

REGULATION 7 ASSOCIATION MATTERS

- A. Association documents:** Each Association shall submit to National Office Management, and the Associations Executive Committee a copy of its Articles of Incorporation, IRS Letter of Determination, charter, constitution, bylaws, any other organic documents, and its annual tax and status filings with the Internal Revenue Service. These documents shall demonstrate by their contents:
1. **USATF authority:** The Association agreeing to abide by USATF's Bylaws and Operating Regulations;
 2. **Members:** Membership qualifications consistent with USATF's Bylaws and Operating Regulations, and which secure the right of any individual who is an athlete, coach, trainer, manager, administrator, or official active in the sport of Athletics to join the Association;
 3. **Consistency:** Statements of Association purposes, powers, and duties consistent with USATF's Bylaws and Operating Regulations, including how each Association promotes Diversity of representation by completing the Diversity and Leadership scorecard illustrating the makeup of its Board of Directors, officers and committee structure. Associations shall return a completed Diversity scorecard on or before October 1 of each year;
 4. **Open governance:** Provisions for democratically electing the Association's directors and officers, consistent with this regulation;
 5. **Non-profit status:** Proof that the Association has its own non-profit tax exemption from the IRS, by providing a copy of their IRS Letter of Determination;
 6. **Bylaws:** Association bylaws that comply with this regulation's minimum content requirements; and
 7. **Other:** Other provisions prescribed by the USATF Board. Each Association shall promptly notify National Office Management of any changes in its organic documents by submitting a copy of the revised document. All changes shall be consistent with this paragraph's requirements.

Any Association failing to comply with this paragraph shall not be entitled to participate in USATF's affairs until the failure is remedied. The Accreditation Subcommittee and the USATF Secretary and National Office Management will exchange information and work with Associations relative to any failure to comply.

- B. 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.
1. **Fiscal Year:** Associations fiscal year will coincide with the USATF fiscal year. As defined in Article 18, the USATF fiscal year is January 1 to December 31.
- C. Association boundaries:** An Association shall submit any proposal to change its boundaries to the Accreditation Subcommittee, which shall make a recommendation to the Board after affording the affected Associations an opportunity to be heard.
- D. New Associations:** Any group that wishes to be recognized by USATF as a new Association shall submit its proposal to the Accreditation Subcommittee, which shall make a recommendation to the Board after affording any affected Associations an opportunity to be heard.
- E. Association accreditation:** All Associations shall be accredited annually by the Accreditation Subcommittee. The standards and process shall be:
1. **Standards:** In order to maintain good standing, an Association shall be required to meet the following standards:
 - a. **Individual Memberships:** At least 20 dues-paying individual members per 100,000 population, but in all cases, at least 400 individual members;
 - b. **Club Memberships:** At least 0.5 organizational members per 100,000 population;
 - c. **Sanctions:** At least 1 sanction per 100,000 population;
 - d. **Championships:** At least 15 championships (some of which may be combined) including the following: three in outdoor track and field (youth, open, masters); three in cross country (youth, open, masters); three in race walking (youth, open, masters); two in road running for distances of five kilometers or longer (open, masters); and any four other championships. Championships shall include Association, Regional, or National Championships hosted by the Association. Each championship must be: represented to membership as a championship, USATF Sanctioned, and offered to both male and female athletes in the category;
 - e. **Officials:** At least 30 certified officials for Associations with a population of 3 million or less, Associations with 3-10 million in population will have a minimum of 1 certified official per 100,000 of population, and Associations of 10 million in population, or more, will have at least 100 certified officials;

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- ii. *Provisional accreditation, subject to further improvement;*
 - iii. *Suspension or removal of an Association's voting rights;*
 - iv. *Suspension or removal of an Association's officers and/or its Board as a condition for continued accreditation;*
 - v. *Decertification of an Association and recognition of a new Association in that territory; or*
 - vi. *Voluntary merger of an Association with another Association or decertification of the Association and division of that territory into one or more accredited Associations. Each Association shall be notified in writing of the decision as soon as practical. The decision shall take effect as soon as notice has been given and the appeal period has expired or unless it is stayed during an appeal.*
 - j. **Accreditation update:** *During the accreditation process, the Accreditation Subcommittee may update an Association's established accreditation based on the Association's compliance with, or lack of compliance with, the required accreditation standards.*
3. **Appeals:** *Adverse recommendations made by the Accreditation Subcommittee may be accepted or may be appealed by the Association as follows:*
- a. **Deadline:** *All appeals shall be made in writing by an Association no later than January 15 following the end of the second (even) year, or in the case of an accelerated action under Regulation 7-E-2-f, no later than 20 days following the receipt of notice of an adverse action. If an appeal involves a boundary or merger with a neighboring Association, the other Association will also be deemed a party to the appeal, given a copy of the appeal, and permitted to file a cross appeal within thirty days of receiving notice, and otherwise participate in the appeal;*
 - b. **Appeal panels:** *Appeals shall be referred to an NABR panel composed of arbitrators who are not from the same USATF Association appealing its accreditation status, as provided in Regulation 21-B.*
 - c. **Final decision:** *The NABR panel's decision shall be final, unless appealed under Regulation 21;*
 - d. **Basis of appeal:** *Incorrect statistical data or other incorrect information about accreditation requirements shall not form the basis of an appeal unless those objections were previously raised before the Accreditation Subcommittee.*
 - e. **Pending appeal:** *The Accreditation Subcommittee's decision shall be effective on the following January 1 unless:*
 - i. *Accreditation Subcommittee, as part of its decision, votes in favor of an automatic stay in case of an appeal, or*
 - ii. *As part of its appeal, the Association obtains a stay under Regulation 21.*
4. **Recognition of outstanding Associations:** *The Accreditation Subcommittee, subject to Board approval, shall set standards of excellence for recognition of Associations. The Associations Committee may annually present awards, which shall be published in the Association Committee's minutes from the Annual Meeting on USATF's web site.*
- F. **Conflict of interest:** *Any individual representing an Association, or who has a financial arrangement with the Association, or who is an employee of the Association, or who is a member of any of the Association's committees, shall not participate in evaluating or approving any contract with a supplier to furnish goods or provide services to the Association, if that individual directly or indirectly benefits financially, or otherwise receives any form of compensation from, or has any interest in, any supplier under consideration.*
- G. **Association Bylaws:** *All Association Bylaws must contain clear and concise provisions related to the following and in accordance with applicable state law:*
- 1. **Removal:** *Removing or replacing Association Officers and Committee Chairs both elected and appointed.*
 - a. **Elected:** *Individuals in elected positions must receive thirty (30) days notice of a hearing before an Association Executive Board. The notice must include a just cause statement and any appeal process.*
 - b. **Appointed:** *Individuals in appointed positions must receive a statement of just cause for removal and any appeal process.*
 - c. **Replacement:** *Bylaws must also include a statement regarding method of replacement.*
 - 2. **Dispute resolution:** *Detailed procedures for filing and resolving Association grievances and disciplinary matters, which at a minimum provide for:*
 - a. **Arbitrators:** *Selecting an impartial three-person arbitration panel, to include at least one Active Athlete, to hear and decide grievance and disciplinary matters. The arbitrators shall not be members of the Association Board or Executive Committee. In the event the Association does not select a panel within thirty (30) days of the filing of the grievance or if the Association requests, the Association Executive Committee and the Associations Grievance Coordinator may select a panel of individuals to hear the grievance, from within or outside of the Association, select a chair of the panel and empower the panel to hear the grievance.*

Individuals named in the grievance, grievants and respondents shall not participate in the appointment of the panel members except to identify potential conflicts of interest.

- b. **Challenge:** The opportunity for a party to a grievance or disciplinary proceeding to object to an arbitrator due to an established or apparent conflict of interest;
- c. **Filing:** Special procedures for filing and handling grievances against an officer of the Association, which exclude the officer from the grievance administration process;
- d. **Dates:** Grievance or disciplinary hearing to be held within ninety-five (95) days of filing the proceeding;
- e. **Delay:** The opportunity for the arbitrators to dismiss or rule against any party who delays the proceedings, is uncooperative, or is unprepared to present evidence or a defense at the grievance or disciplinary hearing, provided that proper advance notice of the hearing has been given to the party; and
- f. **Appeals:** The decision of the arbitrators to be appealed under USATF Regulation 21-R.
- g. **Due Process:** Fair notice and an opportunity to be heard at hearing.

3. Association elections: All Association elections for officers and any other elected positions shall follow common guidelines and procedures to ensure fairness and openness. These provisions shall include:

a. Election notice:

i. **Distribution:** Notice must be distributed by email. In addition, notice may be distributed either by mail, newsletter, local Association web site, and/or the USATF web site.

a. Notice must be sent by email to the Association's current membership. The Association must also comply with state law requirements for not-for-profit corporations; and

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

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

c. **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.

d. **Election process:** Candidates shall not administer the election process.

4. Nominating process:

a. **Nominating committee option:** Use of a nominating committee is optional. If a nominating committee is utilized, all members of that committee are ineligible to be on the slate created and presented to the membership for voting.

b. **In-person meeting nominations:** Nominations must be allowed from the floor at an in-person election meeting.

c. **Email nominations:** An opportunity to nominate candidates for all elected positions must be allowed via email prior to finalizing the ballot. The process must be explained to the members. The nominating process must not be unduly rigorous.

d. **Mail ballot nomination opportunity:** If a mail ballot is used, an opportunity to nominate candidates must be given to all members prior to the finalizing the ballot. The process must be clearly explained to the members.

e. **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, complete 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.

f. **Diversity criteria:** Associations must promote Diversity of representation in its board of directors, officers, and committees, considering the makeup of the Association's specific membership demographics and the population of its geographic area. To the extent possible, considering demographics, an Association's board of directors, officers, and committees should be a racially and gender diverse group. Additionally, to the extent possible: (i) gender-specific committees must include at least fifty percent (50%) of that gender (i.e. Association's women's track and field committee must be made of at least fifty percent (50%) women); (ii) age-specific committees, except Youth, must include at least fifty percent (50%) that age (i.e. Association's master's long distance running committee must be made of at least fifty percent (50%) masters); (iii) members from one club may not make up more than twenty-five percent (25%) of one committee in an Association; and (iv) a member may only be an officer and/or committee chair of two (2) committees at any given time.

g. **Nominations and seconds:** A candidate needs one (1) nominator and one (1) seconder who are both members.

5. Voter criteria:

a. **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.

b. **Proxies:** There shall be no proxy voting.

c. **Minimum age:** Voters must be a minimum of age eighteen (18) on the day of the election or, in the case of a mail ballot, on the day the ballots are due.

- d. **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).
 - e. **Appointees:** An appointed committee chair or Board member may not vote in elections in that capacity but may otherwise qualify for a vote.
 - f. **Organizations:** Each organization shall have a minimum of one (1) vote, unless the balanced-meeting ballot in Regulation 7-G-6-c is used. The Association may grant an organization additional votes based on its size. If an organization has more than one (1) vote, a different representative must cast each ballot. Organizations and any person representing an organization in Association voting matters must be USATF members in order to vote.
6. **Voting options:** There are four methods that an Association may choose to use for elections. Association bylaws must clearly state the election procedures to be used. Association bylaws concerning nominations and elections, and the methods for amending them, may be subject to approval by the Accreditation Subcommittee. All voting methods shall include the option of electronic voting:
- a. **Mail or electronic (fax or email) ballot:** An open mail or electronic ballot (fax or email) to all members of an Association:
 - i. All ballots must be distributed at the same time;
 - ii. The minimum time allowed for returning the ballot shall be thirty (30) days;
 - iii. The return address or fax number must be indicated on the ballot;
 - iv. The ballots must be held together, must remain unopened--if mail ballots--until the voting panel is assembled, and be counted together by the voting panel; and
 - v. Any mail ballot opened outside the presence of the entire voting panel shall not be counted.
 - b. **Open meeting ballot:** Open meeting ballot where all members of the Association are eligible to attend and vote, including provisions for members to attend virtually:
 - i. Credential disputes must be resolved before the election process is started (i.e. before taking nominations and/or before the report of the nominating committee);
 - ii. Uncontested elections may be voted by acclamation;
 - iii. A secret ballot must be used for contested elections; and
 - iv. Any ballot opened outside the presence of the entire voting panel shall not be counted.
 - c. **Balanced meeting ballot:** A balanced meeting ballot where only designated members of the Association are eligible to vote, including provisions for members to attend virtually:
 - i. The Association bylaws must state how a maximum number of available votes will be determined;
 - ii. The bylaws must explain how 100 percent of the available votes are divided among the following five constituencies: Active Athletes, coaches, officials, organizational members, and other members (which may include elected officers of the Association) and explain how each constituency is to be represented in the vote tally when fewer or more members appear to vote than the percentage allowed;
 - iii. The bylaws must guarantee that each constituency above be entitled to a minimum of ten percent (10%) of the votes, except that Actively Engaged Athletes must receive a minimum of one third and these percentages only apply when sufficient numbers of voters from these groups attend the meeting to vote;
 - iv. Individuals who are eligible to cast a ballot in more than one constituency may only vote once and must choose one constituency in which to vote;
 - v. Constituencies with more individuals than votes allowed will be allotted time to caucus before the election to determine the voters or apportionment of votes;
 - vi. In an athlete caucus, youth (18-year old), open (non-international ages 19-39), Actively Engaged Athletes, 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 each age division above shall be proportionate to the groups of athletes in attendance;
 - vii. Credential disputes must be resolved before the election process is started (i.e. before taking nominations and/or before the report of the nominating committee);
 - viii. Uncontested elections may be voted by acclamation;
 - ix. A secret ballot must be used for contested elections; and
 - x. Any ballot opened outside the presence of the entire voting panel shall not be counted.
7. **Counting of ballots:**
- a. **Voting panel:** A panel of at least three (3) individuals, at least one (1) of whom must be an Active Athlete, shall count the ballots and sign the vote tally. All panel members shall be at least 18 years old. The panel shall not include any individual who is a candidate for an office.
 - b. **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.

