-D-1 as follows:

- 1 **Time of submission:** Amendments shall be submitted at least [ninety \(90\)](#) days prior to the meeting at which they are to be considered, so as to allow proper review and submittal to the members of USATF. This ninety (90) day requirement may be waived [at the discretion of the Law & Legislation Chair and if proper notice of the item may still be submitted to the members of USATF as required by Paragraph A above, or](#) in emergency circumstances, upon a ninety percent (90%) vote at any meeting of USATF;

Reason: *Provides flexibility without any harm being done.*

L&L recommendation: Acceptable substantive amendment.

Item 36.....Submitted by Ed Koch, L&L Member

Amend Article 26-D-4:

- 4 **Form of submission:** [The Law & Legislation Chair may request, but not require, that the amendments be submitted in a particular electronic form.](#) The proposed amendments shall be in such form as to show ...

Reason: *To clarify the correctness of electronic submissions.*

L&L recommendation: Acceptable substantive amendment.

Item 37..... Submitted by Bill Roe, President

Amend Regulation 1, "Membership," as follows:

- F **Dues and fees:** [Dues and fees for all categories of membership are under the sole control of the Board. Dues and fees for individual members and club organizations shall be proposed annually by the National Office, with input from the Associations Committee and USATF's Associations. Dues and fees for national sports organizations and other constituent members shall be proposed by the National Office, with input from the Organizational Services Committee. The Board shall approve dues and fees for the coming budget year before the Budget Committee presents a budget to the Annual Meeting for approval.](#)

G Suspension and expulsion: [no change]

~~(G)~~H Delinquency: [no change]

Reason: This was not clearly stated anywhere I could find in the Bylaws or Regulations.

L&L recommendation: Needs discussion with Associations, Youth, and other committees with large member populations.

Item 38..... Submitted by Sandra Farmer-Patrick, AAC Chair

Amend Regulation 1, Membership as follows:

B Professional athlete membership: Any athlete who has, within the past two years, been ranked among the top twenty-five (25) in the world on the IAAF performance list, and/or whose primary source of income is derived by virtue of participation in the sport of track and field, may apply for this enhanced athlete membership package. Professional athlete members of USATF will receive a “platinum” membership card for an enhanced membership fee, which will entitle the athlete to membership in both USATF and the Professional Athletics Association. The professional athlete membership program shall be administered through the Elite Athlete Programs department of the USATF National Office.

And re-letter the remainder of the paragraphs.

Reason: To provide a voice within USATF for special interests and objectives of professional track and field athletes. Budget Implications: The cost of providing enhanced services to professional track and field athletes will be funded, in part, through: (a) excess membership fee; (b) allocation of funds through USATF budget process; (c) USOC funding; and (d) other sources as negotiated by PAA.

L&L recommendation: Needs discussion with AAC, and Organizational Services needs to process the membership of PAA.

Item 39..... Submitted by Ed Koch, L&L Member

Amend Regulation 1-A as follows:

A **Individual Membership:** Individuals may apply for membership in USATF through an ~~(single)~~ Association or the USATF website – www.usatf.org. Except in circumstances permitted pursuant to Regulation 7-C-3-c, a member may only belong to a single Association as an athlete at any one time. Otherwise, a member may belong to more than one Association, provided the member is registered as an athlete in no more than one of the Associations. A member belonging to multiple Associations must pay a full membership fee to each of the Associations. Coaches and others who work with youth athletes may be subject to a compulsory disclosure program approved by the Board.

Reason: An individual who is athlete in one Association may wish to be a member of another Association, for example, as a youth coach or parent.

L&L recommendation: Needs discussion with Associations.

Item 40.....Submitted by Ed Koch, L&L Member

Amend Regulation 1-F, "Suspension and Expulsion," by adding the following sentence at the end of the paragraph:

This paragraph shall operate in addition to and independently of the accreditation process set forth in Regulation 15.

Reason: *To clarify the relationship of the two provisions.*

L&L recommendation: Acceptable substantive amendment.

Item 41.....Submitted by Bill Roe, President

Amend Regulation 3-G, "Medical support staff," as follows:

G **Medical support staff:** USATF shall post on its web site, in an identifiable location, the list of qualifications and the application and selection processes, including application forms and deadlines, for all medical staff positions for all international competitions. Medical staff ~~((for all international competitions))~~ shall be selected by the Sports Medicine & Science Committee, which shall provide a list of appointments to the chair of the appropriate sports committees or councils, the Athletes Advisory Committee, and the National Office before they become final. If none of the affected chairs objects to any of the appointees within ten (10) business days, the appointments will be considered confirmed. If any chair objects to one or more of the proposed appointments, the Sports Medicine & Science Committee may propose an acceptable substitute to the chairs, or the dispute shall be referred to a three-person panel, consisting of the USATF President, the High Performance Division chair, and the chair of the Athletes Advisory Committee, or their designees, for final resolution.

Reason: *There are far too many committees and groups which are not conducting fair and open processes for the selection of team staff, and we need to include medical staff to be fair here.*

L&L recommendation: Needs discussion with sport committees and Sports Medicine & Science.

Item 42.....Submitted by Bill Roe, President

Amend Regulation 3-A, "National Team Staffs," as follows:

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

Reason: *To conduct an open process.*

L&L recommendation: Needs discussion with sport committees.

Amend Regulation 3, "National Team Staffs," as follows:

- D **General selection procedures:** Team staff for international competitions other than the Olympic Games, IAAF World Outdoor Championships in Athletics, and Pan American Games shall be nominated by the executive committees of the relevant sports committees or councils having jurisdiction over the sport disciplines and voted upon by the members of the committee. In all cases, the selection panel and voting membership of the approving body must have a minimum of 20% coaches who are approved by the chair of the Coaches Advisory Committee. In the event that the applicable sports committees or councils cannot agree, the selection shall be made by the Board. In the event that a national team staff person resigns or is unable to serve, prior to the next scheduled meeting of the appropriate sports committee or council, the chair of that body shall appoint a replacement in consultation with his or her executive committee, after giving due regard to the staff performance records on file and the resultant diversity of the staff.
- E **Conflicts of interest:** *[no change]*
- F **Olympic Games, IAAF World Outdoor Championships in Athletics, and Pan American Games:**
 - 1 **Men’s International Staff Selection Subcommittee:**
 - a *[no change]*
 - b ~~((Eleven (11))~~ Four (4) representatives of the Men’s Track and Field Committee chosen either by election or appointed by the Men’s Track and Field chair and approved by the Men’s Track and Field Executive Committee ~~((, at least seven (7) of whom shall be active coaches));~~
 - c Seven (7) active coaches of international male athletes chosen either by election or appointed by the Coaches Advisory Committee chair and approved by the Coaches Advisory Committee executive committee;

and re-letter subsequent unchanged subparagraphs
 - 2 **Women’s International Staff Selection Subcommittee:**
 - a *[no change]*
 - b ~~((Eight (8))~~ Five (5) representatives of the Women’s Track and Field Committee, chosen either by election or appointed by the Women’s Track and Field chair and approved by the Women’s Track & Field Executive Committee ~~((, at least three (3) of whom shall be active coaches));~~
 - c Three (3) active coaches of international female athletes chosen either by election or appointed by the Coaches Advisory Committee chair and approved by the Coaches Advisory Committee executive committee;

and re-letter subsequent unchanged subparagraphs

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

L&L recommendation: Table for Coaches Advisory to consider next year.

Amend Regulation 4, with edits provided by National Office, as follows:

- C **Dates:**
 - 1 *[No change]*
 - 2 **Other national championships:** All other sport committees shall determine the dates of their championships, after consulting with the National Office; and
 - 3 *[No change]*
- E **Special criteria:** Prior to bidding for a national championship event, the following specifications of sport committees shall have been met:
 - 1 **Youth Athletics:** All national Youth and Junior Olympic competition national bids are subject to review by a site evaluation team assigned by the chair, in conjunction with the National Office. Bids beyond the

next two (2) calendar years shall not be considered. In track & field, a national meet site must have at least eight (8) lanes, a raised curb in accordance with USATF Rule 62.3(a), and fully automatic timing;

2 [No change]

3 **Men's and Women's Track & Field:** In awarding the USA ~~((Open))~~ Outdoor Track & Field Championships, primary consideration should be given to facilities where all field events may be conducted within the stadium or arena and to facilities that have competition surfaces that comply with applicable IAAF standards.

F **Awarding procedure:** [No change]

1 **Distribution of application:** [No change]

2 **Notification of championships available:** [No change]

3 **Formulation of bid details:** ((Bids shall be formulated at the local Association level.)) The individual(s), names of committee members, or legal entity submitting the bid shall be clearly identified in the bid application, and bidder shall submit any additional information requested by USATF to verify his, her or its legal authority to assume responsibility for conducting a USATF national championship. The role of the local Association shall be clearly stated on the application. If a((n applicant)) bidder intends to assign part of its responsibilities for conduct of the championships to another entity, ((this intention shall be stated in the application)) the bidder shall provide USATF with a copy of the document assigning such responsibilities, provided, however, that bidder shall remain legally responsible to USATF for the conduct of the championships. When the bid provides for profit-sharing or minimum guarantees, an itemized budget shall be submitted with the application. Bids involving one or more championship categories or more than one sport committee (joint bids) shall state whether or not they are contingent upon approval of all parties;

4 **Association sign-off:** [No change]

5 **Submission of bid:** [No change]

6 **Presentation at meetings:** [No change]

7 **Award method:** Upon approval of the concerned sport committee(s) after consultation with the National Office, and verification of the legal authority of the bidder, the championship event(s) shall be duly awarded. The award of a championship shall be to USATF, an Association, to a member in good standing of that Association, or to a competent third party within the geographic area of the Association. The awardee shall assume all financial and operating responsibilities required by the bid application and all applicable agreements. Joint bids shall not be contingent upon approval of all parties unless specified by the applicant;

8 **Unawarded championships:** [No change]

9 **Contract:** The championship contract shall include the legal and financial obligations and responsibilities of all parties and shall be approved and signed by USATF and the awardee. ((An operating addendum shall be part of the championship contract, and shall include)) The contract shall include provisions containing a list of the parties responsible for equipment, facilities, personnel, volunteer recruitment, clerical work, and other matters relating to the conduct of the championship ((not specified in the championship contract, and)). I((i)f the awardee is not ((other than)) an Association, the services to be provided by the Association, together with the fees to be paid by the awardee to the Association for providing such ((the)) services and sanctioning the event ((; and shall be signed by the signatories as the championship contract)) shall also be included in the contract. Prior to approval by the parties, the USATF CEO ((of USATF)) may make such changes in the championship contract ((and operating addendum)) as ((he or she deems)) necessary for the protection of USATF; and

10 **Withdrawal and/or reassignment:** [No change]

- G Finances:**
- 1 Media rights fees: [No change]
 - 2 Other revenues: [No change]
 - 3 Entry fees: All entry fees and late entry fees shall be retained by the organization which conducts a championship, or as otherwise agreed between the applicable sport committee and the National Office;
 - 4 Reports: [No change]
 - 5 Prohibited expenses: [No change]
 - 6 Defending champion: [No change]

- H Selection of officials: Competition officials shall be selected for the events below as follows:**
- 1 USA ((Open)) Indoor and Outdoor Championships, ((and)) Junior Track & Field Championships, and Olympic Track & Field Trials: [No change to remainder of text]

Reason: To clean up unclear or unnecessary language, to conform language to current legal and business practices, to conform to language contained in currently used bid applications and to correct names of championship events in accordance with USATF naming protocols.

L&L recommendation: Acceptable substantive amendment.

Item 45.....Submitted by Linda Melzer, Officials' Chair

Amend Regulation 4-F, "Championships," as follows:

- F Awarding Procedure:**
- 1 Distribution of application: For those championships that will be awarded to a sponsoring organization, an application form shall be prepared and provided by the National Office to any prospective bidders and all Associations. The application form shall include the necessary information to assure the National Office, ((and)) the sport committees concerned, and the National Officials Committee that the championships will be efficiently administered and safe for the competitors, officials, and spectators. The application form shall ((further)) require ((information (i) as to whether)) the competition ((will)) be staffed by ((competition)) officials who are USATF certified at the level of "national" and/or "master" and (((ii) as to whether the applicant will invite and accept a proportionately representative number of national and/or master officials from outside the Association, to ensure a national character to the championship; and what, if any, provision will be made for assisting officials with transportation, food, and/or lodging)) lodging and food be provided all officials selected to officiate at the championships, and per diem, if any. This portion of the form shall be shared with the chair of the Officials Committee before consideration of the bid.

Reason: We have long been told it needs to be in writing, if it's going to happen. So how can there be an objection when we're doing what we were told to do? Make it a line item.

L&L recommendation: Reject as unacceptable substantive change.

Item 46.....Submitted by Ed Koch

Amend the third sentence of Regulation 4-F-1 as follows:

- 1 . . . The application shall further require information (i) as to whether the competition will be staffed by competition officials who are USATF-certified at the level of "national" and/or "master" and (ii) as to whether the applicant will invite and accept a proportionately representative number of national and/or master officials from outside the Association, to ensure a national character of the championship; and (iii) what , if any, provision will be made for assisting officials with transportation, food and/or lodging, encouraging such assistance.

This portion of the form shall be shared with the chair of the Officials Committee before consideration of this bid;

Reason: To encourage assistance for officials at national championships.

L&L recommendation: Acceptable substantive amendment.

Item 47 Submitted by Tom Hott, L&L Member

Amend the third sentence of Regulation 4-H-1, "Championships Selection of Officials," as follows:

H Selection of Officials: Competition officials shall be selected for the national championships as follows:

- 1 USA Open and Junior Track & Field Championships and the Olympic Trials:
 - a Applications: No later than September 15 of each year, provided location and dates of championships have been determined, application forms shall be mailed to every competition officials certified at the national or masters level. In the event the location and/or dates of championships have not been determined by September 15, the application forms shall be mailed immediately following the determination. The application form shall apply to the USA Open Indoor and Outdoor Track & Field Championships, ((and)) the USA Junior Outdoor Track & Field Championships, and the Olympic Trials. Every official to be invited to the above championship shall be certified as an official at a masters or national level, and be a member of USATF. ((To receive maximum consideration, the application should be returned no later than October 15)) Applications must be postmarked by the October 15 deadline. ((Each local certification chair shall be asked to comment on the applicants certified by that particular Association.))
 - b Selection: Competition officials for the above named championships shall be selected at the annual meeting of USATF. A list of recommendations for referees and members of the juries of appeals may be submitted from the chair of the Officials Committee to the Men's and Women's Track & Field committees through the National Headquarters by November 15. Referees, NTOs, and members of the juries of appeals must be a member of USATF, and shall be selected by the chairs of each of the above two sports committees, or their designees. Other competition officials (excluding race walk judges and race walk referees) shall be recommended by a joint subcommittee after a review of the applications and approved by the chairs of each of the above two sports committees, or their designees. Notification to the applicants shall be made by mail as soon as possible after the annual meeting.

Reason: It is vital we have date and location of the national championships before we send out the applications. Officials must have definite information to make travel arrangements. We believe everyone that participates in a National Championships should be a member of USATF.

L&L recommendation: Needs discussion with officials and affected sport committees.

Item 48 Submitted by Linda Melzer

Amend the third sentence of Regulation 4-H-1-b, "Championships Selection of Officials," as follows:

- b Selection: Competition officials for the above named championships shall be selected at the annual meeting of USATF. A list of recommendations for referees and members of the juries of appeals may be submitted from the chair of the Officials Committee to the Men's and Women's Track & Field committees through the National Headquarters by November 15. Referees, and members of the juries of appeals shall be selected by the chairs of each of the above two sports committees, or their designees. Other competition officials (excluding race walk judges and race walk referees) shall be

((recommended)) selected by a joint subcommittee after a review of the applications((and approved by the chairs of each of the above two sports committees, or their designees)). Notification to the applicants shall be made by mail as soon as possible after the annual meeting.

Reason: Officials can monitor and evaluate themselves best. In no other sport do the coaches and athletes choose the officials for their meets. Only the selection sub-committee (of which the coaches and athletes are a part) should select officials for the Championships. .

L&L recommendation: Reject as unacceptable substantive change.

Item 49..... Submitted by Bill Roe, President, and Norm Green, Masters LDR Chair

Amend Regulation 7, "Representation," as follows:

B **Residency exceptions:** Sport committees shall establish residency requirements for championships' team scoring, which shall be reflected in the Competition Rules. An Association may permit an athlete who is a bona fide resident to be a member of another Association by the agreement of the two Associations. Agreement may concern individual athletes or all athletes who reside in a certain area. An athlete who is unable to obtain agreement of the two Associations may appeal to the NABR, which shall conduct a hearing by conference call and make a determination on the basis of what is in the best interests of the sport and of the athlete.

Reason: Association clubs have been recruiting members from Associations across the country to attempt to create "all-star" teams for USA Masters Cross Country Championships. The concept of "national teams" is contrary to the spirit and intent of Masters team competition in cross country, especially at the USA Masters Club Cross Country Championships. Law & Legislation arrived at the conclusion that this

L&L recommendation: Acceptable substantive amendment.

Item 50..... Submitted by Bill Roe, President

Open all committee operating procedures for 2006 to allow implementation of item above.

Reason: Housekeeping and conformity.

L&L recommendation: Table to the sport committees.

Item 51..... Submitted by Frances Brown, President of Potomac Valley

Amend Regulation 7, "Representation," as follows:

A **General:**

3 **Youth athlete:** Youth athletes are athletes who are eighteen and under and who will not turn nineteen until after the final day of the National Junior Olympic Track and Field Championship. Youth Athletes shall be considered a member of the Association in which the athlete is a bona fide resident which shall be the permanent address of residency on file with the athlete's local school district 30 days prior to the Association Junior Olympic Championship meet except as otherwise provided in paragraph B below:

a **Affiliated youth athletes:** A youth athlete may compete as a representative of a local club, educational institution, or other organization, and additionally may be listed as competing for a club, subject to regulations of the USOC. The club must be a member in good standing of USATF. An athlete may compete as a representative of any local club, educational institution, or other organization that is a member of the athlete's

Association. Any such athlete shall score for the athlete's team in any championship or other competition;

- b Unattached youth athletes: A youth unattached competitor is an athlete member who represents no club, educational institution, or other organization. An unattached athlete may compete in the Association in which the athlete is a member;

((3))4 Notification of changes: [no change]

((4))5 Fees for changes: [no change]

B Residency exceptions:

1 Adult athletes: An Association may permit an athlete except a youth athlete who is a bona fide resident to be a member of another Association by agreement of the two Associations. Agreement may concern individual athletes or all athletes who reside in a certain area. An athlete who is unable to obtain an agreement of the two Associations may appeal to the NABR, which shall conduct a hearing by conference call and make a determination on the basis of what is in the best interests of the sport and of the athlete.

2 Youth athletes: Youth athletes who reside with a custodial parent or legal guardian during the school year, but must reside with another custodial parent or legal guardian during summer or school vacation may transfer membership to the Association of the custodial parent with which he/she is residing at the time of the Association Junior Olympic Championship. The custodial parent or legal guardian must seek transfer in writing with agreement of the two Associations. They must also show proof of guardianship or legal custody.

C Transfers:

1-2 [no change]

3 Exceptions:

a-d [no change]

e Youth: Youth athletes who are permanent residents of one Association may compete in the Junior Olympics in another Association because of unusual circumstances, but he/she may not run with a team or wear a team uniform or represent a team in the temporary Association. In order to compete in an Association other than the one listed on his/her membership card the Athlete or guardian must have approval of both Youth Chairs of both associations.

Reason: The youth committee passed Rule 300 1(f) for the purpose of preventing youth from running in another Association for the sole purpose of forming all-star teams. Yet, Regulation 7 allows youth athletes with approval of both Associations to change Associations without reason, and to run on a team. Regulation 7 supersedes the youth rule. The revision of Regulation 7 will allow the youth rule to be effective.

L&L recommendation: Needs discussion with youth and Associations.

Item 52.....Submitted by Ed Koch, L&L Member

Amend the second sentence of Regulation 7-A-3 as follows:

An athlete who wishes to change representation shall notify the ((local registrar)) Association in writing or online prior to the effective date of the change;

And further amend Regulation 7-C-2 as follows:

To transfer representation from one club /organization to another, an athlete must ((serve ninety (90) days in "unattached" status from the last sanctioned competition in which the athlete represented a member club/organization)) not have competed for the first club in sanctioned competition for the previous ninety (90) days regardless of residency, unless the athlete falls within one of the exceptions herein ...

Reason: To reflect current practice.

L&L recommendation: Acceptable change to reflect current practice.

Amend Regulation 10, "Doping," as follows:

**REGULATION 10
DOPING CONTROL**

This Regulation 10 shall apply to all doping controls conducted on or after December 1, 2004.

A Definitions: [no change]

B Doping Control programs: USATF participates in several doping control programs which are conducted by USADA, the IAAF, and WADA. The IAAF may conduct doping control at USATF national championships competitions:

- 1 In-Competition Program (ICP): This program involves the testing of athletes during USATF sanctioned events for prohibited substances and techniques. The selection of athletes shall be pursuant to procedures established by either USADA(,) or IAAF(, and/or USATF) protocol. The organization responsible for drug testing will determine which protocol will apply; and
- 2 Out-of-Competition Program (OOC): This program involves the testing of selected athletes for prohibited substances and techniques. The OOC shall include a program of unannounced, walk-up testing. The selection of those athletes to be tested pursuant to the OOC program shall be determined by ((USATF)) USADA, in conjunction with ((USADA)) USATF, on the one hand, or by the IAAF, on the other hand. Each athlete((s)) who is eligible to be drug tested, pursuant to this provision, is required to keep one (1) current address on file with the IAAF, USATF and USADA, and must notify the IAAF, USADA and USATF if ((s/he travels away from his/her location for more than two (2) days)) the information on his/her previously submitted whereabouts or location form changes. It is each athlete's responsibility to ensure that the IAAF, USADA, and USATF are informed of his/her whereabouts. Failure to adhere to this requirement may result in the athlete being charged with a doping offense. Those athletes wishing to be removed from the OOC program must meet the retirement requirements set forth in paragraph E below.

C Anti-doping program: USATF shall participate in those anti-doping programs mandated by the IAAF and USOC under their respective constitutions, bylaws, and/or anti-doping rules. The Anti-Doping program shall apply to athletes and athlete support personnel, including but not limited to, coaches, trainers, managers, authorized athlete representatives, agents, team staff, officials, medical or para-medical personnel, or other persons working with or treating athletes participating in, or preparing for competition in, Athletics.

NOTE: The text of the applicable IOC, IAAF, USADA and/or USOC rules, protocols, and guidelines, relating to doping control are set forth in the attached exhibits. These documents may be amended from time-to time. Check the USATF website for updates or contact USATF's Legal Department.

D Disciplinary procedures: The disciplinary proceedings related to domestic positive drug tests of USATF athletes shall be conducted by USADA ((on behalf of USATF)), as mandated in Chapter XXIV(2)(G) of the USOC Bylaws. When USATF is notified by the IAAF that an athlete's "A" sample has tested or has been deemed positive for a prohibited substance, the matter shall be referred to USADA, by USATF, for a determination of whether a doping offense has occurred:

- 1 Ineligibility: If an athlete is found to have committed a doping offense or the individual waives the right to a hearing, the individual shall be declared ineligible to participate in Athletics competition, as provided below. In addition, if testing was conducted in competition, the athlete shall be disqualified from that competition and all competitions s/he competed in prior to the final decision of the hearing or appeals panel, and the result(s) amended accordingly. Ineligibility shall begin:
 - a from the date the period of ineligibility was imposed by an arbitration panel; or
 - b as otherwise determined by the IAAF; or
- 2 Period of ineligibility: For doping offenses in events conducted under the jurisdiction of the IOC, the penalties provided by the World Anti-Doping Code shall apply. In all other situations, an

athlete or other person who commits a doping offense will be ineligible for the periods set forth below:

- a Steroids: For a steroid offense under IAAF Competition Rule 32.2 (a) involving substance listed in S4-1 (a) and (b) of the World Anti-Doping Code, the suspension shall be for life, provided that such lifetime suspension does not violate any provision of the Sports Act, including the provision that requires that USATF may “not have eligibility criteria related to amateur status or to participation in the Olympic Games, the Paralympic Games, or the Pan American Games that are more restrictive than those of the appropriate international sports federation;”
- b Other substances: For offenses involving all other substances or activities prohibited by IAAF Competition Rule 32.2, the penalties provided in IAAF Competition Rules 39 and 40 shall apply.

E-G [no change]

H Notification of penalties: Upon a finding by a hearing panel that doping has occurred, USATF shall provide notice of the penalty(ies) to be imposed by means of a letter sent by facsimile transmission, regular mail, and/or by overnight mail.

I Confidentiality of test results and doping offenses: Except as provided in paragraph J below, USATF shall only disclose such information related to drug testing matters as is appropriate and necessary to fulfill its obligations to the worldwide Olympic anti-doping effort, and in the event, only to the appropriate representatives of the relevant Olympic drug testing authorities – the USOC, USADA, the IAAF, WADA, and the IOC. ((In cases arising from samples taken on or after December 1, 2001, USATF may disclose such information as is required by and to USADA and the IAAF.))
NOTE: If the athlete or the athlete’s representative breaches confidentiality, USATF’s response shall not constitute a breach of confidentiality.

J [no change]

Reason: To conform to current practice and current USOC, USADA and IAAF drug testing rules and protocols.

L&L recommendation: Acceptable substantive amendment.

Item 54.....Submitted by Jim Murphy, L&L Chair

Amend Regulation 11 as follows (only those sections where changes are made are shown):

A Jurisdiction:

4 Association jurisdiction: Except as provided above, USATF Associations in good standing shall have jurisdiction over all disciplinary and formal grievance proceedings relating to matters that arise within the boundary of the particular Association. All penalties imposed by an Association shall be effective only within the jurisdiction of that Association((, including national and international competitions held within that Association)).

B National Athletics Board of Review:

- 3 Terms: Appointments shall be made jointly by the Law & Legislation Committee chair and the Athletes Advisory Committee chair, and approved by the President. Terms shall commence on January 1 of each even-numbered year. Members and alternates may be removed as ((indicated)) provided in Regulation 11-B-7 below;
- 4 Hearings: The three (3) NABR members in a region shall serve as the arbitration panel conducting hearings in the region. If a member is disqualified or declines to serve, an alternate for the member shall substitute for the member. If a member, that member’s alternate(s), and all other appropriate alternates are unable to serve, a special appointment may be made ((under)) utilizing the procedures outlined in Regulation 11-B-3 above. The special appointment shall terminate upon conclusion of that matter;

- 6 Effective date of decision: Unless a stay of enforcement is granted under Regulation 11-N-2 or 11-O below, a disciplinary or formal grievance decision shall be immediately effective on the date the decision is rendered; and
- 7 Removal of an NABR member:
- b Failure to follow procedures: An NABR arbitrator who disregards the hearing procedures set forth in the USATF Rules, Bylaws, and/or Regulations; and/or

D Disciplinary matters:

- 3 Association national suspension request: Any USATF Association in good standing ((may recommend)) that ((USATF)) has held a hearing and determined that a member, delegate, athlete, coach, manager, official, trainer, member of any committee, or any other person should be suspended or expelled, may request that said suspension or expulsion be extended on a national basis. The request shall be made on a form to be provided by the National Office, and be accompanied by the Association's opinion and a statement of the reasons why the suspension or expulsion should be on a national basis. (See Exhibit ((N))P-1). The request shall be heard by an NABR panel in accordance with the procedures set forth in Regulation 11-F below;
- 4 Association hearings: A copy of the decision and opinion rendered as the result of a hearing by an Association shall be forwarded to the National Office. In the case where an Association has suspended a member, the National Office shall post the member's name, and the length and scope of suspension on the USATF ((website)) web site; and

F Initiation of proceedings:

- 1 Hearings: In any matter in which a complaint has been filed in accordance with Regulation 11-C or 11-D above, the following ((hearing requirements)) procedures shall apply:
- a Complaint procedures:
- iii Signature: The Complaint shall be signed, sworn to, and notarized (see Exhibit ((N))P-2);
- d 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 NABR arbitration panel; and
- e Hearing panel: When one party has indicated that the matter cannot be resolved informally, the CEO, or his or her designee, shall ((randomly)) select an NABR hearing panel as provided in Regulation 11-B or 11-F-4, within thirty (30) days of the request for formal arbitration;
- 5 USATF representative(s): The ((Board may authorize the)) CEO may ((to)) assign a person or persons to represent USATF's interests in any proceeding. The representative(s) may be asked to perform the following tasks on USATF's behalf:

- H Answer: The person(s) or entity(ies) named in a Complaint (respondent(s)) must submit a written answer to the CEO within thirty (30) days after receipt of the ((Notice of Proceedings)) letter notifying respondents that a proceeding has been filed ("Notice of Proceeding"). A copy of the Answer shall be forwarded by the CEO to the complainant (the party filing the Complaint) and the NABR 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 Association or USATF Committee 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 11-I, the panel chair may extend the time to answer.

- I Challenge to arbitrator(s): Following the receipt of the Notice of Proceedings, any party to a hearing or an appeal, a person appointed pursuant to Regulation 11-F-5, or any NABR panel member may, prior to the hearing and during the fourteen (14) day period after receipt of the list of proposed arbitrators, challenge the seating of any panel member, on the ground that the panel member may not be impartial. ((These challenges shall be submitted to and decided by the chair of the Law & Legislation Committee or his/her designee.)) 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 NABR arbitrator constitutes a waiver of such challenges.

- J Hearing procedures:
 - 6 Hearing record:
 - b Association proceedings: 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 ((retained by the Association)) provided to all parties at their own expense. ((A copy of the transcripts or recordings shall be made available to all the parties to the proceeding, at their own expense)); and

- M Expedited hearing procedures: If a matter before an NABR panel affects the rights of any eligible athlete, coach, trainer, manager, administrator, or official who is to take part in a protected competition (as that term is defined in Article IX of the USOC Constitution, (See Exhibit ((N))P-3) scheduled to take place prior to the time that has been established or that is likely to be set for a hearing, USATF shall, upon request by any party, conduct an expedited hearing upon notice to all parties concerned. The expedited hearing shall take place at a time and in a manner which will enable the individual to participate in the competition, should she or he prevail at the expedited hearing. The expedited hearing process outlined in this subsection shall not be available to any athlete who wishes to contest a positive drug test, as such matters are exclusively under the jurisdiction of USADA, pursuant to the USADA Olympic Movement Anti-Doping Code. The following shall apply to expedited hearings:
 - 6 Hearing record: In expedited proceedings conducted before an NABR panel, the National Office shall arrange for a transcript of the proceedings to be made, if possible. These transcripts shall be retained by the National Office, be kept confidential, and be made available to the appellate panel in the case of an appeal. Such transcripts or recordings shall be made available to any parties to the proceeding, at ((their)) his, her or its own expense;

Reason: To correct typos, clean up language, conform to current practice and delete irrelevant or unnecessary language.

L&L recommendation: Acceptable substantive amendment.

Item 55.....Submitted by Jim Murphy, L&L Chair

Amend Regulation 11 as follows (only those sections where changes are made are shown):

- N NABR decisions and opinions:
 - 7 Non-payment of non-compliance sanction: If a party fails to pay a monetary sanction within 30 days after exhausting all appeals, the NABR panel that imposed the sanction may request that the Board suspend the party from USATF, until the party pays the sanction.
 - 8 USATF appeal of NABR decisions: [no change]

- P Appeals: The following shall pertain to appeals from Association((, NABR, or USATF Committee disciplinary)) decisions or other USATF decisions that are appealable ((decisions, formal grievance decisions, or other proceedings)):

[Delete references to USATF Committee decisions throughout paragraph]

 - 1 Initiation of appeals:
 - a Notice: A written notice of appeal must be signed by the appellant (the party filing the appeal) and postmarked within thirty (30) days of the decision from which appealed (see Exhibit ((N))P-4):
 - b-c [no change]
 - d Stay of enforcement: If a stay of enforcement of the decision appealed from has not been granted under Regulation 11-N-2-e above and is sought by the appellant in accordance with Regulation 11-0 above, the application for a stay of enforcement must accompany the written notice of appeal, and shall be decided by the appeals panel.
 - 2 Appellate procedures:
 - a-b [no change]
 - c Burden of proof: The burden of proof is upon the appellant to prove that the decision being appealed was clearly erroneous;

- d-f [no change]
- ((g Appeal taken from Association decisions: After the NABR appeals panel decision becomes final, the individual may seek reinstatement pursuant to Regulation 12.))

4 Imposition of penalties:

- a **Notice of penalty:** The CEO shall notify the individual or entity of the penalties imposed against him, her, or it by overnight mail to the last address of record contained in USATF's membership database or to an alternate address subsequently provided in writing to USATF by the person or entity being disciplined. The notice of penalties may also be sent by facsimile (see Exhibit ((N))P-5);

R Vexatious proceedings: An NABR panel may, upon its own motion or the motion of a party, make a finding that a grievance or other proceeding (1) is devoid of merit and (2) was brought by an individual or entity solely for the purpose of harassing or causing expense to another individual or entity. The panel shall give reasonable written notice and an opportunity for a hearing before the panel ((before)) prior to making such a finding. If the panel finds that a party has initiated such a meritless and harassing grievance or proceeding, it shall order the offending party to pay the other party(ies) a penalty fee of not less than Two Hundred Fifty U.S. Dollars (US\$250) nor more than One Thousand U.S. Dollars (US\$1,000), plus the affected party(ies)' reasonable costs in defending the grievance or proceeding, including reasonable legal fees. The panel shall issue a decision and opinion as provided in Regulation 11-N and 11-Q above, which shall include its rationale and the penalties imposed. A finding of a vexatious grievance or proceeding may be appealed under Regulation 11-P above.

- 1 **Payments:** All monetary penalties and costs shall be paid within thirty (30) days following the notice of ruling, or within thirty (30) days after all appellate remedies are exhausted, if the finding is appealed and affirmed.
- 2 **Non-payment of penalty fee:** If a party fails to pay a monetary penalty within 30 days after exhausting all appeals, the NABR panel that imposed the penalty may request that the Board suspend the party from USATF, until the party pays the penalty.

Reason: To correct typos, clean up language, conform to current practice and delete irrelevant or unnecessary language. and to provide a penalty for those persons who fail to abide by rulings of the NABR.

L&L recommendation: Needs further discussion within L&L and Legal.

Item 56..... Submitted by David Greifinger, L&L Member

Amend Regulation 11-C-3 as follows:

- 3 **Time limit:** Except as provided in Regulation 11-Q-3 below, Greivance Complaints must be filed within ((two (2) years)) one (1) year from the time the complaining party knew or should have known of the act giving rise to the Complaint.

Reason: Make the statute of limitations consistent with the one-year period in Regulation 11(D)(5).

L&L recommendation: Acceptable substantive amendment.

Amend Regulation 11-P as follows:

P . . . The following shall pertain to appeals from Association((, NABR, or USATF Committee disciplinary)) decisions or NABR non-appellate decisions((, formal grievance decisions, or other proceedings)):

[Delete references to USATF Committee decisions throughout paragraph, otherwise no change until d]

- d Stay of enforcement: If a stay of enforcement of the decision appealed from has not been granted under Regulation 11-N-2-e above and is sought by the appellant in accordance with Regulation 11-0 above, the application for a stay of enforcement must accompany the written notice of appeal, and shall be decided by the appeals panel.

Reason: To reflect current practice.

L&L recommendation: Table to provide an open item for 2006.

Amend Regulation 14, "Athletics Sanctions," as follows:

C Sanction application process:

- 2 Hold harmless clause: Contain the following clause which shall also appear on all sanction application forms and on all forms upon which official sanctions are granted:
"In granting this sanction, it is understood and agreed that USA Track & Field and its Associations shall be held free and harmless by the applicant for any liabilities or claims from damages arising by reason of injuries of any kind to anyone during the conduct of, or otherwise in connection with, the competition event;" Note: Consult local attorney for variations on language necessitated by applicable state law.

3-4 [no changes]

- 5 Prior sanctions: Contain the following attestation and disclosure requirement:
"Applicant represents and warrants that she, he, or it has fully complied with all sanction application requirements for USATF-sanctioned competitions that she, he, or it has conducted within the preceding four year period."

- 6 Americans with Disability Act: Contain the following attestation:
"Applicant represents and warrants that he, she, or it will fully comply with the applicable requirements of the Americans with Disabilities Act."

If applicant cannot make the foregoing attestation and representations, s/he or it shall fully disclose the circumstances surrounding the noncompliance. USATF reserves the right to deny a sanction to any individual or entity based upon prior non-compliance with sanction requirements and obligations.

E Sanction award disclosure requirements:

- 4 Doping clause: In the case of international sanctions, national championships, trials competition for the selection of international teams (other than Masters), or when doping controls will be conducted, contains the following statement, unless it is published instead in related informational materials:

"Athletes who participate in this competition may be subject to formal drug testing in accordance with USA Track & Field rules and IAAF rules, and in accordance with USOC, USADA or IAAF procedures. Athletes found, after a disciplinary hearing, to be positive for prohibited substances, as defined by the ((IOC)) WADA Code and/or IAAF, or who refuse to be tested, will be disqualified from this event and may lose eligibility for future competitions. Any prize money payable to an athlete who has tested positive shall be withheld until the final disposition of all disciplinary proceedings. BEWARE: Some prescriptions, over-the-counter medications, and nutritional supplements may contain prohibited substances. Information regarding drugs and

drug testing may be obtained by calling the USADA Reference Line at 800/233-0393, or at www.usantidoping.org.”

- H Post event reporting requirement:
 - 1 Financial statement: A final financial statement listing all receipts and disbursements in connection with the sanctioned events (not applicable to events ((sponsored)) conducted by USATF);

- I Prizes:
 - 1 Untested competitors: An event director shall pay prize funds for all non-contested places (see USATF Competition Rule 73) within thirty (30) days of the event, when athletes have not been subject to doping controls. This time requirement shall not apply to the payment of funds to athletes who have been ((tested)) subject to drug testing; or
 - 2 Tested competitors: To preserve confidentiality, when athletes have been tested, all prize money shall be forwarded by the event director to USATF in a lump sum or in the form of cashiers check or money orders((, payable to DPL of the prize winners)). Within ten (10) business days, USATF shall forward all payments to athletes testing negative and shall hold in escrow the proceeds of all payments earned by athletes testing positive, until the final disposition of all disciplinary proceedings.

J Use of word “Olympic: [no change]

Reason: For corrections & accuracy. DPLs no longer exist under IAAF rules. And to provide for all sanctioned events to comply with the USATF ‘s ADA policy and procedures.

L&L recommendation: Acceptable substantive amendment.

Item 59..... Submitted by Bill Roe, President

Amend Regulation 15, “Associations Standards & Elections,” as follows:

- A Association accreditation:
 - 1 Minimum standards:
 - a Required standards:
 - vi Association documents: Associations shall be required to submit to the National Office a copy of its Association organic documents, as set forth in Bylaw Article 6. In order to meet this criteria, the Bylaws must meet the minimum standards for governance of the Association as determined by Organizational Services and the Associations Committee, and must have a viable grievance procedure in place;

Reason: Simply to have Bylaws doesn’t satisfy this requirement, and grievances must be more clearly spelled out at the Association level.

L&L recommendation: Needs discussion with Associations.

Item 60..... Submitted by Scott Erwin, L&L Member

Amend Regulation 15 as follows:

- A Association accreditation:
 - 1 Minimum standards: In order to maintain good standing, an Association shall be required to meet the following standards:
 - a Required standards:

- vii **Association Bylaws: Each Association's Bylaws must contain provisions for removal or replacement of officers and committee chairs, and grievance and disciplinary procedures, as more fully detailed below.**

C Association Bylaws: Beginning in 2007, all Association bylaws must contain clear and concise provisions related to:

- 1 **Removal: The removal or replacement of Association officers and committee chairs; and**
- 2 **Dispute resolution: Detailed procedures for filing and resolving Association grievances and disciplinary matters, which at a minimum provide for:**
 - a **Arbitrators: The appointment selection of a three person arbitration panel to hear and decide grievance and disciplinary matters, which arbitrators shall not be members of the Association Board or Executive Committee;**
 - b **Challenge: The opportunity for a party to a grievance or disciplinary proceeding to object to the participation of an arbitrator who she or he feels cannot act impartially due to a real or perceived conflict of interest;**
 - c **Filing: Special procedures for filing and handling grievances against an officer of the Association which exclude said officers from the grievance administration process;**
 - d **Dates: That the grievance or disciplinary hearing must be held within forty-five (45) days of the filing of the proceeding;**
 - e **Delay: The opportunity for the arbitrators to dismiss or rule against any party who delays the proceedings, is uncooperative or is unprepared to present evidence or a defense at the grievance or disciplinary hearing; provided that proper advance notice of the hearing has been given to said party; and**
 - f **Appeals: That the decision of the arbitrators may be appealed pursuant to USATF Regulation 11-P-1.**

D Other provisions: [no change]

Reason: To ensure that Association bylaws have the content necessary to handle issues that arises frequently to standardize Association bylaw content. Budget Impact: Additional staff or volunteer time will be required for the review of Association Bylaws to determine whether they are compliant with new requirements. There may be some associated costs related to postage, telephone and possible travel for meetings.

L&L recommendation: Needs discussion with Associations.

Item 61 Submitted by Ed Koch, L&L Member

Amend Regulation 15-B-1-c as follows:

- c **Prior arrival: The initial meeting notice must by ((sent by means under which it will arrive)) distributed at least thirty days prior to the beginning of the election or nominations ((process)); and**

Reason: To reflect current practice.

L&L recommendation: Acceptable substantive amendment.

Item 62.....Submitted by Ed Koch. L&L Member

Amend Regulation 15-B-3-f as follows:

- f Organizations: Organizations shall have a minimum of one (1) ((vote)) representative with the Association having the option of awarding additional ((votes)) representatives based on the size of the organizations. Each organizational representative shall have one (1) vote unless the balanced meeting ballot set forth in subparagraph 4-c is used;

Reason: To harmonize subparagraph 3-f and 4-c-v which currently conflict.

L&L recommendation: Acceptable substantive amendment.

Item 63.....Submitted by Ed Koch, L&L Member

Delete Regulation 15-B-4-d in its entirety and amend Regulation 15-B-4-a as follows:

- a Mail or electronic (fax or email) ballot: An open mail or electronic ballot (fax or email) to all members of an Association:
 - i All ballots must be distributed at the same time;
 - ii The minimum time allowed for return of the ballot shall be thirty (30) days;
 - iii The return address or fax number must be indicated ((printed)) on the ballot;
 - iv The ballots must be held together, must remain unopened (if mail ballots) until the voting panel is assembled, and be counted together by the voting panel; and
 - v Any mail ballot opened outside the presence of the entire voting panel shall not be counted;

Reason: The “Balanced Mail or Electronic Ballot” set forth in Regulation 15-B-4-d appears unworkable. Instead, the best features have been added as options to the “Mail Ballot” in Regulation 15-B-4-a.

L&L recommendation: Acceptable substantive amendment.

Item 64.....Submitted by Ed Koch, L&L Member

Amend Regulation 15-B-4-c by adding identical language of Regulation 15-B-4-b- i through iv as new Regulation 15-B-4-c-vii through x.

Reason: The “Balanced meeting ballot” should have the same procedures regarding credentials, uncontested elections, secret ballots, and prematurely opened ballots that the “Open meeting ballot” does.

L&L recommendation: Acceptable substantive amendment.

Item 65..... Submitted by Dexter McCloud, for AAC

Amend Regulation 7 by deleting paragraph D, "Representation of athletes," and reletter current E to D.

Further, add a new regulation 16, "Authorization of Athlete Representatives, as follows:

**REGULATION 16
AUTHORIZATION OF ATHLETE REPRESENTATIVES**

- A Authority:** In accordance with IAAF Competition Rule 7, USATF shall authorize Athletes' Representatives to assist athletes in planning, arranging and negotiating their competition programs under the following procedures.
- B Applicability:** Athletes' Representatives who represent United States athletes must be authorized by USATF under this regulation to assist United States athletes in planning, arranging and negotiating their competition programs.
- C Authorization application:** Athletes' Representatives shall obtain authorization through USATF by submitting a fully completed USATF Athletes' Representative application form along with applicable fees set by the Board. Athletes' Representatives acting for United States or foreign athletes under the reciprocity provisions, above, shall not be required to pay any fee for authorization to act on behalf of their clients, but shall be offered the option to purchase any benefits package offered to Athletes' Representatives authorized by USATF under this regulation.
- D Criminal background screening:** Individuals wishing to be authorized under this regulation to represent United States athletes shall be required to submit to and successfully to complete USATF's criminal background screening process.
- E State license:** Any USATF-authorized Athletes' Representative who has a principal place of business in the United States shall maintain a license to act as an athlete agent in that place of business, if required by state law.
- F Professional license:** USATF-authorized Athletes' Representatives who are licensed professionals in the fields of accounting, law, real estate, finance, banking, investment advising, or consulting shall be required to be in good standing with the relevant professional licensing body.
- G Education:** All first-time applicants for authorization by USATF to act as Athlete Representatives shall attend a USATF athlete representative seminar within one year after applying. USATF shall provide all USATF-authorized representatives with educational materials reflecting updates in rules and practices electronically or by mail on at least annually, and may require that the authorized representatives return completed questionnaires demonstrating knowledge of the materials covered.
- H Agent screening committee:** The USATF President, after consulting with the Chair of the Athletes Advisory Committee, shall appoint a three-person Agent Screening Committee, consisting of one professional athlete in Athletics, one USATF-authorized Athletes' Representative with at least 10 years' experience, and one other person with a legal or business background. The President shall also appoint an alternate for each position. The Agent Screening Committee's duties shall include:
 - 1** Review applications for authorization;
 - 2** Review criminal background reports which contain adverse information about an applicant;
 - 3** Grant or deny authorization to applicants.
- I Application review and appeal:** After an applicant submits a fully completed application, the following procedures shall apply:
 - 1** Initial review: The Elite Athlete Programs Department of USATF shall review the application for completeness and return any incomplete application form for completion and resubmission.
 - 2** Background screening: A criminal background screening search report shall be ordered for each applicant. After the initial background screening, additional background screening shall take place only if more than two years have elapsed since the last background screening report ordered by USATF.

- 3 Approval: An individual whose background screening report reveals no adverse information, and who has met all other requirements outlined above, shall be authorized by USATF as an Athletes' Representative.
- 4 Explanation request: USATF shall request that an individual whose background screening report reveals adverse information, or who has not met one or more of the other requirements set forth above, provide an explanation to the Agent Screening Committee. The Committee may, but need not request that the applicant appear before it, in person or by telephone conference.
- 5 Action after explanation request: The Agent Screening Committee shall accept or deny the application after affording the applicant an opportunity to provide an explanation.
- 6 Appeal: An applicant who is denied authorization shall have the right to appeal the decision to the NABR under Regulation 11.

J Contracts: Every contract between a USATF-authorized Athletes' Representative and an athlete shall be in writing in the athlete's native language, and describe the respective obligations of the Athletes' Representative and the athlete. Any contract between a USATF authorized athlete representative and an athlete with remaining collegiate eligibility shall contain a statement that discloses that by signing the agreement the athlete will forfeit any remaining eligibility he or she has to compete at the collegiate or university level.

K Revocation of authorization: A USATF-authorized athlete representative may have his or her certification revoked by the Agent Screening Committee, after being afforded the opportunity to be heard, for the grounds listed below.

- 1 False information: Providing false or misleading information on his or her application;
- 2 Failure to update information: Failing to update material changes in information provided on his or her application;
- 3 Professional license: Revocation or suspension of a professional license, and/or suspension, reprimand or revocation of membership in the applicable professional organization (i.e., UAAA certification, State or Federal Bar, NASD/SEC, State Board of Public Accountancy);
- 4 Conviction of crimes: A conviction or plea of nolo contendere for any felony, or for any crime involving fraud or embezzlement in state or federal criminal proceedings;
- 5 Civil or administrative proceeding: Any finding in a civil or administrative proceeding of fraud or embezzlement; or
- 6 USATF bylaw violation: Any finding by an NABR panel of a violation of USATF Bylaws or Operating Regulations.

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

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

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

O Agent insurance: All USATF-authorized Athlete Representatives shall disclose to each of their U.S. clients whether they carry errors and omissions insurance, and the policy limits of such insurance.

Reason: To complete process of regulating individuals seeking to represent business interests of professional track and field athletes. To bring USATF's agent regulation activities in line with those of professional leagues and NCAA. To protect USATF professional athletes from financial predators.

L&L recommendation: Needs discussion with AAC.

Item 66.....Submitted by John Wissler

Add the following to Exhibit C-3 - Article 5-E-2 Members (National Coaching Organizations)

Youth Track Coaches Association YA 5

Reason: The Youth Track Coaches Association has been an active organization within Youth Athletics and desire to have the same representation of other coaching organizations. We are only asking for representation on the Youth Athletics Committee, as that is the only committee that deals with our organization.

L&L recommendation: Reject as incorrect process for a new organization to join USATF and referred to Organizational Services.

Item 67Submitted by Jim Murphy, L&L Chair

Amend Exhibit J, Selection of Athletes for USOC No-Advanced-Notice Drug Testing Pool, as follows:

EXHIBIT N
Selection of Athletes
USATF Out-of-Competition Drug Testing Pool
Approved and in effect as of December ((8, 2002)) ??, 2005

Part I	Definitions
Part II	Authority
Part III	Ranking Lists Used for Section 5.1 Events
Part IV	Selection of Athletes to be Tested
Part V	Tested Events
Part VI	Publication of Results
Part VII	Amendments

Part I DEFINITIONS

- 1.1 Athlete(s) shall mean an individual who is a United States citizen and who has subjected himself or herself to the jurisdiction of USATF by (a) becoming a member of USATF, (b) competing in an event conducted under the auspices of USATF, (c) executing a competition entry form that notifies the Athlete that his/her participation in the competition subjects the Athlete to drug testing pursuant to the applicable rules of USATF, the IAAF, USADA or the USOC, or (d) applying for USATF or USOC athlete support.
- 1.2 IAAF shall mean the International Association of Athletics Federations, the world governing body for track and field, long distance running and race walking (Athletics).
- 1.3 Out-of-Competition (OOC) Drug Testing Pool shall mean:
 - A-F [no change]
 - G USATF Additions: USATF reserves the right to add, to the OOC Pool, any Athlete who is receiving athlete support from USATF or the USOC.

USATF’s Athlete Services Department shall maintain the quarterly list of OOC Pool Athletes, which list shall be made available for public inspection upon request.
 - H IAAF Additions: The IAAF may add Athletes to its out-of-competition drug testing pool based upon their athletic performances during the year. Any Athlete added to the IAAF’s out-of-competition drug testing pool may be added to the USATF/USADA out-of-competition drug testing pool. USATF and USADA will make every effort to add Athletes added to the IAAF’s out-of-competition drug testing pool to its domestic out-of-competition drug testing pool as specified in this Protocol.

1.4 Out-of-Competition Drug Testing (OOC(T)) shall mean the out-of-competition drug testing program which takes place outside competitions, and which is conducted by the United States Anti-Doping Agency on behalf of the USOC and all member national governing bodies of the USOC, as mandated by the Chapter XXIII of the USOC By-Laws.

[Rest of text remains the same]

Reason: To conform to current practice and applicable anti-doping rules.

L&L recommendation: Acceptable substantive amendment.