



**USATF – Maine
BY-LAWS**

Revised September 13, 2008



USA TRACK & FIELD MAINE
BY-LAWS
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ARTICLE I
NAME

The name of this organization shall be USA Track & Field Maine (USATF-MAINE).

ARTICLE II
DEFINITIONS

As used in these by-laws, the terms:

A. Athlete:

mjActive athlete means any individual who is actively engaged in competition held under IAAF jurisdiction in Athletics within the preceding ten (10) years; and

1. Eligible athlete means any athlete who meets the eligibility standards established by USATF for Athletics.

B. Amateur athlete means any athlete, male or female, who meets the eligibility standards established by the Association and by the national governing body.

C. Athletics means, inclusively, track & field, long distance running, cross country running, road running, race walking, and any other sport discipline recognized by the IAAF.

D. Athletics competition means a contest, game, meet, match, tournament, or other Athletics event in which eligible athletes compete.

E. Club means a local or national organization whose programs involve competitive member athletes, events, and/or education in Athletics.

F. Coach means a person who is currently engaging in the training of athletes on an active basis, whether on a paid basis or not, and regardless of the extent to which coaching is a part of the person's vocation, or retired from the vocation of coaching.

G. NABR means the National Athletics Board of Review, as established in USATF Operating Regulation 11.

- H. Sanction** means the document which evidences the authority granted by either USATF or an Association to conduct a competition, and which also evidences that the recipient has complied with the requirements of USATF Article 20 and USATF Operating Regulation 14.
- I. 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.
- J. This geographic area** means State of Maine - Region 1 Area.
- K. USATF** means USA Track and Field, the national governing body.
- L. National governing body** means USA Track & Field (USATF).

ARTICLE III PURPOSES AND DUTIES

The purpose of this organization is to act as the state governing body of the sport of athletics within the State of Maine except for organizations defined in Article IV of the national governing body's by-laws. In connection with such purpose this organization shall:

- A. Purposes:** This Association shall have the following purposes:
- B. Development:** develop interest and encourage participation throughout the state and be responsible to the persons and amateur sports organizations active in the sport of athletics'.
- C. Management:** Have a planned organization that will effectively advance the objectives of the association's track and field, long distance running and race walking for all age groups in both male and female.
- D. Marketing:** Keep amateur athletics active in the sport of athletics informed of policy matters, activities and reasonably reflect the views of such athletes in the policy decisions of this association
- E. Duties:** This Association (USATF-MAINE) shall have the following duties:
- F. Responsibility to constituency:** Being responsible to the persons and sports organizations active in Athletics;
- G. Coordination of scheduling:** Minimizing, through coordination with other sports organizations, conflicts in the scheduling of all practices and competitions in Athletics;
- H. 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;
- I. Sanctioning of events:** Sanctioning competition in Athletics in accordance with the provisions of these Bylaws and Regulations, USATF Bylaws, and USATF Operating Regulations;

- J. 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;
- K. 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;
- L. 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;
- M. Registration and certification of athletes:** Registering eligible athletes as members and certifying such athletes as eligible for competition; and
- N. Administration of athletics:** Performing all other duties necessary for the administration of Athletics in the State of Maine (Region 1) and to achieve this Association's purposes.

ARTICLE IV AUTHORITY OF THE ASSOCIATION

This association shall be the governing body for the sport of athletics in the State of Maine, and shall exercise the following powers:

- A. Representation:** Representing the State of Maine in USATF.
- B. Establishment of Association goals:** Establish association goals and encourage the attainment of those goals in the sport.
- C. Coordination of Athletics:** Serve as the coordinating body for amateur athletic activity in the sport of athletics within the Maine Association.
- D. Jurisdiction:** Shall have jurisdiction over Athletics competition in this geographic area, including Association championships, with the exception that any sports organization which conducts closed 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.
- E. Autonomy:** Conduct amateur athletic competition in the sport of athletics and establish procedures for the determination of eligibility standards for participation in such competitions to the extent that such procedures are in compliance with the national governing body.

ARTICLE V CONSTITUENCY OF THIS ASSOCIATION

- A. Individuals:** Any person who meets the criteria for individual membership as determined by USATF shall be eligible for membership. This includes athletes, officials, coaches, administrators, and any other sets of individuals named by USATF.

- B. Groups:** Any organization that meets the criteria for group membership as determined by USATF shall be eligible for membership. This includes clubs, organizations administering competitions, and any other groups designated by USATF. Member groups must designate in writing who the voting members of the group are to be, and must make any changes to this in a timely manner before such individuals are recognized to vote.
- C. Applications:** Application for membership shall be in accordance with the USATF Bylaws and Operating Regulations.
- 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 USATF 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 to conduct such hearings, until the next meeting of this Association, to which meeting 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 VOTING MEMBERS

All members who are over the age of eighteen are entitled to participate in voting at meetings of this Association. No individual may cast more than one vote on any motion or in any election. All voters must be current members of this Association of USATF at the time that they are voting.

Athlete representation: Except for the Youth Athletics Committee and its subcommittees, all Association committees, subcommittees, or other appointed or elected bodies of this Association shall consist of at least twenty percent (20%) active athletes. At least twenty-five percent (25%) of the active athletes shall have competed for the United States in international competition within the last ten (10) years, if such athletes are available.

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. the association yearly election is held during the month of September, the membership must be processed by July 31).

Appointees: An appointed committee chair or Board member shall not vote in elections in that capacity, but may otherwise qualify for a vote.

ARTICLE VII MEETINGS

- A. Annual meeting:** The annual meeting of the Association shall be held in September of each year beginning in 1986, at such date, time and location as may be fixed the Association, and announced by written notice and Association's web site and such notice sent to each voting member thirty (30) days in advance of said meeting.
- B. Regular meetings:** This Association shall hold meetings in the following months; January, February, April, May, October, and November at such time and place as the Association president shall determine with input from the Board and announced by written notice to each voting member and sent to the member at least ten (10) days in advance of said meeting.
Any notice of a meeting change or a change in the election process must be at least fourteen (14) days prior to the meeting.
- C. Executive Board meetings:** The Association will hold Executive Board meetings in January, February, April, May, October, and November at such date, time and location as may be fixed by the President and announced by written notice to each member of the Executive Board at least ten (10) days in advance of said meeting.
Any notice of a meeting change or a change in the election process must be at least fourteen (14) days prior to the meeting.
- D. Special meetings:** Special meetings of this Association shall be held upon call by the Association President. *NOTE: This is usually where the membership of an Association must be given the right to force the current administration into holding a meeting for the purpose of addressing grievances or problems they perceive.*
- E. Meeting procedures:** The following shall govern the conduct of all meetings of this Association;
- 1. Publication of agenda:** The proposed agenda shall be included along with the meeting notice. Agendas should also be available at the time of the meeting; additional items added to the agenda shall not include any item where action of the committee is necessary, unless seventy-five percent (75%) of the members of the group then present agree to such action;
 - 2. Open conduct of business:** All meetings of this Association shall be open to all individual members of the Association except as otherwise provided. There shall be a specified time period in the meeting where any member may give input or make a brief statement;
 - 3. Closed or executive sessions:** No part of any meeting shall be closed unless seventy-five percent (75%) of the members of the group then present agree to close the session; and
 - a. Record of a meeting:** The Association and all of its committees shall have a recording secretary and send copies of the minutes recorded to all Executive Board members and all voting members at least 10 (ten) days in advance of the next meeting.
 - b. Annual Meeting:** The initial meeting notice must be sent out by means, which it will arrive at least, *thirty* (30) days prior the beginning of the election notices process.
- F. Quorum**

1. **Regular meeting:** A quorum will consist of three (3) Executive Board members and ten percent (10%) of the club representatives.
 2. **Executive Board:** A quorum will consist of three (3) members
- G. Agenda:** Prior to each meeting of this Association, the Secretary shall consult with the President and any Association staff members on the agenda. The Secretary shall prepare an agenda to be presented to the members at the start of the meeting as one of the first orders of business. Such agenda items shall include, but not necessarily be limited to:
1. **Attendance:** Consideration of the eligibility of members through acceptance of the registrar's report or roll call;
 2. **Credentials:** Consideration of credentials and challenges;
 3. **Minutes:** Acceptance of the minutes of the previous meeting;
 4. **Financial report:** Treasurer's report and approval of the budget;
 5. **Reports:** Reports from the President and those officers and committee chairs which have business to come before the delegates;
 6. **Introductions:** Group introduction of other officers and committee chairs (without reports);
 7. **Amendments:** Action on proposed amendments;
 8. **Elections:** Nominations (without speeches except for officer positions) and elections as scheduled, including special elections;
 9. **Site selections:** Report on site selections by each sport committee;
 10. **Awards:** Appropriate awards presentations; and
 11. **Other business:** New or old business as scheduled.
- H. 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. Decisions by the chair may be appealed to the Association parliamentarian. The President shall designate a qualified parliamentarian for all meetings of this Association.

ARTICLE VIII VOTING

The following guidelines shall apply to all elections for officers and sport committee and other chairs in this Association:

- A. **Election notice:**
 1. **Distribution:** Notice must be distributed by mail, newsletter and email;

2. **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 elections process;
3. **Changes:** 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. Nominating process:

1. **Membership & Age Criteria:** 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).

**In 1995, this association voted to have a nominating committee approach, ask interested USATF registered members of the association as well as current elected officers if they were willing to continue or resign elected position as well as to hold or seek a different elected position within the association.*

Any candidate must be a USATF registered member of the association who is at least 18 years of age (at the start of the term of office.)

In-person meeting nominations:

The Nominating Committee will present to all members of this association a list of candidates for the election process, as well as allowing nominations from the floor at an in-person election meeting. A candidate needs one (1) nominator and one (1) seconder who are both members to be able to nominate said candidate.

C. Voter criteria:

1. **One person-one ballot:** One (1) person shall cast only one (1) ballot, regardless of how many positions within the Association the person occupies;
2. **Proxies:** There shall be no proxy voting;
3. **Minimum age:** Voters must be a minimum of age eighteen (18) on the day of the election;
4. **Organizations/Clubs:** Organizations/clubs shall have a minimum of one (1) vote;
5. **Membership of all voters:** Organizations and any person representing an organization in Association voting matters must be members of USATF.

D. Conduct of voting: This Association shall use an open meeting ballot where all members of the Association and USATF are eligible to attend and vote.

1. **Disputes:** Credential disputes must be resolved 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;

4. **Number of votes:** There shall be a maximum of one (1) available votes, divided among the following five constituencies: eligible athletes, coaches, officials, organizational members, and other members (which may include elected officers of the Association);

E. Counting of ballots:

1. **Panel:** A panel of at least three (3) individuals, at least one (1) of who must be an athlete, shall count the ballots and sign the tally. All panel members shall be of voting age. The panel shall not include any individual who is a candidate for a contested office;
2. **Consultation:** The panel may consult as necessary with the chair, secretary, and/or parliamentarian (so long as they are not candidates for contested offices) on procedural matters.

F. Committee chairs:

1. **Committees:** Committees that have a chairman appointed by the President upon his/her election annually. They are as follows:
 - a. Men's and Women's Track & Field (competition for age 15 and over);
 - b. Youth Athletics (age group competition for age 14 and under);
 - c. Men's and Women's *and Master's* Long Distance Running (road racing);
 - d. Men's and Women's Race walking;
 - e. Master's *Track and Field*;
 - f. Registration (*athletes*) as well as *Club Registration*
 - g. Officials (certification, training and supervision of officials);
 - h. *Nominating Committee- two (2) individuals appointed by the President to seek out members willing to serve on the executive board of elected officers*);
 - i. *Cross Country (comprising of all age group athletes)*;
 - j. *Associations (If other than the elected President)*.
2. **Removal of elected/appointed 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 action at least twenty (20) days prior to the meeting.

- G. Special Committees** – The President shall be entitled to appoint ad hoc committees, with such composition, responsibilities and authority as may be approved by the Executive Board.

H. National delegates:

1. **Local option:** National delegates may be elected or appointed, according to local bylaws.
2. **Employees and elections:** Current employees (working within the past ninety days) 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.
**At this time USATF-MAINE does not have full or part-time employees.*

**ARTICLE IX
OFFICERS AND THEIR DUTIES**

- A. Positions:** The officers of this Association shall be: president, vice- president, secretary, treasurer, shall be elected annually. (*Representatives for Men's and Women's and Master's Track and Field Race Walking, Men's and Women's LDR, Masters LDR, Cross Country, Youth Athletics, Officials and Associations (if other than the President) will be appointed by the elected President*). 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).
- B. Duties:** The officers shall perform the following duties as well as any other duties prescribed by these Bylaws, the USATF Bylaws or Operating Regulations, or the Board of this Association:
The officers shall perform the following duties:
- 1. President:** The President shall:
 - a.* Preside at all meetings of this Association and of the Executive Board and shall be ex-officio member of all committees; and
 - b.* Appoint a chairman for each standing committee as defined by Article VIII of these by-laws; and
 - c.* See that all duties and responsibilities of the Association and Executive Board are properly and promptly carried out; and
 - d.* Appoint any special committees and chairmen as may be deemed necessary.
 - 2. Vice President:** The Vice President shall:
 - a.* By the decision of the Executive Board, act in place of the President when he/she is unable or unavailable to carry out duties; and
 - b.* Perform such duties as shall be assigned; and
 - c.* Assume the duties of any other officer in the event that officer is unable to complete his/her term of office; and
 - d.* Carry out those duties until the next annual election.
 - 3. Secretary:** The Secretary shall:
 - a.* Record minutes of all official meetings and send copies to all Executive Board members and all voting members at least ten (10) days in advance of the next meeting; and
 - b.* Maintain active lists of committees; and
 - c.* Act as Treasurer and assume the duties of same when none is available; and

- d.* Be responsible for maintaining an updated copy of this Association's by-laws and make them available at all meetings of the Executive Board and quarterly and annual meetings of the Association; and
- e.* In general, perform all duties pertaining to the office of Secretary.

4. Treasurer: The Treasurer shall:

- a.* Keep a correct and complete record of account, showing accurately at all times the financial condition of this Association; and
- b.* Maintain a bank account in which all funds received by this Association must be deposited. This account will contain the signature of the Treasurer and one other officer of this Association; and
- c.* Give an oral report of the state of the treasury at each Executive Board and at the first, third and fourth quarterly meeting of this Association; and
- d.* Prepare and distribute to all voting members, a financial report within two weeks of the annual meeting of the Association; and
- e.* In general perform all duties to the office of Treasurer.

5. Membership Chair: The Membership Chair shall collect or cause to be collected all memberships for individuals and groups within the Association, and provide liaison to the USATF National Office in all matters of membership, including reporting and disbursement of benefits.

- C. Election:** All officers are to be elected for one (1) year at the annual meeting of the Association. No person may contest more than one (1) officer position during an election. A person may not hold the office of President and any other officer position; however, a person may be named in other dual capacities to fill a vacancy.
- D. Limitation on terms:** There are no term limitations within this association.
- E. Succession and vacancies:** There shall be no order of succession to any office. In the event the Board determines that an officer is temporarily unable to serve, it may, in its sole discretion, name another officer to fill the vacancy temporarily. In the event two or more officers are unable to complete their terms of office, the Board shall name a successor until the following terms of office, subject to the limitation in paragraph C above, at which time a nomination and election shall be held at the next Executive Board meeting to fill the position(s).
- F. 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 this purpose, and provided the requisite notice for such meeting (see Article 8) shall properly set forth the removal vote on its agenda.

ARTICLE X

COMMITTEES

- A. Committees:** The following committees of this Association are established with such duties, responsibilities, and make-up as outlined here and in Articles reserved for each type of committee:
1. Men's and Women's Track & Field (competition for age 15 and over);
 2. Youth Athletics (age group competition for age 14 and under);
 3. Men's and Women's *and Master's* Long Distance Running (road racing);
 4. Men's and Women's Race walking;
 5. Master's *Track and Field*;
 6. Registration (*athletes*) as well as *Club Registration*
 7. Officials (certification, training and supervision of officials);
 8. Nominating Committee (two (2) individuals appointed by the President to seek out members willing to serve on the executive board of elected officers);
 9. Cross Country (comprising of all age group athletes);
 10. Associations (If other than the elected President).
- B. Removal of elected/appointed 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 action at least twenty (20) days prior to the meeting.
- C. Special Committees** – The President shall be entitled to appoint ad hoc committees, with such composition, responsibilities and authority as may be approved by the Executive Board.
- D. Sport:**
1. **Duties and responsibilities:** In addition to the provisions of Article X, each committee shall:
 - a. **Championships:** Have jurisdiction over the Association Championships in the particular discipline it controls, and shall institute, locate or award, conduct, and manage all such championships in accordance with the provisions of Regulation
 - b. **Calendar:** Coordinate the local and domestic competition calendar in its discipline; and
 - c. **Records:** Approve records for the events within its discipline;
 2. **Committee definitions:** The disciplines and age categories under the control of each sport committee in this division are as follows. *Each of these definitions should be covered by a committee where committees are merged:*
 - a. **Age categories:**
 - i. **Senior athletes** are of any age 14 years and over;
 - ii. **Junior athletes** must be at least age 14 on the day of competition and under age 20 on December 31 in the year of the competition;
 - iii. **Masters athletes** shall be at least age 40 on the day of competition; and

- iv.* **Youth athletes** shall not be 19 before the final day of the national Junior Olympics track & field competition and are divided into specified age categories; and

***b.* Jurisdiction:**

- i.* **Men's Track & Field:** Indoors and outdoors track & field activity for junior and senior men, not including track races of greater than 10,000 meters;
- ii.* **Women's Track & Field:** Indoors and outdoors track & field activity for junior and senior women, not including track races of greater than 10,000 meters;
- iii.* **Race Walking:** All race walking activity for junior and senior men and women;
- iv.* **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;
- v.* **Women'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 women;
- vi.* **Masters Long Distance Running:** All off-track running, cross country running, and track running over 10,000 meters for master's men and women;
- vii.* **Cross Country running:** Jurisdiction reserved pending LDR task force study; and
- viii.* **Youth Athletics:** All youth activity not conducted as junior competition for youth boys and girls, including track & field, road running, cross country running, and race walking; and
- ix.* **Masters Track & Field:** All track, field, and race walking activity for master's men and women, except track running races of greater than 10,000 meters; and

- 3. Makeup:** Each sport committee shall be constituted as stated in Article X-A-1-10.

***E.* Registration Committee:**

- 1.* The Registration Committee will consist of a member or members appointed by the President; and
- 2.* The function of the Committee will be to carry out the policies and procedures outlined by the national governing body.

***F.* Officials Committee:**

Associations' officials committees: Recognizing the possible differences between Associations in the number of meetings held, the availability of officials, and the availability of personnel to administer programs, each of the Association committees shall:

- a.* **Administration:** Select a person or committee responsible for training, certifying, and generally supervising officials within the Association, under such rules and procedures consistent with the directives of the national committee, as it may adopt;
 - b.* **Methods:** Establish (by examination, rules review, field experience, clinics, and such other procedures as it may choose) their overall program administration, including the direct responsibility of certifying the officiating category of "Association Official" to working officials within its Association;
 - c.* **Instruction:** Develop and maintain instructional programs for officials, including examinations, rules reviews, clinics, and other such activities as it may prescribe; and
 - d.* **Certification:** Be responsible for Designating pre-certified officials;
 - i.* Certifying Association-level officials; and
 - ii.* Recommending to the national committee candidates for nation and
 - iii.* master-level official certification; and
2. **Minimum make-up and concurrence:** Each local official's committee shall
- a.* be composed of at least one representative from each locally active
 - b.* discipline of USATF.

ARTICLE XI DISCIPLINARY AUTHORITY

This Association 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, (1) acts in a manner detrimental to the purposes of USATF or Athletics, or (2) has violated any of the Bylaws, Operating Regulations, or Rules of Competition of USATF, or of the Association, or (3) has violated the rules of eligibility.

NOTE: Disciplinary and reinstatement procedures: The disciplinary and reinstatement procedures of USATF and its member Associations are set forth in USATF Operating Regulations 11 and 12.

ARTICLE XII REDRESS OF GRIEVANCES

A grievance may be any matter within the cognizance the Maine Association of USATF as described in Regulation 9. Grievances shall be filed and administered in accordance with Regulation 9.

ARTICLE XIII SANCTIONS

The general sanction provisions of USATF, which affect local Associations, appear in this Article. Additional regulations appear in USATF Operating Regulation 14.

- A. Domestic Sanctions: USATF or its Associations shall have authority to grant sanctions to sports organizations or persons otherwise wishing to hold athletic competitions in athletics that are not international in nature, within the United States.
- B. Sanctioning policy: Unless USATF or an Association determines by clear and convincing evidence that holding or sponsoring an athletics competition (international or domestic) would be detrimental to the best interests of the sport, USATF or the appropriate Association of USATF shall promptly grant a sanction requested by a sports organization or person(s), provided all the requirements of USATF Operating Regulation 14 have been satisfied. The decision as to whether a proposed competition would be detrimental to the best interests of the sport shall be made in the first instance by either USATF or an Association, as appropriate. Approval of sanctions shall not be unreasonably denied. The decision to deny a sanction may be appealed:

In the case of a denial by an Association, to USATF, or In the case of a denial by USATF, to the NABR.

- C. Sanction requirements: Sanctions are issued, withheld, or withdrawn in accordance with the requirements and provisions of USATF Operating Regulation 14.

ARTICLE XIV FISCAL AND LEGAL MATTERS

- A. **Fiscal year:** The fiscal year of this Association is January 1 through December 31.
- B. **Signatories:** Funds on deposit in banks may be withdrawn only by voucher check upon the signatures of the President and Treasurer. Other assets or property of this Association may be transferred from one depository to another by action of the Board; and
- C. **Audit schedule:** The Board, effective at the beginning of each fiscal year, shall select a Certified Public Accountant to audit the books and financial records of this Association for the ensuing year. After completing the audit, the auditor shall submit his or her report to the Board, and as soon thereafter as reasonably possible, a copy of such audit report shall be available for each member of this Association and sent to the USATF National Office before the next annual meeting.

ARTICLE XV DISSOLUTION

Upon the dissolution of the corporation, the Board shall, after paying or making provisions for the payment of all of 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 States Internal Revenue Law), as the Board shall determine.

ARTICLE XVI

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 XVII AMENDMENTS

- A. General provisions:** Amendments shall be considered by this Association as follows:
- 1. Voting for Bylaws approval:** Amendments to the Bylaws shall require for passage a two-thirds vote of those members present and voting at the meeting, provided notice of the proposed amendment has been submitted in writing to the members of the Association at least thirty (30) days prior to the meeting; and
 - 2. Voting for other regulations approval:** Amendments to the other regulations shall require a majority vote of members present and voting, provided notice of the proposed amendment has been submitted in writing to the members of the Association at least thirty (30) days prior to the meeting.
- B. Exceptions:** Notwithstanding paragraph A above, amendments may be considered 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 or other regulations conform with federal or local law or regulation;
 - 3. Conformity with USATF:** To make the Bylaws or other regulations conform with USATF requirements; and
 - 4. Uniformity:** To make the Bylaws and other regulations conform with each other; such items need not meet the time requirement of subparagraphs A-3 above and D-1 below.
- C. Emergency circumstances:** In emergency circumstances, this Association or its Board may adopt changes as follows:
- 1. Vote of the membership:** Upon a ninety percent (90%) vote at any meeting of this Association; and
 - 2. Vote of the Board:** Where immediate relief is deemed necessary, the Bylaws and their 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 the Association.
- D. Submissions:** The following provisions shall govern submissions of amending legislation:

- 1. Time of submission:** Amendments shall be submitted at least sixty (60) days prior to the meeting at which they are to be considered, so as to allow proper review and submittal to the members of the Association. This sixty (60) day requirement may be waived, in emergency circumstances, upon a ninety percent (90%) vote at any meeting of this Association;
 - 2. Submitters:** Amendments may be submitted only by a member of this Association;
 - 3. Persons receiving submissions:** Amendments to the Bylaws and other regulations shall be submitted to the Executive Board Secretary.
 - 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 or shaded, and all proposed deleted language in double parentheses. A brief statement of the rationale for the submission shall accompany each submission. If there is a budgetary impact, it shall be estimated with the submission or, lacking such estimation, shall be provided by the Treasurer and/or the chair of the Budget Subcommittee of the Board; 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 another member of the Association.
- E. Effective date:** Unless otherwise specified at the time of adoption, amendments to the Bylaws and other regulations shall be effective immediately.

APPENDICES

REGULATION 1 MEMBERSHIP

The regulations concerning membership are covered in USATF Regulation 1.

- A. Association responsibilities:** This Association shall have specific responsibilities in the collection of dues and fees from its members:
- 1. Collection of dues by Associations:** On or before the 15th day of the month following collection, a transmittal report and USATF's national share of annual dues for each sports organization and individual member shall be submitted to the National Office. The National Office shall submit approved benefits to each member; and
 - 2. Other claims:** With regard to monies collected by Association members under the paragraph above, unless prior written approval of the National Office is granted, there shall be no offsets, credits, or other deductions taken by such members on claims or credits due or claimed to be due to it. Such claims are to be established by the internal grievance process available under the Bylaws and these Regulations.
- B. Disclosure:** Coaches and others who work with youth athletes may be subject to a compulsory disclosure program approved by the Board.

REGULATION 2 CERTIFICATION OF ATHLETE ELIGIBILITY

- A. General:**
- 1. Domestic competition:** To compete in a national, regional, or Association championship, an athlete must be a USATF member. In other events conducted by an Association, the Association may require USATF membership; and
 - 2. Membership:** All athletes competing in events conducted by USATF shall be members of USATF unless provided for otherwise in the Bylaws and Operating Regulations, and shall meet the requirements of USATF Regulation 7.

REGULATION 3 CHAMPIONSHIPS

- A. General:** The national championships of USATF shall be conducted in senior, junior, youth (including Junior Olympics), and masters' classes.
NOTE: Rules governing age groups, eligibility, entries, protests, and competition is contained within the Rules of Competition.
- B. Dates:**
- 1. Regional and / or national** championships of all divisions dates shall be suggested by the committee chairs.
 - 2. Changes:** No change in the dates shall be allowed once announced unless the announcement of the change can be made at least ninety (90) days before the earlier of (1) the proposed new date and (2) the announced date. The chair or the appropriate subcommittee of the sport committee must agree to any change of date, unless a vote of the sport committee establishes the new date. The sport committee shall immediately notify the National Office of the change. The National Office shall notify the host Association and any sponsoring organization(s) within five (5) days.
- C. Notice:** At least sixty (60) days' notice of the time and place of each national championship shall be given to the Association sport committee chairs, who shall forward the information to the members of their Association.
- D. Awarding procedure:**
- 1. Formulation of bid:** Bids shall be formulated at the local Association level. The role of the local Association shall be clearly stated on the application. If an applicant intends to assign part of its responsibilities to another entity, this intention shall be stated in the application. When the bid provides for profit sharing or minimum guarantees, an itemized budget shall be submitted with the application. Bids involving one or more championship categories or more than one sport committee (joint bids) shall state whether or not they are contingent upon approval of all parties;

2. **Association sign-off:** That part of the application which sets forth the role of the Association shall be furnished to the Association prior to the submission of the bid. An acknowledgement of the Association's receipt of the part of the application pertaining to the Association's role shall be submitted with the bid. The sport committee(s) presented with the bid shall not consider the bid without such an acknowledgement, unless the bid has been furnished with a satisfactory explanation for the absence;
3. **Submission of bid:** Copies of the completed application shall be returned to the National Office and to the chair(s) of concerned sport committee(s) or their designees not less than thirty (30) days prior to the meeting at which the sport committee considers the application. For Youth Athletics, bids must be returned no later than July 1. For race walking, bids are due sixty (60) days prior to the start of the annual meeting;
4. **Presentation at meetings:** Presentation by or on behalf of each applicant shall be made at a regular meeting of the sport committee or a duly appointed subcommittee. The role of the local Association, any assignment of responsibilities to another entity, and any provisions for profit sharing or minimum guarantees shall be stated as part of the presentation;
5. **Award method:** Upon approval of the concerned sport committee(s), the championship event(s) shall be duly awarded. The award of a championship shall be to USATF, an Association, to a member in good standing of that Association, or to a third party within the Region 1 area. The awardees shall assume all financial and operating responsibilities required by the agreements. Joint bids shall not be contingent upon approval of all parties unless specified by the applicant;
6. **Un-Awarded championships:** Championship events which remain un-awarded after the annual meeting may be awarded using a process authorized by the particular sport committee; and
7. **Withdrawal and/or reassignment:** Unless the championship contract and operating addendum have been executed at least one hundred twenty (120) days prior to the championship(s), or as otherwise determined by USATF, the award may be withdrawn upon the request of the appropriate sport committee(s) by the USATF Board. The award of a championship may be cancelled by USATF or by a ninety percent (90%) vote of the total membership of the Board, for due cause and, upon reasonable notice, the award may be made to another awardee. If necessary, a championship event may be reassigned to another awardee with approval of the Board and the Association involved. A championship awarded to an Association shall not be transferred from that Association without its consent or the approval of the Board or a subcommittee appointed for this function. If such transfer is made, the original awardee shall be reimbursed for expenses incurred, unless negligence can be shown.

E. Finances:

1. **Entry fees:** All entry fees and late entry fees shall be retained by the organization, which conducts a championship;
2. **Reports:** The organization(s) conducting a championship shall furnish to USATF within sixty (60) days following the event a detailed financial report showing all receipts and disbursements. Failure to comply without good cause within the time specified shall bar the

contracted sponsor and/or Association involved from being awarded any national championship in that sport for five (5) years thereafter;

3. **Prohibited expenses:** The expense of purchasing equipment for use in a national championship shall not be charged against the cost of conducting such event .

REGULATION 4 RECORDS

A. Submission:

1. **Form:** All applications for records shall be submitted on an official record application form and shall contain all pertinent information requested on the form;
2. **Responsibility:** It shall be the responsibility of the Maine Association sport committee, or of the member club sponsoring or conducting the competition, to apply for the record on the form, which shall be properly completed and forwarded to the National Office without delay;
3. **Processing:** Upon receiving a record application form and any accompanying documentation, the National Office shall forward it to the individual designated by the appropriate Sport Committee. That individual shall review the form, gather any needed additional information, and make a recommendation regarding the application to the Records Committee, which shall, in turn, make its recommendation to the appropriate sport committee;
4. **Ratification:** Each sport committee shall have the responsibility of ratifying records in its events; and

- B. **Certificates:** Every holder of an American record or of an all-comers record, as the case may be, shall receive a certificate to that effect signed by the President and the chair of the Records Committee.

REGULATION 5 CERTIFICATION OF ROAD COURSES

The regulations concerning the certification of Road Courses is covered in USATF Regulation 6.

REGULATION 6 REPRESENTATION

- A. **General:** An athlete shall be considered a member of the Association in which the athlete is a bona fide resident except as otherwise provided in paragraph B below:

1. **Attached athletes:** In order for an athlete to compete as a representative of a national club or of a local club, educational institution, or other organization, that organization must be a member in good standing of USATF:

- a. **National clubs:** Athletes belonging to a national club shall be considered members of USATF-MAINE in which they reside, unless paragraph B below is applicable.

National clubs shall not be eligible to compete for Association team championships, but athletes belonging to national clubs may compete in their Associations' championships and shall be scored as though they are unattached athletes; or

b. Local clubs, educational institutions, and other organizations: An athlete who is not a member of a national club (or is only by reason of subparagraph C-3-c below) may compete as a representative of any local club, educational institution, or other organization that is a member of the athlete's Association. Any such athlete shall score for the athlete's team in any championship or other competition;

2. Unattached athletes: An unattached competitor is an athlete member who represents no club, educational institution, or other organization. An unattached athlete may compete in the Association in which the athlete is a member. An unattached athlete shall be identified at athletics events with the USATF-MAINE or place of residence in which he is a member, and not with a club.

3. Notification of changes: An athlete member who wishes to change representation shall notify the local registrar prior to the effective date of the change; and

4. Fees for changes: All applications for changes of representation must be accompanied by a fee, if any, to be determined by the Association membership committee and/or Association sport committee.

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

C. Transfers:

1. Between Associations: In order to transfer membership from one Association to another, an athlete shall present a document from the previous Association indicating the last date of competition in an attached status and that the athlete is in good standing in that Association;

2. Between clubs/organizations: To transfer representation from one club/organization to another, an athlete must serve ninety (90) days in "unattached" status from the date of the last competition in which the athlete represented a club/organization, regardless of residency, unless the athlete falls within one of the exceptions herein.

3. Exceptions:

a. Student: An athlete who is a member of a club or organization who wishes to compete as an undergraduate student for a college or university (two- or four-year institution) shall be automatically released without notice by the club or organization upon commencement of the collegiate season to compete for that college or university in open competition (so long as the collegiate team is a member of USATF) and shall

similarly be automatically released without notice by such school immediately upon termination of such season to represent the club or organization of the athlete's choice. Verification of collegiate track & field season commencement and termination dates must be provided by the athlete upon request of either the local committee or Association membership committee involved;

- b. Armed forces:** An athlete member on active duty in the Armed Forces of the United States may, upon receiving permission from the local membership committee, represent in open competition the military organization or the Athletics club to which the athlete belongs, or both. Any points scored by such athlete shall count for the Athletics club, except where a point trophy is advertised to be contested for by a military organization;
- c. Race walker:** An athlete may compete as a member representative of a club or organization in race walking and for another club or organization in another Athletics discipline, provided the two clubs or organizations involved do not both participate in race walking. For example, an athlete may race walk for one club that has no running program, and run for another club that has no walking program; and
- d. Waiver:** The local or national membership committee may waive the ninety (90) day unattached period required by subparagraph C-2 above if it determines that the change in organization was caused by events outside the control of the athlete involved and is in the best interests of athletics or the athlete.

D. Representation of athletes: Individuals, clubs, and other entities may, domestically and internationally, negotiate for the expenses of athletes they have designated provided they have signed a written agreement with USATF stating their intention to comply with the rules of USATF and the IAAF, including the timely filing of all reports required under IAAF rules. Individuals signing such agreements on behalf of entities shall bind such entities and themselves. Reports concerning athlete's finances shall be kept confidential.

REGULATION 7 CLUBS

- A. Definition:** Clubs are organizations of athletes and others, which compete in USATF programs as teams or individuals representing the club. There shall be various types of USATF clubs, based on the geographic location of their membership and/or the types of programs and purposes they serve. While clubs may be of only one geographic type, they may have more than one purpose.
- B. Geographic types:**
- 1. Association clubs** shall become members by joining this Association if they are located in our geographic area (State of Maine – USATF – Region 1); and
 - 2. National clubs** are those clubs that meet the requirements of USATF.
- C. Purposes:**
- 1. Competitive:** Association or national clubs that primarily prepare athletes for competitive opportunities shall be referred to as competitive clubs;
 - 2. Affiliated:** Association clubs that primarily stage events or provide competitive opportunities to the public shall be referred to as affiliated clubs;
 - 3. Training:** Association clubs which exist to provide non-collegiate athletes training at an educational institution facility shall be referred to as training clubs; and
- 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:
- 1. Duplication:** Two (2) clubs choose the same or confusingly similar names (except with the concurrence of both clubs);
 - 2. Sponsorship:** A club uses a name which causes public confusion with USATF-related sponsorship or advertising; or
 - 3. Trademark:** A club uses a trademark or service mark of USATF.

E. Special:

- 1. Age limitation:** A national club shall be limited to competitions at the senior level;
 - 2. Vote in Association:** Clubs shall be allowed to vote in the activities of the USATF-MAINE Association in which they are registered;
 - 3. Duplications:** If the name of the same athlete appears on two (2) or more rosters, the National Office shall resolve the duplication by contacting the clubs involved and, if there is still a disagreement, the athlete directly;
 - a. Additions and deletions:** Between December 1 and November 1 of the following year, a national club wishing to add an athlete shall submit the name of each athlete to the National Office. The athlete may compete for the club only after the National Office has confirmed that the athlete has satisfied the transfer requirements of Regulation 7-C. An athlete may also be deleted from a roster and changed to an unattached status; and
 - b. Former Maine USATF Association club members:** National clubs may add athletes who have been members of Association clubs after the athlete meets the requirements of Regulation 7-C; and
 - 4. Medical support:** Advise its athletes, when possible, as to medical services and available health insurance;
 - 5. Participation:** Agree to participate and to have its athletes participate in national and international competition encouraged by the IAAF and/or USATF.
- F. Conflicts of interest:** No club shall represent a member athlete in any transaction if such a representation is a conflict of interest.

**REGULATION 8
ELIGIBILITY**

Outlined in Article 2 of USATF-MAINE By-laws.

The eligibility of an athlete shall be governed by the applicable IAAF and IOC rules, except when such rules are inconsistent with United States law.

REGULATION 9
FORMAL GRIEVANCES AND DISCIPLINARY PROCEEDINGS

- A. Jurisdiction:** This Association shall have jurisdiction over all disciplinary and formal grievance proceedings relating to matters that arise within the boundaries of the Association, except sexual misconduct allegations and doping violations, which shall be under the jurisdiction of USATF. All penalties imposed by an Association shall be effective only within the jurisdiction of that Association.
- B. Association Arbitration Panel:** The following shall apply to the appointment and conduct of the Association Arbitration Panel (AAP):
- 1. Members:** The Association Arbitration Panel shall consist of three (3) members - a chair, an at-large member, and an athlete member. There shall also be a first alternate, second alternate, and additional alternates who may be appointed from time to time when any of the three members of the AAP are not available. Members of the AAP shall not be members of the Association Board or Executive Committee.
 - 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:** An AAP member who causes or permits delays in the hearing process; and/or
 - b. Failure to follow procedures:** An AAP member who disregards or fails to apply the hearing procedures or other provisions set forth in the Association Bylaws, Association Regulations, USATF Rules, USATF Bylaws, and/or USATF Regulations.
- C. Grievances:** A grievance may involve any matter, other than sexual misconduct and doping offenses, within the cognizance of USATF that occurs in the jurisdiction of this Association:
- 1. Grievance Complaints:** A Grievance Complaint shall state the following:
 - a. Detrimental conduct:** Conduct detrimental to the best interests of Athletics, USATF, Maine Association of USATF has taken place; or
 - b. USATF violations:** A violation of any of USATF's Bylaws or Operating Regulations and/or of a violation of any of Maine Association of USATF Bylaws or Operating Regulations has occurred.
 - 2. Parties:** Grievance Complaints may be filed only by and against individuals or entities which were, at the time that the conduct complained of occurred, and at the time the Complaint is filed, members, directors, or officers of USATF or otherwise subject to the jurisdiction of Maine Association of USATF. A non-member, former director, or former officer of Maine Association of USATF shall be subject to the jurisdiction of Maine Association of USATF for the purpose of defending against a Grievance Complaint for an incident that occurred while he or she was a member, a director, or officer of Maine Association of USATF or otherwise subject to the jurisdiction of Maine Association of USATF. A Grievance Complaint may only be filed by a person or entity affected by the issues raised in the complaint; and
 - 3. Time limit:** Grievance Complaints must be filed within one (1) year from the time the complaining party knew or should have known of the act giving rise to the Complaint.

- D. Disciplinary matters:** Maine Association of USATF shall have the authority to discipline any member who, by neglect or by conduct, acts in a manner subject to discipline pursuant to the following:
- E. Activities subject to discipline:** Maine Association of USATF may discipline any member who, by neglect or by conduct:
- a. Detrimental conduct:** Acts in a manner detrimental to the purposes of USATF, Maine Association of USATF, or Athletics;
 - b. USATF, IAAF, and Sports Act violations:** Violates any of the Bylaws, Operating Regulations, or Competition Rules of USATF or the IAAF, or violates the Sports Act;
 - c. Eligibility violations:** Violates the rules of eligibility for Athletics;
- 1. Time limit:** Disciplinary proceedings must be requested within one (1) year from the time the complaining party knew or should have known of the issue giving rise to the request for a disciplinary hearing.
- F. Rights of the persons or entities:** In all matters subject to this Regulation, all parties shall be provided with fair notice and an opportunity for a hearing prior to the adjudication or imposition of any penalty by the Association or AAP. All parties:
- 1. Representation:** May be represented in any disciplinary, grievance, or Association proceeding by a person(s) who may (but need not) be an attorney;
 - 2. Right to appeal:** May appeal any adverse decision in accordance with this Regulation;
 - 3. Attendance at hearing:** May be present at any hearing; and
 - 4. Presenting and challenging evidence:** Shall have the right to present evidence and witness testimony and to cross-examine witnesses testifying against him, her or it.
- G. 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, Maine Association of USATF, or the IAAF;
 - d. Facts of allegation:** Factual allegations shall be separately stated in concise language with one allegation set forth in each numbered paragraph of the Complaint;
 - e. Signature:** The Complaint shall be signed by the person filing the Complaint,
 - f. Filing fees:** A filing fee of One Hundred U.S. Dollars (US\$100) must accompany an organization's complaint and a filing fee of Seventy-five U.S. Dollars (US\$75) must be paid by individuals filing a Complaint. The filing fee must be in the form of a certified check or money order made payable to the Association;
 - 2. Failure to comply with Complaint procedures:** Complaints that fail to comply with the procedures outlined in this Regulation shall be returned to the filer with instructions

explaining the deficiency. A returned Complaint may be re-filed within thirty (30) days of the initial filing. After thirty (30) days, the Complaint will be deemed abandoned;

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 designee shall also confer with the chairperson of the sport committee for the discipline involved. All discussions related to the informal resolution of a complaint shall be confidential;
4. **Formal resolution:** If the informal resolution of the complaint is unsatisfactory to any party, 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. 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.

H. 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 Regulation of the Maine Association of USATF 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.

I. 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 this Regulation the panel chair may extend the time to answer.

J. 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.

K. 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 Regulation 11 – C of USATF Bylaws 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.
- L. 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, Maine Association of USATF, 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 Maine Association of USATF the Budget Committee chair and/or the Maine Association of USATF Treasurer shall review it and report their findings to the Board within thirty (30) days of the issuance of the opinion. In such instances, the decision and opinion shall not become final and binding unless and until approved by the Board. The Board shall determine to what extent any AAP decision and opinion having a significant budgetary impact on Maine Association of USATF 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 Maine Association of USATF, 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.

M. Appeals: The decision of the arbitrators may be appealed pursuant to USATF Regulation 11-P.

REGULATION 10 REINSTATEMENT

Are outlined under Article 12 of the USATF-MAINE By-laws.

REGULATION 11 ATHLETICS SANCTIONS

Are outlined under Article 13 of the USATF-MAINE By-laws.

Amendments:

April 10, 1993 – Revised to change name from *Maine Association of the Athletics Congress/USA* to *Maine Association of USA Track & Field*.

March 11, 2006 – Revised to change the date of the Fiscal Year to January thru December.

December 31, 2006 – USATF Logo change.

September 13, 2008 – Regulation 9 added to By-Laws

September 24, 2011 – Revised to change the Name of Association to USATF-Maine

USATF-MAINE President Signature: _____ *Valaree J.L. Foss* _____ Dated: September 26, 2009
Valaree J.L. Foss

USATF-MAINE Secretary Signature: *Tavi J. Norton* Dated: *September 26, 2009*
Tavi J. Norton
 Mark R. Dennett Dated: *September 24, 2011*
Mark R. Dennett

USATF-MAINE by-laws reviewed:

Date: March 11, 2006 by: *Valaree J. L. Foss © USATF-MAINE Executive Board Members*

Date: December 31, 2006 by: *Valaree J. L. Foss © USATF-MAINE Executive Board Members*

Date: October 19, 2007 by: *Valaree J. L. Foss © USATF-MAINE Executive Board Members*

Date: September 13, 2008 by: *Valaree J. L. Foss © USATF-MAINE Executive Board Members*

Date: September 26, 2009 by: *Valaree J. L. Foss © USATF-MAINE Executive Board Members*

Date: September 28, 2010 by: *Valaree J. L. Foss © USATF-MAINE Executive Board Members*

Date: September 24, 2011 by: *Valaree J. L. Foss © USATF-MAINE Executive Board Members*