



Date: December 5, 2017

To: USATF Ohio Association Executive Board

From: Len Krsak

Subject: 2017 Law & Legislation Annual Meeting Report

The Law & Legislation Committee acted on 61 articles/proposals during the 2017 Annual meeting in Columbus, Ohio.

Results of the Committee's actions are classified in 5 categories A = Accept as propose AA = Accept as amended R = Rejected T = Tabled W = Withdrawn.

Final results of the 61 articles/proposals

| | |
|------------------------|----|
| A = Accept as proposed | 35 |
| AA = Accept as amended | 9 |
| R = Rejected | 1 |
| T = Tabled | 11 |
| W = Withdrawn | 5 |
| Total | 61 |

Also enclosed with this report please find the final score card and a few amended articles.

The entire Law & Legislation package can be viewed by going online to USATF's website.

Respectfully submitted,

Len Krsak

USATF Ohio Association Officials Certification Chair

Len Krsak, Certification Chair
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**LAW & LEGISLATION REPORT
2017 ANNUAL MEETING – COLUMBUS, OHIO**

| Item | Final Recommend. | Item | Final Recommend. |
|-------------|-----------------------------|-------------|-----------------------------|
| B1 | A | B22 | A |
| B2 | A | B23 | A |
| B3 | T* | B24 | W |
| B4 | A | B25 | A |
| B5 | AA | B26 | A |
| B6 | A | B27 | W |
| B7 | A | B28 | A |
| B8 | A | R1 | A |
| B8A | T | R2 | R |
| B9 | A | R3 | T |
| B10 | W | R4 | AA |
| B11 | A | R5 | T |
| B12 | A | R6 | AA |
| B13 | A | R6A | T |
| B14 | A | R7 | A |
| B15 | A | R8 | A |
| B16 | AA | R9 | A |
| B17 | T | R10 | T |
| B18 | T | R11 | A |
| B19 | A* | R12 | A |
| B20 | W | R13 | A |
| B21 | AA | R14 | A |

| Item | Final Recommend. | Item | Final Recommend. |
|-------------|-----------------------------|-------------|-----------------------------|
| R15 | AA | R24 | A |
| R16 | A | R25 | AA |
| R17 | A | R26 | T |
| R18 | W | R27 | T |
| R19 | A | R28 | AA |
| R20 | A | R29 | AA |
| R21 | A | R30 | A |
| R22 | A | R31 | T |
| R23 | A | | |

**Final Recommendation: A = Accept as proposed AA = Accept as amended
R = Reject T = Table W = Withdrawn**

Item B3 T*

The committee recommends adoption of the Board's emergency amendments regarding SafeSport to Articles 3 and 14 and to Regulation 5 effective until the conclusion of the 2018 Annual Meeting. The amendments will be reconsidered at the 2018 Annual Meeting.

Item B5 Submitted by Edward R. Koch, Approved by David Greifinger, Member, Law & Legislation Committee

Action Requested: Amend Article 10. C.

C. Selection. The President shall be elected for four-years at each annual meeting of USATF following the Summer Olympic Games. The Board shall select the Board Chair, Vice Chair, Secretary, and Treasurer who shall serve two (2) year terms. The Secretary and Treasurer need not be voting members of the Board. If the Board does not select the President to be the Board Chair, the President shall serve as the Vice Chair.

ADDITIONALLY, amend Article 10-C in the version of Article 10 that takes effect after the 2018 Annual Meeting:

C. Selection: The President shall be elected for four (4) years at each annual meeting of USATF following the Summer Olympic Games. The Board shall select the Vice Chair, Secretary, and Treasurer, who shall serve two (2) year terms. If the President is removed as Chair or elects not to serve as Chair, he or she shall serve as Vice Chair. The Secretary and Treasurer need not be voting members of the Board.

Item B8A

Amend Articles 11-B, 11-C, and 11-D as follows:

B. Composition: The Board shall be composed as follows:

1-10 [No change].

11. The Chair of the Athletes Advisory Committee; and

~~((11))~~ 12. ((Three)) Two International Athletes~~((, including at least one male and one female,))~~ elected by the International Athlete delegates at the annual meeting. The International Athlete member elected at the annual meeting immediately following the Olympic Games shall be of opposite gender than the Chair of the Athletes Advisory Committee. The International Athlete delegates shall also elect an alternate International Athlete member and who may vote if one or more of the three International Athlete Board members or Athletes Advisory Committee Chair is not present when a vote is conducted. The alternate International Athlete member shall otherwise have all the rights and privileges of all other Board members, including but not limited to access to all information provided to other Board members, notice of all meetings, the right to attend

all meetings, including meetings held in executive session, and expense reimbursements for attending meetings and performing other duties as a Board member.

C. Terms: The President, Athletes Advisory Committee Chair, and IAAF Council member shall serve on the Board during their terms of office. All other Board members shall serve four (4)-year terms that shall commence with the annual meetings of even-numbered years as follows: [No change.]

D. Term limits: No individual may serve on the Board for more than eight (8) consecutive years, except the President, IAAF Council Member, Athletes Advisory Committee Chair, and International Athletes. However, an individual who fills a vacancy or otherwise serves a Board term of two (2) years or less may then serve for up to eight (8) more consecutive years.

Note: This amendment will take effect following the 2020 Annual Meeting.

Item B16 Submitted by David Greifinger, Member, Law & Legislation Committee

Amend Article 12-A-9 as follows:

**ARTICLE 12
NATIONAL OFFICE MANAGEMENT**

**ARTICLE 12
NATIONAL OFFICE MANAGEMENT**

A. Chief Executive Officer: USATF's chief paid executive shall be the Chief Executive Officer (CEO), who shall be selected by and shall serve at the Board's direction. The CEO shall conduct USATF programs and enforce USATF policies under these Bylaws and the Operating Regulations. The CEO shall also hold the title of General Secretary. The CEO shall also have the following authority and duties: ...

9 Protect USATF interests: Take actions, under the Board's direction, reasonably necessary to protect USATF from liability to third parties or to protect USATF's and the sport's integrity. The CEO may act under this paragraph without first consulting the Board only under extraordinary, time-sensitive circumstances, and shall consult with the President, Board Chair and other appropriate individuals in connection with the action. Emergency actions with respect to members, committees, or any other individual or entity under USATF's jurisdiction are further governed by Regulation 21-U.

AND amend Article 14-E:

E. Hearing Rights of persons or entities charged: USATF and its Associations shall provide any athlete, coach, trainer, manager, administrator, official, other individual, or entity subject to a Grievance or Disciplinary proceeding with fair notice and an opportunity for a hearing prior to deciding the matter or imposing any penalty. All parties may have representatives, who may be attorneys, and shall have the right to present evidence and witness testimony and to cross-examine adverse witnesses. Hearings for all matters other than doping offenses shall be conducted under Regulation 21. Nothing in

this paragraph shall limit or abridge the CEO's authority to impose provisional suspensions as described in Article 12-A-9 and Regulation 21-U.

Item B19 A*

The text of Article 14 will be reformatted. There is no change in language.

Item B21 Submitted by Bill Roe

Amend Article 17, IAAF and USOC Representation, as follows:

B. IAAF Council, and officers, ~~and committees~~: The membership shall elect USATF's candidate for positions on the IAAF Council, including IAAF officers, at the annual meeting prior to the IAAF election under the election procedures in Regulation 9. USATF shall forward the name of the candidate to the IAAF as USATF's nominee. The Athletes Advisory Committee may make a recommendation for one or more candidates prior to the election for the IAAF Council nominee. ~~The membership shall elect candidates to be placed in nomination by USATF for positions for chairs and members of all other IAAF committees under the procedures in Regulation 9 at the annual meeting prior to the elections for those committees as set forth below.~~ If, prior to the IAAF's deadline for making nominations, the candidate for IAAF Council ~~or committee~~ elected by the membership ceases to be a candidate, the Board shall elect a substitute candidate for nomination by USATF.

~~1. **Cross Country Committee:** The Long Distance Running Division shall elect a candidate for the Cross Country Committee;~~

~~2. **Race Walking Committee:** The USATF Race Walking Committee shall elect a candidate for the Race Walking Committee;~~

~~3. **Technical Committee:** The voting delegates at the annual meeting shall elect a candidate for the Technical Committee. The Rules Committee may make a recommendation for one or more candidates prior to the election; and~~

~~4. **Women's Committee:** The Women's Track & Field Committee shall elect a candidate for the Women's Committee.~~

C. IAAF Commissions and other groups: For each commission or other working group created by the IAAF President and Council other than the IAAF's Athletes Commission, the USATF Board shall solicit names to present to the IAAF as candidates where an appropriately qualified individual is a member of USATF. Such nominations will be carried to the IAAF by the USA member of the Council or, if none, the head of the USA delegation.

And correct the terminology in subsequent paragraphs (Committee to Commission.)

Item R4

Amend Regulation 7B

7B. Association finances: The chief financial officer of each Association shall maintain custody and control of the bank accounts and other financial assets of the Association, its

committees, and its subcommittees. If a grievance alleges impropriety within the Association regarding Association finances and the National Office deems it necessary to conduct a review or audit, the Association shall fully cooperate. USATF shall pay all costs for the review or audit. Associations shall have specific responsibilities for collecting dues and fees from members: ...

Item R6

Amend Regulation 7-E-1-f

f. Fiscal Solvency and Responsibility: Associations shall be fiscally solvent – i.e., they shall have a positive net worth. Associations shall file all required Forms 990 to the Internal Revenue Service and submit copies to the National Office. Associations required to submit only an electronic postcard Form 990 to the IRS may be required to submit additional Form 990 information to the National Office. USATF may require at its own expense that any Association be subject to a review or audit by an independent CPA or CPA firm for one or more years.

Item R6A

Add the following sentence to Regulation 7-E-1-f:

Each Association shall have an audit or an objective, independent review performed on its books and records by a certified public accountant at least once every two years and provide the National Office with the report of the review or audit.

Item R15 Submitted by Marilyn Mitchell, approved by David Greifinger, Member, Law & Legislation Committee

Amend Regulation 14-C, Masters Track & Field Committee, by adding Regulation 14-C-4:

4. The Chair of the committee shall be at least 30 years of age.

Item R25 Submitted by: Skip Stolley, Secretary, Coaches Advisory Committee, Approved by Eric Barron

(No amendment to Reg. 17-F-1-a; will stay as is in current Governance Manual)

2. **Women's International Staff Subcommittee:** The Women's International Staff Selection Subcommittee shall consist of the following persons:

- b. Eight (8) representatives of the Women's Track & Field Committee chosen either by election, or appointed by the Women's Track & Field chair and approved by the Women's Track & Field Executive Committee, after consulting with the chair of the Coaches' Advisory Committee. At least three (3) of these representatives shall be active

coaches in the Coaches Registry. The Coaches Advisory Committee may nominate two (2) coaches to be considered by the Women's Track & Field Chair or designee for the Women's International Staff Nomination Subcommittee.

Item R28 Submitted by David Greifinger, Member, Law & Legislation Committee

Regulation 21-U: Emergency Actions: The CEO may order that a member, a committee, or any other individual or entity under USATF's jurisdiction take actions or cease taking actions necessary to ensure public safety, to protect athletes or other members from the risk of harm, or to protect the material commercial interests of USATF. The CEO may act under this paragraph without first consulting the Board only under extraordinary, time-sensitive circumstances, and shall consult with the President, Board Chair, and other appropriate individuals in connection with the action as soon as practicable. If the CEO provisionally suspends a member under this paragraph, the aggrieved member shall be entitled to a hearing before the Board at which the Board shall decide whether the provisional suspension shall be upheld, dissolved, or whether other emergency action instead of a suspension shall be taken. The aggrieved party must request the hearing in writing to the National Office within 5 days after the provisional suspension is imposed. The hearing shall take place as soon as is practicable, but no later than 21 days after it is requested, unless extenuating circumstances prevent the Board from hearing the matter within that time frame, in which case, the Board shall make all reasonable efforts to immediately have the hearing as soon as practicable. The hearing shall not be a full hearing on the merits and shall be limited to determining whether there exists reasonable cause to impose a provisional suspension, whether the provisional suspension should be dissolved, or whether other emergency measures in lieu of a provisional suspension are appropriate. The Board shall, within 72 hours after the hearing, issue a decision upholding, modifying, or setting aside the provisional suspension. The matter shall then be referred to an NABR panel for a de novo hearing under the timeline and procedures in this regulation. Nothing in this regulation shall be construed to abridge or modify the procedural or substantive rights of any party under the Ted Stevens Olympic and Amateur Sports Act.

Item R29 Submitted by Jeff Porter, Chair of the Athletes Advisory Committee and David Greifinger, member of the Law and Legislation Committee

Amend the appendix to Regulation 24 as follows:



USATF National Team
Athlete Statement of Conditions
(To be read and signed by all National Team Athletes)

Team: _____

Name: _____

Competition Dates: _____

All Athletes are required to read, agree to, and sign this Statement of Conditions in order to be a member of USA Track & Field National Team (The "Team"). By signing this Statement of Conditions, I represent and agree with USA Track & Field ("USATF") that:

A. I will conduct myself at all times as a goodwill ambassador for the Team and the United States of America, and that I will refrain from any act(s) that may reflect unfavorably upon myself, my teammates, the sport of track and field, USATF or the United States of America.

B. I will not intentionally or voluntarily undertake any action that desecrates or disrespects the American Flag.

C. I will wear the designated Team uniforms and use USATF's designated accessories at Team competition(s), award ceremonies, official Team press conferences, Team photograph sessions, Team meetings Team practices, Team luncheons, Team travel en masse or other official events en masse (ie where the majority of the team is together), and at all times inside the stadium/facility when representing the Team. I will not participate in any of these activities with a logo of any competitor of USATF's sponsor affixed to me in any manner whatsoever. Except for the above specifically listed activities, nothing herein shall otherwise govern my choice of attire or accessories. Uniform items and accessories shall include underlayer apparel

bandanas, headbands, hats, sweatbands, wristbands, socks, sports bras and travel bags, but shall specifically exclude sunglasses, watches and shoes. I understand that I am forbidden from (i) altering, distorting, removing, or covering up the sponsor logo on any Team uniform items (ii) altering, removing, or covering up the sponsor logo on any Team uniform items in any photographs, videos, or other images of me, and (iii) assisting or permitting anyone else to alter, distort, remove, or cover up the sponsor logo

in photographs, videos, or images of me. I will not myself exploit, nor grant any third party the right to exploit any photograph, video, or image of me in which a USATF sponsor logo has been altered, removed, or covered. I will, upon reasonable request by USATF, request that a third party cease exploiting such a photograph, video, or image. Further, I am aware that USATF faces financial penalties, assessed by USATF's sponsors, each time an athlete fails to abide by the conditions stated in this document. At the Olympic Games, Pan American Games, and World University Games, I understand that the official presentation uniforms provided by the United States Olympic Committee ("USOC") must be worn during opening and closing ceremonies, awards ceremonies, and official USOC, Local Organizing Committee ("LOC"), or International Association of Athletics Federations ("IAAF") press conferences.

D. I will attend all official Team practices, Team meetings, and other required Team activities.

E. I will honor my commitment to train and report fit to compete. I understand that breaking a commitment hurts the competitive effort of the Team and prevents other athletes from having an opportunity to be a Team member. If I am unable to compete due to injury, illness, or for any other reasons (an "Emergency"), I will notify the Team coaches of my inability to participate in the Team competition, at least seventy-two (72) hours prior to my scheduled departure with the Team, or within seven (7) days (if not so traveling) prior to the scheduled competition, unless I am prevented from doing so by extraordinary circumstances. In the event of an Emergency, I understand that I may be required to prove my lack of ability to compete.

Date: _____

F. I will read and abide by the attached USATF Regulations (See. Copy of Regulations Attached):

Regulation 20/Doping Control; Regulation 21/Disciplinary Proceedings; Regulation 24/Commitments and Conduct of Athletes and Staff. I will also abide by all applicable United States Anti-Doping Agency ("USADA"), World Anti-Doping Agency ("WADA"), and IAAF doping control regulations. I understand that my breach of my commitment to serve on the Team as stated herein may result in discipline against me, under USATF Regulations 24 and 21, for misconduct and actions that are detrimental to the best interests of Athletics and/or the Team. Alleged misconduct may include, but not be limited to: (1) failing to wear or use the Team uniform or uniform items supplied by USATF when specifically required herein; (2) failing to attend "official" Team practices, Team meetings, and other required Team activities; (3) failing to maintain competitive fitness; (4) failing to provide timely notice of an Emergency which prevents me from competing, unless I am prevented from doing so by extraordinary circumstances; and/or (5) engaging in any conduct that is detrimental to the United States of America, USATF or Athletics.

G. I understand that non-drug-related disciplinary proceedings (including expedited hearings) shall be conducted, and penalties imposed, pursuant to USATF Regulation 21, except that the USOC Code of Conduct shall govern disciplinary hearings conducted while an athlete is a member of a USOC delegation and team. I understand that USATF may conduct expedited disciplinary proceedings on site at qualifying events under USATF Regulation 21. I also understand, dependent upon the outcome of those disciplinary proceedings, USATF reserves the right to impose the following minimum penalties:

1. **First offense:** A written reprimand and liability for any monetary penalties assessed against USATF, and discontinuance of any payments I am may be receiving pursuant to USATF-sponsored financial aid programs, for a period of not more than twelve (12) months;

2. **Second offense:** A written reprimand and liability for any monetary penalties assessed against USATF, and ineligibility for USATF-sponsored financial aid programs for a period of twelve (12) months; or

3. **Third offense:** Suspension and ineligibility to participate on the Team, prohibition from representing the United States as a member of any sanctioned international competition teams for a period of one (1) year, and liability for any monetary penalties assessed against USATF.

H. I understand that if USATF reasonably believes I have breached this agreement, it may, prior to instituting disciplinary proceedings or conducting a hearing, issue a written demand that I take all reasonable steps necessary to cure the breach.

The undersigned has read and understands this Statement of Conditions and confirms that she or he will keep all Team Commitments stated above and in the attached USATF Regulations.

Signature: _____