

BYLAWS OF

NORTH CAROLINA USA TRACK & FIELD, INC.

ARTICLE 1 NAME

The name of this corporation shall be The North Carolina Association of USA Track & Field, Inc., hereinafter referred to as "the governing body" or as "NCUSATF." In other documents, the following names may also be used: "North Carolina USATF," "NC USA T&F," and "NC USATF."

ARTICLE 2 DEFINITIONS

As used in these Bylaws:

- A** **Armed Forces** means the United States Air Force, the United States Army, the United States Marine Corps, and the United States Navy.
- B** **ARRA** means the Association of Road Racing Athletes.
- C** **Association** means North Carolina Association of USA Track & Field, Inc. which administers the geographical area defined by the borders of the State of North Carolina.
- D** **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 IAAF jurisdiction in Athletics within the preceding ten (10) years; and
 - 2** **Eligible athlete** means any athlete who meets the eligibility standards established by USATF for Athletics.
- E** **Athletics** means, inclusively, track & field, long distance running, cross country running, road running, race walking, and any other sport discipline recognized by the IAAF.
- F** **Athletics competition** means a contest, game, meet, match, tournament, or other Athletics event in which eligible athletes compete.
- G** **Board** means the Board of Directors of NCUSATF;
- H** **Club** means a local or national organization whose programs involve competitive member athletes, events, and/or education in Athletics.
- I** **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.
- J** **IAAF** means the International Association of Athletic Federations.
- K** **International Athletics competition** means any Athletics competition involving athletes from two (2) or more countries.
- L** **IOC** means the International Olympic Committee.
- M** **NAIA** means the National Association of Intercollegiate Athletics.
- N** **NCAA** means the National Collegiate Athletic Association.
- O** **NFSHSA** means the National Federation of State High School Associations.
- P** **NJCAA** means the National Junior College Athletic Association.
- Q** **Olympiad** means the four-year period commencing on January 1st after a Summer Olympics, and ending on December 31st after the next Summer Olympics.
- R** **Past chair, past officer, or past president** means the person other than the current holder of the position who served immediately prior to the present holder.

- S **RRCA** means the Road Runners Club of America.
- T **RRIC** means the Road Running Information Center, the center authorized by USATF for the purpose of gathering national long distance running and race walking data.
- U **RRTC** means the Road Running Technical Council
- V **Sanction** means a certification which confers the authority of USATF for a competition to take place.
- W **Sports organization** means a non-profit corporation, club, federation, union, association, or other group organized in the United States which sponsors or arranges any Athletics competition.
- X **USATF** means USA Track & Field, Inc., the national governing body for the sport of Athletics.
- Y **USOC** means the United States Olympic Committee.
- Z **USTCA** means the United States Track Coaches Association.
- AA **WMA** means the World Masters Athletics.

ARTICLE 3 PURPOSES

The purpose of this corporation is to act as the governing body for Athletics in the State of North Carolina. In connection with such purpose, NCUSATF shall be responsible for the following:

- A **Development of the sport:** Developing interest and participation in Athletics throughout North Carolina and being responsible to the persons and sports organizations active in Athletics;
- B **Coordination of scheduling:** Minimizing, through coordination with other sports organizations, conflicts in the scheduling of all practices and competitions in Athletics;
- C **Communication with active athletes:** Keeping eligible athletes active in Athletics informed of policy matters and reasonably reflecting the views of such athletes in the policy decisions of NCUSATF;
- D **Sanctioning of events:** Sanctioning competition in Athletics in accordance with the provisions of these Bylaws and the Operating Regulations;
- E **Participation in competition:** Providing for the participation by eligible athletes in competition in Athletics, in accordance with the provisions of these Bylaws and the Operating Regulations;
- F **Support of women in Athletics:** Providing equitable support and encouragement for participation by women in Athletics;
- G **Support of the disabled in Athletics:** Encouraging and supporting sports programs in Athletics for handicapped individuals;
- H **Coordination of technical information:** Coordinating and providing technical information on physical training, equipment design, coaching, and performance analysis in Athletics;
- I **Coordination of certification and education:** Providing the means for certification of coaches and officials throughout North Carolina in all disciplines and at all levels of Athletics;
- J **Research of the sport:** Encouraging and supporting research, development, and dissemination of information in the areas of sports medicine and sports safety in Athletics; and
- K **Encouragement of open competition:** Encouraging open competition between eligible athletes and other athletes, to the extent permitted by the IAAF.

ARTICLE 4 AUTHORITY

This corporation shall be the governing body for Athletics in the State of North Carolina and shall exercise the following powers:

- A **USATF representation:** Representing North Carolina in USA Track & Field, Inc.;
- B **Establishment of goals:** Establishing goals and encouraging the attainment of those goals in Athletics;
- C **Coordination of Athletics:** Serving as the coordinating body for activity in Athletics in the State of North Carolina;
- D **Jurisdiction**

- 1 **Over competition:** Conducting competition in Athletics, including Association championships, and establishing procedures for the determination of eligibility standards for participation in such competitions, except for restricted competition as referred to in paragraph 2 below;
 - 2 **Exception:** Any sports organization which conducts Athletics competition, participation in which is restricted to a specific class of eligible athletes (such as high school students, college students, members of the Armed Forces, or similar groups or categories), shall have exclusive jurisdiction over such competition. If such a sports organization wishes to conduct international Athletics competition to be held in North Carolina, it shall obtain a sanction from NCUSATF as provided herein.
- E Subordination:** NCUSATF shall be subordinate to USATF in its governance of Athletics in that it shall conform to all rules, Bylaws, and operating regulations of the national governing body for Athletics.
- F Autonomy:** NCUSATF shall be autonomous in its governance of Athletics (except for its subordination to USATF as provided in paragraph E above), in that it shall independently determine and control all matters central to such governance, it shall not delegate such determination and control, and it shall be free from outside restraint. This provision shall not be construed as preventing NCUSATF from contracting with third parties for administrative assistance and support in connection with its purposes and authority.

ARTICLE 5 CONSTITUENCY

- A Clubs:**
- 1 **Club membership categories:**
 - a **Competitive:** Clubs which primarily prepare athletes for competitive opportunities shall be referred to as competitive clubs.
 - b **Affiliated:** Clubs which primarily stage events or provide competitive opportunities to the public shall be referred to as affiliated clubs.
 - c **Training:** Clubs which exist to provide non-collegiate athletes training at an educational institution facilities shall be referred to as training clubs.
 - d **Club names:** Internal grievance proceedings may be instituted in situations regarding disputes over the naming of clubs. Generally, these proceedings may be instituted when:
 - i two (2) clubs choose the same or confusingly similar names (except with the concurrence of both clubs),
 - ii a club uses a name that could reasonably be interpreted to refer to a national team,
 - iii a club uses a name which causes public confusion with USA Track & Field-related sponsorship or advertising, or
 - iv a club uses a trademark or service mark of USATF or the USOC.
 - 2 **Club documents:** Each club shall submit to the Membership Chair of NCUSATF a copy of its Constitution and/or Bylaws, a copy of any Operating Regulations, and a list of the names, titles, and addresses of its officers. These documents shall demonstrate by their content:
 - a **Purposes:** Purposes consistent with those of NCUSATF as enumerated in Article 3 of these Bylaws;
 - b **Open governance:** Provisions for democratic election of officers and provision for use of a commonly accepted rules of order for the conduct of meetings.
- B Individuals:**
- 1 **Individual membership categories:**
 - a **Athlete members:** Athlete members may join through the Membership Chair of NCUSATF as either affiliated with a club or as unaffiliated (independent).
 - b **Competition officials:** Any person serving as a competition official, a subset of which are those members certified by the Officials Committee.
 - c **Coaches:** The coach of any active athlete in Athletics, a subset of which are those members certified by Coaching Education.

- d Administrator:** This category of membership shall be open to all persons who serve as club administrators, Association officers, staff members, or event directors of sanctioned events of NCUSATF.
 - e Parent:** This category is open to the parents or guardians of any athlete member of NCUSATF.
 - f Student:** This category is open to the students of any educational institution in North Carolina.
 - g Contributing:** Any individual who supports athletics through a financial or gift in-kind contribution to USATF or NCUSATF.
- 3 Application and dues:** Clubs and individuals may apply for NCUSATF membership by submitting the appropriate application form provided by the Membership Chair of NCUSATF and the applicable dues. The Membership Committee shall rule on the acceptability of any application that is questioned or challenged by any member of USATF.
- C Suspension and expulsion:** Any club, organization, or individual recognized by NCUSATF which violates any of the provisions of these Bylaws, or its Operating Regulations, or any operating policy of NCUSATF approved by the Board may be suspended, after due notice and an opportunity to be heard by the Board. Any suspension or expulsion shall be handled in accordance with the provisions of Articles 17, 18, and 19 of these Bylaws.

ARTICLE 6 ELIGIBILITY FOR VOTING AT MEETINGS OF NCUSATF

In accordance with the provisions of USATF bylaws, NCUSATF chooses to employ the open meeting ballot method of conducting all elections. The following persons shall be entitled to participate as voting representatives at meetings of NCUSATF:

- A NCUSATF members:** All persons holding individual memberships in NCUSATF may vote in elections, subject to the limitations listed below:
- B One person-one ballot:** One (1) person shall cast only one (1) ballot in any election of NCUSATF;
- C Credentials disputes:** Credentials disputes must be resolved before the election process is started with nominations and/or the report of the Nominating Committee;
- D Proxy voting:** There shall be no proxy voting; all members must be present to participate in an election;
- E Minimum age:** Voters must be a minimum of age eighteen (18) on the day of the election, or, in the case of a mail ballot, on the day the ballots are due;
- F Voting membership deadline:** Except for renewals from the previous year, individuals must be members in the month which ends more than one full month preceding the election (e.g., if the election is held any time in September, the membership must be received by July 31);
- G Organizations:** Organizations shall have no vote, per se, in elections of NCUSATF. Organizations may participate through the individual memberships of their constituents.

ARTICLE 7 MEETINGS

- A Annual meeting:** The annual meeting of NCUSATF shall be held each year between Memorial Day and Labor Day, at such date, time, and place as may be fixed by the Board of NCUSATF and announced by requisite notice of such meeting.
- B Special meetings:** Special meetings shall be held upon call by the President, by the petition of 1/3 of the members of the Board, or by the petition of any six (6) member clubs.
- C Committee meetings:** Committee meetings shall be held upon call of the committee chair.
- D Meeting procedures:** The following shall govern the conduct of all meetings of NCUSATF:

- 1 **Notification of meeting:** All individual members of NCUSATF who are eligible to vote under the provisions of Article 6 below shall be sent the notice for any full meeting of NCUSATF. Notice shall be by mail, newsletter, local Association web site, and/or the National Office's web site;
 - 2 **Web site use:** If a web site is to be used to inform members of meetings, then members must be informed where to find information on the web site through a mailing or newsletter;
 - 3 **Prior arrival:** The initial meeting notice must be sent by means under which it will arrive at least thirty (30) days prior to the beginning of the meeting. Committee meetings shall require one (1) week prior notice unless all committee members agree to a shorter notice;
 - 4 **Changes:** Any notice of a full NCUSATF meeting change or a change in the election process must be at least fourteen (14) days prior to the meeting.
 - 5 **Publication of agenda:** All voting members of any committee shall be delivered the proposed agenda for the meeting with the meeting notice except a meeting held in conjunction with the annual meeting of NCUSATF, where notice of the individual committee meeting shall be deemed to have been sent with notification for the annual meeting as a whole.
 - 6 **Open conduct of business:** All meetings of any committee, Board, Executive Committee, or task group shall be open to all individual members of NCUSATF except as otherwise provided.
 - 7 **Closed or executive sessions:** No part of any meeting shall be closed unless permitted under the provisions of North Carolina open meetings law.
 - 8 **Record of a meeting:** All boards, committees, councils, and task groups shall designate a recording secretary. Within thirty (30) days of the meeting, draft minutes should be sent to all members of the board, committee, council, or task group by the secretary recording all official actions taken by the committee. All written reports or a summary of such reports shall be distributed with the draft minutes.
- E **Quorum:** A quorum shall be established as follows:
- 1 **Annual meeting:** At least ten percent (10%) of member clubs, and no less than six (6) clubs, must be represented at the annual meeting to establish a quorum.
 - 2 **Full meetings of NCUSATF:** At least fifteen (15) members of NCUSATF must be present to establish a quorum.
 - 3 **All other meetings:** At least forty percent (40%) of the members of the any board, committee, council, or task group must be present to establish a quorum.
- F **Order of business:** At all full meetings of NCUSATF, the order of business shall be as follows:
- 1 **Roll call of clubs:** Conducted by the Secretary to determine presence of a quorum;
 - 2 **Credentials:** Report of the Membership Chair on the eligibility of all members claiming voting privileges;
 - 3 **Minutes:** Acceptance of the minutes of the previous full meeting of NCUSATF;
 - 4 **Reports:** Reports from the President, other officers, and such committee chairs as shall have business to come before the representatives;
 - 5 **Elections:** Nominations and elections as scheduled, including special elections;
 - 6 **Amendments:** Action on proposed amendments;
 - 7 **Other business:** New or old business as scheduled.
 - 8 **Adjournment.**
- G **Rules of order:** Questions of order shall be decided by the chair in accordance with Roberts Rules of Order (Newly Revised), unless otherwise provided in these Bylaws. The President shall designate a person to serve as parliamentarian for all full meetings of NCUSATF.

ARTICLE 8 VOTING

- A **Supervision:** The Nominations Committee shall oversee all elections and balloting of NCUSATF.
- B **Voter privileges:** Each voting representative shall have one (1) vote. There shall be no voting by proxy. No delegate may vote in more than one (1) capacity. Except as otherwise provided in these Bylaws, all matters shall be decided by majority vote of those present and voting.

- C Mail balloting:** Upon majority vote at a duly convened meeting, NCUSATF may authorize the conduct of a vote through the distribution and/or collection of ballots using the mail facilities of the U.S. Postal Service or any other service that may be authorized; the full procedure and subject matter for the vote shall be set forth in the authorizing resolution. No such mail vote shall be authorized to effect an amendment to these Bylaws.
- D Voting:** The following applies to motions, resolutions, and uncontested elections:
- 1 Motions and resolutions:** Motions and resolutions shall generally be by voice vote. If the voice vote is inconclusive to the chair or, if the chair's determination is challenged, there shall then be a vote by show of hands. A roll call vote or, if specifically requested, a written ballot shall be taken instead of a voice vote upon oral or written petition of at least one (1) eligible voter that is seconded by one (1) other eligible voter.
 - 2 Uncontested elections:** When only one (1) candidate is nominated, a voice or hand vote shall be permitted.
- E General elections:** Contested elections shall be decided by the voting representatives at the annual meeting of NCUSATF in the following manner:
- 1 Terms of office:**
 - a Officers** shall be elected for two-year terms at the annual meeting in each even numbered year;
 - b Sport committee chairs** shall be elected for two-year terms at the annual meeting in each even numbered year in accordance with the provisions in Article 13;
 - c Administrative committee chairs** shall be elected or chosen for two-year terms at the annual meeting in each even numbered year unless provided for differently in accordance with Article 14;
 - d At-large members of the Board of Directors** shall be elected for two-year terms at the annual meeting in each even numbered year. Four (4) persons shall be elected. If a vacancy occurs for any reasons in one of these positions during the term, that position shall remain vacant until the next regularly-scheduled election. No person may be elected as an at-large Board member while serving in any other capacity on the Board;
 - e USATF annual meeting delegates** shall be elected at each NCUSATF annual meeting in accordance with the provisions of Article 16;
 - f Special elections** may be held at any full meeting upon approval by the Board;
 - g Commencement of term:** All elected positions shall commence on Labor Day of even-numbered years.
 - 2 Method of nominations:**
 - a Request:** At least one hundred and twenty (120) days prior to the NCUSATF annual meeting where elections are to be held, the Nominations Committee shall send out an announcement of elections to all individual members of NCUSATF. Included in this announcement shall be a listing of the positions to be elected and a summary of any eligibility requirements of these Bylaws. The announcement requirement may be fulfilled in the same manner as a general meeting notice as outlined in Article 7(D) above;
 - b Submittal:** Suggestions for nominations shall be sent to the chair of the Nominations Committee no later than fifteen (15) days prior to the NCUSATF annual meeting. The Nominations Committee shall prepare a nomination report to be presented at the annual meeting;
 - c At the Annual Meeting:** Further nominations may be made on the floor by any eligible voter. Each nomination from the floor must be seconded by another eligible voter;
 - d Eligibility for office:** All persons nominated for any elected position within NCUSATF must meet the eligibility requirements to vote in NCUSATF.
 - 3 Election procedures:**
 - a Voting:** The Nominations Committee shall conduct all contested elections at the annual meeting by secret ballot. Ballots shall be collected, tallied, and held secure by the Nominations Committee and the results shall be signed by the Committee members before being reported.

- b **Substitute members of the Nominations Committee:** Should any member of the Nominations Committee be a contestant for an elected position, the President shall appoint a temporary substitute to replace that person for the conduct of elections at the meeting.
 - c **Results:** The Nominations Committee shall report the results of any election to the President for immediate announcement.
 - d **Protests:** Protests of the results of any ballot shall be made immediately upon announcement of the results by the President. Upon such protest, the President (or, if the President is involved in the protest, the highest ranking officer not so involved) shall immediately appoint a three-person committee to recount the ballots and hear any complaint concerning procedure. The committee shall recount the ballots if necessary and rule on any procedural question. The decision of the committee shall be final; and
 - e **Record:** All vote totals shall be recorded in the minutes of the meeting. After the meeting has adjourned, all ballots shall be destroyed.
- 4 **Majority requirement:** No candidate shall be declared to have won an election without receiving votes from a majority of the ballots cast for the position in question. The procedure for election is:
- a **Voting:** Each voter shall be permitted to vote for as many candidates as there are positions to be filled;
 - b **Majority:** Positions shall be filled when a candidate has received votes from a majority of the ballots cast;
 - c **Run-off:** Remaining positions will be filled by a run-off election in which there shall be a choice of candidates double the number of remaining positions, plus any and all candidates tied for the last qualifying position;
 - d **Plurality:** After two rounds of voting, a plurality of the votes cast is sufficient to elect candidates in the following round;
 - e **Ties:** Should there be a tie for the last position available (or the only position available), the tie shall be broken through a random choice method, such as a coin flip or a drawing of straws.
- F **Committee elections:** The following are general rules for committee elections:
- 1 **Supervision:** Each committee that holds elections shall supervise its own elections. At the request of the committee chair or at the request of three or more voting members of the committee, the President shall appoint a representative to conduct the elections;
 - 2 **Procedures:** The procedures shall follow those outlined in Section E.3 and E.4 of this Article;
 - 3 **Voting eligibility:** Eligibility to vote in all sports committees and the Officials Committee is determined by each individual committee, with the proviso that all voters must be members of NCUSATF (with the exception of the Officials Committee where registration as a certified official in North Carolina shall be deemed as qualifying to vote. Eligibility to vote in other administrative committees is limited to committee members.

ARTICLE 9 OFFICERS AND THEIR DUTIES

- A **Positions:** The officers of this governing body shall be a President, a Vice-President, a Secretary, and a Treasurer.
- B **Duties:** The officers shall perform the following duties as well as any other duties prescribed by these Bylaws, NCUSATF, or the Board:
 - 1 **President:** The President shall:
 - a **Preside** at all meetings of NCUSATF;
 - b Be an **ex-officio non-voting member** of all committees;
 - c Subject to the direction of the Board of NCUSATF, shall **manage and supervise** the affairs of NCUSATF; and
 - d **Select committee chairs and other such members** that he or she is entitled to appoint as well as other appointments authorized by these Bylaws and the Operating Regulations after

consultation with the other officers. He or she may likewise terminate such appointments for good cause upon written notice to such appointees.

- 2 **Vice-President:** The Vice-President shall act on behalf of the President in cases where the President may be absent. The Vice-President shall also perform such duties as shall be assigned to him or her.
- 3 **Secretary:** The Secretary shall keep or cause to be kept all records of NCUSATF, and all minutes of meetings of NCUSATF and the Board, and, in general shall perform all duties normally pertaining to the office of Secretary.
- 4 **Treasurer:** The Treasurer shall:
- a Keep or cause to be kept a correct and complete **record of account**, showing accurately at all times the financial condition of NCUSATF;
 - b Have **charge and custody** of, and be responsible for, all funds, notes, securities, and other valuables which may from time to time come into the possession of NCUSATF;
 - c **Deposit**, or cause to be deposited, all funds of NCUSATF with such depositories as the Board shall designate;
 - d **Furnish** at all meetings of the Board, or whenever requested, a statement of financial condition of NCUSATF;
 - e **Maintain investment accounts** and, under policy determined by the Board, make investments in the name of NCUSATF in a conservative and prudent manner, taking into account the cash flow needs of NCUSATF and other relevant factors; and
 - f In general, **perform all duties** pertaining to the office of Treasurer.
- C **Election:** All officers are to be elected for two (2) years by the eligible voters at the NCUSATF annual meeting in even numbered years. A person may not hold both the office of President and any other officer position; however, other Board members may be elected or named in multiple capacities.
- D **Limitation on terms:** No person shall be elected to the office of President for more than two (2) two-year terms without a two-year period away from that position. If a person is elected to fulfill an uncompleted term of President due to resignation or any other reason for vacancy of the office of President, that person will be eligible to be elected for two full terms after the completion of the partial term if the partial term is less than one full year.
- E **Succession and vacancies:** There shall be no order of succession to any office. In the event the Board determines that an officer is temporarily unable to serve, it may, in its sole discretion, name a person to fill the vacancy temporarily. This power shall not be used to appoint a person for the purpose of obtaining a quorum at any meeting; it may only be exercised once a quorum is attained. In the event an officer resigns or is permanently unable to serve, the Board shall name a successor until the following annual meeting at which time a special election shall be held for the unexpired portion of the term. In the event of a vacancy in the office of President, the Vice-President or the Vice-President's designee shall serve as the temporary chair of the meeting at which a successor is named.
- F **Removal from office:** Any officer of NCUSATF may be removed for good cause by a two-thirds vote of those voting representatives of NCUSATF present and voting at an annual meeting or special meeting called for this purpose, and provided the requisite notice for such meetings (see Article 7) shall properly set forth on its agenda the removal vote. Persistent failure to attend Board meetings shall be cause for removal.

ARTICLE 10 BOARD OF DIRECTORS

- A **Composition:** The Board of Directors shall be composed as follows:
- 1 **Voting members:** The voting members of the Board shall be as follows:
- a The **officers** of NCUSATF;
 - b The **past presidents** of NCUSATF (one combined vote);
 - c The chair of each **sport committee**;
 - d Four **at-large members** to be elected by and from NCUSATF;
 - e The chair of each **administrative committee**;

- f Five **additional members** of the **Athletes Advisory Committee** in addition to the chair (who serves on the Board as the chair of an administrative committee);
 - 2 **Past president:** The position of past president shall be shared by all eligible past presidents for the purpose of casting one (1) combined vote at meetings of the Board of Directors.
 - a **Eligibility:** Only elected presidents may serve the Board as a past president and each must be a current member of NCUSATF;
 - b **Declaration of intent:** A president must declare at the annual meeting to elect his/her successor his/her intention to serve the Board as a past president. Should he/she not make such a declaration, eligibility to serve as a past president will cease permanently;
 - c **Renewal of intent:** Each past president serving the Board shall be required to renew his/her declaration of intent at each annual meeting or such eligibility will cease permanently.
 - 3 **Chair and Secretary:** The President of NCUSATF shall serve as chair and the Secretary as its secretary.
 - 4 **Emeritus members:** In addition to voting members, there shall be non-voting membership class know as "Board Member Emeritus," each to be elected for a life term by NCUSATF, upon recommendation to the Board. This membership shall be reserved for those persons (1) who have contributed to North Carolina USA Track & Field or to Athletics generally, either as a coach, competitor, or administrator, or a combination thereof, and (2) who have acquired knowledge and experience to make their wisdom and counsel of great assistance to the Board in carrying out its responsibilities. No person may be elected Member Emeritus while still otherwise a member of the Board.
- B General provisions:**
- 1 **Fiduciary responsibility:** The Board shall manage and supervise the affairs of NCUSATF. At the first meeting of the Board in each calendar year, the performance of any Association Office shall be reviewed by the Board in an executive session.
 - 2 **Meetings of the Board:** The Board shall hold at least one (1) meeting during each quarter of the year as called by the President. One of the quarterly meetings may be held in conjunction with the Annual Meeting. Additional meetings may be called by the President or upon the written request of any ten (10) members of the Board, and if by the latter group, only after a minimum prior notice of five (5) days to the President of such intent by telephone, facsimile, or e-mail. Written notice of any meeting of the Board shall be given by the Secretary at least (14) days in advance, and shall specify the date, time, and place of the meeting mailed to the last known address of each Board member.
- C Election or selection of members:** All members of the Board should be elected or selected (as the case may be) no later than November 1.
- D Terms:** The term for all Board members shall be two (2) years, except as otherwise provided.
- E Quorum:** A quorum for meetings of the Board shall consist of forty percent (40%) of the members of the Board.
- F Voting:** Except as otherwise provided herein, all matters shall be decided by majority vote of those present and voting. There shall be no voting by proxy.
- G Mail/Electronic/Telephone balloting:** Upon authorization by a majority vote at a duly convened meeting, the Board may conduct a vote through the distribution and/or collection of ballots using the U.S. Postal Service and/or any other service that may be authorized, including the use of e-mail or other electronic communication or by telephone. Any vote conducted by means specified under this provision must be recorded in the minutes of the next Board meeting with the votes of each individual specified. The procedure and subject matter for such a vote shall be set forth in the authorizing resolution.
- H Subcommittees:** The Board may have subcommittees.

ARTICLE 11 ASSOCIATION OFFICE

- A Authorization:** The Board of Directors shall have the authority to establish an Association office should it deem one necessary or should it be required to establish an office by USATF.
- B Staff:** The Board of Directors shall have the authority to determine the size of the staff necessary for an Association office. The selection of Association office staff shall be by vote of the Board.

- C Compensation:** The Board of Directors shall have the authority to determine compensation for Association office staff.
- D Duties:** The Board of Directors shall have the authority to determine the duties to be performed by an Association office.
- E Restricted activities:** Salaried staff members of an Association office shall not participate in any of the following activities:
 - 1 Electioneering:** Campaigning for or against any candidate for any elected office or position within the Association;
 - 2 Voting:** Serving as voting members of NCUSATF or any of its committees.
- F Complaints against staff:** A complaint against any staff member of NCUSATF shall be delivered to the President of NCUSATF. All complaints against staff shall be acknowledged promptly. The President shall be given not less than thirty (30) days to investigate the complaint and shall have a written report of his or her investigation at the next Board meeting, including any action (if necessary) to be taken to remedy the situation. All decisions with respect to the resolution of a complaint against an Association office staff member are within the sole discretion of the Board. Any staff member who is the subject of a complaint shall have the right to appear before the Board to present his/her case.

ARTICLE 12 COMMITTEES

- A Committees:** The following committees of USATF are established with such duties, responsibilities, and make-up as this Association governing body shall determine, complying with the procedures and requirements of these Bylaws:

Sport:

Men's Track & Field	Women's Track & Field
Men's Long Distance Running	Women's Long Distance Running
Race Walking	Youth
Master's Track & Field	Master's Long Distance Running

Administrative:

Athletes' Advisory	Officials
Budget and Finance	Records
Coaches' Advisory	Road Running Technical Council
Member Services	Sanctions, Standards, and Evaluation

Special:

Appeals	Nominations
Bylaws and Rules	

- B General provisions:** The following provisions apply to all of NCUSATF's committees:
 - 1 Terms of members:** Unless otherwise provided for, the term for members of all committees shall be two (2) years and shall commence on Labor Day in each even-numbered year.
 - 2 Standard committee composition:** Unless otherwise specified in these Bylaws, the standard committee composition for all committees shall consist of three (3) members (including the chair). Two (2) members shall be appointed by the Committee Chair for those committees which have an elected Chair. One (1) member shall be appointed by the President and one (1) member shall be appointed by the Committee Chair for those committees which have an appointed Chair. The chair shall be chosen as specified in these Bylaws (Articles 13 and 14).
 - 3 Committee membership and notification:**

- a **Notification & vacancies:** The person making an appointment shall notify the appointee of his/her appointment to a committee. Vacancies in a committee shall be filled by the President or Committee Chair, depending upon whose appointment becomes vacant respectively.
 - b **Elections:** The provisions of Article 8(F) shall apply to the elections process of committees. The committees shall be free to adopt other portions of Article 8, or other rules not in conflict with those in Article 8(F);
 - c **Membership:** All elected and appointed members of all committees shall be members of NCUSATF with the exception of the Appeals Committee which may have non-USATF members; all elected and appointed members shall be at least eighteen (18) years of age at the commencement of his/her service; particularly dedicated youth may serve as ex-officio members of any committee for the purpose of offering opinions and gaining administrative experience;
 - d **Termination:** The President or Committee Chair may terminate a committee appointment he/she has made for good cause upon written notice to such appointees. A President fulfilling an uncompleted term of a previous President shall have the right to terminate any appointment of the previous President and make his/her own appointment of a committee chair or member.
- 4 **Committee meetings:** Each committee shall hold its annual meeting in conjunction with the annual meeting of NCUSATF with the exception of the Officials Committee as outlined in Article 14 below. Committees shall hold such special meetings as may be called by the chair, at his or her own initiative or at the request of two (2) other committee members.
- 5 **Quorum:** A quorum for any committee meeting shall consist of forty percent (40%) of the currently serving members.
- C **Committee chairs:** The chair of each sport committee and each applicable administrative committee pursuant to Articles 13 or 14 shall be elected in accordance with NCUSATF's voting procedures (see Article 8) for a two-year term. Unless otherwise specified in Article 14, the chairs of all administrative committees shall be appointed by the President of NCUSATF and shall serve for the same term as the President's term.
- 1 **Duties of the chair:** Chairs of all committees shall:
 - a **Preside** at all meetings of the committee;
 - b Ensure that all **duties and responsibilities** of the committee are properly and promptly carried out;
 - c **Communicate** with the committee members to keep them fully informed of events concerning the committee and decisions made to carry out the committee's responsibilities; and
 - d Keep the President **informed** on all committee actions and recommendations
 - 2 **Special duty of sport committee chairs:** The chair of each sport committee shall be the official representative of NCUSATF to the respective sport committee at the Annual Meeting of USATF. Should the sport committee chair be unable to attend the Annual Meeting of USATF, the President or the Chair of the Association's delegation shall appoint an alternate to represent NCUSATF.
 - 3 **Vacancies:** When an elected committee chair position is vacated, the President shall appoint a temporary chair with the concurrence of the Board until the next annual meeting at which the electing constituency shall hold a special election to fill the remainder of the term.
 - 4 **Removal of elected chairs:** Chairs who are elected may be removed for good cause by a two-thirds vote of the Board.

ARTICLE 13 SPORT COMMITTEES

- A **Duties and responsibilities:** Each sport committee shall operate in the following manner:
- 1 **Championships:** Each sport committee shall:
 - A Have jurisdiction over the Association championships in the particular sport it controls, and shall institute, locate, conduct, and manage all such championships, and all such championships shall be in accordance with USATF rules;

- B Award championship events for its sport;
 - C Have the right to award payment of athletes expenses to attend a regional or national championship with funds specifically appropriated for that purpose.
- 2 **Sanctions:** Each sport committee shall have the right to instruct the chair of the Sanctions, Standards, and Evaluation Committee to refuse to issue a sanction to an event that has previously failed to meet minimum quality standards.
- B Committee definitions:** The disciplines and age categories under the control of each sport committee are as follows:
- 1 **Age categories:**
 - a **Senior athletes** are of any age 14 years and over;
 - b **Junior athletes** are at least age 14 and shall not turn 20 during the year of competition;
 - c **Masters athletes** shall be at least age 40 on the day of competition; and
 - d **Youth athletes** shall not turn 19 before the final day of the national Junior Olympics track & field competition and are divided into specified age categories (see Youth Athletics Rules of Competition).
 - 2 **Jurisdiction:**
 - a **Men's Track & Field:** Indoor and outdoor track & field activity for junior and senior men, not including track races of greater than 10,000 meters;
 - b **Women's Track & Field:** Indoor and outdoor track & field activity and cross country running for junior and senior women, not including track races of greater than 10,000 meters;
 - c **Men's Long Distance Running:** Off-track running at all distances, track running at distances over 10,000 meters, and cross country running for junior and senior men;
 - d **Women's Long Distance Running:** Off-track running at all distances and track running at distances over 10,000 meters for junior and senior women;
 - e **Race Walking:** All race walking activity for junior and senior men and women;
 - f **Youth Athletics:** All activity not conducted as junior competition for youth boys and girls, including track & field, road running, cross country running, and race walking;
 - g **Masters Track & Field:** All track, field, and race walking activity for masters men and women, except track running races greater than 10,000 meters; and
 - h **Masters Long Distance Running:** Off-track running at all distances, track running at distances over 10,000 meters, and cross country running for masters men and women.
- C Election of chair:** Each sports committee chair shall be elected at the annual meeting of NCUSATF in even-numbered years, according to the criteria outlined below:
- 1 **Attainment of quorum:** If a sports committee's annual meeting held in conjunction with the NCUSATF annual meeting attains a quorum of five (5) eligible voting members, the committee may elect its own chair.
 - 2 **Failure to attain quorum:** If a sports committee's annual meeting held in conjunction with the NCUSATF annual meeting fails to attain a quorum of five (5) eligible voting members, the chair will be elected on the floor of the NCUSATF annual meeting.
 - 3 **Eligibility of chair:** To be chosen as chair of a sports committee, a person must be a member of NCUSATF with a submembership in the discipline of the sports committee.
 - 4 **Eligibility to vote:** To vote in a sports committee election, a person must be a member of NCUSATF.
- D Make-up:** Each sports committee shall be constituted as follows:
- 1 **Chair:** A chair elected according to the provisions of this Article;
 - 2 **Members:** One (1) member appointed by the President of NCUSATF and other members appointed by the chair of the committee up to the desired size of the committee.

ARTICLE 14 ADMINISTRATIVE COMMITTEES

A Athletes Advisory

- 1 Duties and responsibilities:** The committee shall:
 - a Policy advice:** Serve as a source of reference, opinion, and advice to the officers, Board, and all committees of NCUSATF with regard to current or contemplated policies of USATF and in all matters relating to athletes and athletes' rights;
 - b Athletes' representatives:** Appoint, elect, or oversee the election or appointment of athletes' representatives to NCUSATF committees when empowered to do so by these Bylaws;
 - c Participation in governance:** Encourage and foster the representation and active participation of athletes at the meetings of NCUSATF, its Board, and committees;
 - d Annual meeting:** Conduct a meeting of the active athlete attendees at the NCUSATF annual meeting.
- 2 Make-up:** The committee shall consist of six (6) member athletes all of whom shall serve on the NCUSATF Board of Directors.
- 3 Elections:** The committee shall conduct the election of its own chair and five (5) other members. Should the committee not fill all six positions on the Board, the Board shall be empowered to appoint active athletes representatives to fill the vacant positions.

B Budget & Finance

- 1 Duties and responsibilities:** The committee shall:
 - a Budget:** Prepare an annual budget for NCUSATF to be submitted at a meeting in the fourth quarter;
 - b Consult and advise** the Treasurer on all budgetary matters of the organization
- 2 Make-up:** The committee shall consist of three (3) members: the chair, who is appointed by the President, one (1) member appointed by the President, and one (1) member appointed by the chair.

C Coaches Advisory

- 1 Duties and responsibilities:** The committee shall:
 - a Policy advice:** Serve as a source of reference, opinion, and advice to the officers, Board, and all committees of NCUSATF with regard to current or contemplated policies of USATF and in all matters related to coaches;
 - b Coaches' representatives:** Appoint, elect, or oversee the election or appointment of coaches' representatives to NCUSATF committees when empowered to do so by these Bylaws;
 - c Participation in governance:** Encourage and foster the representation and active participation of coaches at the meetings of NCUSATF, its Board, and committees;
- 2 Make-up:** The committee shall consist of three (3) members, the chair of which shall sit on the Board of Directors of NCUSATF.
- 3 Elections:** The committee shall conduct the election of its own chair and other members. Should the committee not fill the position of chair, the Board shall be empowered to appoint a coach to fill the position.

D Member Services

- 1 Duties and responsibilities:** The committee shall:
 - a Process:** Process all applications for individual and organizational membership in NCUSATF according to USATF guidelines;
 - b Credentials:** Establish voting credentials for all individuals at any meeting of NCUSATF and rule on any credentials disputes;
 - c Maintain:** Maintain a current list of all members and provide the Secretary with an up to date mailing list when meeting notifications must be sent.
- 2 Make-up:** The committee shall consist of three (3) members: the chair, who is appointed by the President, one (1) member appointed by the President, and one (1) member appointed by the chair.

E Officials

- 1 Duties and responsibilities:** The committee shall:
 - a Administration:**

- i Be responsible for training, certifying, and generally supervising officials within the North Carolina Association under such rules and procedures as are consistent with the directives of the national Officials Committee;
 - ii Provide for OfficialsøCoordinators for colleges, universities, youth, masters, and other organizations;
 - iii Publish an OfficialøNewsletter containing rules changes, criteria for certification, and other items pertaining to officiating;
 - iv Maintain a supply of rulebooks, badges, clothing, and other items useful to officials.
 - b **Methods:** Establish (by examination, rules review, field experience, clinics, and such other procedures as it may choose) its overall program administration, including the direct responsibility of certifying the officiating category of ðAssociation Officialö to working officials within North Carolina;
 - c **Instruction:** Develop and provide annual instructional programs for officials, including examinations, rules reviews, clinics, and other such activities as it may prescribe;
 - d **Certification:** Be responsible for:
 - i Designating pre-certified officials;
 - ii Certifying Association-level officials; and
 - iii Recommending to the national committee candidates for national- and master-level official certification.
 - e **Administer an Equipment & Facilities Specifications Subcommittee** that shall:
 - i Provide technical information and training expertise for training of officials and other personnel to assure that rules related to track & field venues and measurements are realistically enforced;
 - ii Provide a training program for officials on the certification of implements;
 - iii Establish and maintain a register of certified track & field facilities in North Carolina;
 - iv Assist the Records Committee, when requested, in auditing the technical data involved with records, including specifications of the track or field facility.
- 2 **Make-up:** The Officials Committee shall consist of five (5) members: a chair and other officers to be elected by the currently certified officials.
- 3 **Eligibility of members:** To be chosen as a member of the Officials Committee, a person must be a member of NCUSATF and a currently certified official with National, Master, or Emeritus status.
- 4 **Eligibility to vote:** To vote in an Officials Committee election, a person must be a currently certified official in North Carolina.
- 5 **Term:** The term of office for all committee members shall be four (4) years to run concurrently with each Olympiad.
- 6 **Election procedure:**
 - i Members of the committee at the end of an Olympiad shall continue as members until a new election can be held;
 - ii The election of a new committee shall occur within six (6) months of the end of an Olympiad;
 - iii The election may be held at a specially-called meeting or at a major track meet or by mail, to be determined by the currently serving Officials Committee, subject to the notification requirements of Article 7;
 - iv The election must be conducted according to the provisions of Article 8.

F Records

- 1 **Duties and responsibilities:** The committee shall:
 - a **Process:** Investigate every performance submitted for record approval and recommend approval or rejection of every application to the appropriate sports committee;
 - b **Conformity:** Assure, so far as is practicable, the requirements for record approval conform to the requirements of USATF with respect to application for and approval of records.
- 2 **Make-up:** The committee shall consist of three (3) members: the chair, who is appointed by the President, one (1) member appointed by the President, and one (1) member appointed by the chair.

G Sanctions, Standards, and Evaluation

- 1 **Duties and responsibilities:** The committee shall:

- a **Receive and evaluate** all requests for sanctions for athletics competition in North Carolina;
 - b **Consult** with the appropriate sports committee(s) when the issuance of a sanction is questionable;
 - c **Issue sanctions** for athletics competition when all guidelines have been met, provided the appropriate sports committee(s) does not object;
 - d **Establish appropriate standards** for the issuance of sanctions with North Carolina;
 - e **Evaluate the conduct of athletics competitions** in North Carolina to provide a basis for the issuance or denial of future sanction applications from the same organizers.
- 2 **Make-up:** The committee shall consist of three (3) members: the chair, who is appointed by the President, one (1) member appointed by the President, and one (1) member appointed by the chair.

H Road Running Technical Council

- 1 **Duties and responsibilities:** The committee shall:
- a **Administer** the measurement of all road race courses, tracks, and cross country courses;
 - b **Train** others in the approved USATF method of course measurement;
 - c **Issue** USATF measurement certificates for all measurements made according to USATF guidelines;
 - d **Administer** the rental of equipment owned by NCUSATF subject to a fee schedule approved by the Board.
- 2 **Make-up:** The committee shall consist of three (3) members: the chair, who is appointed by the President, one (1) member appointed by the President, and one (1) member appointed by the chair.

**ARTICLE 15
SPECIAL COMMITTEES**

A Appeals

- 1 **Duties and responsibilities:** The committee shall:
- a **Hold hearings:** The committee shall hold a hearing under the following circumstances if an appropriate appeal has been filed with NCUSATF:
 - i An individual member wishes to dispute the enforcement or interpretation of any aspect of these bylaws;
 - ii An individual or organizational member wishes to appeal a decision of the Board of Directors or a decision of any committee or subcommittee of NCUSATF
- 2 **Responsibility:** The committee shall be responsible for:
- a **Notification:** Giving appropriate notification to all parties prior to hearing a dispute;
 - b **Time and location:** Establishing the date, time, and location of all hearings in a manner that is both timely and convenient to all parties insofar as is reasonably possible; and
 - c **Fairness:** Conducting all hearings in a fair manner that allows for both sides to present their cases.
- 3 **Powers:** The committee shall have the power to:
- a **Dismiss:** dismiss any grievance as unfounded;
 - b **Uphold:** uphold any grievance and overturn a previous ruling by the Board or any committee of NCUSATF;
 - c **Recommend:** recommend a particular course of action to the Board as specified in Article 19(A).
- 4 **Make-up:** The committee shall consist of three (3) members: a chair elected at the NCUSATF annual meeting (and who is not a member of the Board), and two (2) members to be appointed by the chair for each separate dispute. No member of the Appeals Committee may be a party to or have any direct interest in the dispute being heard.

B Bylaws and Rules

- 1 **Duties and responsibilities:** The committee shall:
- a **Maintenance:** Be responsible for the maintenance and upkeep of these Bylaws and any subsequently adopted Operating Regulations;

- b **Changes:** Propose changes to the Bylaws and Operating Regulations of NCUSATF;
 - c **Forward:** Bring to the Board any proposed changes to USATF Bylaws or Rules and submit them to USATF on behalf of NCUSATF.
- 2 **Make-up:** The committee shall consist of three (3) members: the chair, who is appointed by the President, one (1) member appointed by the President, and one (1) member appointed by the chair.

C Nominations

- 1 **Duties and responsibilities:** The committee shall:
- a **Prepare** a slate of one or more nominees for each Board and committee position to be elected by the full assembly of NCUSATF members at the NCUSATF annual meeting;
 - b **Present** the proposed slate at the NCUSATF annual meeting and conduct all elections by secret ballot (unless an election is uncontested and a request for election by acclamation is made);
 - c **Assist** with elections in committees when that assistance is requested.
- 2 **Make-up:** The committee shall consist of three (3) members: a chair elected at the annual meeting of NCUSATF, one (1) athlete appointed by the chair of the Athletes Advisory Committee, and one (1) member appointed by the chair. All members of the Nominations Committee shall be of appropriate age to be eligible to vote at the meeting and no member of the Nominations Committee shall be permitted to tally votes for an election in which he or she is a candidate for office.

D Planning

- 1 **Duties and responsibilities:** The committee shall:
- a **Currency:** stay current with trends/events occurring on an International, National, Association level that could have impact on NCUSATF, its Committees or its members;
 - b **Issues:** From those trends/events identify issues that have broad applicability within NCUSATF;
 - c **Analyze:** Study the identified issues to understand the rationale for the action, project the potential outcome and evaluate its impact;
 - d **Recommend:** Prepare and submit analyses and recommendations (white papers) of the issues to NCUSATF;
 - e **Supervise:** If there are follow-on projects deemed appropriate to be undertaken and they are not within the purview of a specific committee, the Planning Committee will oversee the proper execution of the project;
 - f **Other:** Continually evaluate present procedures and attempt to make these procedures more efficient, more productive and more user friendly.
- 2 **Make-up:** The committee shall consist of three (3) members: a chair, who is appointed by the President, one (1) member appointed by the President, and one (1) member appointed by the chair.

**ARTICLE 16
SELECTION OF DELEGATES TO THE USA TRACK & FIELD
NATIONAL CONVENTION**

- A USATF Guidelines:** USATF specifies the following fixed minimum criteria for association delegations to the Annual National Meeting:
- 1 **Coaches:** Three (3) coaches for delegations of 10-13 members and one (1) additional coach for delegations of 14 or more members. When available, at least one coach should be a high school coach. For purposes of selection to the USATF annual meeting, a coach must perform coaching as a vocation or be a USATF certified coach.
 - 2 **Athletes:** Two (2) athletes for delegations of 10-11 members, and a total of at least 20% athletes for delegations of 12 or larger. When available, at least one (1) such active athlete delegate shall have competed for the United States in international Athletics competition held under IAAF jurisdiction with the last ten (10) years.
 - 3 **Sport committees:** Each Association shall select among its delegates at least one (1) individual to represent each of its sport committees which holds an Association championship.

- 4 **Membership:** Each of the delegates of an Association shall be a member of the Association or a representative of a school, college, or organization which is a member of the Association.
- 5 **Dual roles:** For purposes of determining compliance with these requirements, an individual from an Association may be treated as both a coach and an athlete if the individual satisfies the qualifications of both.

B Automatic Delegates

- 1 **The President** of NCUSATF shall be considered an automatic delegate to the USATF annual meeting and is designated as the head of the delegation. Should the President elect not to attend, he/she should choose another member of the delegation to serve as chair.
- 2 **The chairs** of the eight (8) sports committees are the official representatives to their respective sports committees at the USATF annual convention. As such, these chairs should plan to attend the annual meeting whether or not they are chosen as part of the general delegation.

C Election of General Delegates

- 1 **Nominations:** Nominations for positions of general delegate shall be taken from the floor of the NCUSATF annual meeting. Nominees should be prepared to indicate their willingness to attend or if not present, have sent such indication in writing. The Association should consider placing in nomination each year one or more candidates who have never attended the USATF annual meeting.
- 2 **Voting:** Voting members of NCUSATF will vote for the number of positions available in the delegation and those vote totals will be ranked from highest to lowest.
- 3 **Determination of delegates:** The candidates receiving the highest number of votes shall be designated preliminarily as delegates until all the positions are filled. The slate of delegates will then be compared to the requirements of USATF as stated in (A) above. If the slate is short in one or more required categories, the delegation member receiving the lowest vote total who does not fill a required slot will be removed in favor of a candidate with a lower vote total who does qualify. This process shall continue until all required slots are filled. Should this process not attain the required make-up of the delegation, the Board will drop low-vote delegates and appoint appropriately qualified substitutes at a later date to complete the delegation.

D Alternate Delegates

- 1 **Candidacy:** All candidates for election as delegate shall be considered as potential alternates if not elected at the NCUSATF annual meeting.
- 2 **Selection:** The President shall have the power to appoint alternate delegates as necessary if elected delegates withdraw from the delegation. The President must keep the delegation in compliance with USATF guidelines.

E Travel Funding

- 1 **Responsibility:** The Board shall have the responsibility to determine the amount (if any) that is allocated each year for travel funding to the USATF annual meeting.
- 2 **Criteria:** Criteria for funding athletes' travel shall be the same as that used to determine funding for other delegates.
- 3 **Non-delegates:** The Board may choose to fund travel for individuals who are not members of the general delegation (e.g., sports committee chairs).

ARTICLE 17 DISCIPLINARY AUTHORITY

- A **Disciplinary authority:** NCUSATF shall have the authority to discipline any member, delegate, student, coach, manager, official, trainer, member of any committee, and any other person or entity participating in Athletics who, by neglect or by conduct, (i) acts in a manner detrimental to the purposes of NCUSATF or Athletics, or (ii) has violated any of the Bylaws, Operating Regulations, or Rules of Competition of NCUSATF or USATF, or (iii) has violated the rules of eligibility, as defined by the IAAF.
- B **Recommendations:** The North Carolina Association of USATF may recommend to the USATF Executive Committee that USATF, pursuant to the authority conveyed by Article 18 and Regulation 11 of the USATF

Bylaws, should discipline a member, delegate, athlete, coach, manager, official, trainer, member of any committee, or any other person or entity participating in Athletics.

ARTICLE 18 REDRESS OF GRIEVANCES

- A** **Redress of Grievances:** A grievance may be any matter within the cognizance of NCUSATF other than doping offenses. A Grievance Complaint shall state that (i) conduct detrimental to the best interest of Athletics or NCUSATF has taken place, or (ii) a violation of any of the Bylaws or Operating Regulations of NCUSATF has occurred. Grievance Complaints may be filed only by individuals who were, at the time that the conduct complained of occurred, members, directors, or officers of NCUSATF. Grievance Complaints must be filed within two (2) years from the time the complaining party knew or should have known of the act giving rise to the Complaint with the exception of complaints relating to sexual misconduct which shall have no statute of limitations.

- B Grievance Complaints:** Grievance Complaints shall (i) be filed in writing with either the Secretary or President of NCUSATF, (ii) be signed, (iii) allege with particularity the nature of the grievance, and where appropriate, the NCUSATF, USA Track & Field, or IAAF rule which has been broken, and (iv) ask that NCUSATF take such action as may be appropriate and in accordance with its rules. Factual allegations shall be separately stated in concise language with one such allegation set forth in each numbered paragraph of the Grievance Complaint. The failure of a Complaint to comply with the preceding sentence shall not be grounds for its dismissal provided the Complaint clearly makes specific allegations that, if proven, would justify one of the conclusions set forth in subsection A above.
- C Informal resolution of grievances:** Upon receipt of a Grievance Complaint, the President or his/her designee shall use every effort to resolve the grievance through informal means, and in the case of grievances pertaining to a specific athlete or a specific sport discipline, the President shall also confer with the chair of the sport committee for the discipline involved. As part of the informal resolution process, all respondents named in the Grievance Complaint shall be served with a copy.
- D Formal resolution of grievances:** If the informal resolution of the Grievance Complaint is unsatisfactory to any party, such party may invoke the provisions of Article 19 and request that the grievance be resolved by a formal grievance proceeding.

ARTICLE 19 PROCEDURES RELATED TO DISCIPLINARY PROCEEDINGS AND FORMAL GRIEVANCE MATTERS

- A Discipline:**
- 1 Scope of these provisions:** In any proceeding not covered by subsection 2 and 3 below, the penalties that may be imposed include:
 - a expulsion** from Athletics and/or membership in NCUSATF;
 - b suspension** for a definite or indefinite period of time from Athletics and/or membership in NCUSATF;
 - c a declaration** that a person or organization is ineligible to participate in Athletics or the affairs of NCUSATF;
 - d censure;** and
 - e admonishment.**
 - 2 Doping offenses:** All doping offenses shall be handled by the appropriate procedure through the USATF national office.
 - 3 Sexual misconduct:** In any case where it is established that an individual has been convicted of, or pleaded nolo contendere to, a felony or misdemeanor involving a sexual offense against a minor or a member of NCUSATF:
 - a** the conviction or the record of the nolo contendere plea shall be conclusive proof of the fact that the offense charge was committed;
 - b** the offense need not have been against the individual bringing the grievance or against any other individual involved in the sport of Athletics;
 - c** there shall be no statute of limitations applicable to the grievance;
 - d** the charged individual may introduce evidence showing:
 - i** extenuating circumstances relating to the offense, and/or
 - ii** the individual's conduct subsequent to the commission of the offense, including evidence relating to medical or psychological treatment or rehabilitation;
 - e** in the absence of such evidence, discipline must be imposed and it must include a lifetime prohibition against involvement in the sport of Athletics in any capacity involving Youth Athletics or junior athletes, clubs, programs, or competitions; and
 - f** Article 20 shall govern reinstatements.
- B Jurisdiction:** The jurisdiction of NCUSATF with respect to disciplinary and formal grievance proceedings shall be as follows:
- 1 Jurisdiction over grievances:** NCUSATF shall have exclusive jurisdiction over all formal grievance proceedings in which a Grievance Complaint has been filed in accordance with Article 18 of these Bylaws.

- 2 **Jurisdiction over disciplinary proceedings:** USATF shall have jurisdiction over all disciplinary proceedings involving (a) persons from more than one Association; (b) matters arising out of or resulting from national or international athletics competitions; and (c) violations of IAAF rules; and
 - 3 **NCUSATF jurisdiction:** NCUSATF shall have jurisdiction over disciplinary proceedings relating to matters not enumerated in paragraph 2 which are solely within the territory of NCUSATF. All penalties imposed by NCUSATF shall be effective only within the jurisdiction of NCUSATF, including national and international competition held within North Carolina.
- C Rights of persons or entities charged:** In all matters subject to this Article, the persons or entities charged shall be provided with fair notice and an opportunity for a hearing before the imposition of any penalty by NCUSATF. Persons or entities charged may be represented in any disciplinary proceeding by persons who may (but not need) be an attorney; may appeal any adverse decision in accordance with this Article; may be present at any hearing; and shall have the right to present evidence and testimony and to cross-examine witnesses.
- D Commencement of disciplinary and formal grievance proceedings:** The disciplinary and formal grievance proceedings of NCUSATF shall commence as follows:
- 1 **Grievance hearing panel:** In any matter in which a Grievance Complaint has been filed and at least one party has indicated that the matter cannot be resolved informally, the President of NCUSATF shall appoint a three-person grievance panel consisting of disinterested persons to hear the Complaint. Should the President be an interested party in the Grievance Complaint, the Vice-President, Secretary, or Treasurer in that order, shall appoint the hearing panel so that the appointments shall not be made by an interested party.
 - 2 **Reinstatement hearing panel:** For any proper reinstatement request, the President, shall appoint a three-person reinstatement panel consisting of disinterested persons to hear the request.
 - 3 **Presenters:** Prior to, or after any such panel selection, the Board of Directors may authorize the President to assign a person or persons to gather relevant facts and information, and in the event of a hearing, to present and challenge evidence supporting the charges at the hearing and to challenge by cross-examination and other appropriate means, evidence presented by the person or entity charged.
- E Notice of proceeding:** All disciplinary and formal grievance proceedings conducted by NCUSATF shall be commenced by a Notice of Hearing.
- 1 **Documents:** A copy of the Grievance Complaint or other documents giving rise to the proceeding,
 - 2 **Contacts:** the names of the hearing panel members and the address and telephone number of the panel's chair, and
 - 3 **Article 19:** A copy of the text of this Article 19.
- F Answer:** A written answer which may or may not contest the charges shall be filed within ten (10) days after receipt of the Notice of Hearing with the hearing panel chair.
- G Challenge for lack of impartiality:** Any party to a hearing or appeal, or the person appointed pursuant to subparagraph D(3) above, or any panel member may, prior to the hearing or appeal, challenge the seating of any panel member, on the ground that the panel member is not impartial. The challenge shall be made to and decided by the Board of Directors.
- H Failure to answer:** A failure to answer timely shall be deemed a waiver by the person or entity charged of the opportunity to have a hearing and have an appeal of any adverse decision. Upon such failure, the hearing panel may proceed in the absence of the person or entity charged and may decide the matter with or without a hearing and with or without the taking of testimony and evidence as may be deemed appropriate.
- I Hearings:** The conduct of hearings shall be as follows:
- 1 **Venue:** Hearings shall be held in person at a site reasonably convenient to the person or entity charged, the panel members, and the grievant.
 - 2 **Date:** After the panel has received the answer of the parties charged, or after the time to answer under subparagraph F above has elapsed, the panel shall, after consultation with all parties and the presenter, schedule a hearing and shall notify all parties of the date and time of such hearing. The hearing should be scheduled to be held within thirty (30) days of the receipt of the answer or the expiration of the time to answer.
 - 3 **Evidentiary rules:** The rules of evidence generally accepted in administrative proceedings shall be applicable to the hearing.

- 4 **Hearing record:** In proceedings conducted by NCUSATF, the hearing panel shall arrange for a transcript or recording of the proceedings to be made and kept. These recordings and/or transcripts shall be retained by Secretary and shall be made available to the Appeals Committee in the case of an appeal of the hearing panel's decision.
- 5 **Closed hearing:** Hearings and appeals shall be closed to the public.
- K **Appeals and stays of enforcement:** Appeals and stays of enforcement procedures shall be as follows:
- 1 **Appeals taken from a hearing panel's decision:** A person or entity charged may appeal an adverse disciplinary decision made by an NCUSATF hearing panel. The appeal, which may be made at any time after the hearing panel's decision, shall be filed with the President of NCUSATF, who shall refer it to the Appeals Committee. An appeal must be filed within ninety (90) days of an adverse ruling.
- 2 **Appeals taken from an Appeals Committee decision:** A person or entity charged may appeal an adverse disciplinary decision made by the NCUSATF Appeals Committee. The appeal should be filed with the CEO of USA Track & Field who will implement the national level appeals procedure.
- 3 **Stays of enforcement:** A stay of enforcement of a disciplinary decision of a hearing panel or the Appeals Committee may be granted by the NCUSATF Board of Directors only upon written application and a finding of good cause shown. Such good cause shown must lead the Board to the opinion that the decision is likely to be overturned upon appeal and that circumstances are present which clearly show the respondent would suffer irreparable harm unless the enforcement of the penalty imposed is stayed pending the determination of the appeal.
- 4 **Application for stays:** An application for a stay of enforcement shall be filed at the time of the hearing, or not later than ten (10) days after the decision is rendered, in which latter case the application shall be filed with the President. An application for a stay of enforcement shall be accompanied with a notice of appeal, which shall set forth with particularity the basis for appellant's belief that the appellant will succeed. The decision upon the application shall be made within ten (10) days after receipt of the application and may not be further appealed.
- 5 **Appeals Committee:** With the burden of proof being upon the appellant, appeals from a decision of a hearing panel shall be heard by the Appeals Committee.
- 6 **Appellate procedure:** Appeals shall be made by written presentation or brief and may also be made orally. In an appeal, all parties shall present their reason why the decision appealed from is correct or incorrect, as the case may be. The appellant shall bear the burden of persuasion. No new evidence may be presented to the Appeals Committee unless circumstances have changed or new facts have been discovered that were unavailable at the time of the hearing. In such cases, the Appeals Committee may direct that such matters be presented to it, provided that all parties involved in the appeal have been given notice and are prepared at the time of the appeal to respond to the changed circumstances or previously undiscovered or unavailable facts. If an appellant fails to appear on the date set for the argument of the appeal, and no continuance has been granted by the Appeals Committee, the appeal shall be deemed abandoned.
- L **Imposition of penalties:** The penalties imposed by NCUSATF shall be imposed pursuant to this Article. The President of NCUSATF shall notify the individual or entity concerned of penalties imposed by means of a letter sent by certified and regular mail.

ARTICLE 20 REINSTATEMENT

- A **Scope:** Any athlete declared ineligible under any provision of these Bylaws, or any person or entity declared ineligible, suspended, or expelled by NCUSATF, may request limited or full reinstatement. A person or organization previously suspended, expelled, or declared ineligible to participate may, at any time, make an initial request for reinstatement, provided all appeals within NCUSATF have been exhausted or waived. After an initial reinstatement request is decided upon, additional reinstatement requests may only be made one (1) year or more after the most recent reinstatement decision.
- B **Reinstatement requests:** A request for reinstatement shall be made by written application filed with the President of NCUSATF. The reinstatement request shall detail the reasons advanced for reinstatement.

- C Automatic reinstatement:** Any person or organization declared ineligible to participate for a definite period, or suspended for a definite period, shall be reinstated without the need for any request on the part of either the person or organization or NCUSATF upon the conclusion of the period of ineligibility or suspension.
- D Referral and review of reinstatement request:** All proper reinstatement applications shall be referred by the President to the Appeals Committee and a hearing shall be held. An investigation or presenter at the evidentiary hearing may be appointed as provided in Article 19 above. The hearing shall be held in person. As expeditiously as possible, the Appeals Committee shall report its finding and recommendations to the Board.
- E Disposition of reinstatement request:** The Appeals Committee's recommendation shall be sent to each member of the Board. The Board shall meet expeditiously and may accept, deny, or modify the recommendation.
- F Failure to act:** Any person or entity suspended, expelled, or declared ineligible to participate by NCUSATF shall have the right to request reinstatement by USA Track & Field directly should NCUSATF fail to act within forty-five (45) days after the request.
- G Appeal:** Should NCUSATF deny reinstatement, any person or entity suspended, expelled, or declared ineligible to participate by NCUSATF shall have the right to request reinstatement by USA Track & Field.

ARTICLE 21 SANCTIONS

- A Types of competitions:** Sanctions may be issued for track & field, long distance running, cross country running, and race walking competitions.
- B Sanctioning policy:** If NCUSATF does not determine 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, NCUSATF shall promptly process a sanction requested by a sports organization or person(s), provided all the requirements for a sanction have been satisfied.
- C Sanction requirements:** Sanctions are issued, withheld, or withdrawn in accordance with the provisions of Article 20 and Regulation 14 of the USA Track & Field Bylaws. NCUSATF will adhere to all provisions for sanctioning as outlined by USATF.

ARTICLE 22 FISCAL AND LEGAL MATTERS

- A Fiscal year:** the fiscal year of NCUSATF is January 1 through December 31.
- B Depositories:** The Finance Committee shall, from time to time as necessary, recommend to the Board depositories for funds, property, and assets belonging to or under the control of USATF. The Board shall have final approval to designate such depositories.
- C Signatories:** Funds on deposit in banks may be withdrawn only by voucher check upon the signature of the Treasurer, President, or Vice-President. Other assets or property of NCUSATF may be transferred from one depository to another by recommendation of the Finance Committee and approval by the Board.
- D Financial authority:** The Board of Directors of NCUSATF shall have sole authority to make all financial decisions on behalf of NCUSATF that have not been specifically delegated to an officer or committee through the budgetary process. The Board shall specifically be responsible for approving an annual budget and authorizing changes to that budget.
- E Indemnification:** NCUSATF shall immediately indemnify any person who was or is a party or is threatened to be made a party of any threatened, pending, or completed action, suit, or proceeding, whether civil, administrative, or investigative, by reason of the fact that he or she is or was a director, officer, employee, or official representative of NCUSATF against expenses, including attorney's fees, judgments, fines, and amounts actually and reasonably incurred by him or her in connection with such action, suit, or proceeding, if he or she acted in good faith and in a manner he or she reasonably believed to be in or not opposed to the best interests of NCUSATF, and, with respect to any criminal action or proceedings, had no reasonable cause to believe his or her conduct was unlawful. The termination of any action, suit, or proceeding by judgment, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent,

shall not, of itself, create a presumption that the person did not act in good faith and in a manner which he or she reasonably believed to be in or not opposed to the best interests of NCUSATF.

1 Standards of conduct: Any indemnification under this article shall be made by NCUSATF only as authorized in the specific case upon a determination that the officer, director, employee, or official representative has met the applicable standard of conduct set forth herein. Such determination shall be made by the Board by a majority vote of a quorum consisting of members of the Board who were not parties to such action, suit, or proceeding. If such a quorum is not obtainable, such determination shall be made by the members of NCUSATF at the next meeting.

2 Expenses: Expenses, including attorney's fees, incurred in defending a civil action, suit, or proceeding may be paid by NCUSATF in advance of the final disposition of such action, suit, or proceeding as authorized in the manner provided above upon receipt of an undertaking by or on behalf of the director, officer, employee, or official representative to repay such amount unless it shall be ultimately determined that he or she is entitled to be indemnified by NCUSATF; and

3 Applicability: the indemnification provided by this section shall not be deemed exclusive of any other rights to which the director, officer, employee, or official representative may be entitled under bylaw, agreement, vote of the membership, or disinterested directors or otherwise. The indemnification provided by this section shall continue as to a person who has ceased to be a director, officer, employee, or official representative and shall inure to the benefit of the heirs, executors, and administrators of such a person.

F Audit schedule: The Finance Committee shall have the responsibility to audit the books and financial records of NCUSATF on an annual basis. The Finance Committee shall report the results of this audit to the Board. The Board shall have the right to employ a Certified Public Accountant at any time to provide a formal audit of the Association's books and financial records. Any audit report of the Finance Committee or a CPA shall be made available upon request to any member of NCUSATF.

G Tax matters: The Treasurer shall be responsible for filing all appropriate tax forms with the Internal Revenue Service and with the State of North Carolina.

H Legal counsel: The President, with the approval of the Board, may select a member of the legal profession to act as General Counsel for NCUSATF. The General Counsel shall be available to advise and consult with the officers and Board, render legal advice and assistance, and perform such other duties as the President or Board may request. The General Counsel shall have the right to the floor at any meeting of NCUSATF, its Board, and its committees to comment on legal matters.

1 Files and Records: The files, records, and documents created by the General Counsel during the course of duties for NCUSATF shall belong to NCUSATF.

2 Expenses: Except as may be voted by the Board, the General Counsel shall not receive any fee or other compensation for legal services, but necessary expenses shall be reimbursed.

ARTICLE 23 DISSOLUTION

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 of 1954 (or the corresponding provision of any future United State Internal Revenue Law), as the Board shall determine.

ARTICLE 24 SAVING CLAUSE

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

ARTICLE 25 AMENDMENTS

- A General provisions:** Amendments shall be considered by NCUSATF as follows:
- 1 Bylaws and Operating Regulations:** Amendments to the Bylaws and Operating Regulations shall be considered at the annual meeting of NCUSATF each year.
 - 2 Voting for Bylaws approval:** Amendments to the Bylaws shall require for passage a two-thirds vote of those delegates present and voting, provided notice of the proposed amendment has been submitted in writing to the members of NCUSATF at least thirty (30) days prior to the meeting.
 - 3 Voting for Operating Regulations approval:** Amendments to the Operating Regulations shall require a majority vote of delegates present and voting, provided notice of the proposed amendment has been submitted in writing to the members of NCUSATF at least thirty (30) days prior to the meeting.
- B Exceptions:** Notwithstanding paragraph A above, amendments may be considered at any meeting of NCUSATF in any of the following circumstances:
- 1 Tabled amendments:** To act on a tabled amendment proposal;
 - 2 Conformity with the law:** To make the Bylaws or Operating Regulations conform with federal or local law or regulation;
 - 3 Conformity with USATF:** To make the Bylaws or Operating Regulations conform with USATF requirements;
 - 4 Uniformity:** To make the Bylaws or Operating Regulations conform with each other; and
 - 5 Restructuring:** To act on recommendations of a USATF task group on restructuring.
- Such items need not meet the time requirement of subparagraphs A(3) and D(1).
- C Emergency circumstances:** In emergency circumstances, NCUSATF or its Board may adopt changes as follows:
- 1 Vote of NCUSATF:** Upon a ninety percent (90%) vote at any full meeting of NCUSATF; and
 - 2 Vote of the Board:** Where immediate relief is deemed necessary, the Bylaws and Operating Regulations may be amended upon vote of ninety percent (90%) of the total membership of the entire Board, such amendment to be effective only until the next meeting of NCUSATF.
- D Submissions:** The following provisions shall govern submissions of amending legislation:
- 1 Time of submission:** Amendments shall be submitted to the Bylaws and Rules Committee at least ninety (90) days prior to the meeting at which they are to be considered so as to allow proper review and submittal to the members of NCUSATF. This ninety (90) day requirement may be waived, in emergency circumstances, upon a ninety percent (90%) vote at any meeting of NCUSATF.
 - 2 Submitters:** Amendments may be submitted only by a member of NCUSATF.
 - 3 Persons receiving submissions:** Amendments to the Bylaws and Operating Regulations shall be submitted to the chair of the Bylaws and Rules Committee.
 - 4 Form of submission:** the proposed amendments shall be in such form as to show the entire section, subsection, or paragraph, as the case may be, as it will read if adopted, with all proposed additional language underlined, and all proposed deleted language in double parentheses. Each submission shall be accompanied by a brief statement of the rationale for the submission. If there is a budgetary impact, it shall be estimated with the submission; and
 - 5 Approval of submissions:** All proposed amendments must first be recommended for approval at the time of submission by someone other than the submitter who shall be either the chair of any standing committee, any member of the Bylaws and Rules Committee, or any officer of NCUSATF. Such approval must be in writing, dated and placed on the proposal when submitted. These listed approval parties may submit proposed amendments directly without such an approval.
- E Effective date:** Unless otherwise specified at the time of adoption, amendments to the Bylaws and Operating Regulations shall be effective immediately.