ASSOCIATION BYLAWS

USATF New Jersey Association Bylaws (Amended September 22, 2026)

Table of Contents

ARTICLE 1 - NAME 3

ARTICLE 2 - DEFINITIONS 3

ARTICLE 3 - PURPOSES AND DUTIES 4

ARTICLE 4 - AUTHORITY 6

ARTICLE 5 - CONSTITUENCY 7

ARTICLE 6 - VOTING MEMBERS 7

ARTICLE 7 - MEETINGS 8

ARTICLE 8 - VOTING 10

ARTICLE 9 - OFFICERS AND THEIR DUTIES 15

ARTICLE 10 - BOARD OF DIRECTORS 17

ARTICLE 11 - ASSOCIATION OFFICE 20

ARTICLE 12 - COMMITTEES -GENERAL PROVISIONS 22

ARTICLE 13 - COMMITTEES – DESCRIPTIONS 25

ARTICLE 14 - DISCIPLINARY AUTHORITY 28

ARTICLE 15 - REDRESS OF GRIEVANCES AND DISCIPLINARY PROCEEDINGS 28

ARTICLE 16 – SANCTIONS 35

ARTICLE 17 - FISCAL AND LEGAL MATTERS 36

ARTICLE 18 – DISSOLUTION 39

ARTICLE 19 - SAVING CLAUSE 39

ARTICLE 20 - AMENDMENTS 39

APPENDICES 41

ARTICLE 1 - NAME

The name of this corporation shall be the New Jersey Association of USA Track & Field Inc., hereinafter referred to as “this Association," “this corporation," or "USATF New Jersey" or “USATF-NJ."

ARTICLE 2 - DEFINITIONS

As used in these Bylaws and the Operating Regulations:

A. **Athletes:**

1. **Actively Engaged Athlete** means an athlete who qualifies as a Ten Year or Ten Year+ Athlete, as defined below, or who has been actively engaged in twenty-four (24) months prior to election/selection in a USATF-sanctioned competition, which may include events that categorize entrants in age-restricted classifications. USATF’s Athletes Commission and Nominating and Governance Panel will develop a process to jointly identify and vet candidates to serve as Actively Engaged Athletes.
2. **Ten Year Athlete** means an athlete who has represented the United States in the Olympic Games, the Pan American Games, World Championships, or another event designated by the USOPC (together, with the USOPC’s Athletes Advisory Council) and USATF (together, with USATF’s Athletes Commission) as an elite-level event for purposes of this definition, within the previous ten (10) years.
3. **Ten Year+ Athlete** means an athlete who has represented the United States in the Olympic Games, the Pan American Games, World Championships, or another event designated by the USOPC (together, with the USOPC’s Athletes Advisory Council) and USATF (together, with USATF’s Athletes Commission) as an elite-level event for purposes of this definition, but not within the previous ten (10) years.

B. **Athletics** (when capitalized) means, inclusively, track & field, long distance running, cross country running, road running, race walking, and any other sport discipline recognized by the WA.

C. **Athletics Competition** means a contest, game, meet, match, tournament, or other Athletics event in which Athletes compete.

D. **Board** (when capitalized) means the Association’s Board of Directors.

E. **Club** means an organization of athletes and others who participate in USATF programs as a team. There shall be various types of USATF clubs, based on the types of

programs and purposes they serve. Clubs may have more than one purpose.

F. **Coach** means an individual who is currently a USATF-certified coach, or who was within the preceding ten (10) years actively engaged in training athletes, coaching school/college community Athletics, coaching club athletes, or coaching International Athletes.

G. **International Athletics Competition** means any Athletics competition involving athletes representing two (2) or more countries.

H. **IOC** means the International Olympic Committee.

I. **Past chair or past officer** means the person (other than the current holder of the position) who served immediately prior to the present holder.

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

K. **Sanction** means the document which evidences the authority granted by USATF and this Association to conduct a competition, and which also evidences that the recipient has complied with the requirements of Article 16 of these Bylaws and USATF Operating Regulation 23.

L. **Sports Act** means the Olympic and Amateur Sports Act

M. **Sports organization** means a non-profit corporation, club, federation, union, association, or other group organized in the United States that sponsors or arranges any Athletics competition.

N. **USOPC** means the United States Olympic & Paralympic Committee.

O. **USATF** means USA Track and Field.

P. **WA** means World Athletics.

ARTICLE 3 - PURPOSES AND DUTIES

This non-profit corporation shall act as the governing body for Athletics in this geographic area defined by USATF Bylaws.

A. **Purposes:** This corporation shall have the following purposes:

1. **Development:** Developing interest and participation in Athletics in this geographic area at all levels and developing opportunities for athletics

development at the highest possible performance level;

2. **Management:** Promoting Athletics and athletes by conducting competitions and other events, and cooperating with and encouraging other organizations that may do so;

3. **Performance:** Fielding the most competent individuals and teams in this geographic area for all levels of competition in Athletics and providing support and conditions that ensure optimal performance to Athletes at all levels;

4. **Marketing:** Generating public awareness, appreciation, and support for Athletics and for the Association and USATF, creating opportunities for athletes and Athletics events, and generating sponsorships to help fulfill its purposes and duties;

5. **Diversity:** Promoting differences among individuals, including, but not limited to race, gender, age, ethnicity or national origin, gender identity, gender expression, sexual orientation, religious belief, physical ability or disability.

B. **Duties:** This corporation shall have the following duties:

1. **Responsibility to constituency:** Being responsible to persons and sports organizations active in Athletics;

2. **Coordination of scheduling:** Minimizing, by coordinating with other sports organizations, conflicts in schedules for Athletics practices and competitions;

3. **Communication with athletes:** Keeping Athletes informed of policy matters and reasonably reflecting the views of Athletes in policy decisions;

4. **Sanctioning of events:** Sanctioning Athletics competition under these Bylaws and the Operating Regulations;

5. **Participation in competition:** Providing for participation by Athletes, coaches, trainers, managers, administrators, and officials in Athletics competition, under the provisions of these Bylaws and the Operating Regulations, and provide for protections guaranteed by the Sports Act, and as described elsewhere in these Bylaws;

6. **Support of women in Athletics:** Providing equitable support and encouragement for participation by women in Athletics;

7. **Support of the disabled in Athletics:** Encouraging and supporting sports programs in Athletics for disabled individuals;

8. **Coordination of technical information:** Coordinating and providing technical information on physical training, equipment design, coaching, and performance analysis in Athletics;

9. **Research:** Encouraging and supporting research, development, and dissemination of information in the areas of sports medicine and sports safety in Athletics;

10. **Coordination of certification and education:** Providing the means to certify coaches and officials throughout this geographic area in all disciplines and at all levels of Athletics;

11. **Registration and certification of athletes:** Registering athletes as members and certifying athletes as eligible for competition;

12. **Maintaining athlete eligibility requirements:** Establishing eligibility criteria for participating or competing in Association events in Athletics;

13. **Administration of Athletics:** Performing all other duties necessary for administering Athletics in this geographic area and for achieving this corporation's purposes.

ARTICLE 4 - AUTHORITY

This corporation shall be the governing body for Athletics in this geographic area, and shall exercise the following powers:

A. **Representation:** Representing this geographic area in USATF.

B. **Establishment of Association goals:** Establishing Association goals and encouraging the attainment of those goals in Athletics.

C. **Coordination of Athletics:** Serving as the coordinating body for activity in Athletics in this geographic area.

D. **Jurisdiction:** Shall have jurisdiction over all matters within the scope of its authority under USATF Bylaws and Regulations, including Association championships and other Association events, any Athletics competition sanctioned by this Association, Association governance, Association-level grievances and disciplinary matters, and Athletics competition within this geographic area generally, 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:** This Association shall be autonomous in governing Athletics in this geographic area. It shall independently determine and control all matters central to governing; shall not delegate its decisions or control; and shall be free from outside restraint. This provision shall not prevent this Association from contracting with third parties for administrative assistance and support in connection with its purposes and authority.

ARTICLE 5 - CONSTITUENCY

A. **Individuals:** Any person who meets the criteria for individual membership as determined by USATF shall be eligible for membership. This includes Athletes, Elite Athletes, disabled athletes, coaches, officials, trainers, managers, administrators, or any other individual.

B. **Clubs/organizations:** Any club or 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, not including competitive clubs, 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 and Association 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 6 - VOTING MEMBERS

All members in good standing who are over the age of eighteen are entitled to participate in voting at meetings of this Association, subject to the provisions of Article 8 of these Bylaws. 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 and meet any other requirements of these Bylaws.

ARTICLE 7 - MEETINGS

A. **Annual meeting:** This Association shall hold an in-person, virtual or in-person & virtual annual meeting of the membership the second Wednesday in the month of March unless the President shall select another weekday evening in that month. When the President has fixed the date, time, and place of the meetings, it shall be announced by requisite notice of such meeting.

B. **Regular meetings**: This Association shall hold an in-person, virtual or in-person & virtual General Membership meeting of the membership on the second Wednesday evening of September unless the President shall select another weekday evening in that month. When the President has fixed the date, time, and place of the meeting, it shall be announced by requisite notice of such meeting.

C. **Special meetings**: Special meetings of this Association shall be held in-person, virtually or in-person & virtually upon call by the President or the Board. When the President or Board has fixed the date, time, and place of the meeting it shall be announced by requisite notice of such meeting.

D. **Meeting procedures:** The following shall govern the conduct of all meetings of this Association (excluding Board meetings).

1. **Notification of meetings:**

a. **Distribution:** Notice of the meeting must be distributed by email, mail, newsletter, and/or local Association web site;

b. **Web site use:** If a web site is to be used as the sole means to inform members of the meeting, then members must be informed where to find information on the web site through a mailing, emailing or newsletter;

c. **Prior arrival:** The initial meeting notice must be sent by means under which it will arrive at least thirty (30) days prior to the beginning of the meeting;

d. **Separate Notice Required:** Meeting notice must be sent at least once, in accordance with subsection D(1)(c) as a separate mailing, email, or newsletter that is limited to information related to the dates, locations, and times of Association meetings. Such notice shall not be combined with any other Association news or announcements and shall bear the heading or subject line: “Association Meetings” or a similar heading or subject line sufficient to convey to membership that the email or other notification concerns upcoming Association meetings.

e. **Changes:** Any notice of a meeting change must be disseminated at least fourteen (14) days prior to the meeting; except that a change of

meeting location within the Association's jurisdiction may be made at any time, provided that notice is posted at the former location regarding the new location, and time for travel is allowed before the commencement of the meeting at the new location.

2. **Publication of agenda:** The proposed agenda should be included along with the meeting notice, if available at that time, and shall be made available to the membership by email or by posting on the Association Website no later than 3 days prior to the scheduled meeting. Agendas should be maintained on the website up to and including the day of the meeting; any agenda items not timely published to the membership pursuant to this provision shall not include any item where action of a committee is necessary, unless seventy-five percent (75%) of the members of the group then present agree to such action. If any action is taken on matters not included in an agenda provided to membership at least 3 days prior to the meeting, an appeal may be made to the President of the Association, who may nullify the action at their sole discretion.

3. **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;

4. **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. Notwithstanding the foregoing, this section shall not apply to the discussion of any personnel or legal matters, which shall be discussed in a closed session;

5. **Record of a meeting:** The Association and all of its committees shall have a recording secretary. Within thirty (30) days of the meeting, draft minutes should be posted on the Internet. All written reports or a summary of such reports shall be distributed with the draft minutes;

6. **Quorum:** Except as otherwise provided in a committee's operating procedures or in these Bylaws, a quorum shall consist of a minimum of ten eligible voters, at least four (4) of whom shall be Athletes;

7. **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 or designee 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:

    a. **Attendance:** Consideration of the eligibility of members through acceptance of the registrar's report or roll call;

b. **Credentials:** Consideration of credentials and challenges;

c. **Minutes:** Acceptance of the minutes of the previous meeting;

d. **Financial report:** Treasurer's report and approval of the budget;

e. **Reports:** Reports from the President and those officers and committee chairs which have business to come before the delegates;

f. **Introductions:** Group introduction of other officers and committee chairs (without reports);

g. **Amendments:** Action on proposed amendments;

h. **Elections:** Nominations and elections as scheduled, including special elections;

i. **Site selections:** Report on site selections by each sport committee;

j. **Awards:** Appropriate awards presentations;

k. **Other business:** New or old business as scheduled;

l. **Adjournment.**

E. **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 8 - VOTING

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

A. **Association elections:** All election procedures for officers and any other elected positions shall be defined in these bylaws and comply with Regulation 7 of the USATF Bylaws. The procedures shall include the notice of elections to be held, the process by which nominations are made, the voting constituency, the conduct of balloting and election protests.

These provisions shall include:

1. **Election notice:**

a. **Distribution:** Notice must be distributed by mail, email, newsletter, and/or local Association web site.

b. **Web site use:** If a web site is to be used as the sole means to inform members of the elections, members must be informed where to find information on the web site through a mailing, emailing or newsletter;

i. Notice must be sent by email to the Association's current membership list provided by the National Office. The Association must also comply with state law requirements for not-for-profit corporations;

ii. Notice must be sent by mail to any member making a written request for notice by mail within one year of an election.

c. **Prior arrival:** The initial meeting notice must be distributed at least thirty (30) days prior to the beginning of the election or nominations.

d. **Changes:** Any notice of a meeting change or a change in the election process, not previously publicized, must be distributed at least fourteen (14) days prior to the meeting; except that a change of meeting location within the Association's jurisdiction may be made at any time, provided that notice is posted at the former location regarding the new location, and time for travel is allowed before the commencement of the meeting at the new location.

B. **Nominating process**:

1. **Nominating pre-meeting option:** Except as provided in these Bylaws or a committee's operating procedures, there shall be no nominating committee. Members may initially nominate candidates up to 45 days prior to the election meeting by notifying the Secretary, or designee, and those nominations shall be shown on the election notice;

2. **Meeting nominations:** Nominations must be allowed from the floor at an election meeting;

3. **Membership and 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;

4. **Nominations and seconds:** A candidate needs one (1) nominator and one (1) seconder who are both members of the Association.

C. **Voter criteria:**

1. **One person-one ballot:** One (1) person shall cast only one (1) ballot worth a maximum of one vote, regardless of how many positions in 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. **Voting membership deadline:** Except for renewals from the previous year, individuals must be members for at least thirty (30) days prior to the date of the election (e.g., if the election is held on September 15, the membership must be paid in full by August 16);

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

6. **Club Organizations:** Club organizational members shall have a minimum of one (1) potential vote. Clubs having twenty-five or more USATF members shall be entitled to a second potential vote. Clubs having fifty or more members shall be entitled to a third potential vote. (Members shall be measured based on USATF membership totals for the twelve- month registration period ending in October of the previous calendar year.) The total number of club votes is subject to the limitation of Paragraph D-2.

7. **Club Organization voters:** If a Club organization has more than one (1) vote, each ballot must be cast by a different representative;

8. **Membership of all voters:** Organizations and any person representing an organization in Association voting matters must be USATF (and Association) members in order to vote.

D. **Conduct of voting:** This Association shall use a balanced meeting ballot where only designated members of the Association are eligible to vote.

Number of votes: There shall be a maximum of seventy five (75) 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);

1. **Minimum voting strengths:** Each constituency above is entitled to the following maximum available number of votes: clubs (20 votes), athletes (25 votes), coaches (12 votes), officials (12 votes), others (6 votes);

2. **One-person, one-ballot:** An individual who is eligible to cast a ballot in more than one constituency must choose one constituency in which to vote, in the event that there are more members at the meeting within each of the individual's

constituencies than are allowed to vote in D.2;

3. **Caucuses:** Constituencies with more individuals than votes allowed will caucus before the election to determine the voters or apportionment of votes;

4. **Athlete caucuses:** In an athlete caucus, youth (18-year old), open (non-international ages 19-39), international ("ten-year" rule regardless of age), and masters (40-and- above) athletes must each be represented if member athletes are present and available. In such a case, the number of votes granted to a division above shall be as equal as possible, regardless of the number of athletes present from a division.

5. **Disputes:** Credential disputes and disputes regarding the election process must be raised before the election process is started (i.e. before taking nominations);

6. **Uncontested:** Uncontested elections may be voted by acclamation;

7. **Ballot type:** A secret ballot must be used for contested elections;

8. **Opened Ballots**: Any ballot opened outside the presence of the entire voting panel shall not be counted.

E. **Counting of ballots:**

1. Electronic Voting: Shall be used to count ballots automatically at in-person, virtual or in-person and virtual meetings where no paper ballots are used. (Examples: Zoom polling, Survey Monkey, etc.)

2. **Voting Panel:** A panel of at least three (3) individuals, at least one of whom must be an Actively Engaged Athlete, shall count the in-person paper ballots and then add in the electronic ballots, if used, and sign the vote tally when paper ballots or a combination of paper ballots and electronic voting is used. All panel members shall be at least 18 years old. The panel shall not include any individual who is a candidate for an office.

3. **Consultation:** The panel may consult with the Association's president, secretary, or parliamentarian – so long as they are not candidates for offices – on procedural matters.

F. **Committee chairs and vice chairs:**

1. **Age and terms:** All committee chairs and vice chairs, whether elected or appointed, must be at least 18 years old and members of the Association at the start of the term of office, complete and pass a USATF approved background check and possess a current SafeSport training certificate or renewal, before the later of taking office or thirty (30) days of being elected. Chairs and vice chairs shall be elected to a three year term commencing on July 1st. Except as otherwise provided herein, the President, with the Board's approval, shall

appoint interim chairs or vice chairs to fill vacancies for the remainder of the term.

2. **Election:** When each sport committee chair and vice chair is elected, the election shall take place at a meeting which is held separately from the Association annual meeting. There shall be three such meetings (all taking place on a weekday evening between March 1 to June 30 of the year in which the term is to begin) as follows: (1) Men's and Women's Track & Field Committees, masters Track & Field Committee and Race-walking Committee, (2) An LDR Division election meeting for the three LDR committees, (3) a youth Athletics election meeting. For the voting make-up of committees see Article 12-2.

G. **National delegates:**

1. **Local election:** The Association's delegation to the national annual meeting shall be elected at the September General Membership meeting. Each voter may vote for a maximum number of candidates equal to the number of delegates that the Association may seat after meeting the accreditation and delegation credentialling requirements for the national annual meeting. Additionally, each voter may cast one alternate vote (an “A”). Alternate votes shall be considered in the count only to break ties;

2. **Plurality:** When delegates are elected, a plurality vote (the individual receiving the most votes) may be accepted for election;

3. **Alternates:** Any candidates not elected as delegates who received votes shall be considered elected alternates in order of preference of number of votes received. The delegation chair may appoint additional alternates in preference after the last elected alternate. Alternates may move up to delegate status to fill vacancies or to enable the delegation to meet national requirements (in which case, they shall replace the lowest ranking delegates);

4. **Delegation Chair:** The Association President, or the President's designee, shall serve as the Delegation Chair;

5. **Committee Representatives:** If attending the national annual meeting, the Association's sport committee chair shall serve as the Association's representative to the national sport committee. If the Association sport committee chair is absent, the vice chair shall serve. If both the chair and vice chair are absent, the Delegation chair shall appoint a representative. The Association Officials Chair shall serve as the representative on the national Officials Committee, unless absent, in which case, the Delegation Chair shall appoint a representative.

H. **Majority requirement:**

1. **Majority:** In elections conducted at meetings, a plurality vote (the individual receiving the most votes) may not be accepted in the first round, except for the election of delegates to the USATF Annual Meeting. A plurality is sufficient in the second round;

2. **Run-off candidates:** In run-off elections, the number of candidates shall be equal to twice the remaining positions on the ballot.

I. **Election protests:**

1. **USATF Regulation 21:** Except as indicated below, USATF Regulation 21 shall apply to election disputes. Protests may only be made after the election process is concluded;

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

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

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

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

ARTICLE 9 - OFFICERS AND THEIR DUTIES

A. **Positions:** The officers of this Association shall be: a President, a Vice President, a Secretary, a Treasurer. No individual may be an officer of this Association who is also an officer of another sport governing body at the local or national level.

B. **Duties:** The officers shall perform the following duties as well as any other duties prescribed by these Bylaws, the USATF Bylaws, or the Board of this Association:

1. **President:** The President shall:
   a. Preside at all non-committee meetings of this Association and its Board;
   b. Be an ex officio non-voting member of all committees;

c. Manage and supervise the affairs of the Association, subject to the direction of the Board of this Association;
d. Select committee chairs and name other such members to fill positions that he or she is entitled to appoint pursuant to these Bylaws, after consultation with the other officers. Such appointments shall take effect immediately and for the remainder of the term being filled. The President may likewise terminate such appointments for good cause upon written notice to such appointees and the other officers.

2. **Vice President:** The Vice President shall perform duties assigned by the President and Board. In the temporary absence of the President from a meeting, the Vice President shall serve as acting chair;

3. **Secretary:** The Secretary shall keep or cause to be kept all records of this Association, and all minutes of non-committee meetings of this Association and its Board, and, in general shall perform all duties normally pertaining to the office of secretary;

4. **Treasurer:** The Treasurer shall keep or cause to be kept a correct 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.

C. **Election:** All officers are to be elected for three years at the annual meeting of the Association held in March. A person may not hold multiple officer positions; however, a person may be named in other dual capacities to fill a vacancy.

D. **Eligibility:** All officers must be at least 18 years of age and satisfy the Safesport requirements (inclusive of background screening) before the later of taking office or thirty (30) days after being elected. All officers shall be required to satisfy ongoing requirements pertaining to Safesport during their term of office in order to continue representing the Association.

E. **Terms:** The term for officers shall commence on July 1st.

F. **Limitation on terms:** No person, except the Treasurer or Secretary, shall serve in an officer position for more than two full consecutive terms without a period away from that position, but may serve in another officer position immediately following the expiration of their second term (for example, a person may serve as President immediately following the expiration of their second consecutive term as Vice President). A person may serve two such consecutive full terms after serving a partial term to fill a vacancy.

G. **Succession and vacancies:** There shall be no order of succession to any office; except that in the absence of the President, the Vice President shall fill out the remainder of the President's term. 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 an officer resigns or is permanently unable to serve, the Board shall name a successor until the following annual meeting, subject to the limitation in paragraph C above, at which time a special election shall be held for the unexpired portion of the term. A non-officer director who assumes an officer position automatically vacates the non-officer director position. An officer may not accept the nomination for a non-officer director position without first resigning from the office.

H. **Removal from office:** Any officer or director 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, General Membership 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.

I. **Election Protests:**

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

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

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

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

ARTICLE 10 - BOARD OF DIRECTORS

A. **Composition:** The Board of Directors shall be composed of twelve members all elected to three-year terms as follows:

1. **Voting members:** The voting membership of the Board shall be as follows:
   a. The **officers** of this Association (4 persons)

   b. The non-officer directors (9 persons) including:

      i. Three (3) coaches (one college, one high school, and one club coach);

      ii. Three (3) Actively Engaged Athletes;

iii. Two (2) at-large members

iv. One (1) Para Athlete member

c. Four of the nine non-officer directors shall be elected one year following the election of the Association's officers, and the remaining five shall be elected two years following the election of the Association's officers.

2. **Chair and Secretary:** The President of the Association shall serve as chair (and only vote to break ties) and the Secretary as secretary.

B. **General provisions:**

1. **Fiduciary responsibility:** The Board shall manage and supervise the affairs of the Association and perform those duties specified in these Bylaws.

a. Each individual Board member shall owe the Association a fiduciary duty of loyalty and shall, at all times, act in the best interests of the Association;

b. Each individual Board member shall maintain the confidentiality of non-public Association affairs, including, without limitation, all internal discussions and communications of the Board, or among Board members, concerning matters pertinent to the Association or its members.

2. **Meetings of the Board:** The Board may conduct its affairs either at in-person meetings or by a conference call. It shall hold quarterly meetings during each year in January, March, June and September unless otherwise specified by the President. Additional meetings may be called by the President or the Secretary. At least seven (7) days' notice of any in person meeting and at least forty-eight (48) hours notice of any conference/virtual call. Written notice shall include the minutes of the previous meeting. Notice for any meeting may be waived by unanimous consent. Individuals who cannot attend in-person meetings may participate fully by conference call. By written request, a majority of the Board may call additional meetings. Board members intending to call a meeting must give at least five (5) days' notice to the President of their intent by electronic mail. After the members of the Board have called for a meeting, the President shall have twenty-four (24) hours to determine the venue and give appropriate notice to the Board. All Board meeting minutes and communications by Board members concerning matters pertinent to the Association or its members shall be presumptively treated as confidential and shall not be shared with the general membership of the Association absent agreement by the Board to do so.

C. **Election or selection of members:** All members of the Board are elected by the Association unless appointed by the Board to fill a vacancy until the next annual meeting when an interim election shall be held unless the Board position is already up

for election.

D. **Terms:** The term for Board members shall be three years beginning July 1st after the election meeting. Directors elected to fill vacancies or replace appointed interim directors shall take office immediately.

E. **Limitation of Terms**: No person may serve for more than two full consecutive three year terms as a non-officer director without a period away from serving in any non-officer director position. A person may serve two consecutive terms after serving a partial term to fill a vacancy.

F. **Eligibility:** All board members must be at least 18 years of age and satisfy the Safesport requirements (inclusive of background screening) prior to taking office. All board members shall be required to satisfy ongoing requirements pertaining to Safesport during their term of office in order to continue representing the Association.

G. **Quorum:** A quorum for meetings of the Board shall consist of a majority of the members of the Board. For example, if there are no vacancies, there shall be seven members for a quorum.

H. **Voting:** Except as otherwise provided herein, all matters shall be decided by majority vote of those present and voting. There shall be no voting by proxy.

I. **Mail balloting:** Upon authorization by a majority vote at a duly convened meeting or by call of the officers, the Board may conduct a vote through the distribution and/or collection of ballots using the U.S. Postal Service, e-mail, or any other service that may be authorized. The procedure and subject matter for such a vote shall be set forth in the authorizing resolution.

J. **Board committees:** The Board may have committees including, but not limited to, budget, audit, compensation, insurance, and grants. Each Board committee will have no more than five (5) members, at least one (1) of whom must be a Board member. The President shall appoint the members with the approval of the Board.

K. **Expulsion:** Any Board member may be removed for good cause by a two-thirds vote of those delegates of USATF present and voting at an annual meeting or special meeting called for this purpose, and provided the requisite notice for such meeting shall properly set forth the removal vote on its agenda. Failure to participate in two (2) consecutive Board of Directors meetings may, by a 2/3 vote of the Board members attending, cause expulsion of the member. An expulsion vote may only be taken at the following Board meeting and only if upon a motion made and seconded with fourteen days written notice to the Board members. The member to be expelled shall have the opportunity to present any matter in opposition to the expulsion motion prior to a vote being taken at the meeting but such presentation shall only be made at the meeting at which the expulsion vote is taken.

ARTICLE 11 - ASSOCIATION OFFICE

A. **Chief Paid Executive:** The chief paid executive of the Association shall be the Managing Director who shall be selected by and shall serve at the direction of the Board, and who shall carry out the policies and programs of this Association in accordance with these Bylaws. The Managing Director shall have these duties:

1. **Supervision and appointment of staff:** Supervise the paid staff of the Association, including the appointment of such paid personnel as are necessary for the conduct of business;

2. **National communications:** Supervise the proper handling of the correspondence and communications with individuals and Athletics' organizations in other Associations and with the National Office of USATF;

3. **Legal documents and commitments:** Ensure that all contracts and other legal commitments of this Association are signed by the authorized officers of this Association after approval by established procedures;

4. **Ex officio membership:** Serve as a non-voting member of the Board, and all committees and subcommittees;

5. **Exclusive employment:** Devote his or her full time to the affairs of this Association without engaging in any other profession or employment, except as permitted in the employment contract;

6. **Budgetary limitation:** Operate within the annual budget. In addition, all major funding matters and expenditures shall be approved by the Treasurer and the Budget and Finance Committee of the Board;

7. **Strategic planning:** Draft strategic plans for this Association and submit for approval to the Board;

8. **Annual & Semi-Annual Report:** At the annual and semi-annual meetings, present to this Association a report on the state of the sport, including a review of the progress since the last meeting and suggested plans for the future implementation of the strategic plans for the following year;

9. **Coordinate the efforts of volunteers** in the best interests of the Association;

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

B. **Staff activities:** The staff shall, under the direction of the Managing Director, perform the following duties:

1. **Membership:** Process all categories of membership under USATF Article 5-D, including the collection of appropriate fees and distribution of benefits and services;

2. **Championships:** In conjunction with the appropriate sport committees, advertise, schedule, manage, and conduct Association championships;

3. **National competition:** Manage or liaison all aspects of national competition held in this geographic area;

4. **Development:** Develop and implement a cohesive, effective development program in conjunction with the development committees and other applicable committees, and the national committees;

5. **Public relations / media relations:** Optimize the quantity and quality of public exposure of this Association, and its sports, events, and athletes;

6. **Publications:** Coordinate the timely publication of communications with members and others;

7. **Marketing and promotions:** Devote sufficient staff resources to ensure the successful marketing and promotion of the sport and of the Association;

8. **Fund raising:** Conduct fund raising programs for the Association as approved by the Board;

9. **Scheduling:** Coordinate major competitions and championships;

10. **Coordination of certification and education:** Provide necessary support for certification and education programs, especially for coaches and officials;

11. **Annual and semi-annual meetings:** Initiate site selection for the annual and semi-annual meetings of the Association and its committee meetings, in conjunction with the President and committee and/or division chairs;

12. **Purposes and duties of corporation:** Perform other tasks necessary to fulfill this Corporation's purposes and duties.

C. **Restricted activities:** The members of the paid staff (other than part-time members) shall not participate in any of the following activities:

1. **Electioneering:** Campaigning for or against any candidate for any elected office or position at any level (Association, committee, national, or international),

except that in the state of the sport address, the Managing Director may comment on the performance to date of any USATF incumbent and/or describe the qualifications appropriate for any USATF position;

2. **Voting:** Serve as voting members of this Association or any of its committees. Voting in elections by reason of membership or club representation is permitted. If permitted by USATF, being a candidate for national delegate or other national position is permitted.

D. **Complaints against staff:**

1. **Staff other than Managing Director:** A complaint against a member of the Association staff shall be sent to the Secretary of the Association and the Managing Director. By agreement, either shall cause the President and counsel to the Board to receive the complaint within ten (10) days of receipt. The Managing Director shall be given not less than thirty (30) days to investigate the complaint, and shall have a written report of his or her investigation at the next appropriate Board meeting, including any action (if necessary) to be taken to remedy the situation;

2. **Managing Director:** A complaint against the Managing Director shall be delivered to the Secretary of this Association. The Secretary shall cause copies to be delivered within ten (10) days to the President and counsel to the Board. All decisions with respect to the resolution of a complaint against the Managing Director are within the sole discretion of the Board;

3. **Response:** All complaints against staff shall be acknowledged promptly. A written response shall be made within thirty (30) days of the resolution of the complaint. Interim reports shall be made every one hundred twenty (120) days, pending resolution.

4. **Safe Sport Complaints:** All Safe Sport complaints shall be handled in accordance with applicable Safe Sport procedures.

ARTICLE 12 - COMMITTEES -GENERAL PROVISIONS

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. Track & Field and Racewalk Division:
   a. Men's Track & Field
   b. Women' s Track & Field
   c. Race Walking
   d. Masters Track & Field

2. Long Distance Running Division:
   a. Men's Long Distance Running
   b. Women's Long Distance Running
   c. Masters Long Distance Running
   d. Mountain Ultra Trail (MUT) Running
   e. Cross Country

3. Youth Athletics Division:
   a. Youth Track and Field
   b. Youth Cross Country

4. Administrative Division:
   a. Budget & Finance
   b. Law & Legislation & Rules
   c. Member Services
   d. Officials
   e. Records
   f. Review
   g. Para Athletes

B. **General provisions:** The following provisions apply to all of this Association's committees:

1. **Term of members:** The term of Sport Committee Chairs and Vice Chairs shall be in accordance with Article 8-F., and the terms of other sport committee members shall continue as long as they meet the requirements of Subparagraph B-2 below. The term of the Chair and other offices of the Officials Committee shall be in accordance with the committee's bylaws, and the term of its other members shall continue as long as they remain certified officials. The term for members of all administrative committees shall be three (3) years and shall commence on July 1st of the same year that officers are elected.

2. **Committee makeup:**

   a. The makeup of sport committees shall be open to all Association members in good standing who meet the requirements of Article 8-F. All such committee members attending a committee meeting are entitled to vote in committee elections and other voting matters, subject to Article 8. At the time of the Sport Committee elections, each Sport Committee may elect an executive committee or the Sport Committees of a division may elect a combined executive committee or a divisional chair. An executive committee may act on behalf of the sport committee or sport committees between committee meetings. A divisional chair shall chair meetings of the division, coordinate activities among the sport

committees of the division and perform such other duties as may be assigned by the sport committees of the division or their combined executive committees;

b. The Officials Committee shall consist of the certified officials of the Association plus athletes necessary to meet the requirement of subparagraph 6 below. The Officials Committee shall elect its chair and officers in accordance with its committee bylaws;

c. Other administrative and ad-hoc committees shall consist of at least three members including a chair. The President shall appoint the members and chair in accordance with Article 9-B-l-d.

3. **Eligibility:** All committee or division chairs, vice chairs and executive committee members must be at least 18 years of age and satisfy the Safesport requirements (inclusive of background screening) before the later of taking office or thirty (30) days of being elected. All committee or division chairs, vice chairs and executive committee members shall be required to satisfy ongoing requirements pertaining to Safesport during their term of office in order to continue representing the Association;

4. **Committee notification:** Notification for election meetings shall be in accordance with the Association election notification requirements of Article 8. Other divisional or committee meetings should be upon ten days' notice except in emergencies. Notice shall be posted on the Association web site and also provided to members who have requested to be on the divisional or committee list;

5. **Quorum:** A quorum for any sport committee or the Officials Committee is five eligible voters. A quorum for other administrative or ad hoc committees shall consist of a majority of its members;

6. **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 thirty three and one third percent (33 1/3%) Actively Engaged Athletes.

C. **Committee chairs:** The chair of each applicable committee shall be elected or appointed in accordance with these bylaws.

1. **Duties of chair:** Chairs of all committees shall:

a. Schedule and preside at all meetings of the committee;

b. Ensure that all duties and responsibilities of the committee are properly and promptly carried out;

c. Appoint subcommittees, with the authorization of the committee, as may be necessary to fulfill the duties and responsibilities of the committee. Subcommittees of administrative and developmental committees shall be appointed only from the membership of those committees, except that non-members (not exceeding 50% of the subcommittee) may be appointed with the authorization of the committee;

d. Communicate with the committee members to keep them fully informed of events concerning the committee and decisions made to carry out the committee's responsibilities; keep the President and Managing Director informed on all committee actions and recommendations;

e. Cause to be kept and promptly forwarded to all committee members and the Association office copies of the minutes of all meetings of the committee;

2. **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 action at least thirty (30) days prior to the meeting.

D. **Sport Committees general provisions:** Each Sport committee shall:

1. **Delegation of duties:** Have the right to delegate any of its duties to its chair or vice chair or other committee member;

2. **Open meeting**: Except upon majority vote of those present, allow the attendance at its meetings of any non-members engaged in the sport, allowing such persons a voice but no vote;

3. **Miscellaneous:** Promote and develop activities related to its sport.

E. **Ad Hoc Committees:** The President may appoint ad hoc committees. No such entity shall continue beyond the term of the President without specific reappointment.

ARTICLE 13 - COMMITTEES – DESCRIPTIONS

A. **Sports:**

1. **Duties and responsibilities:** In addition to the provisions of Article 12, each sport committee shall:

a. **Championships:** Have jurisdiction over the Association championships (subject to Board oversight) in the particular discipline it controls, and shall institute, locate or award, conduct, and manage all such

championships in accordance with the provisions of the Regulations;

b. **Calendar:** Coordinate the local and domestic competition calendar in its discipline;

c. **Records:** Recommend records to the Records Committee 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:

a. **Age categories:**

i. Senior athletes are of any age 14 years and over (females) and 16 years and older (males);

ii. Junior athletes must be at least age 14 on the day of competition and not 20 any time during the year of competition;

iii. Masters athletes shall be at least age 25 on the day of competition for track and field and 40 on the day of competition for long distance running;

iv. Youth athletes must be 18 or younger through the final day of the national Junior Olympics track & field competition and are divided into specified age categories.

b. **Jurisdiction:**

i. Men's Track & Field: Indoor and outdoor track & field activity for junior and senior men, not including track races of greater than 10,000 meters;

ii. Women's Track & Field: Indoor and outdoor track & field activity for junior and senior women, not including track races of greater than 10,000 meters;

iii. Race Walking: All racewalking 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 masters men and women;

vii. 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;

viii. Masters Track & Field: All track, field, and racewalking activity for masters men and women, except track running races of greater than 10,000 meters;

ix. Para Athletics: All on and off-track para activity for youth, open and masters.

3. **Makeup:** Each sport committee shall be constituted as stated in Article 12-B-2.

B. **Budget and Finance Committee:**

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

a. **Budget:** Draft and submit to the Board for approval an annual association budget;

b. **Policy advice:** Serve as a source of information, reference and advice to the officers, employees, Board, and all committees with regard to the financial matters of the Association.

C. **Law & Legislation & Rules Committee:**

1. Duties and responsibilities: The committee shall:

a. **Deliberations:** Consider and present in proper form for action all amendments to the Association Bylaws and Regulations and may make recommendations thereon;

b. **Custodial service:** Be the custodian of the local Association Bylaws;

c. **Interpretation:** Interpret the Rules of Competition;

d. **Amendments by members:** Have the authority to propose amendments to the USATF Association Bylaws, USATF Operating Regulations, and USATF Rules of Competition on behalf of the Association with the approval and signature of the President of the Association.

D. **Member Services Committee:** Duties and responsibilities: Advise the Association, the Board, and the Association Office on membership matters. Its Chair shall serve as the Association Membership Chair.

E. **Officials Committee:** Duties and responsibilities: Perform all the duties and responsibilities of an Association Officials Committee mandated by the USATF Bylaws.

F. **Records Committee:** Duties and responsibilities: work with the Association Office to assemble and update listings of proposed Association Records, in consideration with the recommendations for records by sport committees, and submit record listings to the Board for final approval.

G. **Review Committee:** Duties and responsibilities: conduct hearings in disciplinary proceedings and grievance matters in accordance with USATF and Association Bylaws and Regulations.

ARTICLE 14 - DISCIPLINARY AUTHORITY

Jurisdiction: This Association shall conduct disciplinary and formal grievance proceedings for matters not specifically referred to the NABR that arise wholly within this Association's boundaries or at Association events, and for which the disciplinary measures or relief sought shall apply only within the Association's boundaries.

NOTE: Disciplinary and reinstatement procedures: The disciplinary and reinstatement procedures of USATF and its member Associations are set forth in USATF Operating Regulations 21 and 22 (at the time of adoption of these Bylaws).

ARTICLE 15 - REDRESS OF GRIEVANCES AND DISCIPLINARY PROCEEDINGS

A. **Redress of Grievances:**
Grievances falling within this Article include disputes between parties regarding matters falling within the jurisdiction of USATF New Jersey. Grievances shall be filed and administered in accordance with the following procedures.

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:** AAP 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 follow the term of the President.

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:**

1. **Grievance Complaints:** The complaint must allege that a party has violated USATF's Bylaws, Operating Regulations or policies and/or USATF New Jersey Bylaws or policies, or has engaged in conduct detrimental to the best interests of Athletics, USATF or USATF New Jersey. The complaint must clearly allege the nature of the dispute and the specific bylaw, rule or policy allegedly violated. The complaint shall separately state factual allegations in concise, numbered paragraphs. The complaint must be signed, sworn to, and notarized.

2. **Parties:** Grievance Complaints may be filed only by and against individuals or entities which were, at the time that the conduct complained of occurred, and at the time the Complaint is filed, members, directors, or officers of USATF or otherwise subject to the jurisdiction of USATF New Jersey. A non-member, former director, or former officer of USATF New Jersey shall be subject to the jurisdiction of USATF New Jersey for the purpose of defending against a Grievance Complaint for an incident that occurred while he or she was a member, a director, or officer of USATF New Jersey or otherwise subject to the jurisdiction of USATF New Jersey. A Grievance Complaint may only be filed by a person or entity affected by the issues raised in the complaint.

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

D. **Disciplinary matters:** USATF New Jersey shall have the authority to discipline any member who, by neglect or by conduct, acts in a manner subject to discipline pursuant to section 1a. to c. below.

1. **Activities subject to discipline:** USATF New Jersey may discipline any member who, by neglect or by conduct:

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

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

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

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

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

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;

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

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

1. **Grievance complaint filing procedures:**

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

b. Language: All documents filed and exchanged with respect to this Regulation shall be in English; provided, however, that an original document that is in a foreign language must be submitted along with an English translation. The party submitting the document shall bear the cost of obtaining its translation which shall be translated 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-NJ 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 New Jersey, or the WA;

d. Facts of allegation: Factual allegations shall be separately stated in numbered paragraphs. Each numbered paragraph must be appropriately concise and limited to the subject of the specific allegation set forth in the paragraph;

e. Signature: The Complaint shall be signed, sworn to, and notarized 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 being returned, provided that the time limit for filing the Complaint has not expired. If the Complaint is not refiled within thirty (30) days, or the time limit for filing the Complaint expires, the Complaint will be deemed abandoned.

G. **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.

H. **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.

I. **Hearing panel:** When one party has indicated that the matter cannot be resolved informally, the President or his/her designee shall coordinate the selection of a three-person arbitration panel as detailed in Paragraph B of this regulation. The arbitration panel should include at least one Actively Engaged 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.

J. **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 USATF New Jersey Bylaws and any other relevant USATF Rule or Regulation;

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

K. **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"). The Answer must contain numbered paragraphs corresponding with the numbered paragraphs in the Complaint and indicating whether the respondent admits or denies the corresponding allegation. 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 Paragraph L below, the panel chair may extend the time to answer.

L. **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 challenge against the seating of an AAP arbitrator within 14 days constitutes a

waiver of such challenge.

M. **Hearing procedures:** The following procedures apply to formal grievances 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 by the party seeking the delay 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 consider in deciding the request.

    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 arbitration panel will set forth any procedures for the presentation of evidence at least two weeks prior 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 Article15-C1 or D-1 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.

8. **Closed hearing:** Hearings shall be closed to the public. Witnesses shall attend hearings only as necessary to provide testimony.

N. **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 New Jersey, and WA 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 New Jersey, the Budget Committee chair and/or the USATF New Jersey Treasurer shall review it and report their findings to the Board within thirty (30) days of the issuance of the opinion. In such instances, the decision and opinion shall not become final and binding unless and until approved by the Board. The Board shall determine to what extent any AAP decision and opinion having a significant budgetary impact on USATF New Jersey 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 in favor of which party the AAP arbitrators have ruled. 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 WA, USATF, USATF New Jersey, Sports Act, or other applicable rule, bylaw or minutes, reports, guidelines, or other documents upon which the AAP panel decision is based, if any;

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.

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

P. **Vexatious proceedings:** An AAP panel may, upon its own motion or the motion of a party, make a finding that a grievance or other proceeding (1) is devoid of merit and (2) was brought by an individual or entity solely to harass or cause expense to another individual or entity. The panel shall give reasonable written notice and an opportunity for a hearing before the panel prior to making such a finding. If the panel finds that a party has initiated such a meritless and harassing grievance or proceeding, it shall order the offending party to pay the other party a penalty fee of not less than Two Hundred Fifty U.S. Dollars (US$250) nor more than One Thousand U.S. Dollars (US$1,000), plus the affected party's reasonable costs in defending the grievance or proceeding, including reasonable attorney's fees. The panel shall issue a decision and opinion, which shall include its rationale and the penalties imposed. A finding of a vexatious grievance or proceeding may be appealed.

1. **Payments:** All monetary penalties and costs shall be paid within thirty (30) days following the notice of ruling, or within thirty (30) days after all appellate remedies are exhausted, if the finding is appealed and affirmed.

Non-payment of penalty fee: If a party fails to pay a monetary penalty within 30 days after exhausting all appeals, the AAP panel that imposed the penalty may request that the Board suspend the party from USATF, until the party pays the penalty.

ARTICLE 16 – SANCTIONS

The general sanction provisions of USATF which affect local Associations appear in this Article. Additional regulations appear in USATF Operating Regulation 23.

A. **Definition**: The definition of "international competition" shall apply to this article and the corresponding USATF Operating Regulation 23. International competition means an athletics competition between one or more athletes representing the United States,

individually or as a team, and one or more athletes representing a foreign country (i.e. competitions between national teams).

B. **Domestic Sanctions**: USATF or its Associations shall have authority to grant sanctions to sports organizations or persons otherwise wishing to hold athletic competitions in athletics that are not international in nature, within the United States.

C. **Sanctioning Policy**: Unless USATF or an Association determines by clear and convincing evidence that holding or sponsoring an athletics competition (international or domestic) would be detrimental to the best interests of the sport, USATF or the appropriate Association of USATF shall promptly grant a sanction requested by a sports organization or person(s), provided all the requirements of USATF Operating Regulation 14 have been satisfied. The decision as to whether a proposed competition would be detrimental to the best interests of the sport shall be made in the first instance by either USATF or an Association, as appropriate. Approval of sanctions shall not be unreasonably denied. The decision to deny a sanction may be appealed:

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

D. **Sanction Requirements**: Sanctions are issued, withheld, or withdrawn in accordance with the requirements and provisions of USATF Operating Regulation 23.

ARTICLE 17 - FISCAL AND LEGAL MATTERS

A. **Fiscal Year**: The fiscal year of this Association is January 1 through December 31.

B. **Depositories**: The Association shall, from time to time as necessary, designate depositories for funds, property, and assets belonging to or under the control of USATF-NJ.

C. **Signatories**: Funds on deposit in banks may be withdrawn only by voucher check upon the signatures of the officers or chief paid executive as approved by the Board. Other assets or property of this Association may be transferred from one depository to another by action of the Board.

D. **Imprest Accounts**: The Association may establish separate accounts employing the imprest system for the liquidation of obligations requiring prompt payment and for payroll obligations requiring prompt payment, and it may authorize checks to be drawn thereon upon the facsimile of any one (1) officer or Chief Paid Executive.

E. **Bonding**: Corporate fidelity bonds should be obtained at the expense of this Association in a form and amount approved by the Board, indemnifying USATF and its Association against losses resulting from infidelity, defalcation, or misappropriation by officers, employees, or agents of funds, property, or assets owned by or under the

control of this Association.

F. **Indemnification**: This Association shall immediately indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending, or completed action, suit, or proceeding, whether civil, administrative, or investigative, by reason of the fact that he or she is or was a director, officer, employee, or official representative of this Association against expenses, including attorney's fees, judgments, fines, and amounts actually and reasonably incurred by him or her in connection with such action, suit, or proceeding, if he or she acted in good faith and in a manner he or she reasonably believed to be in or not opposed to the best interests of USATF and this Association, and, with respect to any criminal action or proceedings, had no reasonable cause to believe his or her conduct was unlawful. The termination of any action, suit, or proceeding by judgment, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent, shall not, of itself, create a presumption that the person did not act in good faith and in a manner which he or she reasonably believed to be in or not opposed to the best interests of USATF and this Association.

1. **Standards of Conduct:** Any indemnification under this article shall be made by this Association only as authorized in the specific case upon a determination that the officer, director, employee, or official representative has met the applicable standard of conduct set forth herein. Such determination shall be made by the Board by a majority vote of a quorum consisting of members of the Board who were not parties to such action, suit, or proceeding. If such a quorum is not obtainable, such determination shall be made either (1) by a majority vote of the full Board pursuant to opinion of independent legal counselor (2) by the members of this Association at the next meeting.

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

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

G. **Audit schedule**: The Board, effective at the beginning of each fiscal year, may 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.

H. **Legal Counsel**:

1. **General Counsel:** The General Counsel to this Association shall be appointed by the President with the approval of the Board. The Counsel shall be responsible for overseeing the legal affairs of this Association and shall be available to advise and consult with the officers, the chief paid executive, and other agents of this Association, render legal advice and assistance, and perform such other duties as the President or the Board may request. The Counsel shall have the right to the floor at any meeting of the Association, its Board, and its committees to comment on legal matters. The files, records, and documents created by the Counsel during the course of duties for the Association shall belong to the Association;

2. **Special Legal Counsel:** On those occasions when the nature or scope of a particular matter requires expertise or a commitment of time, or cannot otherwise be adequately dealt with in the ordinary course by the General Counsel, and it appears to be in the best interests of this Association, the Board may authorize the President, in consultation with the General Counsel and chief paid executive, to retain Special Legal Counsel. Where prior authorization by the Board is impractical the President, in consultation with the General Counsel may in the best interests of USATF and this Association retain such Special Legal Counsel. All agreements with Special Legal Counsel as to legal services to be rendered and the fees and compensation to be paid shall be in writing and executed in accordance with this paragraph.

I. **Contracts**: Contracts not in the ordinary course of affairs of this Association, should be examined and approved for form by the Counsel to the Board or by the Special Legal Counsel of the Association, prior to execution. The contents of all contracts affecting sport committees shall, during their negotiation phase, be communicated to the appropriate committee(s). Unless otherwise directed by the Board, all written contracts shall be executed on behalf of this Association by (i) the President (or another officer designated by the President) and (ii) the chief paid executive, and, if required, attested to by the Secretary.

J. **Conflict of Interest**: Any individual representing this Association, or who has a financial arrangement with USATF or this Association, or who is an employee of this Association, or who is a member of any of its committees, shall not participate in the evaluation or approval of a contract with a supplier to furnish goods or provide services to USATF or this Association, if that individual directly or indirectly benefits financially, or otherwise receives any form of compensation from, or has any interest in, any supplier under consideration. The Board may require that such individuals disclose all financial interests that may influence the performance of their duties for USATF or this Association. Each individual referred to in the first sentence of this paragraph shall,

upon learning that this Association is proposing to enter into an arrangement in which he or she has financial interest, promptly notify the Managing Director in writing of the existence of such interest, and the Managing Director shall, in turn, promptly disclose such interest to those bodies of USATF-NJ involved in considering entry into the arrangement. In the event of a violation of this provision, the Association shall have the right to recover such benefit or payment and to void the contract or transaction.

ARTICLE 18 – 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 19 - 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 or notice of proposals, which in the judgment of the members at meetings held do not cause substantial prejudice to the rights of members, shall not invalidate the actions or proceedings of the members at any meeting.

ARTICLE 20 - 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 eligible voters 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;

2. **Voting for Other Regulations Approval**: Amendments to the other regulations shall require a majority vote of eligible voters 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;

4. **Uniformity**: To make the Bylaws and other regulations conform with each other; Such items need not meet the time requirement of subparagraphs A 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;

2. **Vote of the Board**: Where immediate relief is deemed necessary, the Bylaws and other 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 chair of the Law & Legislation/Rules Committee and the Association 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. Each submission shall be accompanied by a brief statement of the rationale for the submission. If there is a budgetary impact, it shall be estimated with the submission or, lacking

such estimation, shall be provided by the Treasurer and/ or the chair of the Budget Committee;

5. **Seconding of Submissions:** All proposed amendments must first be seconded for approval at the time of submission by someone other than the submitter who shall be another member of the Association;

6. **Germane Amendment:** Proposed amendments may be modified by germane amendment at the Association meeting in which it is considered.

E. **Effective Date**: Unless otherwise specified at the time of adoption, amendment to the Bylaws and other regulations shall be effective immediately.

APPENDICES

A. REGULATION “A” General Procedures

The Association shall follow all procedures which are required by the USATF Bylaws and Regulations.

B. REGULATION “B” CHAMPIONSHIPS

1. General: The Association championships of USATF-NJ shall be conducted in senior, junior, youth (including Junior Olympics), and masters classes.

   a. NOTE: Rules governing age groups, eligibility, entries, protests, and competition are contained within the USATF Rules of Competition.

2. Title: All Association championships shall be known as the "USATF-NJ Championships" and shall be referred to as such in all printed matter, entry forms, programs, and in its references. The name of the principal sponsor of the competition may also be added to the name of the event.

3. Date: All sport committees shall determine the dates of their Association championships subject to the oversight of the Board. The sport committee shall notify the Association Office of the original dates and any changes as soon as possible. The Association Office shall announce the dates and changes as soon as possible on the website and otherwise as practical.

4. Officials: All Association Championships shall have a referee who is a USATF nationally certified official and such other officials as required by the sport committee.

C. REGULATION “C” RECORDS

1. The Records Committee shall consider the recommendations of the sport committees and with the Association Office shall assemble proposed lists of Association Records.

2. The Board shall review proposed Association record lists and consider any record disputes. They shall be the final authority on Association records.