

USA TRACK AND FIELD OF OREGON BY-LAWS

ARTICLE I NAME

The name of this corporation shall be USA Track & Field of Oregon, hereinafter referred to as “this Association,” “this corporation,” “USATF-Oregon” or “USA Track & Field of Oregon.”

ARTICLE II DEFINITIONS

- A. Board: means the Board of Directors of either USATF or USATF-Oregon as specified.
- B. Athletics means, inclusively, track & field, long distance running, cross country running, road running, race walking, and any other sport discipline recognized by the IAAF.
- C. Association Boundary: the State of Oregon
- D. Refer to the current USATF By-laws, Article 2 for all other definitions used.
- E. Active Athlete: An individual who is actively engaged in Athletics and who has indicated such on their USATF membership registration.
- F. Written Notification or notification means either a written postmarked notice or a documented email notice and the posting of notice on the official USATF-Oregon Website.

ARTICLE III PURPOSE

The purpose of this Association is to act as the local governing body for Athletics in Oregon. In connection with such purposes, this Association shall:

- A Purposes: This corporation shall have the following purposes:
 - 1. Development: Developing interest and participation in Athletics in this geographic area at all levels;
 - 2. Management: Promoting Athletics and athletes by conducting competitions and other events, and by cooperating with and encouraging other organizations which may do so; and
 - 3. Marketing: Generating public awareness, appreciation, and support for Athletics, USATF, and this Association, creating opportunities for athletes and Athletics events, and generating sponsorships to aid this corporation in fulfilling its purposes and duties.
- B Duties: This corporation shall have the following duties:
 - 1. Responsibility to constituency: Being responsible to the persons and sports organizations active in Athletics;
 - 2. Coordination of scheduling: Minimizing, through coordination with other sports organizations, conflicts in the scheduling of all practices and competitions in Athletics;

3. Communication with athletes: Keeping eligible athletes active in Athletics informed of policy matters and reasonably reflecting the views of such athletes in the policy decisions of USATF and this Association;
4. Sanctioning of events: Sanctioning competition in Athletics in accordance with the provisions of these Bylaws and Regulations, USATF Bylaws, and USATF Operating Regulations;
5. Participation in competition: Providing for the participation by eligible athletes in competition in Athletics, in accordance with the provisions of these Bylaws and Regulations, USATF Bylaws, and USATF Operating Regulations;
6. Support of diversity in Athletics: Providing equitable support and encouragement for participation by all persons in Athletics, regardless of gender, age, race or ethnicity, or disabilities;
7. Coordination of certification and education: Providing the means for certification of coaches and officials throughout this geographic area in all disciplines and at all levels of Athletics;
8. Registration and certification of athletes: Registering eligible athletes as members and certifying such athletes as eligible for competition; and
9. Administration of athletics: Performing all other duties necessary for the administration of Athletics in this geographic area and to achieve this corporation's purposes.

ARTICLE IV AUTHORITY

This Association shall be the governing body for Athletics the state of Oregon and shall:

- A. Represent this association at USATF annual meetings, on it's active Committees, and on the Board of Directors and Executive Committee when appropriate;
- B. Establish association goals and encourage the attainment of these goals in Athletics;
- C. Serve as the coordinating body for activity in Athletics;
- D. Exercise jurisdiction over international athletic activities and sanction international and national athletic competition held in Oregon approved in accordance with the USATF Bylaws and Operating Regulations;
- E. Conduct and/or sanction competitions in Athletics, including national championships and international athletic competition as well as association championships;

- F. Formulate membership regulations for individuals and competitive organizations in accordance with USATF regulations. If any sports organization wishes to conduct athletic competition to be held in the geographical boundaries of the Oregon Association, excepting closed school or college competition, it should obtain a sanction from this body as herein provided.

These provisions shall not be construed as preventing this body from contracting with third parties for administrative assistance and support in connection with its purposes.

ARTICLE V CONSTITUENCY

- A. The Constituency of this Association shall consist of members from the following categories: (1) any athlete, coach, trainer, manager, administrator, official or other individual residing in this Association or belonging to a member organization which has active headquarters in this Association, and is active and interested in Athletics and (2) any sports organization which regularly sponsors or arranges programs of competitions in Athletics, as approved by USATF.
- B. In order to be a member of this Association an individual must apply on a form made available by this Association and be accepted by the membership chair along with the payment of the established dues.
- C. In order to be a member organization a CLUB must meet the following requirements:
 - 1. Payment of annual dues established by this Association;
 - 2. Submittal of written application on an approved form made available by the membership chairperson of this Association;
 - 3. The organization's constitution and bylaws must be submitted within one(1) year after the initial application for membership has been submitted;
 - 4. Submittal of the list of the organization's current officers each year the organization applies for membership;
 - 5. Documentation that shows in which of the standing sport committees of this Association the organization presently has active athletes:
 - a. Men's & Women's Track & Field
 - b. Master's Track & Field
 - c. Open and Masters' Long Distance Running
 - d. Men's & Women's Race Walking
 - e. Youth Athletics

- D. Suspension and expulsion: Any individual or group recognized by this Association which violates any of the provisions of these Bylaws or Regulations, USATF Bylaws or Operating Regulations, any operating policy approved by the USAFT Board of Directors, or any operating policy approved by this Association may be suspended, after due notice and an opportunity to be heard by the body designated (as selected by the Executive Committee) to conduct such hearings, until the next meeting of this Association, to which action of suspension shall be reported by the Secretary. At such meeting the suspension may be rescinded by a majority vote of the members, or such individual or group may be expelled by a two-thirds vote.

ARTICLE VI ASSOCIATION VOTING DELEGATES

Every current USATF-Oregon member shall be entitled to participate as voting delegates at each annual, general or special meeting of this Association:

- A. All eligible voting delegates must be members of this association at least 30 days prior to the Election and must be a minimum of age eighteen (18) on the day of the election. The 30 day deadline does not apply to renewing members. The renewal should be submitted prior to any upcoming vote in sufficient time to record the renewal and the eligibility of the renewing member.
- B. Any person representing USATF-Oregon in Association voting matters must be members of USATF.

ARTICLE VII NOMINATIONS, VOTING, ELECTIONS, VACANCIES AND NATIONAL DELEGATES

- A. The following shall govern the procedures for nomination and election notice:
 - 1. At least one hundred and twenty (120) days prior to the annual meeting of this Association, the President shall appoint, with the approval of the Executive Committee, a Nominating Committee of three (3) association members at least one of whom shall be an active athlete, to make nominations for the various elected officers of this Association;
 - 2. No member of the Nomination Committee, unless nominated from the floor, shall be eligible for election to office in this Association in the years for which he/she is a part of the nominating committee;
 - 3. The reports of this committee shall be distributed with the Secretary's notice of the annual meeting of this Association;

4. Nominations may be made from the floor at the annual meeting and must be seconded by another voting member;
 5. A candidate must be a member of the Association who is at least 18 years of age (at the start of the term of office);
 6. Any notice of a meeting change or a change in the election process must be at least fourteen (14) days prior to the meeting.
- B. Conduct of Voting: This Association shall use an open meeting ballot where all members of the Association are eligible to vote.
1. Disputes: Credential disputes must be resolved, by the executive committee, before the election process is started with nominations and/or the report of the nominating committee;
 2. Uncontested: Uncontested elections may be voted by acclamation; and,
 3. Ballot type: A secret ballot must be used for contested elections.
- C. The following shall govern in the procedures for elections and filling vacancies:
1. The elections of Officers will take place at the annual meeting of this Association during even-numbered years and must be elected by a majority of the ballots. If a run-off election is necessary the notification requirement shall be the same;
 2. Only delegates may vote for election of officers, on amendments to the Bylaws, and on motion(s) and resolution(s);
 3. Each delegate shall have one (1) vote. There shall be no voting by proxy. No voting delegate may vote in more than one capacity;
 4. Election of officers shall be by written secret ballot, tabulated by three (3) non-candidate association members, of voting age, of which one must be an athlete. The panel which tallies the vote shall be selected by the Nominating Committee;
 2. There shall be no order of succession to any office;
 3. In the event of a vacancy, this Association's voting delegates may elect a replacement at the next general meeting to complete the vacant term; and
 4. Current employees (working within the past ninety days) or independent contractors contracted with this Association shall not participate in any part of the elections process (nominations or campaigning), but may, at the discretion of the Association, be permitted to vote if they are members and otherwise eligible; and current Association employees

may, at the discretion of the Association, seek election by the Association as a national delegate, or any other representative position at the national level..

- D. National Voting Delegates shall be appointed by the Board of Directors in accordance with its established guidelines.

ARTICLE VIII MEETINGS

Regulations governing meetings and election notice of this Association shall be as follows:

- A. The annual meeting of this Association shall be held each year at such date, time and place as determined by the Board of Directors, so as to precede the USATF Annual Meeting. The Secretary shall send notification to each association member, member organization, officers and committee member's notice of such meeting, four (4) weeks prior to the meeting date;
- B. The association shall hold at least one general meeting within the first two quarters of each year at such time and place as fixed at the previous meeting. The Secretary shall send notification to each association member, member organization, officers and committee member's notice of such meeting four (4) weeks prior to the meeting date;
- C. Special meetings of this Association may be called by the Board of Directors or Executive Committee at such date, time and place as they may fix. The Secretary shall notify each recognized member organization, officers and committee members of such meeting three (3) weeks prior to the meeting date, and must contain a statement of the purpose for which the meeting was called;
- D. Meetings of this Association's Board of Directors shall be called by the President or the Executive Committee as deemed necessary. The Secretary shall notify each member of the Board of such meeting two (2) weeks prior to the meeting and must contain a statement of the purpose of the meeting, Board of Directors and Executive Committee meetings may be done by teleconferencing;
- E. Any notice of a meeting change or a change in the election process must be at least fourteen (14) days prior to the meeting;
- F. Suggested order of business at the Association's annual, general and special meetings shall be:
 - 1. Roll call (Note: at meetings when voting by delegates takes place, the roll call will include verification of voting delegates);
 - 2. Approval of minutes of the preceding meeting;
 - 3. Reports of officers;

4. Report of Treasurer
 5. Report of Executive Director (if any);
 6. Report of committees;
 7. Old business;
 8. New business (to include election and installation of officers at annual meeting);
 9. Date, place and time of next meeting;
 10. Adjournment.
- G. Questions on the Rules of Order shall be decided by the President in general accordance with "Roberts Rules of Order" (newly revised), unless otherwise provided in these Bylaws. Decisions by the President may be appealed to the whole voting body. The President may designate a qualified Parliamentarian of all meetings of USATF-Oregon. At the discretion of the Executive Committee, a "stream-lined" version of meeting protocol may be used. **NOTE:** In the absence of the President or at the request of the President, the 1st Vice-President shall serve as chairperson of meetings of USATF-Oregon or its Board of Directors or Executive Committee.
- H. Quorum:
1. Annual/General Meeting: A quorum shall consist of those eligible members present and voting.
 2. Board of Directors Meeting: A quorum shall consist of fifty (50) percent of the total members of the board of directors.

ARTICLE IX OFFICERS AND THEIR DUTIES

- A. The officers of this Association shall be: President, 1st Vice-President; 2nd Vice-President; Treasurer and Secretary.
- B. Officers shall be elected at the Association's annual meeting during even-numbered years by this Association's delegates (except past President)
- C. All officers, unless excused prior to any meeting, should be in attendance at all meetings of this Association, the Board or the Executive Committee.

- D. The officers shall perform the following duties and all other duties prescribed elsewhere in these Bylaws, or by the Board of Directors or the membership of this Association.
1. President: The President shall preside at all meetings of this Association and is an Ex-Officio member of all committees. Subject to the direction of the Board, the President shall manage and supervise the affairs of this Association and be responsible for signing and distributing, or causing to be distributed, all expenditures presented by the Executive Director.
 2. 1st Vice-President: Shall perform such duties as shall be assigned by the President. In the event of disability of the President, the 1st Vice-President shall also perform the duties of that office until a successor has been elected.
 3. 2nd Vice-President: Shall serve as the chair of the Budget and Audit Committee and perform such duties as shall be assigned by the President.
 4. Secretary shall:
 - a. Keep all minutes of meetings of this Association and of the Board of Directors and supply a copy promptly thereafter to all member organizations officers, committee members and others present at the meeting;
 - b. Distribute written notification of this Association's meetings to all member organizations, USATF-Oregon Board of Director members and committee members as specified in Article VIII A.,B.,C. and D;
 - c. Serve as a member of the Budget and Audit Committee.
 5. Treasurer shall:
 - a. Keep or cause to be kept a count and complete record of account, showing accurately at all times the financial condition of this Association, and in general, shall perform all duties normally pertaining to the office of Treasurer;
 - b. Shall report at all Board meetings the financial condition and balances of all bank accounts, and;
 - c. Shall serve on the Budget and Audit committee.
 6. Past President shall advise current president and other officers as needed.
- E. Removal from office: Any officer of this Association may be removed for good cause by a two-thirds vote of those members of the Association present and voting at an annual meeting or special meeting called for that purpose, and provided the requisite notice for such meeting (see Article 8) shall properly set forth the removal vote on its agenda.

ARTICLE X

ASSOCIATION OFFICE AND EXECUTIVE DIRECTOR

There may be an Association Office, which may be managed by an Executive Director.

A. The following are guidelines related to the position of Executive Director:

1. The Executive Committee may hire or contract for the services of an Executive Director who shall be responsible to the Board of Directors, and shall be overseen by the President.
2. The Executive Director is a paid position;
3. The Executive Director is selected by the Executive Committee via an interview process from a pool of qualified applicants and presented to the Board of Directors for approval.
4. The salary for this position shall be determined by the Executive Committee of this Association;
5. Upon determination of "failure to satisfactorily perform", the Board of Directors of this Association shall have the power to dismiss and replace this person.
6. Shall be a non-voting ex officio member of the Executive Committee, the Board of Directors, and all Standing Committees.
7. The Executive Director shall be bonded.

B. The Executive Director shall:

1. Conduct the office operations of this Association;
2. Maintain the records of the Association including current membership and financial records;
3. Perform the duties related to Organizational Services as outlined in Regulation 7, 8 and 16 of the current USATF Bylaws, as pertains to this Association;
4. Disburse such funds as may be authorized by the Board of Directors, or other proper authority;
5. Represent this Association in matters of concern with USATF including, but not limited to event sanctions, liability insurance, distribution of materials to association members and member organizations and reporting of this Association's activities to USATF.

ARTICLE XI

BOARD OF DIRECTORS

- A. The Board of Directors of this Association shall be composed of the following:
 - 1. The officers of this Association;
 - 2. The Executive Director of this Association(if any);
 - 3. The chair(s) of each Standing Sport Committee of this Association;
 - 4. The chair(s) of each Standing Administrative Committee of this Association;
 - 5. Two (2) active athletes appointed by the Athletes Advisory Committee;
 - 6. Immediate Past President.
- B. The President of USATF-Oregon shall serve as Chairperson of the Board. The Secretary of USATF-Oregon shall serve as Secretary of the Board.
- C.. The Board shall be responsible for reviewing the performance of the Executive Director and performing other responsibilities as determined by the Executive Committee or membership.
- D. The Board shall direct the Budget and Audit Committee to perform a complete financial review of financial practices of the association.

ARTICLE XII EXECUTIVE COMMITTEE

- A. The Executive Committee shall be composed of the President, 1st Vice-President, 2nd Vice-President, Secretary, Treasurer , Past President of USATF-Oregon and Executive Director of USATF-Oregon (if any).
- B. The Executive Committee shall manage and supervise the affairs of USATF-Oregon between meetings and perform other duties as determined by the Board of Directors or membership.

ARTICLE XIII COMMITTEES

Committees shall be designated as standing committees or ad hoc committees.

- A. Standing committees shall be designated at the annual meeting during even-numbered years and shall carry out functions specific to the nature of each committee. The President shall be

an ex-officio (non-voting) member of each standing committee. There may be standing sport committees and standing administrative committees as listed below.

1. Standing Sport Committees:
 - Men's & Women's Track & Field
 - Master's Track & Field
 - Open and Masters' Long Distance Running
 - Men's and Women's Race Walking
 - Youth Athletics
 2. Standing Administrative Committees:
 - Coaching Education (Sub-Committee Members include High School Liaison and College Coach Liaison)
 - Records & Statistics
 - Officials
 - Athletes Advisory
 - Law & Legislation
 - Budget & Audit
 - Rules
 - Course Certification
 - Organizational Services
- B. Ad Hoc Committees shall be appointed by the President as needed. These committees are subject to the approval of the Board of Directors. They shall cease to function as they have completed a specified task.
- C. When requested by two (2) or more member organizations of the Association, sport committee chairs shall be elected. When a sport chair is elected, the election shall take place at a meeting which is held separately from the general elections either by time or location, and at a minimum, shall be advertised to all member organizations in the Association active in the discipline.
- D. General Provisions governing committee operation:
1. Committee chairs shall be appointed by the President with approval from the Board, exceptions may be allowed which enables a committee to elect its Chair provided the committee has received approval in advance for this procedure from the Board. All Committee chairs, whether elected or appointed, shall be at least 18 years of age and members of the Association.
 2. Committee Officers: There shall be a Chairperson, Vice-Chairperson, and a Secretary of each committee as deemed necessary,
 3. Unless provided for otherwise, the term for offices for all committees shall be two (2) years;

4. Meetings of each committee shall be held upon call of the chairperson or as directed by the committee. Two (2) weeks notice of meetings shall be given the members by the committee chairperson or secretary;
 5. The duties of all chairpersons of Standing and Ad Hoc Committees shall be as follows:
 - a. Preside at all meetings of that committee;
 - b. Ensure that all responsibilities of that committee are properly carried out;
 - c. Communicate with the committee members to keep them full informed of happenings and decisions necessary to carry out the committee responsibilities;
 - d. Keep the USATF-Oregon President and Executive Director(if any) informed of all committee actions and recommendations;
 - e. Keep, or cause to be kept, and promptly sent to all committee members, the USATF-Oregon President, Secretary and Executive Director(if any), minutes of the committee;
 - f. Provide committee reports at the annual and general meetings of USATF-Oregon and at other times as requested.
 6. A committee may have the right to develop its own set of operating procedures, “by-laws,” or operating code; however, this document and any of its proposed revisions must be reviewed and approved by the Board prior to action by the committee and before it can go into effect. No provisions of the document may be contrary to the By-laws of USATF.
- E. Removal of elected chairs: Chairs may be removed for good cause by a two-thirds vote of the committee at an annual meeting or at a special meeting called for that purpose, provided that the members of the committee shall receive notice of the proposed actions at least twenty (20) days prior to the meeting.

ARTICLE XIV

DISCIPLINARY AUTHORITY

- A. Disciplinary authority: USATF-Oregon shall have the authority to discipline any member, delegate, athlete, 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 USATF-Oregon or Athletics, or (ii) has violated any of the Bylaws of USATF-Oregon or Rules of Competition of USATF, or (iii) has violated the rules

of eligibility. Any athlete, coach, trainer, manager, administrator, or official who alleges that he or she has been denied an opportunity to participate in Athletic competition shall be entitled to fair notice and opportunity for a hearing conducted pursuant to Article XVI.

- B. Association recommendations: Any association may recommend to the BOARD that USATF, pursuant to the authority conferred this Article and the procedures set forth in Article XVI, discipline a member, delegate, athlete, coach, manager, official, trainer, member of any committee, or any other person or entity participating in Athletics.

NOTE: Disciplinary and reinstatement procedures: The disciplinary and reinstatement procedures of USATF-Oregon and its member organizations are set forth in Article XVI.

ARTICLE XV REDRESS OF GRIEVANCES

A grievance may be any matter within the cognizance of USATF-Oregon other than doping offenses described Regulation 10 of the USATF Governance Handbook. Grievances shall be filed and administered in accordance with Article XVI of the USATF-Oregon Bylaws.

ARTICLE XVI FORMAL GRIEVANCES AND DISPLINARY PROCEEDINGS

- A. **Jurisdiction:** This Association shall have jurisdiction over all disciplinary and formal grievance proceedings relating to matters that arise within the boundaries of the Association, except sexual misconduct allegations and doping violations which shall be under the jurisdiction of USATF. All penalties imposed by an Association shall be effective only within the jurisdiction of that Association.
- B. **Association Arbitration Panel:** The following shall apply to the appointment and conduct of the Association Arbitration Panel (AAP):
1. **Members:** The Association Arbitration Panel shall consist of three (3) members - a chair, an at-large member, and an athlete member. There shall also be a first alternate, second alternate, and additional alternates who may be appointed from time to time when any of the three members of the AAP are not available. Members of the AAP shall not be members of the Association Board or Executive Committee.
 2. **Appointments:** Appointments shall be made by the President with the approval of the Association Board. The appointments shall be duly reflected in the minutes of a properly convened Board meeting.
 3. **Terms:** Terms shall commence on January 1 of each even-numbered year.
 4. **Removal:** Members and alternates may be removed for good cause by majority vote of the Association's Board. Good cause may include, but is not limited to, the following:
 - a. **Dilatory practices:** A AAP member who causes or permits delays in the hearing process; and/or

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

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

1. **Grievance complaint filing procedures:**
 - a. **Filing location:** Complaints shall be filed with the Association President and Secretary. The Secretary shall forward a copy of the Complaint to the each party charged in the Complaint;
 - b. **Language:** All documents filed and exchanged with respect to this Regulation shall be in English; provided, however, that an original document that is in a foreign language must be submitted along with an English translation. The party submitting the document shall bear the cost of obtaining its translation which shall be conducted by a reputable translator or translation service. In the event of a challenge to the accuracy of a translated document, the panel chairperson may direct USATF to order a translation of the document(s) in question and may allocate the cost of the translation to any party or all parties, as the panel deems appropriate;
 - c. **Basis for the Complaint:** The Complaint shall allege clearly the nature of the dispute and, where appropriate, state the specific violation of the Bylaws, Operating Procedures, Competition Rules, or Policies of USATF, USATF-Oregon, 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 Article shall be returned to the filer with instructions explaining the deficiency. A returned Complaint may be re-filed within thirty (30) days of the initial filing. After thirty (30) days, the Complaint will be deemed abandoned;
3. **Informal resolution of grievances:** Upon receipt of a Grievance Complaint, the President or his/her designee shall make every effort to resolve the dispute through informal means. In disputes pertaining to a specific sport discipline, the President or his/her shall also confer with the chairperson of the sport committee for the discipline involved. All discussions related to the informal resolution of a complaint shall be confidential;
4. **Formal resolution:** If the informal resolution of the complaint is unsatisfactory to any party, or if a party declines to pursue informal resolution, the party may request that the complaint be resolved by a formal hearing before an AAP panel;
5. **Hearing panel:** When one party has indicated that the matter cannot be resolved informally, the President or his/her designee shall coordinate the selection of a three-person arbitration panel as detailed in Article XVI Paragraph B. The arbitration panel should include at least one Active Athlete. One panel member will be selected as

Chairperson with responsibilities to control and conduct the process. The arbitrators shall not be members of the Association Board or Executive Committee.

- G. Notice of proceedings:** Within thirty (30) days of the commencement of a formal grievance all interested parties and the hearing panel shall be sent the following by the Association Secretary:
1. **Documents:** A copy of the complaint or other documents giving rise to the proceeding, with any attachments;
 2. **AAP Members and Contact:** The names of the hearing panel members and the address and telephone number of the panel's chairperson;
 3. **Association Bylaws:** A copy of the text of this Article of the USATF-Oregon Bylaws and any other relevant USATF Rule or Regulation; and
 4. **Other relevant documents:** A copy of any specifically identified document(s) related to the dispute.
- H. Answer:** The person(s) or entity(ies) named in a Complaint (respondent(s)) must submit a written answer to the Association Secretary within thirty (30) days after receipt of the letter notifying respondents that a proceeding has been filed ("Notice of Proceeding"). A copy of the Answer shall be forwarded by the Secretary to the complainant (the party filing the Complaint) and the AAP panel. The failure of respondent(s) to answer within thirty (30) days after the receipt of the Notice of Proceedings will be deemed a waiver by respondent of the opportunity to have a hearing or have an appeal of any adverse decision. Upon such failure, and after confirmation of the receipt of the Notice of Proceeding by all parties, the hearing panel may proceed in the absence of the respondent and may decide the matter with or without a hearing and with or without taking testimony and evidence, as it deems appropriate. If a party raises a hearing panel challenge under Article XVI Paragraph B, the panel chair may extend the time to answer.
- I. Challenge to arbitrator(s):** Within fourteen (14) days following the receipt of the Notice of Proceedings any party to the hearing may challenge the seating of any AAP panel member, on the ground that the panel member may not be impartial. The panel chairperson may extend the time to answer if a panel member is challenged. Failure to bring a timely challenge against the seating of an AAP arbitrator constitutes a waiver of such challenge.
- J. Hearing procedures:** The following procedures apply to formal grievance, and other hearings:
1. **Pre-hearing conference call:** Within five (5) business days of the expiration of the arbitrator challenge the AAP panel chairperson shall conduct a pre-hearing conference by telephone conference call with all parties to discuss scheduling and procedural matters.
 2. **Date of Hearing:** Best efforts should be used to set a convenient time and date for all participants. The AAP hearing panel shall schedule the hearing to take place within thirty (30) days of the initial pre-hearing conference. The hearing date may be delayed beyond the thirty (30) day period only upon a showing to the AAP panel that a substantial injustice would otherwise occur.

3. **Location for hearing:** Hearings shall be held in-person, unless good cause is shown to the AAP chairperson that holding the hearing by telephone conference call is in the best interest of the sport of Athletics.
 - a. **Reason for request for telephone conference call hearing:** If a party requests that the hearing be held by telephone conference call, such request shall be accompanied by a statement identifying the material reasons which the hearing panel should resolve in this venue.
 - b. **Deadline for request:** The telephone conference call hearing request must be submitted to the AAP chairperson within ten (10) business days of the receipt of the Notice of Proceedings. Failure to submit a telephone conference call hearing request during the above-described timeframe constitutes a waiver of the right to request a telephone conference call hearing.
4. **Delays:** If an interested party causes an unnecessary delay, the AAP panel may dismiss the proceeding or, at its discretion, rule against the party causing the delay. If the delay is the result of AAP panel inaction, the President or his/her designee may dismiss the panel and replace it with a new panel. If a party to the proceeding fails to appear at the hearing, then the AAP panel may make a ruling based on available information and the testimony of those present at the hearing;
5. **Evidentiary rules:** The rules of evidence generally accepted in administrative proceedings shall be applicable to the hearing; the formal rules of evidence shall not apply;
6. **Burden of proof:** The burden of proof is upon the complainant to prove by a preponderance of the evidence that conduct described in Article XIV above has occurred;
7. **Hearing record:** An official transcript or recording is highly recommended for hearings conducted by an Association. Any party to the proceedings may retain a court reporter or other competent individual to provide a transcript or recording of the hearing at that party's own expense. If made, such transcripts or recordings shall become the official record of the proceedings and a copy shall be provided to all parties at their own expense; and
8. **Closed hearing:** Hearings shall be closed to the public. Witnesses shall attend hearings only as necessary to provide testimony.

K. AAP decisions and opinions: The following shall pertain to AAP final decisions and opinions rendered in hearings and appellate proceedings:

1. **Scope of decision:** All AAP panel decisions shall be consistent with USATF, USATF-Oregon 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-Oregon, the Budget Committee chair and/or the USATF-Oregon Association President 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-Oregon may be implemented, in light of fiscal considerations, and may remand

the matter back to the AAP panel for modification based upon budgetary directives from the Board;

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

- L. **Appeals:** The decision of the arbitrators may be appealed pursuant to USATF Regulation 21-R.

ARTICLE XVII AMENDMENTS

These Bylaws may be amended at the annual meeting of this Association. The following procedures govern the submission of proposed amendments, and passage of amendments.

- A. Proposed amendments shall be submitted to the chair of the Law and Legislation Committee at least ninety (90) days prior to the annual meeting at which they are to be considered.
- B. Proposed amendments may be submitted by any member through their respective chairperson. Proposed amendments may also be submitted by the Chair of any Sports Committee, Standing Committee, Ad Hoc Committee or elected officer.
- C. Proposed amendments shall be submitted in such a form as to show the entire section, subsection or paragraph, as the case may be, as it will read if adopted, with all the proposed additional language underlined, and all proposed deleted language in double parentheses.
- D. Written notification of proposed amendments must be sent to association members and member organizations at least thirty (30) days prior to the annual meeting at which they are to be considered.

- E. Amendments to the Bylaws shall require for passage a two-thirds vote of the association members present and voting.
- F. Notwithstanding paragraph “A” above, amendments may be acted upon at any meeting of the Association in any of the following circumstances:
 - 1. Tabled amendments: Tabled amendments may be acted upon at any subsequent meeting without redistribution of the proposal;
 - 2. Conformity with the Law: To make the Bylaws conform with the federal or local law;
 - 3. Conformity with USATF: To make the Bylaws conform with USATF requirements; and,
 - 4. Uniformity: To make the Bylaws conform with each other; such items need not meet the time requirement of subparagraph A.

ARTICLE XVIII CONFLICT OF INTEREST

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

ARTICLE XIX DISSOLUTION

Upon dissolution, the net assets of USATF-Oregon will not inure to the benefit of any private shareholder, individual or corporation, but will be distributed to USATF, to be used exclusively for education or charitable purposes. If USATF is not then in existence, such assets of USATF-Oregon shall be distributed to another organization operated exclusively for charitable or educational purposes.

Original bylaws revised: February 27, 1992

Originally adopted: April 12, 1992

Revised and adopted: September 18, 1993

Revised and adopted: September 24, 1995

Revised and adopted: September 21, 1997

Revised and adopted (tabled items from Sept. 21, 1997): February 15, 1998.

Revised and adopted: September 23, 2001

Revised and adopted: September 15, 2003

Revised and adopted: September 21, 2008
Revised and adopted: October 23, 2011

Glenn Fortune, President
Signed 10/31/2011