

THE ILLINOIS ASSOCIATION OF USA TRACK AND FIELD  
BY-LAWS

**PREAMBLE**

The Illinois Association of USA Track and Field is organized for the betterment of the sport of track and field and to do every nature of activity necessary toward that end. These By-Laws are created to direct the operation of the Association with this goal in clear focus. Each discipline of the sport of track and field must consider the totality of the sport and acknowledge that gains for the sport result in benefits for the individual discipline as well. The Board of Directors is the center of the operational structure of the Association and represents all disciplines, cooperating to benefit track and field and every component of the sport of track and field; the Board of Directors also has the authority to act in the best interests of the Association as described in these By-Laws.

**ARTICLE I**

**NAME**

The name of this corporation shall be The Illinois Association of USA Track and Field. The designation "USATF Illinois" may be used for the purpose of brevity or for the use in any logo.

**ARTICLE II**

**DEFINITIONS**

A. Track and field includes, in addition to track and field, long distance running (cross county running and road running), race walking, and any other sport discipline recognized by USATF Illinois

B. All other words and terms used and not otherwise defined herein shall be used as defined in the By-Laws of USA Track and Field, Inc., the national governing body. (Hereinafter sometimes referred to as USATF)

## **ARTICLE III**

### **PURPOSES**

The purposes of The Illinois Association of USA Track and Field are to encourage, improve, and promote the sport of track and field in the State of Illinois and in the Illinois Association.

## **ARTICLE IV**

### **AUTHORITY**

USATF Illinois, as authorized by USA Track and Field, Inc., shall have the authority to administer the sport of track and field in the geographic area authorized by USA Track and Field, Inc. In the administration of the sport of track and field, USATF Illinois shall exercise independent supervision and control over the eligibility, sanctioning authority, scheduling and rules of competition for the sport of track and field in the geographic areas authorized by USA Track and Field, Inc.

## **ARTICLE V**

### **MEMBERSHIP**

Membership in USATF Illinois shall be by an organization/club member or individual member, whose applications for membership shall be approved by USATF Illinois.

A. USATF Illinois Organization/Club member: an organization/ club member shall be any bona fide sports organization organized within the geographical area authorized by USATF or which operates or competes in the described geographical area and is interested in the sport of track and field or which regularly sponsors or arranges programs, competitions, or competitive opportunities for its athlete members in the sport of track and field. Such organization/club member shall submit a membership application as directed by USATF Illinois and pay the required dues. Such membership may be as either a national or association organization or club.

B. Individual voting member: an individual member is any individual who is eighteen (18) years or older residing within the geographical area authorized by USATF who is active in or interested in the sport of Track and field and who applies for membership, pays the required dues for membership, and meets all other membership obligations as directed by USATF Illinois. Except for renewal memberships from the prior year, in order to be eligible to vote, an individual must be a member of the Association at least one (1) full month prior to the month in which the election occurs. (Example: if the election is April 25th, the membership must be processed by February 28th.)

C. USATF Illinois may categorize membership into subclasses based on activity or interest of the member and define the rights of such subclasses of membership.

D The Board of Directors may name amateur sports organizations which have an interest in the sport of track and field to become voting members of USATF Illinois. The Board of Directors shall determine the extent of the voting rights of the amateur sports organization and on which committee such representation may participate.

## **ARTICLE VI**

### **GENERAL MEETINGS**

A. A General meeting is a meeting of the entire voting membership of USATF Illinois. General meetings of USATF Illinois shall be held at the direction and the notice of the Board of Directors. At least thirty (30) days' notice shall be given to the entire voting membership prior to any general meeting. Such notice may be in any media that is accessible to all voting members and shall be given consistent with the requirements of the bylaws of USATF.

B. The Annual meeting of USATF Illinois shall be held in the spring of each calendar year, at such date, time and place as may be fixed by the Board of Directors and announced to the voting membership not less than thirty (30) days prior to the date of the meeting as with all general meetings.

An additional semi-annual meeting of USATF Illinois shall be held in the fall of each voting (elections) year, at such date, time and place as may be fixed by the Board of Directors and announced to the voting membership not less than thirty (30) days prior to the date of the meeting as with all general meetings.

C. No minimum number of registered voters shall be required at General meetings, including Annual meetings. If fewer than twenty-five (25) voters are present at any Annual or General meeting, and conduct business at the meeting, the Board of Directors may conduct a separate binding vote on any business conducted at said meeting.

## ARTICLE VII

### VOTING

A. Voting at USATF Illinois meetings, general or otherwise, shall be restricted to: 1) those delegates who represent USATF Illinois member organizations/clubs which are active in track and field within USATF Illinois, provided that the organization/club member is current in all fees and other requirements of USATF Illinois membership; and 2) those individual members of USATF Illinois who are active and who are current in all fees and other requirements of USATF Illinois membership.

B. For an organization/club member to be considered active and eligible to vote, the organization/club must have: 1) had five or more athletes who held valid USATF Illinois card membership and voter registration concurrently within the past twelve (12) months; or 2) conducted a USATF Illinois sanctioned event within the past twelve months.

C. For an individual member to be considered active and eligible to vote at USATF Illinois meetings, the individual member must pay the required fees and meet all obligations of membership of USATF Illinois, as approved by the Board of Directors.

D. Elections shall be conducted using an Open Meeting Ballot, as follows: 1. Credential disputes must be resolved before the election process is started, 2. Uncontested elections may be voted by acclamation, 3. Secret ballots shall be used for contested elections, and 4. Any ballots opened outside the presence of the entire voting panel shall not be used or counted.

Additionally, the Board of Directors may determine that electronic voting shall be used for any meeting, as follows: 1. electronic ballots shall be made available to all members of the Association, 2. all ballots must be distributed at the same time, 3. the minimum time allowed for returning the ballot is thirty days, 4. the return process for the ballot must be indicated on the ballot, 5. the ballots must be held together and must remain unopened until the voting panel is assembled and be counted together by the voting panel.

E. A Voting Panel of at least three individuals, at least one (1) of whom must be an Active Athlete, shall count the ballots and sign the vote tally. All panel members must be at least 18 years of age. The panel shall not include any individual who is a candidate for an office. The panel may consult with the Association's president, secretary, or parliamentarian on procedural matters.

F. All officers, directors, committee chairs, and members making nominations, and all others who hold positions or otherwise conduct any affairs of USATF Illinois must be voting members of USATF Illinois.

## G. Election protests

a. Except as indicated below, Regulation 21 shall apply to election disputes. Protests may only be made after the election is concluded.

b. An NABR panel from a different USATF Association whose election is disputed shall be appointed to conduct the hearing. All hearings shall be by conference call. The procedures in Regulation 21 shall apply.

c. Invalidation: The NABR panel shall invalidate an election if it is found that one or more infractions occurred that were likely to have changed the outcome of an election.

d. Further action: The NABR panel may recommend changes for future elections in the Association.

H. Employees and elections: Current Association employees (working within the last ninety days) shall not participate in any part of the elections process, including nominations or campaigning, but may, at the Association's discretion, be permitted to vote if they are members and otherwise eligible. Current Association employees may, at the Association's discretion, seek election by the Association as a national delegate, or any other representative position at the national level.

## ARTICLE VIII

### OFFICERS

a. OFFICERS: The officers of the Association shall be President, President Emeritus, Vice President of Administration and Vice President of Operations, Secretary and Treasurer.

b. DUTIES: The officers shall perform the following duties as well as any other prescribed by these By-Laws, USATF Illinois, or the Board of Directors:

1. PRESIDENT: The President shall preside at all meetings of this Association and, as Chairman, all meetings of the Board of Directors and the Executive Committee.

2. PRESIDENT EMERITUS: Serves as a member of the Board of Directors, attends all Executive Board meetings, shares ideas, guidance and expertise, assists the President as requested, and attends the annual Association Workshop and National Convention as a delegate representing the Illinois Association.

3. VICE PRESIDENT OF ADMINISTRATION: In the case of disability of the President, the Vice President of Administration shall assume the duties of the President and shall perform the duties of that office. In addition, the Vice President of Administration shall

have the responsibility to oversee the operations of all sport and administrative committees.

4. VICE PRESIDENT OF OPERATIONS: In the case of disability of the President and the Vice President of Administration, the Vice President of Operations shall assume the duties of the President and shall perform the duties of that office. In addition, the Vice President of Operations shall have the responsibility to oversee the operation of all programs and events.

5. SECRETARY: The Secretary shall perform all duties pertaining to the office of Secretary for USATF Illinois as a whole and for the Board of Directors.

6. TREASURER: The Treasurer shall be the officer of USATF Illinois directly responsible for carrying out the fiscal obligations of the Association. The Treasurer, with the approval of the Board of Directors, may delegate the day to day fiscal operations of the Association to the Executive Director and the local office of the Association.

#### **SPORTS COMMITTEE CHAIRS**

1. YOUTH CHAIR: The Youth Chair shall be responsible for all operations of the Youth Program as defined in Article VI Section 1 in the USATF Competition Rules.

2. OPEN CHAIR: The Open Chair shall be responsible for all operations of the Open Program as defined in Article Section II.

3. LDR CHAIR: The LDR Chair shall be responsible for all operation of the LDR program as defined in Article IV Section VII, Article VI, Section II-A and Section II-B in the USATF Competition Rules

4. RACE WALK CHAIR: The Race Walk Chair shall be responsible for all operations of the Race Walk Program as defined in Article IV Section VI in the USATF Competition Rules

5. MASTERS CHAIR: The Masters Chair shall be responsible for all operation of the Masters Program as defined in Article VI Section II-A, and II-A.

C. ELECTIONS: The President and the two Vice Presidents shall be elected in odd numbered years at the Annual Meeting as prescribed in these By-Laws. The term of office is four (4) years starting in January of the year following the election. The other officers shall be elected by the Board of Directors at the end of the Annual Meeting following the election of the President in odd numbered years. Election of all officers shall be by secret ballot. All officers shall serve in their capacity from the date of their election until a new election is held for those offices as prescribed in these By-Laws.

1. ELECTION OF PRESIDENT AND VICE PRESIDENTS: The election of the President and Vice Presidents shall be governed by the following rules: A candidate for President and Vice President may be elected at the Annual Meeting who has been nominated for the office at least thirty (30) days prior to the Annual Meeting. Such nomination shall consist of a petition signed by five (5) or more voting members of the Association, as defined by Article VII, no two (2) of whom may be from the same organization/club. A candidate for President and Vice President may also be nominated from the floor at the Annual Meeting if the members in attendance at the Annual Meeting equal one-third or more of the voting membership of USATF Illinois or fifty (50), whichever is fewer. If fewer than twenty-five (25) voters are present at any Annual meeting when an election for these officers is conducted, the Board of Directors may conduct a separate binding vote on the election of any or all of the elected officers.

2. SELECTION OF BOARD OF DIRECTORS: The Board of Directors shall consist of up to seventeen (17) members: the officers of the Association, the elected sport and administrative committee chairs, the administrative committee chairs appointed by the President or the Board of Directors, the requisite number of athlete members, and up to three at-large members. Members of the Board of Directors must represent active USATF Illinois member organizations/clubs or be active, voting members in good standing as defined in these By-Laws and the Operating Regulations of USATF Illinois.

3. TERM OF OFFICE:

a. In the event any officer or member of the Board of Directors resigns or is unable to serve any remaining portion of a term of office, except the President, the Board of Directors shall name a successor for the unexpired portion of the term of the vacated position. An officer of USATF Illinois who is no longer a member of the Board of Directors may not continue to serve as such officer and a vacancy will automatically occur.

b. In the case of the resignation or inability of the President to complete the term of office, the Vice President of Administration shall fulfill the term of office, a new member of the Board of Directors shall be selected pursuant to these By-Laws, and a new Vice President of Administration shall be selected from the members of the new Board of Directors.

c. The Board of Directors may establish attendance requirements for meetings and rules for the replacement of Directors who do not abide the attendance requirements, which requirements and rules may be placed in the Operating Regulations of USATF Illinois.

4. REMOVAL FROM OFFICE: An Officer may be removed from office for cause and with the concurrence of two-thirds or more of the current constituency from which the office holder was chosen. The constituency for the President is the entire association, so the vote for removal of the President for cause shall be at any general meeting called

with notice given to the entire voting membership that the issue of removal of the President will be considered.

## ARTICLE IX

### BOARD OF DIRECTORS

A. The members of the Board of Directors shall perform the duties described in these By-Laws and as directed by the membership. The members of the Board of Directors selected from the Sport Committees shall, where applicable, represent the interests of the respective Sport Committees.

B. A majority of the Board of Directors may require the President to call special meetings or general meetings of USATF Illinois, where appropriate cause exists.

C. The Board of Directors shall choose the delegates from USATF Illinois who will represent USATF Illinois at the national USATF convention, with the advice of the Executive Committees of the standing sport and administrative committees.

D. The Board of Directors shall select an Executive Director of USATF Illinois who will be the chief executive of USATF Illinois and who will serve at the direction of the Board of Directors and who will carry out the policies of USATF Illinois in accordance with these By-Laws and in accordance with the directions and duties established by the Board of Directors.

E. The Board of Directors has the authority to undertake any action in the best interest of the Association, including actions to approve or disapprove committee business. This authority also permits the Board of Directors to act in the absence of performance or action of any committee.

F. The Board of Directors has the authority to establish Operating Rules to implement these By-Laws and to implement the policies of the Association. Pursuant to Article XVI (C), the Board of Directors may also amend the By-Laws with a two-thirds vote. In the event that the Board of Directors recognizes that an administrative committee has sufficient activity and organization in conducting its own affairs, the Board of Directors may determine that such an administrative committee may hold its own elections to establish the leadership of the administrative committee.

G. A quorum for the purpose of conducting meetings of the Board of Directors is fifty percent plus one, of the currently serving Board of Directors.



H. For the purpose of conducting meetings in the absence of a quorum, telephonic or computer assisted communication may be used to poll Directors and to record and count the vote of an absent Director.

## **ARTICLE X**

### **EXECUTIVE COMMITTEE**

A. The Board of Directors shall select an Executive Committee, made up of five, seven, or nine members of the Board of Directors, selected by the Board of Directors at the first meeting of the Board of Directors following the election of the Association officers. The Executive Committee shall be made up of the Officers of the Association, the requisite number of athlete representatives and any additional members as the Board may prescribe.

B. The members of the Executive Committee shall perform the duties described in these By-Laws and as directed by the Board of Directors. The Executive Committee shall operate in place of the Board of Directors between meetings of the full Board of Directors and shall have the full authority to decide for the Board of Directors. All actions of the Executive Committee shall be reported to the full Board of Directors at meetings of the Board of Directors and such actions shall be approved or disapproved.

C. Consistent with the requirements described above, the Executive Committee has the authority to undertake any action in the best interest of the Association, including actions to approve or disapprove committee business. This authority also permits the Executive Committee to act in the absence of performance or action of any committee.

D. A quorum for the purpose of conducting meetings of the Executive Committee is fifty percent plus one, of the currently serving Executive Committee.

E. For the purpose of conducting meetings in the absence of a quorum, telephonic or computer assisted communication may be used to poll members of the Executive Committee and to record and count the vote of an absent Executive Committee member.

## **ARTICLE XI**

### **SPORT COMMITTEES**

A. There shall be five (5) Sport Committees: Youth Track and Field, Master's Track & Field, Open Track & Field, Long Distance Running (road racing, cross country, and

ultra-distance), and Race Walking. The Committees will represent the areas as described by USATF.

B. Each of these five (5) Sport Committees shall have an Executive Committee comprised of five (5) to nine (9) members or voting representatives who are USATF Illinois voting members: the President of the Association (or a representative designated by the President) and four (4) to eight (8) other members of the Sport Committee, chosen by the whole Sport Committee at a site and time established by each Sport Committee.

1. The time of the meeting of the Sport Committee to elect the Sport Executive Committee must be in accordance with the Operating Regulations.
2. Voting at the Sport Committee meeting to elect the representatives of the Sport Executive Committee must follow the requirements of Section C, immediately below.
3. At least one (1) member of each sport Executive Committee of the Sport Committee, except Youth Track and Field, must be an active athlete in the sport or sports governed by the Committee.
4. If a vacancy arises on the Sport Executive Committee, the remaining members of the Sport Executive Committee shall appoint a member from the Sport Committee to serve on the Sport Executive Committee until the next full Sport Committee meeting.
5. The Sport Executive Committee shall elect a chairperson from among the elected members of the Sport Executive Committee.

C. Voting in the Sport Committee General Meetings shall be restricted to USATF Illinois members, either club or individual, as described in these By-Laws and prescribed by USATF Illinois. USATF Illinois voting members, in order to be eligible to vote at any Sport Committee meeting, must meet the requirements of voting membership, either as a club/organization member or a voting member, as described in Article V. In addition, to make the voting member eligible to vote as a member of the Sport Committee, the voting member must be active, as defined in Article V, Membership and Article VII, Voting, in the particular discipline of the Sport Committee.

D. The Board of Directors shall determine the number of voting members required for attendance at general Sport Committee Meetings in order for the Sport Committee to conduct valid votes on business of the committee. In the event that insufficient voting members attend meetings, according to the attendance requirements established by the Board of Directors, the Sport Executive Committee shall be permitted to conduct the business and affairs of the committee with regard to any item of business previously listed on the agenda distributed with notice of the meeting to the membership for such meeting.

E. The Sport Executive Committee chair shall serve on the Board of Directors. If the Sport Executive Committee chair is unable to attend a meeting of the Board of Directors of USATF Illinois, then the Sport Committee chair shall designate another member of the Sport Executive Committee to attend the USATF Illinois Board of Directors meeting with full voting authority. If neither the Sport Committee chair nor the chair's designee attends the Board of Directors meeting with regularity, the Board of Directors may designate another member of the Sport Executive Committee to attend and vote at the meeting of the Board of Directors to represent the Sport Committee.

F. The duties of the Sport Executive Committees shall be to:

1. manage the affairs and activities of the Sport for which the Committee is authorized to govern.
2. advise the Board of Directors regarding the selection of delegate(s) to the USATF National Convention to represent the committee's interests.
3. recommend to the Board of Directors, sites and dates for Association championship events related to the Committee.

## ARTICLE XII

### ADMINISTRATIVE COMMITTEES

A. USATF Illinois shall have an Administrative Committee for each of the following areas:

Law and Legislation	Sports Medicine and Sports Science
Marketing	Special Projects
Media/Public Relations	Rules and Records
Officials	Budget and Finance
Member Services	Volunteers
Athlete's Advisory	

B. The Board of Directors may create new committees, as are necessary to serve USATF Illinois and the membership.

C. The President of USATF Illinois, with the advice and consent of the entire Board of Directors of USATF Illinois, shall appoint, from among the voting membership of the Association, a chairperson and the members of the Committees described within this

Article. The President may remove a committee chair or committee member, with the advice and consent of the entire Board of Directors of USATF Illinois. The Committee shall then function at the request and at the direction of the Board of Directors of USATF Illinois.

## ARTICLE XIII

### REDRESS OF GRIEVANCES

A grievance may be any matter within the cognizance of USATF-ILLINOIS ASSOCIATION. Grievances shall be filed and administered in accordance with this Article.

### FORMAL GRIEVANCES AND DISCIPLINARY PROCEEDINGS:

**A. Jurisdiction:** This Association shall have jurisdiction over all disciplinary and formal grievance proceedings relating to matters that arise within the boundaries of the Association, except sexual misconduct allegations and doping violations which shall be under the jurisdiction of USATF. All penalties imposed by an Association shall be effective only within the jurisdiction of that Association.

**B. Association Arbitration Panel:** The following shall apply to the appointment and conduct of the Association Arbitration Panel (AAP):

1. **Members:** The Association Arbitration Panel shall consist of three (3) members - a chair, an at-large member, and an athlete member. There shall also be a first alternate, second alternate, and additional alternates who may be appointed from time to time when any of the three members of the AAP are not available. Members of the AAP shall not be members of the Association Board or Executive Committee.

**Appointments:** Appointments shall be made by the President with the approval of the Association Board. The appointments shall be duly reflected in the minutes of a properly convened Board meeting.

**Terms:** Terms shall commence on January 1 of each even-numbered year.

**Removal:** Members and alternates may be removed for good cause by majority vote of the Association's Board. Good cause may include, but is not limited to the following:

a. **Dilatory practices:** An AAP member who causes or permits delays in the hearing process: and/or

b. Failure to follow procedures: An AAP member who disregards or fails to apply the hearing procedures or other provisions set forth in the Association Bylaws, Association Regulations, USATF Rules, USATF Bylaws, and/or USATF Regulations.

C. Grievances: A grievance may involve any matter, other than sexual misconduct and doping offenses, within the cognizance of USATF that occurs in the jurisdiction of this Association:

1. Grievance Complaints: A Grievance Complaint shall state the following:

a. Detrimental conduct: Conduct detrimental to the best interests of Athletics, the USATF Illinois, or USATF has taken place; or

b. USATF Illinois violations: A violation of any of USATF-Illinois Bylaws or Operating Regulations and/or of a violation of any of USATF Illinois 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-Illinois or otherwise subject to the jurisdiction of USATF Illinois. A non-member, former director, or former officer of USATF Illinois shall be subject to the jurisdiction of USATF Illinois for the purpose of defending against a Grievance Complaint for an incident that occurred while he or she was a member, a director, or officer of USATF Illinois; or otherwise subject to the jurisdiction of USATF Illinois. A Grievance Complaint may only be filed by a person or entity affected by the issues raised in the complaint; and,

3. Time limit: Grievance Complaints must be filed within one (1) year from the time the complaining party knew or should have known of the act giving rise to the Complaint.

D. Disciplinary matters: USATF Illinois shall have the authority to discipline any member who, by neglect or by conduct, acts in a manner subject to discipline pursuant to Regulation of the Illinois Association of USATF.

1. Activities subject to discipline: USATF Illinois may discipline any member who by neglect or by conduct:

a. Detrimental conduct: Acts in a manner detrimental to the purposes of USATF Illinois, USATF, or Athletics;

b. USATF, IAAF, and Sports Act violations: Violates any of the Bylaws, Operating Regulations, or Competition Rules of USATF or the IAAF, or violates the Sports Act;

c. Eligibility violations: Violates the rules of eligibility for Athletics;

2. Time limit: Disciplinary proceedings must be requested within one (1) year from the time the complaining party knew or should have known of the issue giving rise to the request for a disciplinary hearing.

E. Rights of the persons or entities: In all matters subject to this Regulation, all parties shall be provided with fair notice and an opportunity for a hearing prior to the adjudication or imposition of any penalty by the Association or AAP. All parties:

Representation: May be represented in any disciplinary, grievance, or Association proceeding by a person(s) who may (but need not) be an attorney;

Right to appeal: May appeal any adverse decision in accordance with this Regulation;

Attendance at hearing: May be present at any hearing: and

Presenting and challenging evidence: Shall have the right to present evidence and witness testimony and to cross-examine witnesses testifying against him or her or it.

F. Initiation of proceedings: Formal grievances shall be initiated as follows:

1. Grievance complaint filing procedures:

a. Filing location: Complaints shall be filed with the Association President and Secretary. The Secretary shall forward a copy of the Complaint to the each party charged in the Complaint;

b. Language: All documents filed and exchanged with respect to this regulation shall be in English; provided, however, that an original document that is in a foreign language must be submitted along with an English translation. The party submitting the document shall bear the cost of obtaining its translation which shall be conducted by a reputable translator or translation service. In the event of a challenge to the accuracy of a translated document, the panel chairperson may direct USATF Illinois 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 Illinois, USATF, or the IAAF;

d. Facts of allegation: Factual allegations shall be separately stated in concise language with one allegation set forth in each numbered paragraph of the Complaint;

e. Signature: The Complaint shall be signed by the person filing the Complaint.

f. Filing fees: A filing fee of One Hundred U.S. Dollars (US \$100) must accompany an organization's complaint and a filing fee of Seventy-five U.S. Dollars (US\$75) must

be paid by individuals filing a Complaint. The filing fee must be in the form of a certified check or money order made payable to the Association;

2. Failure to comply with Complaint procedures: Complaints that fail to comply with the procedures outlined in this Regulation shall be returned to the filer with instructions explaining the deficiency. A returned Complaint may be re-filed within thirty (30) days of the initial filing. After thirty (30) days, the Complaint will be deemed abandoned;

Informal resolution of grievances: Upon receipt of a Grievance Complaint, the President or his/her designee shall make every effort to resolve the dispute through informal means. In disputes pertaining to a specific sport discipline, the President or his/her shall also confer with the chairperson of the sport committee for the discipline involved. All discussions related to the informal resolution of a complaint shall be confidential:

Formal resolution: If the informal resolution of the complaint is unsatisfactory to any party, or if a party declines to pursue informal resolution, the party may request that the complaint be resolved by a formal hearing before an AAP panel:

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. The arbitration panel should include at least one Active Athlete. One panel member will be selected as Chairperson with responsibilities to control and conduct the process. The arbitrators shall not be members of the Association Board or Executive Committee.

G Notice of proceedings: Within thirty (30) days of the commencement of a formal grievance all interested parties and the hearing panel shall be sent the following by the Association Secretary:

Documents: A copy of the complaint or other documents giving rise to the proceeding, with any attachments:

AAP Members and Contact: The names of the hearing panel members and the address and telephone number of the panel's chairperson:

Association Bylaws: A copy of the text of this Regulation and of the USATF Illinois Bylaws and any other relevant USATF Rule or Regulation; and,

Other relevant documents: A copy of any specifically identified document(s) related to the dispute.

H. Answer: The person(s) or entit(y)(ies) named in a Complaint (the Respondent) 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 this Regulation, 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:

Pre-hearing conference call: Within five (5) business days of the expiration of the arbitrator challenge the AAP panel chairperson shall conduct a pre-hearing conference by telephone conference call with all parties to discuss scheduling and procedural matters.

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.

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.

**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;

**Evidentiary rules:** The rules of evidence generally accepted in administrative proceedings shall be applicable to the hearing; the formal rules of evidence shall not apply.

**Burden of proof:** The burden of proof is upon the complainant to prove by a preponderance of the evidence that conduct described in the grievance complaint has occurred.

**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

**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:

**Scope of decision:** All AAP panel decisions shall be consistent with USATF Illinois Bylaws and Regulations, USATF Bylaws and Regulations and IAAF Rules and Regulations, and the Sports Act. If the implementation of any AAP panel decision and opinion would have a significant budgetary impact on USATF Illinois, the Budget Committee chair and/or the USATF Illinois Treasurer shall review it and report their findings to the Board within thirty (30) days of the issuance of the opinion. In such instances, the decision and opinion shall not become final and binding unless and until approved by the Board. The Board shall determine to what extent any AAP decision and opinion having a significant budgetary impact on USATF Illinois may be implemented, in light of fiscal considerations, and may remand the matter to the AAP panel for modification based upon budgetary directives from the Board:

Form of decision and opinion: The AAP decision shall state in one or two brief sentences which party the AAP arbitrators have ruled in favor of. The opinion of the AAP panel shall set forth the following:

- a. Issue: The question(s) the AAP panel was asked to decide;
- b. Arguments: A brief summary of the arguments made by each party;
- c. Findings of fact: The findings of fact upon which the panel based its decision;
- d. Citations: A citation to the applicable IAAF, USATF, USATF Illinois, 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:

Time frame: An AAP panel shall issue a decision with respect to the disciplinary, formal grievance, or other proceedings.

## **ARTICLE XIV**

### **SUSPENSION AND EXPULSION**

- A. USATF Illinois, or its Board of Directors as its representative, shall have the power: (1) to suspend for a definite or indefinite period; or (2) to expel a member, delegate, athlete, coach, manager, official or member of any committee who by conduct: (1) acts in a manner detrimental to the purpose of this Association and amateur sports; or (2) has violated any of the By-Laws or rules of USATF Illinois or USATF.
- B. For the same reason stated in paragraph (A) of this Article, USATF Illinois shall have the power to recommend to USATF that a member of any committee be suspended or expelled provided that all the provisions of due process as stated in the USATF By-Laws have been met.
- C. Before exercising its authority under this Article, USATF Illinois or the Board of Directors must notify, in writing, the person or organization involved in any alleged infringement of the rules or of good conduct in order to afford an opportunity to be heard in a swift and equitable manner. Any hearing held under this provision shall be held consistent with the provisions described in Article XIII(e).

## **ARTICLE XV**

### **FISCAL AND LEGAL MATTERS**

- A. The fiscal year of USATF Illinois is January 1 to December 31.
- B. Assets or property of this Association may be transferred from one depository to another by action of the Board of Directors.
- C. The Treasurer of USATF Illinois shall be responsible for the appointment of a Financial Committee, of three or more persons, to supervise and audit expenditures of money allocated by USATF or otherwise raised by USATF Illinois, and to monitor and review similar committees established by the Board of Directors or any Sport Committee which has the authority to expend allocations from USATF Illinois or from USATF. Any audit or review of the financial matters shall be made available to all members at the Annual Meeting.

## **ARTICLE XVI**

### **BY-LAW AMENDMENTS**

- A. These By-Laws may be amended at any Annual or general meeting of the membership of the Association, by a vote of two-thirds (2/3) of those members present and voting, provided however that notice of the proposed amendment, consistent with the requirements of Article VI, has been submitted, in writing, to the members of the Association at least thirty (30) days prior to the meeting.
- B. All proposed amendments to these By-Laws must be submitted to the Office of USATF Illinois at least ninety (30) days prior to the meeting where the amendment will be considered, so that a proper review of the proposed By-Law can be made and so that the proposal can be submitted to the membership of the Association.
- C. The authority of the Board of Directors, as described elsewhere in these By-Laws, to conduct the business of the Association due to lack of attendance at meetings or due to emergencies, also allows the Board of Directors the authority to amend the By-Laws of the Association, but only with a two-thirds (2/3) vote of all current members of the Board of Directors subsequent to the requirement described in Article IX, F, regarding subsequent approval by membership.

ARTICLE XVII

DISSOLUTION

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

USATF Illinois by

Brenda Kimbrough

Lorette Cherry

Brenda Kimbrough

Lorette Cherry

President

Secretary

Dated: 4/8/2022