



USATF[™]
INDIANA

**BY-LAWS OF INDIANA ASSOCIATION USA
TRACK & FIELD, INC.
INDIANA ASSOCIATION OF USA TRACK & FIELD, INC.**

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ARTICLE I NAME

The name of the organization shall be Indiana Association USA Track & Field, Inc. or USATF IN, hereinafter referred to as “this Association” or “Association”.

ARTICLE 2 DEFINITIONS

As used in these Bylaws and the Operating Regulations:

- A. **Association Member** means any dues paying member who declares USATF IN the association of which to participate and be a member of and has a current USATF membership.
- B. **Athlete:**
 - 1. **Active athlete** means any individual who is actively engaged in Athletics or who has represented the United States in international competition held under WORLD ATHLETICS jurisdiction in Athletics within the preceding ten (10) years; or
 - 2. **Eligible athlete** means any athlete who meets the eligibility standards established by USATF for Athletics.
- C. **Athletics** means, inclusively, track & field, long distance running, cross country running, road running, race walking, MUT and any other sport discipline recognized by the WORLD ATHLETICS and/or the NGB for males and females and for all ages (youth, open and masters).
- D. **Athletics competition** means a contest, game, meet, match, tournament, or other Athletics event in which Eligible Athletes compete.
- E. **Board of Directors Member** means a member of the association who has been duly elected to serve on the representative body of USATF IN.
- F. **Club** means a local organization whose programs involve competitive member athletes, events, and/or education in Athletics. A Youth Club is any Club that works with athletes under 18 years of age.
- G. **Coach** means a person who is currently engaging in the training of athletes on an active basis, whether on a paid basis or not, and regardless of the extent to which coaching is a part of the person’s vocation or retired from the vocation of coaching.
- H. **NABR** means the National Athletics Board of Review, as established in USATF Operating Regulation 11.
- I. **Official** means a person who is currently four (4) step compliant and a certified Track and Field Official by USATF.
- J. **Sanction** means the document which evidences the authority granted by either USATF or an Association to conduct a competition, and which also evidences that the recipient has complied with the requirements of USATF Article 20 and USATF Operating Regulation 14.
- K. **Sports organization** means USATF, Inc., a Virginia not-for profit corporation, the National Governing Body.
- L. **This geographic area** means the State of Indiana.

- M. **USATF** means USA Track and Field, Inc., the national governing body.
- N. **Written Notice** can include written or any type of electronic delivery. Examples include but not limited to mail, email, newsletter, website.

ARTICLE 3 PURPOSES AND DUTIES

This Association shall act as the governing body (as defined by the Ted Stevens Olympic and Amateur Sports Act of 1998) for Athletics in this geographic area.

- A. **Purpose:** This Association shall have the following purposes:
 - 1. **Development:** Developing interest and participation in Athletics in this geographic area at all levels;
 - 2. **Management:** Promoting Athletics and athletes by conducting competitions and other events, and by cooperating with and encouraging other organizations which may do so; and
 - 3. **Marketing:** Generating public awareness, appreciation, and support for Athletics, USATF, and this Association, creating opportunities for athletes and athletics events, and generating sponsorships to aid this Association in fulfilling its purposes and duties.
 - 4. **Performance:** Fielding the most competent individuals and teams in this geographic area for all levels of competition in Athletics and providing support and conditions that ensure optimal performance to Athletes at all levels.
 - 5. **Diversity:** Promoting diversity of representation at all levels of participation in its activities.
- B. **Duties:** This Association shall have the following duties:
 - 1. **Responsibility to constituency:** Coordinating and supporting sports activities on behalf the persons and sports organizations active in Athletics;
 - 2. **Coordination of scheduling:** Minimizing, through coordination with other sports organizations, conflicts in the scheduling of all practices and competitions in Athletics;
 - 3. **Communication with athletes:** Keeping Eligible Athletes active in Athletics reasonably informed of policy matters and reasonably reflecting the views of such athletes in the policy decisions of USATF and this Association through agreed to means of communication;
 - 4. **Sanctioning of events:** Sanctioning competition in Athletics in accordance with the provisions of these Bylaws and Regulations, USATF Bylaws, and USATF Operating Regulations;
 - 5. **Participation in competition:** Facilitating the reasonable participation by Eligible Athletes in competition in Athletics, in accordance with the provisions of these Bylaws and Regulations, USATF Bylaws, and USATF Operating Regulations;
 - 6. **Support of diversity in Athletics:** Providing equitable support and encouragement for participation by all persons in Athletics, regardless of gender, age, race or ethnicity, or disabilities;
 - 7. **Support of the Para-Athletics:** Encouraging and supporting sports programs in Athletics for para-athlete;

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

ARTICLE 4 AUTHORITY OF THE INDIANA ASSOCIATION

The Association shall possess, through USATF, all authority of that body in Athletics.

- A. The Indiana Association shall be autonomous in the administration of Athletics, and to that end shall exercise independent jurisdiction, supervision, and control over the administration, eligibility, sanctioning and authority, representation, and rules of competition for Athletics in the State of Indiana.
- B. The fiscal year of the Association shall begin January 1 and end December 31 of each year.

ARTICLE 5 CONFLICT OF INTEREST

Definition of Conflict of Interest:

Any individual representing this Association, or who has a financial arrangement with USATF or this Association, or who is an employee of this Association or of its Associations, or who is a member of any of its committees, shall not participate in the evaluation or approval of a contract with a supplier to furnish goods or provide services to USATF or this Association, if that individual directly or indirectly benefits financially, or otherwise receives any form of compensation from, or has any interest in, any supplier under consideration.

Appropriate Action:

1. All individuals must disclose all financial interest that may influence the performance of their duties for USATF or this Association.
2. Each individual referred to in the first sentence of this paragraph shall, upon learning that this Association is proposing to enter into an arrangement or vote in which he or she has financial interest, promptly notify the Executive Director or President of the Board in writing of the existence of such interest, and the Executive Director or President shall in turn, promptly disclose such interest to those bodies of USATF or this Association involved in considering entry into the arrangement.
3. If the Board of Directors votes to exclude the Board Member from the room during the discussion, the Board Member will be permitted to make a statement on the issue prior to leaving the room.
4. No Board Member will be permitted to vote on any specific issue in which he or she has a conflict of interest.

5. A Board Member may be removed from the Board of Directors for failure to comply with this policy.
6. In the event of a violation of this provision, the Association shall have the right to recover such benefit or payment and to void the contract or transaction.

Failure to Disclose Conflict Shall Not Affect Validity of Action Taken:

The fact that a Board Member with a conflict of interest fails to disclose the conflict, as required by this policy, and participates in a vote on an issue in which he or she has a conflict of interest shall not affect the validity of the action taken by the Board of Directors on the issue.

ARTICLE 6 ASSOCIATION MEMBERS

- A. The Association shall have three (3) classes of **Association Members**, which are:
 1. **Individual/General Members:** Any person eighteen (18) years of age and older who meets the criteria for individual membership as determined by USATF shall be eligible for membership. This includes athletes, officials, coaches, administrators, and any other set of individuals named by USATF.
 2. **Youth Members:** Any person under the age of eighteen (18) years who meets the criteria for individual membership as determined by USATF shall be eligible for membership.
 3. **Groups:** Any organization that meets the criteria for group membership as determined by USATF shall be eligible for membership. This includes clubs, organizations administering competitions, and any other groups designated by USATF. Organizations and any person representing an organization in Association voting matters must be a member of USATF. Member groups must designate in writing who the voting members of the group are to be and must make any changes to this in a timely manner before such individuals are recognized to vote.
- B. **Applications:** Application for membership shall be in accordance with the USATF Bylaws and Operating Regulations.
- C. **Rights, Preference, Limitations and Restrictions of Members:** Each Association Member agrees to abide by the Articles of Incorporation and the By-Laws of the Association, and all rules and regulations adopted by its Board of Directors, and by the Articles of Incorporation, By-Laws and Operating Regulations of USATF. Any Association Member who fails to comply with the requirements of such articles of incorporation, by-laws, rules and regulations or policies and procedures thereto shall, if the Board of Directors by majority vote so determine, forfeit their membership and any and all rights and privileges in the Association, as provided in Article 13 of these By-Laws. No individual or organization shall be entitled to more than one membership per class in the Association.

ARTICLE 7 ELECTIONS

Membership Year: Association Memberships may be purchased for the upcoming year after November 1. The membership year shall be the same as USATF membership year. USATF memberships are calendar-year memberships. This means that they expire on December 31st each year. New members joining in November or December will be afforded membership for the remainder of that year as well as all of the following year.

Voting

A. Association Annual Meeting.

Every Association Member over the age of eighteen (18) is entitled to participate in voting at meetings of this Association and shall have the right to vote at every Annual meeting for the nominees to the Board of Directors and the Officers of the Association.

1. No individual may cast more than one vote on any motion or in any election.
2. All voters must be current members of USATF IN at the time that they are voting and on July 31 prior to the start of the Annual Meeting.
3. Association Members shall have a right to nominate and vote for any individuals to serve as a member to the Board of Directors.

B. Voting Age. Voters must be a minimum of age eighteen (18) on the day of the election.

C. Quorum and Voting Requirements

1. A quorum of the Board of Directors for the transaction of all business at a Board of Directors meeting, except filling vacancies on the Board of Directors, shall consist of a majority of the members of the Board. A vacancy or vacancies on the Board of Directors may be filled by the affirmative vote of a majority of all the directors remaining in office if the remaining directors constitute less than a quorum of the Board. If a quorum is present when a vote is taken, the affirmative vote by a majority of directors' present is the action of the Board of Directors. A Director who is present at a meeting when corporate action is taken is deemed to have assented to the action unless:
 - a. A Board of Director member objects at the beginning of the meeting (or promptly upon the board member's arrival) to holding it or transacting business at the meeting;
 - b. The Board of Director member delivers written notice of the director's dissent or abstention to the presiding officer of the meeting before its adjournment or to the secretary of the Association immediately after adjournment of the meeting. The right of dissent or abstention is not available to a Board of Director member who votes in favor of the action taken.

2. A quorum to transact the business of the Association at an Executive Committee meeting shall consist of a majority of members present.

Nomination

- A. The President of the Board of Directors may appoint a three person Nominating Committee of current Board of Directors to solicit names of the board of Directors.
- B. Candidates must be members of the Association, be at least eighteen (18) years at the start of their term.
- C. To be renominated to the Board the nominee must have attended a minimum of four board meetings over the course of the board member's three year term.
- D. A Candidate needs one (1) nominator and one (1) seconded who are current valid members.

Election Procedures for Board of Directors

- A. Board of Director members, whose term has expired, shall be elected at each annual meeting of the Association by the Association members. Nominations for officers will be accepted by mail or electronically (e.g. e-mail) only to the president and the nomination chair at least seven (7) days prior to the Association Annual Meeting. Nominations from the floor will be accepted.
- B. Individuals casting a ballot must be members and in good standing as of July 31 immediately preceding the election.
- C. The President shall designate a panel of at least three (3) individuals, at least one (1) of whom must be an athlete, to oversee the validity of the ballots. All panel members shall be of voting age. The panel shall not include any individual who is a candidate for a contested office.
- D. In the case where an in-person election is not advisable due to national/state level emergencies such as a health crisis or other type of serious crisis, the Indiana association Executive Committee or Board of Directors by super majority (2/3 vote) may utilize an alternative way to vote such as electronically for the nomination and election of board members, association officers and committee chairs. All applicable nomination process and voting criteria contained in the Association Bylaws shall be followed. The Board may approve by super majority (2/3 vote) an alternative to paper ballot. This could include, but not limited to an electronic ballot.
 1. One (1) person shall cast only one (1) ballot, regardless of how many positions within the organization the person occupies.
 2. There shall be no proxy voting.
 3. Credential disputes must be resolved before the election process is started with nominations and/or the report of the nominating committee.
 4. Uncontested elections may be voted by acclamation. A secret ballot must be used for contested elections.
 5. Once an Association member is voted in, they shall automatically be deemed as a Board of Director member. The board member must stay 3-step compliant

through his/her term which shall lead to suspension or removal until 3-step compliancy has been met.

Election Procedures for Officers

Officer Position includes: President, Vice President, Secretary and Treasurer and should be members of the association.

- A. Officers shall be elected by Association members and be elected to the office biennially immediately following the election of the Board of Directors. No person shall serve in the same Association office for more than three successive two-year terms. A former officer must be two (2) years removed from their previous officer position in order to re-run for the same position. There shall be no order of succession to any Association office. The outgoing Officers shall serve in an advisory capacity for a minimum of one term.
1. Nominations for officers will be accepted by mail or electronically (e.g. e-mail) only to the President and the nomination chair seven (7) days prior to the Association Annual Meeting. Nominations from the floor will not be accepted.
 2. All officers can only be elected from the Board of Directors.
 3. The candidate who receives the majority of votes cast for each office shall be elected to that office.
 4. If no member receives a majority of votes, then the top two candidates and ties for second will have an immediate runoff election by written ballot.
 5. Election in the runoff round only requires a simple plurality. The election count shall be held at the time fixed in the announced agenda regardless of the presence of a quorum.
 6. Each officer shall serve for a term of two (2) years following election, or until his or her successor is elected and qualifies. During the term the officer serves, he/she must maintain 3-step compliancy. Not doing so may lead to dismissal.
 7. No person may contest more than one (1) officer position during an election period. 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.
 8. In the event an officer resigns or is permanently unable to serve, the Board of Directors shall name a successor until the following annual meeting. Officers shall perform the duties as specified in these Bylaws, the USATF Bylaws, or the Board of this Association.
 9. Only the offices of membership chair, the treasurer and the secretary may be appointed or hired.
 10. The secretary and treasurer position(s) may be employees of the Association but would not have voting rights at Board of Director or Executive Committee meetings.

- B. The panel shall verify that ballots cast by eligible voters will be counted. They will review and record the number and reason for any rejected ballots (ex: late, not properly completed or otherwise invalid). They will then count the ballots and sign the tally sheet, or if the election is done by an alternative method the panel will sign the Election Certification form verifying the accuracy of the election.

ARTICLE 8 MEETINGS

- A. **Annual meeting:** The annual meeting of this Association shall be held in 3rd quarter, or other convenient month, at such date, time, and place as may be fixed by the President and by requisite notice of such meeting. This meeting is designated as the Elections meeting.
- B. **Regular meetings:** This Association may hold additional meetings of the Association Members at such time and place as the Association President shall determine to secure input from the membership.
- C. **Special meetings:** Special meetings of this Association shall be held upon call by the President, where the Board of Directors requests that the current administration hold a meeting for the purpose of addressing issues that arise between board meetings.
- D. **Executive session:** At any time, the President may call an executive session of the Board in conjunction with or in lieu of another form of meeting. Executive session discussion items shall be confidential.
- E. **Virtual meeting:** In the case where an in-person meeting is not advisable due to national/state level emergencies such as a health crisis or other type of serious crisis, the Indiana association Executive Committee or Board of Directors by super majority (2/3 vote) may vote to host a virtual meeting. Notice of this virtual meeting shall follow the same timeline as an in-person meeting.
- F. **Meeting procedures:** The following shall govern the conduct of all meetings of this Association;
 - 1. **Notification of meetings:**
 - a. **Distribution:** Notice of the meeting must be distributed by email to all current Association members in good standing. If mail is desired, there needs to be a 1-year notification requested by the member. The meeting notification will also be posted on the association website.
 - b. **Web site use:** If a web site is to be used to inform members of the meeting, then members must be informed via the website Membership section where to find information on the web site through an annual notification or newsletter;
 - c. **Prior arrival:** The notice for the annual election of Board of Director Members must be sent by means under which it will arrive at least thirty (30) days prior to the beginning of the elections process; and any notice of a meeting change must be at least fourteen (14) days prior to the meeting, unless the circumstances requiring a change prevent this notification;
 - 2. **Publication of agenda:** The proposed agenda shall be included along with the meeting notice. Agendas should also be available at the time of the

meeting; additional items added to the agenda shall not include any item where action of the committee is necessary, unless seventy-five percent (75%) of the members of the membership group then present agree to such action;

3. **Open conduct of business:** All meetings of this Association shall be open to all members of the Association except as otherwise provided in writing. There shall be a specified time period in the meeting where any member may give input or make a brief statement;
 4. **Closed:** No part of any meeting shall be closed unless fifty-one percent (51%) of the Board of Directors then present agree to close the session; and
 5. **Record of a meeting:** The Association and all of its committees shall have a Secretary. Within thirty (30) days of the meeting, draft minutes should be posted on the Association Website. No recordings shall be allowed through electronic means unless performed by the Secretary.
- G. **Quorum:** At all meetings of Board of Directors, a quorum shall consist of a majority of the Board of Director members in good standing.
- H. **Agenda:** Prior to each meeting of this Association, the Secretary shall consult with the President and any Association staff members on the agenda. The Secretary shall prepare an agenda to be presented to the members at the start of the meeting. Such agenda items shall include, but not necessarily be limited to:
1. **Attendance:** Consideration of the eligibility of members through acceptance of the Membership database;
 2. **Credentials:** Consideration of credentials and challenges;
 3. **Minutes:** Acceptance of the minutes of the previous meeting;
 4. **Financial report:** Treasurer's report and approval of the budget;
 5. **Reports:** Reports from the President and those officers and committee chairs who have business to come before the delegates
 6. **Introductions:** Group introduction of other officers and committee chairs (without reports);
 7. **Amendments:** Action on proposed amendments;
 8. **Nominations:** (including speeches not more than 3 minutes for board members and officer positions) elections as scheduled, including special elections;
 9. **Site selections:** Report on site selections by each sport committee;
 10. **Awards:** Appropriate awards presentations; and
 11. **Other business:** New or old business as scheduled.
- I. **Rules of order:** Questions of order shall be decided by the Vice-President, in accordance with Roberts's Rules of Order (Newly Revised), unless otherwise provided in these Bylaws. Decisions by the Vice-President may be appealed to the Association parliamentarian. The President may designate a qualified parliamentarian for any meetings of this Association.
- J. **Meetings of the Board of Directors**
1. The annual meeting of the Board of Directors shall be held immediately after the General Annual Meeting. Failure to comply with Director requirements

in this provision shall subject said Member for removal upon a 2/3 vote of the Board.

- a. Board of Directors are expected to attend the Annual Board Meeting and any other scheduled board meeting. If unable to attend, the President and/or Executive Director and/or Secretary must be notified in writing, via postal service or e-mail as soon as possible.
 - b. Removal from the Board of Directors may occur if a Director fails to attend the two (2) meetings in a row, or four (4) meetings in a one (1) calendar year period. Removal shall be approved by at least two-thirds (2/3) of Board members in good standing. The President shall notify in writing any Director being considered for removal from the Board.
 - c. All Board of Director members must volunteer at least three (3) sanctioned Indiana Association events per calendar year. Failure to comply with this provision may subject said Board of Director member to removal from the Board of Directors and disqualify them for being an association delegate at the USATF Annual meeting.
 - d. Additionally, a Board of Director member must attend the USATF Annual Meeting at least once during their 3-year term, to qualify for re-election for the term immediately following their current term. In the case that a Director is appointed prior to a full term, they will be exempt from the requirement for that year.
 - e. The Association President shall have the exclusive right to excuse a Board of Director member's participation, if circumstances beyond a members control prevent participation within the calendar year.
 - f. Any Board of Director member subject to removal shall not be entitled to vote on said removal.
 - g. If a Board of Director member is removed from the Board of Directors, the Board of Directors shall have the power to appoint an Association member to fill the vacancy and the remaining term of the removed Board of Director member. The appointment shall be by majority vote of Board of Director members present.
2. The President of the Board may call emergency meetings of the Board of Directors at any time. Notice of time, date and place of the meeting will be sent to the Board of Directors by postal mail, electronically or delivered personally, at least five (5) days prior to the date of such meeting, unless waived by majority vote of the Board of Directors.
 3. Meetings of the Board of Directors may be held at any place within the State of Indiana. Meetings may also be held virtually.

K. Participation in Meetings by Electronic Communications: Any or all Board of Director members may participate in a meeting of the Board of Directors, Executive Committee, or a Standing Committee of the Association by any means of communication by which all Board of Director or committee members participating may simultaneously hear each other during the meeting. A person

participating in such a meeting by this means is deemed to be present in person at the meeting.

- L. Action Without a Meeting:** Any action which may be taken at a Board of Directors meeting may be taken without a meeting if evidenced by one or more written consents describing the action taken, signed or affirmed by each Board of Director member and included in the minutes or filed with the corporate records reflecting the action taken. For purposes of this section, a waiver granted document transmitted electronically by a Board of Director member should be deemed "signed by a Board of Director member". Action taken by written consent is effective when the last Board of Director member constituting a majority of Board of Director members signs the consent, unless the consent specifies a different prior or subsequent effective date.

ARTICLE 9 BOARD OF DIRECTORS

- A. Number and Term:** The number of Board of Director members of the Association shall be authorized to elect up to eighteen (18) who shall be elected for a maximum term of three (3) years. The Board of Directors may designate a lesser number of Board members at any time by a majority vote and conversely return it to a higher number up to the maximum (18).
- B. Fiduciary responsibility:** The Board of Directors shall manage and supervise the affairs of the Association and perform those duties specified in these Bylaws, to the best of their abilities, and abide by the Policies and Procedures at all times while in office, including all competition rules, sanctioning and proper naming of events. All Board of Director members agree to go through the proper channels and inform the Association President regarding hosting/conducting events or clinics.
- C. Qualifications of Directors:** The Board of Directors must be members of the Association and may also be officers of the Association. Board of Director members should have considerable training and competition experience as an athlete, coach, official, trainer, physician or administrator in the sport of Athletics. Elected Board of Director members shall be eligible for re-election. Board of Director members are required to renew their Indiana Association membership by January 31 of each year. All board members and officers must maintain 3-step compliancy. Failure to do so may result in removal from office or as a board of director.
- D. Delegates to the USATF annual Meeting:** The Board of Directors shall certify or elect the Delegates to the USATF Annual Meeting.
- E. Executive Committee:** The Board of Director's Executive Committee, shall have the authority to carry on the day-to-day business of the Association. The Executive Committee shall be comprised as below:
1. The Executive Committee shall consist of the President, Vice-President, Secretary, Treasurer and three (3) other Board of Director members. The Executive Committee terms shall coincide with the biennial election of Association officers. The three (3) additional board members shall be determined by asking for volunteers. If more than three (3) volunteers are nominated, then a vote shall be taken by the entire Board of Directors. The

three individuals receiving the highest number of votes shall be selected for the Executive Committee.

2. The Executive Committee shall meet in person or virtually such as a video or conference call at least three (3) times each year. Committee Chairs may be invited to participate in these meetings. Furthermore, all Executive Committee members shall make every attempt to attend every Executive Committee meeting. Failure to attend two (2) or more of the Committee meetings shall become grounds for removal from the Executive Committee.
3. The Executive Committee is to follow the Policies and Procedures as set forth in the Association bylaws.

ARTICLE 10 OFFICERS

A. President:

The President shall have general supervision over all officers, employees, the Executive Committee and Committee Chairs of the Association.

1. Shall sign or be notified about all contracts related to meet/event production and other official documents of the Association.
2. The President shall preside at all meetings, including the Executive Committee and the Board of Directors;
3. Shall be an ex-officio member of all committees;
4. Shall recommend appointments of committee chairpersons to the Executive Committee and/or Board of Directors, as well as other appointments or hiring, as stipulated by these By-Laws or in the Policies and Procedures of the Association.
5. He or she may likewise terminate appointments for just cause upon written notice to such appointees and the other officers.

B. Vice-President:

The Vice-President shall perform such duties as assigned to him or her by the President and shall perform the duties of the President when he/she is absent or disabled.

1. The Vice-President also serves as the Parliamentarian at all meetings.
2. Be a non-voting ex officio member of all committees.
3. Mentor committee chairs.
4. Insure consistency of operating procedures for the Association and its committees.
5. Oversee the operation of the Association website.
6. Coordinate delegate selection and review sessions for the USATF Annual Meeting.

C. Treasurer: The Treasurer shall:

1. Receive, account and maintain records for all funds of the Association.

2. Prepare a financial report for each annual meeting of the Association.
3. Prepare a statement of the financial condition of this Association.
4. Deposit or cause to be deposited all funds of this Association.
5. The treasurer will prepare quarterly reports to be distributed to all Board of Director members at corresponding meetings.
6. All tax returns or reports are timely prepared and filed.
7. Prepare, or cause to be prepared, an annual budget to include the anticipated income and expenses of this Association.
8. Provide other financial reports as required by the President, Executive Committee or the Board of Directors and other items as detailed in the Policies and Procedures of the position.
9. A financial review may be performed upon the request of the Board of Directors and they shall select a CPA who in turn will submit their report to the President and Board of Directors.
10. The Board of Directors shall not share financial information provided with any non-Board of Directors member or outside of the Association but shall instead forward any disclosure request to the Association President.
11. Be responsible for the appointment of and be a member of the Financial Committee.
12. Mileage reimbursement for Board of Directors attending Association meetings from place of residence.

D. Secretary:

1. The Secretary shall keep or cause to be kept all records of the Association.
2. All minutes of meetings of the Association and Board of Directors to be recorded or written to be reviewed by the President before posting to the Association website and distributed to the board.
3. Shall perform all duties normally pertaining to the office of secretary.
4. Keep the current list of the members of the Board of and when their terms of office expire and have them posted on the Association website.
5. Oversee the committee elections as defined in Article 8 section F number 5.
6. All written reports or a summary of such reports shall be distributed with the draft minutes.

Resignation-Removal from Office: A Board of Director officer or Board of Director member may resign at any time by delivering proper notice to the President. The Executive Committee may fill the vacancy so created. A resignation is effective when the notice is delivered unless the notice specifies a future effective date. If the resignation is made effective at a future date and the Executive Committee accepts the future effective date, the Executive committee may fill the pending vacancy before the effective date if provision is made that the successor does not take office until the effective date. Any Board of Director officer, Board of Director member, Association member may be removed for cause by a two-thirds (2/3) vote of those Board of Director members present and voting at an annual meeting or a special meeting called for this purpose. For cause removal includes but is not limited to:

1. Major violations of bylaws;

2. Failure to disclose potential conflicts of interest;
3. Conflicts of interest;
4. Conduct which impugns the Association, the Board of Directors, the Board of Director officers and/or individual members of the Association;
5. Conduct which negatively affects the Association, the Board of Directors, the Board of Director officers and/or individual members of the Association;
6. Failure to follow the Association bylaws.
7. Failure to maintain 3-step compliance.

Suspension of Members and Officers. Any officer, Board of Director, Association Member may be suspended by a two-thirds (2/3) vote of those Association Members present and voting at an annual meeting or a special meeting called for this purpose. Suspensions may be issued when conduct is being investigated, complaints/actions are initiated or 3rd party actions are filed and pending against the Association, its members, Directors and/or officers.

ARTICLE 11 EXECUTIVE DIRECTOR

The Association, by action of the Board of Directors, may hire, on a part-time or full time salaried basis, an Executive Director to oversee the day-to-day business operations of the Association, Duties of the Executive Director will be specified in the employment contract and may include the following:

1. **Supervision and appointment of staff:** Supervise the paid staff of the Association, including the appointment of such paid personnel as are necessary for the conduct of business;
2. **National communications:** Supervise the proper handling of the correspondence and communications with individuals and Athletics' organizations in other Associations and with the National Office of USATF;
3. **Legal documents and commitments:** Ensure that the authorized officers of this Association sign all contracts or other legal commitments of this Association after approval by established procedures;
4. **Ex officio membership:** Serve as a non-voting member of the Board of Directors, and may serve as a non-voting member on committees and subcommittees;
5. **Exclusive employment:** Devote his or her full time to the affairs of this Association without engaging in any other profession or employment, except as permitted in the employment contract;
6. **Budgetary limitation:** Operate within the annual budget. In addition, the Treasurer and/or President and/or Board of Directors shall approve all major funding matters and expenditures;
7. **Strategic planning:** Draft strategic plans for this Association and submit for approval to the Board of Directors;
8. **Yearly report:** At the annual meeting, present to this Association a report on the state of the sport, including a review of the progress since the last annual meeting and suggested plans for the future implementation of the strategic plans for the following year; and

9. **Other duties:** Carry out other responsibilities, which may be assigned by resolution of the membership at the Annual Meeting or by the Board of Directors.

A. Employees and Elections: Current employees (working within the past 90 days) shall not participate in any part of the election process (nominations or campaigning), but may, at the discretion of the Association, be permitted to vote if they are Association members and otherwise eligible to vote.

ARTICLE 12 COMMITTEES

- A. **Standing Sport Committees:** The Association shall establish Standing Sport Committees for the sports of Open Men's Track and Field, Open Women's Track and Field, Men's and Women's Long Distance Running, Men's and Women's Race Walking, Youth Athletics, Para-Athletics and Masters Athletics which shall be organized and have the duties, as follows
 1. **Chairpersons:** The chairperson of each Standing Sport Committee will be appointed by the President, Executive Committee or Board of Directors of this Association. The chairperson shall be a member of the Association in good standing and should be a director of the Board of Directors of the Association, if possible.
 - a. Chairs are required to renew their membership with this association by January 31 of each year. Failure to do so shall result in immediate removal from office of that person.
 - b. All committee chairs must be at least 18 years of age.
 - c. Chairpersons always agree to abide by all National and Association By-Laws and Policies and Procedures, including but not limited to competition rules, sanctioning, and proper naming of events.
 - d. All sport committee chairs are appointed and shall serve for a period of one (1) year or until their successors are appointed and qualified or unless otherwise subject to removal by a majority vote of the Executive Committee or Board of Directors.
 2. **Duties:** Each Standing Sport Committee shall:
 - a. Have jurisdiction over the Indiana Association and/or Region Championships in the particular sport it controls, and shall institute, locate, conduct and manage all such championships either by conducting themselves. The committees shall properly sanction all such meets.
 - b. Agree to follow the Policies and Procedures related to its discipline as set forth.
 - c. Recruit, with involvement of the Officials' Chair, the officials needed for an event, and approve the officials for association championships.
 - d. Publicize events in each discipline or make the arrangement for the publication through direct mail and/or electronic communications to those interested in the discipline.

- e. Actively promote USATF in Indiana.
- f. Coordinate the competition of foreign athletes in the sport of Athletics in the State of Indiana and with USATF and WORLD ATHLETICS.
- g. Have the authority to open its meeting, by a majority vote of the committee members present, to all athletic coaches, officials, and representatives of any group actually engaged in the sport who shall have voice during the committee meeting but without the right to vote.
- h. Promote and develop activities related to its sport.
- i. Track and maintain all records within its discipline and make them available to its members or provide the information to a records person, executive director or employee if so stipulated.
- j. Attend the Executive Committee meeting to report on the 'state of the discipline/committee' or submit a written report one-week prior to the Executive Committee Meeting. Shall attend the Association's Annual meeting to provide a report of the discipline.
- k. Attempt to be self-supporting through event revenues and possibly obtaining sponsorships with the approval of the Executive Committee and/or Board of Directors. Justify the existence through increased memberships, gate, entry fees and sponsorships.
- l. Work with the other Sport Committees and/or Executive Committee and/or President to coordinate scheduling of meets, exchange information on how to run events and other items as needed.

3. Sport Committee Meeting: Each Standing Sport Committee Chair may direct a meeting and hold elections for committee members for his or her Athletics sport by giving at least thirty (30) days written notice to the members of the Association active in such Athletic sport of his or her intention to hold an election, if such sports committee has not held an annual meeting for election of committee members or not conducted a championship for one year or more. Alternately, the Committee Chair may request and select Committee members from a list of volunteers.

B. Standing Administration Committees: The Association shall establish Standing Administration Committees, which will follow all National and Association By-Laws and Policies and Procedures set forth for its purpose. Committees may include Budget and Finance, Officials, Coaches Education, Law and Legislation, Sports Medicine, Awards, and Membership and shall be organized and have the duties as follows:

- 1. **Chairpersons:** The Chairpersons of each Standing Administration Committee shall be members of the Association in good standing, and shall be appointed by the President, Executive Committee or Board of Directors of the Association.
 - a. Chairs are required to renew their membership with USATF Indiana by January 31 of each year. Failure to do so shall result in immediate removal from office of that person.
 - b. All committee chairs must be at least 18 years of age.

- c. All committee standing administration committee chairs are appointed and shall serve for a period of one (1) year or until their successors are appointed and qualified or unless otherwise subject to removal by a majority vote of the Executive Committee or Board of Directors.
 - d. Unless otherwise provided, each Standing Administration Committee shall consist of at least three (3) members, including its Chairperson, and may include officers, so named by the Executive Committee.
 - e. All Committee members shall follow all National and Association By-Laws and all Policies and Procedures as set forth.
2. **Budget & Finance:** The duties of the Budget and Finance Committee are to:
- a. Review and examine the accounts of the Treasurer within thirty (30) days following the annual meeting and provide to the Board of Directors a report for the preceding calendar year.
 - b. Examine the accounts of the Treasurer at any other times as requested by the President and/or Executive Committee and provide a report to the President and/or Executive Committee. Upon unsatisfactory findings or theft, embezzlement, etc. demand the Treasurer turn over all money, accounts, books, papers, vouchers, and records pertaining to his or her office.
 - c. Consult with the various committees on matters pertaining to the financial well-being of the Association. Help committees to establish yearly, quarterly and/or event budgets.
 - d. Advise the President, Executive Committee and the Board of Directors with reference to opening new accounts or closing old ones. Have only one checkbook for the Association to be held by the Treasurer.
 - e. Analyze the accounts receivable and, if needed, recommend collection efforts or a final disposition of such accounts that appear not to be collectible.
 - f. Prepare a budget of anticipated income and expenditures for the ensuing fiscal year and submit it to the Board of Directors for approval at the annual meeting.
 - g. Propose to the Board of Directors dues and fees to be paid to or by the Association when applicable.
3. **Officials:** The Officials Committee shall consist of a Chair and up to six (6) members, preferably from several sport committees, appointed by the Executive Committee and/or President. Its duties are to:
- a. Certify, train and generally supervise officials in all phases of competition in the Sport of Athletics held in the State of Indiana.
 - b. Establish and monitor the overall policy for recruitment, training and certification of the officials under the policies of USATF.
 - c. Conduct official's clinics at various places in the state.
 - d. Work in close relationship with the Sport Committee Chairs to recruit certified officials for all Indiana Association or higher levels of USATF Championship events. Work with any sanctioned event to help recruit officials needed.

- e. Maintain a current list of all Indiana certified officials' addresses and phone numbers and provide same to the President, USATF Indiana championship meet directors, Executive Committee and the Board of Directors.
 - f. Collect officials' registration fees and submit to the Treasurer with detailed report as to amounts and numbers.
 - g. Act as liaison to officials certified by USATF and the activities conducted by the USATF IN officials.
 - h. Establish a uniform dress code, examination, clinic programs and other assistance for USATF Officials working at competitions in the Sport of Athletics conducted by the Association or staffed in part by its members.
 - i. Make recommendations to the USATF National Officials Committee for certification of individuals on the Master, National or Association levels.
 - j. The Officials Award Committee shall consist of the Committee Chair, the Officials Committee, and former award winners to present the Marshall Goss Indiana Official of the Year, the David Bowers Track Official of the Year, and the Keith Mitchell Field Event Official of the Year awards.
4. **Coaches Education:** The committee shall foster the growth of coaches' education in Indiana, using such resources as the national committee can provide. It shall participate in the staging of any coaching education school held in the geographic area of the Association.
5. **Law & Legislation:** The duties of the Law and Legislation Committee are to:
- a. Review and/or propose and present in proper form edits/suggestions to the Executive Committee and/or Board of Directors for action all proposed amendments to the Articles of Incorporation or By-Laws of the Association
 - b. Review and/or propose edits/suggestions to the Policies and Procedures of the Association and make recommendations to the President, Executive Committee and/or the Board of Directors with respect thereto.
6. **Sports Medicine:** The Sports Medicine Committee duties shall consist of
- a. Study the correlation between health and sports and make recommendations as deemed advisable for the conduct of the sport of Athletics; and act as the Medical Advisory Committee to The Indiana Association.
 - b. Assist and advise sport committees in areas of physiology testing, biomechanics, and nutrition.
 - c. Recruit medical personnel for Championship and other competitions conducted by the Association, if not already accounted for through other means.
7. **Awards:** The Awards Committee shall consist of a Chair and two (2) members appointed by the Executive Committee and/or President and/or work in conjunction with a hired company. Its duties are to:

- a. Develop and follow a process for the selection of an Athlete of the Year in each of the sport disciplines and official of the year with extensive input from the respective committees.
 - b. Compile from the committee chairs the list of winners in each area and submit them to the President for a letter of invitation to the awards program or notice of winning to be mailed to each.
 - c. Develop and approve the award given to the Athletes of the Year.
 - d. Invite award winners and their guest to the Awards Celebration Program in February or at a time appropriate for the association.
- 8. Membership:** The Membership Chair shall collect all memberships for individuals and groups within the Association who joins by mailing their membership.
- a. Verify individual, club and other questions relating to membership to current and potential USATF IN members and respond to emails and phone call inquires in a timely manner.
 - b. A liaison to the USATF National Office in all matters of membership, including reporting.
 - c. Gather membership data on quantity and provide a report at all Association meetings.
 - d. Determine the qualification of member groups and coordinate elections.
 - e. Membership committee members can assist with recruitment and retention of new, current and potential members at expos, clinics, events, social media, etc.
- 9. Other Committees:** The President, with approval of the Executive Committee, may appoint other committees for liaison with USATF for insurance coverage, to negotiate broadcast rights for competitions conducted by the Association, to sell and distribute tickets to competitions conducted by the Association, to solicit sponsorships for competitions conducted by the Association, to market the entertainment services of the Association, SafeSport Liaison and to handle other business matters for the Association if so needed.

ARTICLE 13 ARBITRATION AND APPEALS

- A.** Disputes between Standing Sports Committees shall be settled through compulsory and binding arbitration by a committee consisting of an equal number of representatives of each of the involved committees and an impartial chairman selected by the Law and Legislation Committee subject to approval of the involved committees, and be subject to final review and decision by the Board of Directors.
- B.** Any decision by the Board of Directors may be appealed by a Standing Sport Committee to the membership of the Association at the next Annual meeting by giving written notice to appeal within thirty (30) days after receiving written notice of such decision.

ARTICLE 14 SUSPENSION AND EXPULSION

- A. The Executive Committee and/or Board of Directors shall have the right to suspend for a definite or indefinite period of time, or to expel any member, delegate, athlete, coach, manager, official, or any committee who in a manner detrimental to the objectives of the Association and Athletics has contravened any of the By-Laws or rules of the Association, or of USATF; who by his or her, or its conduct has acted in a manner which tends to bring disrespect upon the Association or any Athletics sport; or who has violated the rules of amateurism as specified by the WORLD ATHLETICS.
- B. The President, Chair of a Standing Sports Committee, or any three (3) members of the Association or USATF, may initiate and deliver to the President, written charges for suspension or expulsion of a member. The President shall refer such charges to the Executive Committee and/or Board of Directors for action.
- C. Before final exercise of its power under this Article, the President of the Board of Directors of USATF IN shall send written notification to the involved person or organization of the action to be taken, the reasons for the action, and the time and place when that person or organization may be heard in a swift and equitable manner.
- D. Upon written application delivered to the Association President for reinstatement to membership in the Association by any person or organization so suspended or expelled, including a detailed statement of reasons advanced for reinstatement, the Board of Directors or the members may consider and reject or reinstate that person or organization to membership in the Association.
- E. Review of suspensions or expulsions shall be subject to formal removal of suspension or expulsion of membership in and by the USATF or WORLD ATHLETICS as the case may be.

ARTICLE 15 REDRESS OF GRIEVANCES

- A. **Jurisdiction:** This Association shall have jurisdiction over all disciplinary and formal grievance proceedings relating to matters that arise within the boundaries of the Association, except sexual misconduct allegations and doping violations which shall be under the jurisdiction of USATF. All penalties imposed by an Association shall be effective only within the jurisdiction of that Association. Failure to comply with the procedures contained in this Article shall result in a waiver of any party's right to grieve or address any issue that would be grievable if these procedures were complied with.
- B. **Association Arbitration Panel:** The following shall apply to the appointment and conduct of the Association Arbitration Panel (AAP).
 - 1. **Members:** The Association Arbitration Panel shall consist of three (3) members – a chair, and two (2) at-large members. Members of the AAP shall not be members of the Board of Directors or Executive Committee.
 - 2. **Appointments:** Appointments shall be made by the Association President with the approval of the Board of Directors. The appointments shall be duly reflected in the minutes of a properly convened Board of Directors meeting.

- C. **Grievances:** A grievance may involve any matter, other than sexual misconduct and doping offenses, within the cognizance of USATF that occurs in the jurisdiction of this Association.
1. **Grievance Complaints:** A Grievance Complaint shall state the following:
 - a. **Detrimental conduct:** Conduct detrimental to the best interests of Athletics, USATF, USATF IN has taken place; or
 - b. **USATF violations:** A violation of any of USATF's Bylaws or Operating Bylaws or Operating Regulations has occurred.
 2. **Parties:** Grievance Complaints may be filed only by and against individuals or entities which were, at the time that the conduct complained of occurred, and at the time the Complaint is filed, members, directors, or officers of USATF or otherwise subject to the jurisdiction of USATF IN. A Grievance Complaint may only be filed by a person or entity affected by the issues raised in the complaint; and
 3. **Time limit:** Grievance Complaints must be filed within ninety (90) days from the time the complaining party knew or should have known of the act giving rise to the Complaint.
- D. **Disciplinary matters:** This association shall have the authority to discipline any member who, by neglect or by conduct, acts in a manner subject to discipline pursuant to below.
1. **Activities subject to discipline:** USATF IN may discipline any member who, by neglect or by conduct, acts in a manner listed below:
 - a. **Detrimental conduct:** Acts in a manner detrimental to or which adversely affect USATF IN, the purposes of USATF, USATF IN, or Athletics;
 - b. **USATF, WORLD ATHLETICS, and Sports Act violations:** Violates any of the Bylaws, Operating Regulations, or Competition Rules of USATF or the WORLD ATHLETICS, or violates the Sports Act;
 - c. **Eligibility violations:** Violates the rules of eligibility for Athletics;
 2. **Time limit:** Disciplinary proceedings must be requested within ninety (90) days from the time the complaining party knew or should have known of the issue giving rise to the request for a disciplinary hearing.
- E. **Rights of the persons or entities:** In all matters subject to this Regulation, all parties shall be provided with fair notice and an opportunity for a hearing prior to the adjudication or imposition of any penalty by the Association or AAP. All parties:
1. **Representation:** May be represented in any disciplinary, grievance, or Association proceeding by a person(s) who may (but need not) be an attorney;
 2. **Right to appeal:** The decision of the AAP shall be final.
 3. **Attendance at hearing:** Must be present at any hearing; and
 4. **Presenting and challenging evidence:** Shall have the right to present evidence and witness testimony and to cross-examine witnesses testifying against him, her or it.
- F. **Initiation of proceedings:** Formal grievances shall be initiated as follows:
1. **Grievance complaint filing procedures:**

- a. **Filing location:** Complaints shall be filed with the Association President and Secretary. The Secretary shall forward a copy of the Complaint to each party charged in the Complaint;
 - b. **Language:** All documents filed and exchanged with respect to this Regulation shall be in English; provided, however, that an original document that is in a foreign language must be submitted along with an English translation. The party submitting the document shall bear the cost of obtaining its translation which shall be conducted by a reputable translator or translation service. In the event of a challenge to the accuracy of a translated document, the panel chairperson may direct USATF to order a translation of the document(s) in question and may allocate the cost of the translation to any party or all parties, as the panel deems appropriate;
 - c. **Basis for the Complaint:** The Complaint shall allege clearly the nature of the dispute and, where appropriate, state the specific violation of the Bylaws, Operating Procedures, Competition Rules, or Policies of USATF, INUSATF, or the WORLD ATHLETICS;
 - d. **Facts of allegation:** Factual allegations shall be separately stated in concise language with one allegation set forth in each numbered paragraph of the Complaint;
 - e. **Signature:** The Complaint shall be signed by the person filing the Complaint,
 - f. **Filing fees:** A filing fee of Five Hundred U.S. Dollars (US\$500) must accompany all complaints. The filing fee must be in the form of a certified check or money order made payable to the USATF Indiana; No personal checks will be accepted.
 - g. **Financial Responsibility.** The Complainant shall execute and present a form accepting financial responsibility for one half (1/2) of all arbitration panel costs, if any. USATF IN shall provide the Complainant with the financial responsibility form to be completed. Failure to execute the financial responsibility form shall be deemed a substantial deficiency which must be corrected before a grievance can move forward.
2. **Failure to comply with Complaint procedures:** Complaints that fail to comply with the procedures outlined in this Regulation shall be returned to the filer with instructions explaining the deficiency. A returned Complaint may be re-filed one time within fifteen (15) days from the date contained on the notice of deficiency. If the deficiency is not corrected within the thirty (30) days deficiency period, the Complaint will be deemed abandoned and no issues raised in the Complaint, or any additions thereto, may be raised again at any time;
 3. **Informal resolution of grievances:** Upon receipt of a compliant Grievance Complaint, the President or his/her designee shall make every effort to resolve the dispute through informal means. In disputes pertaining to a specific sport discipline, the President or his/her designee shall also confer with the chairperson of the sport committee for the discipline involved. All discussions related to the informal resolution of a complaint shall be confidential;

4. **Formal resolution:** If the informal resolution of the complaint is unsatisfactory to any party, the party may request that the complaint be resolved by a formal hearing before an AAP panel. The request for formal resolution shall be tendered in writing within ten (10) days from the date the informal decision notice is issued to the Complainant. Failure to comply by tendering a request in the prescribed timeframe will result in dismissal of the Complaint or the Complaint may be deemed fully resolved, based on the sole discretion of the Association President;
 5. **Hearing panel:** When one party has indicated that the matter cannot be resolved informally, the President or his/her designee shall coordinate the selection of a three-person arbitration panel as detailed in Paragraph B of this regulation. The arbitrators shall not be members of the Board of Directors or Executive Committee. The President shall make best efforts to convene the panel within ninety (90) days of the written arbitration request.
- G. Notice of proceedings:** Within thirty (30) days of the final selection of the arbitration panel, all interested parties and the hearing panel shall be sent the following by the Association Secretary:
1. **Documents:** A copy of the complaint or other documents giving rise to the proceeding, with any attachments;
 2. **AAP Members and Contact:** The names of the hearing panel members and the address and telephone number of the panel's chairperson;
 3. **Association Bylaws:** A copy of the text of this Regulation of the USATF IN Bylaws and any other relevant USATF Rule or Regulation; and
 4. **Other relevant documents:** A copy of any specifically identified document(s) related to the dispute.
- H. Answer:** The person(s) or entity(ies) named in a Complaint (respondent(s)) must submit a written answer to the Association Secretary within thirty (30) days after receipt of the letter notifying respondents that a proceeding has been filed ("Notice of Proceeding"). A copy of the Answer shall be forwarded by the Secretary to the complainant (the party filing the Complaint) and the AAP panel. The failure of respondent(s) to answer within thirty (30) days after the receipt of the Notice of Proceedings will be deemed a waiver by respondent of the opportunity to have a hearing or have an appeal of any adverse decision. Upon such failure, and after confirmation of the receipt of the Notice of Proceeding by all parties, the hearing panel may proceed in the absence of the respondent and may decide the matter with or without a hearing and with or without taking testimony and evidence, as it deems appropriate. If a party raises a hearing panel challenge under Regulation I below, the panel chair may extend the time to answer.
- I. Challenge to arbitrator(s):** Within fourteen (14) days following the receipt of the Notice of Proceedings any party to the hearing may challenge the seating of any AAP panel member, on the ground that the panel member may not be impartial. The panel chairperson may extend the time to answer if a panel member is challenged. Failure to bring a timely challenge against the seating of an AAP arbitrator constitutes a waiver of such challenge.
- J. Hearing procedures:** The following procedures apply to formal grievance, and other hearings:

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

Committee chair and/or the USATF IN Treasurer shall review it and report their findings to the Board of Directors within thirty (30) days of the issuance of the opinion. In such instances, the decision and opinion shall not become final and binding unless and until approved by the Board of Directors. The Board of Directors shall determine to what extent any AAP decision and opinion having a significant budgetary impact on USATF IN may be implemented, in light of fiscal considerations, and may remand the matter back to the AAP panel for modification based upon budgetary directives from the Board of Directors;

2. **Form of decision and opinion:** The AAP decision shall state in one or two brief sentences which party the AAP arbitrators have ruled in favor of. The opinion of the AAP panel shall set forth the following:
 - a. **Issue:** The question(s) the AAP panel was asked to decide;
 - b. **Arguments:** A brief summary of the arguments made by each party
 - c. **Findings of fact:** The findings of fact upon which the panel based its decision;
 - d. **Citations:** A citation to the applicable WORLD ATHLETICS, USATF, USATF IN, Sports Act, or other applicable rule, bylaw or minutes, reports, guidelines, or other documents upon which the AAP panel decision is based, if any; and
 - e. **Stay provision:** Whether the effect of the decision shall be stayed in the event of an appeal, if appropriate.
 3. **Time frame:** An AAP panel shall issue a decision with respect to the disciplinary, formal grievance, or other proceedings within fifteen (15) days after the conclusion of the hearing. The panel shall render a written opinion no later than thirty (30) days after the conclusion of the hearing, or after the submission of any post hearing documentation to the panel.
 4. **Effect of decision:** All AAP panel decisions shall be effective upon the date rendered, unless otherwise stated in the decision.
 5. **Assessment of Costs.** Costs for AAP panel services shall be borne equally by the parties. The prevailing party shall be entitled to request an award of all costs and fees above and beyond the costs assessed by the AAP panel for panel services
- L. **Appeals:** The decision of the arbitrators may be appealed pursuant to USATF Regulation 11-P.

ARTICLE 16 AMENDMENTS

- A. These By-Laws may be amended by the Board of Directors by a two-thirds vote of Board of Director members, upon giving written notice of the proposed amendment to the members of the Board of Directors at least thirty (30) days prior to the meeting, unless such notice has been waived in writing, or action taken thereupon by consent resolution.
- B. Amendments to these By-Laws shall be submitted to the Law & Legislation Committee for review and comment and recommendation before action thereupon by the Board of Directors.
- C. Amendments to the Policies and Procedures may be made by a recommendation by

the Executive Committee and a two-thirds (2/3 vote) in favor of the change(s).

ARTICLE 17 SAVINGS CLAUSE

- A. If any provision of these By-Laws is adjudged to contravene the Articles of Incorporation of the Association, the Constitution and By-Laws of USATF or any law of the State of Indiana, such provision shall be severed and shall not affect the force and effect of the remaining provisions of these By-Laws.
- B. To the extent permitted by the Indiana Not-for-Profit Corporation Act of 1991, the failure of literal or complete compliance with provisions of these By-Laws in respect to dates and times of notice, or the sending or receipt of the same, or errors in phraseology of notice of proposals, may be waived by the judgment of a majority of the members or Board of Directors present at meetings held and shall not invalidate the respective actions or proceedings of the members, the Board of Directors or any Standing Committees at any meeting thereof.

ARTICLE 18 SANCTIONS

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

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