

CONSTITUTION AND BY-LAWS
OF THE
UNITED STATES RACQUETBALL
ASSOCIATION, INC.

Approved by the Board of Directors

May 2003

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**CONSTITUTION OF THE
UNITED STATES RACQUETBALL ASSOCIATION, INC.**

ARTICLE I

101.0 NAME. The name of the organization shall be the United States Racquetball Association, Inc., hereinafter referred to as the Corporation.

102.0 DEFINITION. This Corporation is organized pursuant to the general non-profit corporations code of Colorado. This Corporation is one that does not contemplate pecuniary gain or profit to any member, officer, or director, and no part of the earnings of this Corporation shall inure to the benefit of any member, officer, or director thereof. The property of this Corporation is irrevocably dedicated to athletic, charitable, healthy, and educational purposes. Furthermore, in the event of the dissolution or liquidation of this Corporation, any and all surplus, capital, or assets shall be distributed to one or more funds, foundations, or Corporation (selected and chosen by the Board of Directors of this Corporation), exempt from Federal Income Tax under Section 501-C-3 of the Internal Revenue Code of 1954 as now in effect or as subsequently amended.

103.0 CORPORATION YEAR. The Corporation's year is from 1 January through 31 December.

ARTICLE II

201.0 PURPOSE. The United States Racquetball Association is a non-profit corporation designed to foster and promote the development of recreational and competitive racquetball in the United States. The Corporation is organized and operated exclusively to foster national and international amateur sport competition within the meaning of 501-C-3 of the Internal Revenue Code. Notwithstanding any other provision of these articles, the Corporation shall not carry on any other activities not permitted by a corporation exempt from Federal Income Tax under 501-C-3 of the Internal Revenue Code. The Corporation offers institutions and individuals, which desire to join in membership for the advancement of racquetball, an opportunity to participate and contribute to that growth. These purposes, which are consistent with the provisions of Title II, Sections 202 and 203 of the Amateur Sports Act of 1978, Public Law 95-606, are fulfilled through the aims and objectives.

202.0 AIMS AND OBJECTIVES

A. To perpetuate, improve, promote, and extend the sport of racquetball in the United States.

- 48 **B.** To stimulate the interest of people in healthy sport participation through
49 racquetball.
50
- 51 **C.** To supervise and administer a continuing racquetball program for all age
52 groups for the purpose of stimulating interest and developing athletes
53 through careful preparation and planning, utilizing existing facilities,
54 resources, and coaching.
55
- 56 **D.** To unify and coordinate the efforts of all agencies interested in promoting
57 racquetball and permit all interested parties to have a voice in the
58 development of the sport in the United States.
59
- 60 **E.** To create and maintain research projects that will benefit all parties
61 interested in racquetball.
62
- 63 **F.** To provide a clearinghouse for the distribution of coaching aids,
64 literature, films, research materials, and rules collected from sources
65 within the United States and other countries.
66
- 67 **G.** To establish an effective means of communication for the transmission of
68 useful ideas whereby coaches and athletes will be informed of the latest
69 developments and techniques in racquetball.
70
- 71 **H.** To give prompt attention to valid suggestions on how to improve the
72 conduct of administration in racquetball in the United States.
73
- 74 **I.** To establish regional, national, and international series of racquetball
75 clinics.
76
- 77 **J.** To maintain records and disseminate information pertaining to all
78 phases of racquetball.
79
- 80 **K.** To train and certify competent racquetball officials.
81
- 82 **L.** To raise money and finance improvement in the sport of racquetball.
83
- 84 **M.** To operate for educational and charitable purposes, to coordinate
85 programs and activities between participants representing the United
86 States and other countries that are conducted in or outside of the United
87 States.
88
- 89 **N.** To resolve disputes arising within racquetball concerning rules,
90 equipment, player eligibility, or any other areas concerned.
91

92 **203.0 JURISDICTION**

- 93
- 94 **A.** Membership in the Corporation shall include the following

95 classifications:

96
97 **1.** Recreational or competitive member: this membership shall be
98 open to any individual who is an athlete, coach, trainer, manager,
99 administrator, or official who is active in racquetball and to any
100 sponsor, competitor, or interested enthusiast who wishes to
101 participate and contribute to the growth of racquetball.
102 Membership will not be dependent upon race, color, creed, age,
103 sex, or national origin.

104
105 **2.** Institutional member: this membership shall be open to any
106 institution or organization that sponsors and supports a
107 racquetball team or teams.

108
109 **B.** The members of this Corporation shall be those persons, institutions,
110 and organizations that pay the membership fee prescribed by the Board
111 of Directors and shall hold valid membership cards.

112
113 **C.** The members of the Corporation shall assist the Board of Directors in an
114 advisory capacity and render such assistance as may be requested by the
115 Board of Directors from time to time.

116
117 **D.** Certificates of membership shall be of such form and design as the Board
118 of Directors may elect, and said certificates shall express on their face
119 the member's card number, the date of expiration, the name of the
120 member to whom it is issued, the name of the state association, and the
121 official insignia or logo of the Corporation.

122
123 **ARTICLE III**

124
125 **301.0 INSIGNIA/LOGO.** The Corporation shall have the official insignia and
126 logo shown in the USRA Governance Manual.

127
128
129 **ARTICLE IV**

130
131 **401.0 OFFICERS.** The officers of the Corporation shall be President,
132 Executive Vice President, Secretary, and Treasurer, each to be elected by and
133 from the membership of the Board of Directors. Each of these offices is to be
134 held by a separate individual member of the Board. No officer of the Board
135 may serve as an officer of any other amateur sports organization that is
136 recognized as a national governing body by the United States Olympic
137 Committee.

138
139 **402.0 DEFINITION AND DUTIES OF OFFICERS**

140
141 **A.** President

- 142
143
144
145
146
147
148
149
150
151
152
153
154
1. The Corporation shall have a President who shall preside at all meetings of the Corporation's membership, Board of Directors, and the Executive Committee and shall be an ex officio member of any and all committees.
 2. The President shall be responsible for the affairs of the Corporation and, with the assistance of the Executive Director, shall execute and administer the policies established by the Board of Directors.
 3. In the event that the President is unable to serve, the Executive Vice President shall act in his/her behalf until the President is able to serve or until a successor is duly elected.

155
156 **B. Executive Vice President**
157

- 158
159
160
1. The Corporation shall have an Executive Vice President who shall perform the duties of the President in his/her absence.

161 **C. Secretary**
162

- 163
164
165
166
167
168
169
170
1. The Corporation shall have a Secretary who shall keep records of the proceedings of the meetings of the membership, the Board of Directors, and the Executive Committee and shall make a report of these activities to the Corporation's membership. Written minutes are to be submitted to the Executive Director for distribution to the Board of Directors no later than 30 days following the adjournment of each meeting.

171 **D. Treasurer**
172

- 173
174
175
176
177
178
179
180
1. The Corporation shall have a Treasurer who shall provide for a commercial audit of the Corporation's funds and accounts by qualified auditors, payment for which shall be made by the Corporation.
 2. The Treasurer shall present to the Board of Directors, before the end of any fiscal year, a proposed operating budget for the ensuing fiscal year.

181 **403.0 ELECTION OF OFFICERS AND TERMS**
182

- 183
184
185
186
187
188
- A. The President, Executive Vice President, Secretary, and Treasurer will be elected by and from the membership of the Board of Directors. The election will be decided by the majority of the votes cast by the Board of Directors at a special meeting of the Board. This special meeting shall be held following the adjournment of the biannual meeting of the Board of Directors that is held immediately prior to/or during the U.S. National

189 Singles Championship tournament. Furthermore, the meeting shall not
190 be held until all of the newly elected Board members have been notified
191 of their election and offered an opportunity to either attend or have their
192 opinions expressed. If possible, this special meeting should precede the
193 annual meeting of the membership of the Corporation.
194

- 195 **B.** Officers of the Corporation shall serve a term of two years starting from
196 the adjournment of the Board of Directors meeting at which they were
197 elected and ending with the adjournment of the biannual Board of
198 Directors meeting held two (2) years later. They may succeed
199 themselves, but serve no more than three (3) consecutive terms.
200

201 **404.0 REMOVAL AND REPLACEMENT OF OFFICERS AND DIRECTORS**
202

- 203 **A.** An officer may be removed from office by a two-thirds vote of the Board of
204 Directors.
205

- 206 **B.** Except as provided for in Section 402.0A5, if an officer of the Board dies,
207 resigns, or is removed, a Board member will be appointed by the
208 President to complete the former officer's unexpired term of office. The
209 President should appoint someone as soon as possible, but no later than
210 30 days before the second semi-annual Board meeting after the vacancy
211 occurs. However, an appointment must be made before the next semi-
212 annual Board meeting if the vacancy leaves the Board out of compliance
213 with mandated representation requirements.
214

- 215 **C.** If a Board member has two consecutive unexcused absences from the
216 biannual Board of Directors meetings, he/she automatically vacates
217 his/her position on the Board.
218

- 219 **D.** If a Board member dies, resigns, or is removed, a new member will be
220 appointed by the President to complete that Board member's term. If the
221 Board member who dies, resigns, or is removed is an athlete
222 representative, then the person appointed by the President must meet
223 the requirements to be an athlete representative.
224

225 **405.0 EXECUTIVE DIRECTOR**
226

- 227 **A.** The Executive Director of the Corporation shall be employed by the
228 Board of Directors and under the direct supervision of the President.
229

- 230 **B.** The Executive Director shall be in charge of the day-to-day operation of
231 the Corporation and shall be responsible for carrying out the details of
232 the organization according to the policies and regulations established by
233 the Board of Directors. He/she shall have general supervision over all
234 income of the Corporation and supervise the disbursement of funds in
235 accordance with the budget approved by the Board of Directors.

- 236
237 **C.** The Executive Director shall be an ex officio member of all standing
238 committees and shall keep, or cause to be kept, all minutes of same.
239 He/she shall have charge of all records of the Corporation including the
240 USRA Governance Manual. The Executive Director shall issue all checks
241 and drafts of the Corporation.
242
- 243 **D.** The Executive Director shall be bonded (at the expense of the
244 Corporation) and shall complete a Statement of Principles of Ethical
245 Behavior and Conflict of Interest.
246
- 247 **E.** The Executive Director employs, with the approval of the Board of
248 Directors, administrative assistants and other persons as may be
249 required for the proper conduct of the Corporation and for the
250 performance of such duties as the Board of Directors may delegate,
251 providing same are not contrary to law, and at such compensation as the
252 Board of Directors may deem proper. Moreover, the Executive Director
253 shall insure that all employees of the Corporation complete a Statement
254 of Principles of Ethical Behavior and Conflict of Interest and receive an
255 Employee Manual.
256

257 **406.0 OTHER POSITIONS.** In addition to the officers, the Board may
258 designate other key positions as it deems necessary.
259

260 **A.** Immediate Past President
261

- 262 **1.** The immediate past President of the Corporation, at the discretion
263 of the elected President, may remain as a non-voting member of
264 the Board and the Executive Committee for a period not to exceed
265 one year after the date the person is no longer President.
266

267 **B.** National Rules Commissioner
268

- 269 **1.** The Corporation shall have a National Rules Commissioner who
270 shall be appointed by the President, subject to approval of the
271 Board of Directors, following the special meeting of the Board of
272 Directors which follows the adjournment of the biannual meeting
273 of the Board of Directors held immediately prior to/or during the
274 U.S. National Singles Championship tournament. The National
275 Rules Commissioner does not have to be on the Board of Directors.
276
- 277 **2.** He/she shall serve a term of three years and may be appointed to
278 successive terms.
279
- 280 **3.** The duties of the National Rules Commissioner shall be to take
281 necessary steps to identify persons qualified to serve as referees in
282 racquetball contests who are familiar with the published rules

283 relating to racquetball play, racquetball contests, and
284 tournaments; and further to designate the referees to act in that
285 capacity during racquetball contests and tournaments. The
286 National Rules Commissioner will chair the National Rules
287 Committee. He/she shall take necessary steps to explain,
288 interpret, and revise the written rules of racquetball. All such
289 explanations, interpretations, and revisions are to be submitted by
290 the National Rules Committee to the Board of Directors for
291 approval. Approval of any rule revision or interpretation will
292 require a two-thirds majority vote of the Board of Directors.
293 Detailed rule change procedures are included in the USRA
294 Governance Manual.

295
296
297 **ARTICLE V**

298
299 **501.0 GOVERNING BODIES.** The Corporation shall have two governing
300 bodies:

301
302 **A.** Board of Directors

- 303
304 **1.** The formulation of policy, procedures, and operation for the
305 Corporation shall be vested in a Board of Directors who shall be
306 selected without regard to race, color, religion, national origin, or
307 sex, except that because separate male and female programs are
308 conducted, there must be both males and females on the Board.
309
- 310 **2.** The Board of Directors of this Corporation shall consist of:
- 311
- 312 **a.** Ten persons who have been duly elected by the general
313 membership and at least two of whom must be female.
 - 314
 - 315 **b.** Athlete representatives (at least one of each sex) elected from
316 and by those persons who have been members of the
317 U.S. National (Adult Elite) Team within the preceding ten
318 (10) years or who are currently competing at a level of
319 proficiency appropriate for selection to the U.S. National
320 (Adult Elite) Team. The actual number of board positions
321 that are restricted to such athletes (which currently is three
322 since there are ten persons elected by the general
323 membership) will be adjusted if the overall size of the Board
324 of Directors changes since the basic requirement is that at
325 least twenty percent (20%) of the Board of Directors shall be
326 comprised of such athletes.
 - 327
 - 328 **c.** Any persons representing any amateur sports organization
329 that have duly qualified by showing that the organization:

330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376

- Is national in scope.
 - Promotes significant racquetball activity.
 - Uses the rules of play adopted by this Corporation or a variation thereof approved by this Corporation.
 - Supports in word and action the policies, goals, and programs of the Corporation.
 - Makes application for affiliation purposes to actively participate in the conduct of the affairs of the Corporation.
 - Is a member in good standing with the United States Olympic Committee.
- 3.** Board members, regardless of how they were appointed to the Board, are subject to all rules and entitled to all the privileges governing other members of the Board except as otherwise stated in these Constitution and By-Laws. All Board members must complete a Statement of Principles of Ethical Behavior and Conflict of Interest.
 - 4.** Members of the Board of Directors elected by the general membership shall serve no more than two consecutive terms of office of three years each. They shall be elected by and from the Corporation's membership without discrimination on the basis of race, color, religion, age, sex, or national origin. No members of the Board of Directors shall be elected again until two years after his/her second consecutive term shall have expired. Terms for athlete representatives shall begin on the January 1st following the Summer Olympic Games and end December 31st four year later.
 - 5.** Each member of the Board of Directors must be a member in good standing of the Corporation at the time of his/her selection and throughout his/her term.
 - 6.** The Board of Directors shall have the right to reject a membership application, to deny renewal of membership, and suspend or terminate the membership of anyone whose public actions have been judged detrimental to the welfare, image, and well being of racquetball.
 - 7.** At all meetings and reconvened meetings of the Board of Directors, a simple majority shall constitute a quorum and the actions of the Board of Directors at such meetings shall be binding upon all

377 members of the Board of Directors, the Corporation's membership,
378 and its employees.

- 379
- 380 **8.** The Board of Directors shall have an Executive Committee
381 comprised of the following officers of the Corporation: President,
382 Executive Vice President, Secretary, and Treasurer, plus one of the
383 Athlete Representatives. The immediate past President is a non-
384 voting member.
- 385
- 386 **9.** The Board of Directors may authorize the Executive Director to
387 sign all contracts and other instruments in writing, subject to
388 approval of each such contract or instrument by the Board of
389 Directors.
- 390
- 391 **10.** The President is authorized to conduct mail, telephonic, or
392 electronic polls of the Board of Directors. When balloting is
393 completed, the Executive Director shall be charged with recording
394 the votes and reporting the results to the Board of Directors by
395 mail, telephone or email, within two weeks of the original polling.

396 **B.** Executive Committee (See Section 501.OA8)

- 397
- 398
- 399 **1.** The Executive Director and the immediate past President shall be
400 non-voting members of the Executive Committee.
- 401
- 402 **2.** The Executive Committee is empowered to act for the Board of
403 Directors between meetings and shall transact business and
404 administer the affairs of the Corporation and the Board of
405 Directors. Actions of the Executive Committee are subject to the
406 approval of the entire Board of Directors at the next scheduled
407 biannual meeting.
- 408
- 409 **3.** The Executive Committee shall meet at such times and places as it
410 shall determine or upon the call of the President, or upon the call
411 by a majority of its members. Minutes must be kept and are
412 subject to approval by the Board of Directors.
- 413
- 414 **4.** A quorum of the Executive Committee shall consist of a simple
415 majority of the Executive Committee.

416 **502.0 COMPENSATION.** No member of the Board of Directors shall receive
417 compensation for any services rendered without full disclosure to and prior
418 approval by the Board of Directors. The Corporation may make reimbursement
419 for reasonable expenses incurred by a Director in the course of his/her duties.
420 Reimbursement must be requested in writing and submitted to the Executive
421 Director. (See USRA Governance Manual for rates of reimbursements).

424
425 **ARTICLE VI**
426

427 **601.0 ANNUAL AND SPECIAL MEETINGS**
428

- 429 **A.** The annual meeting of the membership of the Corporation shall be held
430 at the location (same city and state) of the U.S. National Singles
431 Championship tournament on any day during the tournament. This
432 meeting will include the Executive Director's report, financial report,
433 budget report, election report (announcement of new Board members, as
434 well as officers), rules change report, and any other reports designated by
435 the President. The Corporation's membership must submit, in writing,
436 any other agenda items for the meeting to the Board of Directors at least
437 fourteen (14) days prior to the meeting.
438
- 439 **B.** One of the biannual meetings of the Board of Directors must be held
440 immediately prior to/or during the U.S. National Singles Championship
441 tournament. These meetings must include all committee reports--written
442 and verbal. Agenda items and written committee reports must be
443 provided to Board members fourteen (14) days in advance of the Board of
444 Directors meeting.
445
- 446 **C.** Special meetings of the Board of Directors may be called by the President
447 on thirty (30) days notice, or on the written request of two-thirds or more
448 of the members of the Board of Directors.
449
- 450 **D.** All plans, arrangements, programs, budgets, and like subjects affecting
451 the welfare and policies of the Corporation shall be prepared and
452 actuated by the Executive Director. All such plans, arrangements,
453 programs, and budgets are subject to the approval of the Board of
454 Directors each year (or more often as directed) primarily at the meeting
455 held immediately prior to/or during the U.S. National Singles
456 Championship tournament.
457

458 **602.0 ROBERT'S RULES OF ORDER.** The latest edition of Robert's Rules of
459 Order shall govern any and all meetings.
460

461 **ARTICLE VII**
462

463 **701.0 DUES.** The dues structure shall be included in the USRA Governance
464 Manual.
465

466 **ARTICLE VIII**
467

468 **801.0 ELECTIONS**
469
470

471
472 The general rules governing nomination and election for the three categories of
473 positions on the Board of Directors are described below and in detail in the
474 USRA's Governance Manual.

475
476 **A. GENERAL MEMBERSHIP**

- 477
478 **1.** A committee (chaired by a Board member whose term is not
479 expiring and otherwise comprised of non-Board members) shall
480 identify nominees for the openings for the expiring terms of
481 members of the Board of Directors. Such list shall consist of at
482 least one nominee for the number of positions available.
483
484 **2.** Additional nominations for the Board of Directors may be made by
485 any members of the Corporation in good standing that submit a
486 petition with one hundred (100) valid member signatures
487 indicating their support for said candidate. The petition is to be
488 received at the Corporation's National Headquarters no later than
489 December 31st of the year prior to the year of the election.
490
491 **3.** Ballots will be distributed primarily via the Corporation's
492 magazine. Other methods may also be used. Election results
493 based on popular vote shall be announced at the annual meeting.
494

495 **B. ATHLETE REPRESENTATIVES**

- 496
497 **1.** A nominating committee (chaired by one of the athlete Board
498 members) shall be formed of persons who been members of the
499 U.S. National (Adult Elite) National Team within the preceding
500 10 years or who are currently competing at a level of proficiency
501 appropriate for selection to the U.S. National (Adult Elite) Team.
502 The committee will identify nominees for the openings for the
503 expiring terms of members of the Board of Directors. Such list
504 shall consist of at least one nominee for the number of positions
505 available. Additional nominations may be made by any eligible
506 person who submits a petition with twenty (20) valid member
507 signatures of persons eligible to vote in the election indicating their
508 support for said candidate.
509
510 **2.** The USRA will administer the election. Ballots will be distributed
511 via postal or email, to the authorized voters. Election results based
512 on popular vote shall be announced as soon as they are known.
513 There must be at least one person of each sex.
514
515 **3.** Immediately following the election, the athletes who were elected
516 must determine (i) who among them will serve on the Executive
517 Committee and (ii) who among them will serve as the Athlete's

518 Advisory Council representative. There is no requirement that
519 these positions be filled by two different persons. However, the
520 alternate representative for Athlete's Advisory Council will be one
521 of the other athletes on the Board who is of opposite sex than the
522 primary representative.

523
524 **C. AMATEUR SPORTS ORGANIZATIONS**

- 525
526 **1.** Any person appointed to the Board of Directors on the basis of
527 representing an amateur sports organization as provided for in
528 section 501.0A2c must have been selected through some form of
529 democratic process established by the organization that they
530 represent.
- 531
532 **2.** Organizations qualifying under Section 501.0A2c will provide their
533 election results to the USRA's Board of Directors every three years.
534

535
536 **ARTICLE IX**

537
538 **901.0 AMENDMENTS TO THE CONSTITUTION**

- 539
540 **A.** This Constitution may be amended at any regular biannual meeting of
541 the Board of Directors by two-thirds vote of the Directors present and
542 voting.
- 543
544 **B.** Proposed amendments or additions to the Constitution shall be
545 submitted to the Executive Director at least thirty (30) days prior to the
546 meeting at which said amendments or additions are to be considered.
547 The Executive Director shall provide, via fax, postal or email, a copy of
548 any proposed amendments or additions to the members of the Board of
549 Directors no later than fifteen (15) days preceding any such meeting.
550
- 551 **C.** Amendments to the Constitution become effective immediately on the
552 date such motions were adopted unless otherwise specified.
553

554 **902.0 BY-LAWS, AMENDMENTS TO THE BY-LAWS, AND USRA**
555 **GOVERNANCE MANUAL**

- 556
557 **A.** Such by-laws as deemed necessary for the operation and advancement of
558 the Corporation may be adopted or amended by the Board of Directors at
559 any regular or special meeting by a two-thirds vote of those directors
560 present and voting.
- 561
562 **B.** Proposed amendments or additions to the by-laws shall be submitted to
563 the Executive Director at least thirty (30) days prior to the meeting at
564 which said amendments or additions are to be considered. The

565 Executive Director shall provide, via fax, postal or email, a copy of any
566 proposed amendments or additions to the members of the Board of
567 Directors no later than fifteen (15) days preceding any such meeting.

568
569 **C.** Amendments to the by-laws become effective immediately on the date
570 such motions were adopted unless otherwise specified.

571
572 **D.** The USRA Governance Manual shall be deemed a standing by-law,
573 directive in nature, and shall include as a minimum: 1) the current
574 USRA Official Rulebook; 2) fee structure; 3) history of awards; 4) rates of
575 reimbursements; 5) committee assignments; 6) amateur reinstatement
576 rules; 7) names, addresses, telephone numbers, and terms of Board
577 members; and 8) official insignia and logo.

578
579 **903.0 STANDING COMMITTEES.** The following standing committees some of
580 which are described as councils) are hereby established. The President and
581 Executive Director are ex officio members of every committee. The President
582 shall appoint at least one Board member to each committee. At least twenty
583 (20) percent of the membership of each committee must be athletes actively
584 engaged in racquetball who have been members of the U.S. National (Adult
585 Elite) Team within the preceding 10 years. Persons appointed to committee
586 membership are subject to approval of the Board of Directors. To facilitate
587 individual committee reporting, the standing committees will be assigned to
588 one of six umbrella committees that will be chaired by a member of the Board
589 of Directors. The umbrella committee may not alter a committee's report
590 without the permission of the committee itself.

591
592
593 EXECUTIVE SERVICES

594
595 **A.** Personnel - This committee is responsible for developing personnel plans
596 and programs. This includes overseeing the development of an
597 operations policy manual to assist employees in understanding their
598 working conditions and environment, and to encourage them to improve
599 their skills, enhance their performance and increase their
600 responsibilities. The committee also reviews recommendations for
601 annual salary increases, approves budget lines for such increases, and
602 has input on structural reorganizations to increase productivity.

603
604 **B.** Finance - This committee oversees and checks all of the financial
605 endeavors and actions of the Corporation to include its budget, financial
606 statements, annual audit, and fund-raising activities. The Treasurer
607 chairs this committee.

608
609 **C.** Legislation - This committee is responsible for ensuring that Corporation
610 operates within the bounds of all applicable laws and regulations. The
611 committee reviews proposed changes to legislation and makes

612 recommendations to the Board of Directors regarding adoption or
613 rejection. The Chair of this committee will also serve as the Sergeant at
614 Arms at all Board of Directors meetings.

615
616 **D.** Strategic Planning - This committee will carry out the long-range plan
617 established by the general membership and implemented through USRA
618 leadership. This plan focuses upon major issues stated as priorities by
619 the membership including: continued Olympic involvement, increasing
620 public awareness of racquetball, increasing financial resources,
621 membership development, continued sports management as the national
622 governing body, and unification within the sport.

623
624 **E.** Marketing - This committee will oversee the development of plans to
625 market the sport and organization for the purpose of raising funds to
626 expand programs and other organizational interests.

627

628 GENERAL MEMBERSHIP SERVICES

629

630 **F.** Membership - This committee supports and distributes information on
631 both recreational and competitive memberships to the public to aid in
632 attracting new members to the Corporation. This committee also has
633 cognizance over the rating and ranking systems used by the Corporation.
634 The committee reviews these programs and reports on membership
635 activities to the Board of Directors.

636

637 **G.** State Organizations - This committee will provide liaison between state
638 associations and the national office. It will make recommendations on
639 the development and implementation of organizational structures,
640 incorporation, and operations. The committee will review and make
641 recommendations on the distribution of grassroots programs, including
642 grants and centralized funding, to state organizations.

643

644 **H.** Regionals - This committee will oversee the identification of adult
645 regional sites and designation of tournament directors. The committee
646 will make policies and procedures as well as evaluate the
647 accomplishment of these events.

648

649 **I.** National Championships - This committee will oversee the identification
650 of sites and activities for each national event.

651

652 TECHNICAL AND ETHICS

653

654 **J.** Elections - This committee is responsible for reviewing election
655 procedures to maintain the fairness of all elections and the freedom of
656 opportunity for candidates and voters alike.

657

658 **K.** Nominating - This committee is charged with soliciting candidates;

659 verifying the resumes of those who desire to be candidates; and selecting
660 the nominees (a number equal to or one more than the number of
661 vacancies) for the Board of Directors. A Board of Directors member will
662 chair the committee, but all other members must come from outside the
663 Board.

664
665 **L.** Publication/Ethics - This committee is responsible for reviewing printed
666 materials produced by the Corporation, and establishing policies and
667 procedures for the ethical treatment of sensitive news items in official
668 publications. This includes making critiques of current materials,
669 conducting surveys, proposing alternatives, and conducting research to
670 draw comparisons between other national governing bodies with similar
671 organizational structures. The committee shall also assist affiliate state
672 organizations in the development and improvement of their publications.
673

674 **M.** Rules and Regulations - This committee will review rule change
675 proposals and make recommendations to the Board of Directors. The
676 committee will also administer due process hearings for general
677 membership issues when appealed beyond the state level within the
678 guidelines presented by the Board. The National Rules Commissioner
679 chairs this Committee.
680

681 **N.** Manufacturers and Technical - This committee conducts inquiries,
682 studies, researches, and reviews proposed technological changes in
683 equipment used in the sport. After making a review, the committee will
684 make recommendations to the Board of Directors. In reviewing
685 technological changes, the committee is obligated to consider the
686 integrity of the game and purpose of the sport.
687
688

689 INTERNATIONAL AFFAIRS

690
691 **O.** U.S. National Team - This committee reviews and makes
692 recommendations concerning team procedures and protocol to the Board
693 of Directors. The committee is also responsible for due process issues
694 involving probation and dismissal from the U.S. National Racquetball
695 Team, as well as reviewing and soliciting recipients for grant funds. The
696 committee provides a structure for communication between athletes and
697 coaches. Through continual evaluation, the committee's policies will
698 reflect those of the U.S. Olympic Committee and the Corporation as the
699 sport evolves at the international level. The committee prepares
700 announcements for coach and team leader positions, reviews
701 applications, conducts interviews, and selects the personnel for the
702 positions.
703

704 **P.** U.S. National Junior Team - This committee reviews and makes
705 recommendations concerning team procedures and protocol to the Board

706 of Directors. The committee is also responsible for due process issues
707 involving probation and dismissal from the U.S. National Racquetball
708 Team, as well as reviewing and soliciting recipients for grant funds. The
709 committee provides a structure for communication between athletes and
710 coaches. Through continual evaluation, the committee's policies will
711 reflect those of the U.S. Olympic Committee and the Corporation as the
712 sport evolves at the international level. The committee prepares
713 announcements for coach and team leader positions, reviews
714 applications, conducts interviews, and selects the personnel for the
715 positions.

716
717 **Q.** Olympic, Pan American, and International - This committee coordinates
718 activities relative to racquetball's recognition as a member of the U.S.
719 Olympic Committee (as a national governing body) and acceptance as a
720 sport in the Pan American, Olympic Games and other international
721 competitions. The delegate to represent racquetball on the Board of
722 Directors of the United States Olympic Committee will be elected to a
723 four-year term at the Board meeting held at the U.S. National Singles
724 Championship immediately prior to the start of each USOC
725 quadrennium.

726
727 **R.** Coaching - This committee will (i) identify the status of coaching
728 resources and needs of the association; (ii) assist in improving the quality
729 of coaching; (iii) expand the number of qualified coaches available to the
730 corporation; (iv) provide athletes with the best possible coaching for
731 helping them reach their potential; (v) assist in coordinating, gathering,
732 and distributing current and relevant technical information and
733 resources for coaches; and (vi) act as the corporation's contact for all
734 coaching in the United States.

735
736
737 EDUCATION, RESEARCH, AND RECOGNITION

738
739 **S.** Elite Camp/AMPRO - This committee will administer the development of
740 elite athletes through the Elite Training Camp and monitor the
741 development of instructors and programmers through the AMPRO
742 program.

743
744 **T.** Sports Sciences - The mission of the Sports Science Committee is to
745 disseminate sports science developments and applications to the entire
746 racquetball playing population.

747
748 **U.** Sports Medicine - The mission of the Sports Medicine Committee is to
749 disseminate sports medicine developments and applications to the entire
750 racquetball playing population.

751
752 **V.** Development and Planning - This committee shall take such steps as it

753 deems necessary to promote interest in racquetball play among all ages.

754

755 **W.** Awards - This committee will be responsible for ensuring that qualified
756 male and female nominees are identified for the numerous awards that
757 the Corporation has developed, including the Athletes of the Year, Peggy
758 Steding and Bud Muehleisen Age Group Athletes of the Year, Joe Sobek
759 Contributor Award, John Halverson (Fair Play) Award, and President's
760 Award.

761

762 **X.** Hall of Fame - This committee oversees the process by which the
763 Corporation honors those men and women who have made outstanding
764 contributions to the development and growth of racquetball in the United
765 States. Secondary objectives include assisting in the research necessary
766 to develop and maintain a history of United States Racquetball and
767 securing historical memorabilia.

768

769 **Y.** Scholarship - This committee is charged with establishing and
770 distributing eligibility data; accepting and reviewing applications from
771 qualified applicants; making recommendations to the Board of Directors
772 on all applications reviewed; distributing funds to approved scholarship
773 recipients; and establishing procedures for increasing public awareness
774 and raising funds for the scholarship program.

775

776

777

SPECIAL INTEREST COUNCILS

778

779 **Z.** High School Council - This council determines policy and procedures to
780 promote racquetball as a competitive high school sport. The committee
781 may also assist in the operating the annual National High School
782 Tournament.

783

784 **AA.** Junior Council - This council will determine policy and procedures to
785 promote junior racquetball within state associations for all youths of high
786 school age and below. The committee will also assist in the policy
787 development and operation of junior national events. The committee is
788 responsible for furthering the growth of and participation in racquetball
789 programs for players 18 years of age and under at the local, state,
790 regional, and national levels.

791

792 **AB.** Intercollegiate Council - This council's primary function is to promote,
793 develop, and instruct tournament caliber collegiate players throughout
794 the United States. The Corporation develops the recreational player
795 program at the collegiate level through the National Intramural
796 Recreational Sports Association (NIRSA), while concentrating on
797 developing the competitive player.

798

799 **AC.** Disabled Council - This council is charged with generating interest and

800 opportunity in the sport among disabled athletes. This includes
801 promoting racquetball in conjunction with the National Wheelchair
802 Racquetball Association (NWRA), the National Racquetball Association of
803 the Deaf (NRAD), and the U.S. Association of Blind Athletes. (USABA).
804 The council coordinates with these groups to provide timely and factual
805 information about competitive opportunities for disabled athletes.
806

807 **AD.** Outreach Council - This council is responsible for generating interest in
808 the sport among minority and disadvantaged constituencies in the U.S.
809 by providing access and creating opportunity. This includes developing
810 programs that draw on industry resources to provide low-cost equipment
811 and instruction to established community groups that serve inner city
812 youth and providing direction to potential racquetball athletes. The
813 council will identify a core of dedicated individuals who will establish
814 solid contacts with community centers, disadvantaged youth programs,
815 and minority-based junior high school, high school, and collegiate
816 athletic departments.
817

818 **AE.** Women's Council - This council is responsible for generating interest in
819 the sport among women. The council coordinates with state affiliates,
820 program officials, and other organizations that share its emphasis, to
821 provide timely and factual information about the state of women's
822 racquetball in the U.S., encourage more activity by women in officiating
823 and governance, plus take a pro-active role in the administration of
824 programs that directly impact women in the sport.
825

826 **AF.** Masters Council - This council is responsible for research and
827 development of programs that directly affect male and female racquetball
828 players 45 years of age or older. The council reports its findings and
829 makes recommendations to the Board of Directors.
830

830 **BY-LAWS OF THE**
831 **UNITED STATES RACQUETBALL ASSOCIATION INC.**

832
833 **ARTICLE I - PLAYER'S BILL OF RIGHTS**
834

835 **A.** Membership in the Corporation is open to any individual who is an athlete,
836 coach, trainer, manager, administrator, or official active in racquetball or to
837 any amateur racquetball organization that conducts programs in racquetball.
838

839 **B.** Membership in the Corporation provides equal opportunity to athletes,
840 coaches, trainers, managers, administrators, and officials to participate in
841 racquetball, without discrimination on the basis of race, color, religion, age,
842 sex, or origin and with fair notice and opportunity for a hearing to any athlete,
843 coach, trainer, administrator, or official before declaring such individual
844 ineligible to participate.
845

846 **C.** No individual or organizational member of the Corporation, nor any
847 organization affiliated with the Corporation, may deny or threaten to deny any
848 eligible racquetball player, coach, trainer, manager, official, or administrator
849 the opportunity to participate in any international racquetball competition
850 approved by the Corporation, if selected by the Corporation or one of its
851 members. In addition, no individual or organizational member of the
852 Corporation, nor any organization affiliated with the Corporation, may censor
853 or otherwise penalize subsequent to the event any player, coach, trainer,
854 manager, official, or administrator for having participated in any such
855 international racquetball competition approved by the Corporation.
856

857
858 **ARTICLE II - AMATEUR RULES**
859

860 At no time will the Corporation have eligibility criteria relating to amateur
861 status that is more restrictive than those of the International Racquetball
862 Federation. Definition of amateur: To be eligible to compete in any USRA
863 sanctioned event, a player must be a USRA member in good standing (dues
864 paid and current), without regard for professional activity or earnings. [revised
865 in accordance with IRF ruling, 01/01/03]. Reinstatement rules are found in
866 the USRA Governance Manual.
867

868
869 **ARTICLE III - DUTIES OF THE CORPORATION**
870

871 **A.** This Corporation, in its role as the national governing body for the sport
872 of racquetball, is under duty to:
873

- 874 **1.** Develop interest and participation throughout the United States
875 and be responsible to the persons and amateur sports
876 organizations it represents;

877
878
879
880
881
882
883
884
885
886
887
888
889
890
891
892
893
894
895
896
897
898
899
900
901
902
903
904
905
906
907
908
909
910
911
912
913
914
915
916
917
918
919
920
921
922
923

2. Minimize, through coordination with other amateur sports organizations, conflicts in the scheduling of all practices and competitions;
3. Keep amateur athletes informed of policy matters and reasonably reflect the views of such athletes in its policy decisions;
4. Promptly review every request submitted by an amateur sports organization or person for a sanction (i) to hold an international amateur athletic competition in the United States; or (ii) to sponsor United States amateur athletes to compete in international amateur athletic competition held outside the United States, and determine whether to grant such sanction, in accordance with the provisions of subsection B of this Article;
5. Allow an amateur athlete to compete in any international amateur athletic competition conducted under its auspices or that of any other amateur sports organization or person, unless it establishes that its denial was based on evidence that the organization or person conducting the competition did not meet the requirements stated in subsection B of this Article;
6. Provide equitable support and encouragement for participation by women where separate programs for male and female athletes are conducted on a national basis;
7. Encourage and support amateur athletic sports programs for handicapped individuals and the participation of handicapped individuals in amateur athletic activity, including, where feasible, the expansion of opportunities for meaningful participation by handicapped individuals in programs of athletic competition for able-bodied individuals;
8. Provide and coordinate technical information on physical training, equipment design, coaching, and performance analysis; and
9. Encourage and support research, development, and dissemination of information in the areas of sports medicine and sports safety.

B. As a result of its review under subsection A (4) of this Article, if the Corporation does not determine by clear and convincing evidence that holding or sponsoring an international amateur athletic competition would be detrimental to the best interest of the sport, the Corporation shall promptly grant to an amateur sports organization or person a sanction to:

- 924 **1.** Hold an international amateur competition in the United States, if
925 such amateur sports organization or person:
926
- 927 **a.** Pays to the Corporation any required sanctioning fee, if such
928 fee is reasonable and nondiscriminatory:
929
- 930 **b.** Demonstrates that:
- 931
- 932 **i.** Appropriate measures have been taken to protect the
933 amateur status of athletes who will take part in the
934 competition and to protect their eligibility to compete
935 in amateur athletic competition,
936
- 937 **ii.** Appropriate provision has been made for validation of
938 records that may be established during the
939 competition,
940
- 941 **iii.** Due regard has been given to any international
942 amateur requirements specifically applicable to the
943 competition,
944
- 945 **iv.** The competition will be conducted by qualified
946 officials,
947
- 948 **v.** Proper medical supervision will be provided for
949 athletes who will participate in the competition, and,
950
- 951 **vi.** Proper safety precautions have been taken to protect
952 the personal welfare of the athlete and spectators at
953 the competition, and
954
- 955 **c.** Submits to the Corporation an audited or notarized financial
956 report of similar events, if any, conducted by the amateur
957 sports organization or person; or
958
- 959 **2.** Sponsor United States amateur athletes to compete in
960 international amateur athletic competition held outside the United
961 States, if such amateur sports organization or person:
962
- 963 **a.** Pays to the Corporation any required fee, if such fee is
964 reasonable and nondiscriminatory;
965
- 966 **b.** Submits a letter from the appropriate entity, which will hold
967 the international amateur athletic competition certifying
968 that;
969
- 970 **i.** Appropriate measures have been taken to protect the

- 971 amateur status of athletes who will take part in the
972 competition and to protect their eligibility to compete
973 in amateur athletic competition,
974
975 **ii.** Appropriate provision has been made for validation of
976 records that may be established during the
977 competition,
978
979 **iii.** Due regard has been given to any international
980 amateur athletic requirements specifically applicable
981 to the competition,
982
983 **iv.** The competition will be conducted by qualified
984 officials,
985
986 **v.** Proper medical supervision will be provided for
987 athletes who will participate in the competition, and,
988
989 **vi.** Proper safety precautions have been taken to protect
990 the personal welfare of the athletes and spectators at
991 the competition, and
992
993 **c.** Submits a report of the most recent trip, if any, to a foreign
994 country which the amateur sports organization or person
995 sponsored for the purpose of having United States amateur
996 athletes compete in international amateur athletic
997 competition.

- 998
999 **C.** The Corporation, as the national governing body of racquetball, is
1000 authorized to:
1001
1002 **1.** Represent the United States in the appropriate international sports
1003 federation;
1004
1005 **2.** Establish national goals and encourage the attainment of those
1006 goals;
1007
1008 **3.** Serve as the coordinating body for amateur athletic activity in the
1009 United States;
1010
1011 **4.** Exercise jurisdiction over international amateur athletic activities
1012 and sanction international amateur athletic competition held in
1013 the United States and sanction the sponsorship of international
1014 amateur athletic competition held outside the United States;
1015
1016 **5.** Conduct amateur athletic competition, including national
1017 championships, and international amateur competition in the

1018 United States, and establish procedures for the determination of
1019 eligibility standards for participation in such competitions, except
1020 for that amateur athletic competition specified in Section D of this
1021 article;

1022
1023 **6.** Recommend to the USOC individuals and teams to represent the
1024 United States in the Olympic Games and the Pan-American
1025 Games; and

1026
1027 **7.** Designate individuals and teams to represent the United States in
1028 international competition (other than the Olympic Games and the
1029 Pan-American Games) and certify, in accordance with the
1030 applicable international rules, the amateur eligibility of such
1031 individuals and teams.

1032
1033 **D.** Any amateur sports organization that conducts amateur athletic
1034 competition, participation in which is restricted to a specific class of
1035 amateur athletes (such as high school students, college students,
1036 members of the Armed Forces, or similar groups or categories), shall
1037 have exclusive jurisdiction over such competition. If such an amateur
1038 sports organization wishes to conduct international amateur athletic
1039 competition to be held in the United States, or sponsor international
1040 amateur athletic competition to be held outside the United States, it
1041 must obtain a sanction from the Corporation.

1042
1043

1044 **ARTICLE IV - ARBITRATION AGREEMENT**

1045
1046 As provided for in section 205(b)(3) of Title II of the Amateur Sports Act of
1047 1978, the Corporation to submit, upon demand of the United States Olympic
1048 Committee, to binding arbitration, conducted in accordance with the
1049 commercial rules of the American Arbitration Association in any controversy
1050 involving the Corporation's recognition as a national governing body, or
1051 involving the opportunity of any amateur athlete, coach, trainer, manager,
1052 administrator, or official to participate in amateur athletic competition, as
1053 provided for in Article IV of the USOC Constitution and By-Laws.

1054
1055

1056 **ARTICLE V - DISCIPLINE AND GRIEVANCE RIGHTS**

1057
1058 **A. DISCIPLINE.** The Corporation may censure, suspend for a definite or
1059 indefinite period of time, or expel any member of the Corporation, including
1060 any athlete, coach, manager, official, member of any committee, or any person
1061 participating in any capacity whatsoever in the affairs of the Corporation, who
1062 has contravened any of its rules or regulations, or who has acted in a manner
1063 which brings disrepute upon the Corporation or upon the sport of racquetball.
1064 Such actions must comply with prescribed due process procedures.

1065
1066 **B. RIGHT OF GRIEVANCE.** Any member of the Corporation who feels that
1067 he/she has been wronged in the administering of the Corporation's rules and
1068 regulations or the application of the Constitution or its By-Laws has the right
1069 to grieve and be accorded due process in resolving such matters. Any amateur
1070 racquetball player who alleges that he/she has been denied or is about to be
1071 denied, by a person or an organization affiliated with the Corporation, any right
1072 as set forth in these By-Laws shall immediately inform the appropriate
1073 authority, who shall promptly cause an investigation to be made and steps to
1074 be taken to settle the controversy without unnecessary delay. Any person who
1075 believes that some action or inaction by one of the organization's members or
1076 governing bodies may also petition for corrective actions. In every case, the
1077 approved due process procedures will be followed. In addition, the Corporation
1078 may also advise the Executive Director of the U.S. Olympic Committee, and, if
1079 the offending party is a member of the U.S. Olympic Committee, submit the
1080 matter to the American Arbitration Association for binding arbitration.

1081
1082
1083 **ARTICLE VI - DUE PROCESS**
1084

1085 **A. INITIAL REPORTS.** Matters involving only one State association should be
1086 presented to the President of that State association who will be responsible for
1087 investigating the charges and, based on the findings, form a Hearing Body
1088 responsible for due process. If persons or entities from more than one State
1089 are involved, the Executive Director of the Corporation shall make the
1090 investigation and report. In those matters occurring during the course of a
1091 National or Regional event, as the case may be, the National Tournament
1092 Director shall make the investigation and report. In those matters occurring
1093 during the course of an official U.S. National (adult or junior) Team event, the
1094 designated U.S. representative shall make the investigation and report.

1095
1096 **B. ORIGINAL JURISDICTION.** Generally, matters warranting the application
1097 of due process procedures shall be administered by the appropriate State
1098 association, with the following exceptions:

- 1099
1100 **1.** The U.S. National Team Committee will administer due process for
1101 matters covered by the U.S. National Team (adult or junior)
1102 Protocol and Procedures Manual.
1103
1104 **2.** The National Rules Committee will administer due process for
1105 matters involving (i) more than one State association or (ii) events
1106 or activities administered solely by the Corporation's national
1107 office. In those matters where athletes or other members of the
1108 Corporation from more than one State are involved, or in matters
1109 involving such persons during a National or International athletic
1110 event, an investigation and report of the facts shall be made to the
1111 President of the Corporation. If, in the opinion of a majority of the

1112 Executive Committee of the Corporation, disciplinary action is then
1113 warranted, the matter shall be submitted to the National Rules
1114 Committee for a hearing and decision.

1115
1116 **3.** Upon a majority vote of the officers, the Board of Directors of the
1117 Corporation may assume original jurisdiction at any stage of any
1118 matter within the purview of the Constitution where, in its opinion,
1119 the best interests of the Corporation will be served thereby.

1120
1121 **C. APPELLATE JURISDICTION**
1122

1123 **1.** The National Rules Committee has appellate jurisdiction over any
1124 due-process decisions made by State associations.

1125
1126 **2.** The Executive Committee of the Board of Directors of the
1127 Corporation has appellate jurisdiction over (i) due-process
1128 decisions (original or appellate) made by the National Rules
1129 Committee and (ii) due-process decisions made by the
1130 U.S. National Team Committee.

1131
1132 **3.** The Board of Directors of the Corporation, by a two-thirds vote,
1133 may assume appellate jurisdiction to review any original decision
1134 of the U.S. National Team Committee or the National Rules
1135 Committee within 6 months of date of the decision in question.

1136
1137 **D. ARBITRATION**
1138

1139 Any person dissatisfied with an original or appellate decision may further
1140 appeal to a neutral third party for arbitration with rules of said appeal hearing
1141 subject to the rules of the American Arbitration Association.

1142
1143

1144 **ARTICLE VII - ORIGINAL JURISDICTION PROCEDURES**
1145

1146 **A.** The following procedures apply to every due process matter for original
1147 jurisdiction whether submitted to a State association, the U.S. National
1148 Team Committee, or the National Rules Committee.

1149
1150 **1.** Within 30 days of the appropriate authority being informed of a
1151 matter requiring the application of due process, the person or
1152 entity (respondent) charged shall be notified, in writing, of the
1153 details of the circumstances that require answer, explanation, or
1154 clarification. If appropriate, the notice shall also set forth the
1155 penalties that may ensue if the charges are proved.

1156
1157 **2.** The written notice will set a date, time, and place of a hearing
1158 about the charges. The respondent has a right for the hearing to

- 1159 be at such time and place making it practical to attend, such as a
1160 tournament or State association meeting.
1161
- 1162 **3.** The notice will call for the respondent to file a written answer to all
1163 of the charges set forth in the notice and for the written answer to
1164 be delivered by either certified mail or personal delivery not later
1165 than 14 days before the date of hearing.
1166
- 1167 **4.** The notice will request the respondent to appear at the hearing
1168 and inform the respondent of his/her rights to (i) be represented at
1169 the hearing by counsel of his/her own choice and (ii) present
1170 relevant evidence, hearsay, testimony, and argument in defense of
1171 the charges.
1172
- 1173 **5.** The notice should be sent to the last known address by either
1174 certified mail or by personal delivery. When the notice is mailed to
1175 a registered athlete, it is sufficient to mail the notice addressed to
1176 the athlete at the residence given in their application for
1177 registration, or if they have filed with the State association a
1178 written notice of change of residence, then at such changed
1179 address. The date of hearing shall be no less than 15 days nor
1180 more than 60 days after the date of mailing of notice or date of
1181 personal delivery.
1182
- 1183 **6.** The notice shall also set forth the right of appeal to the appropriate
1184 appellate authority if a decision is rendered against the person
1185 charged and that the appeal must be made in writing within
1186 30 days of being notified of the decision.
1187
- 1188 **7.** The Hearing Body will be composed of no less than three (3)
1189 disinterested and impartial persons. Members of the State
1190 association's Board of Directors are acceptable provided that they
1191 are not a party to the proceedings.
1192
- 1193 **8.** The rules of evidence generally accepted in administrative
1194 proceedings shall be applicable in the hearing. The respondent
1195 has the right to (i) call witnesses, (ii) present relevant evidence,
1196 hearsay, testimony, and argument at appropriate times, and
1197 (iii) confront and cross-examine adverse witnesses.
1198
- 1199 **9.** The Chairperson of the Hearing Body should ensure that a written
1200 record of the proceedings in prepared.
1201
- 1202 **10.** All decisions of the Hearing Body shall be made by a simple
1203 majority of voting members. The Chairperson should vote only if
1204 necessary to break a tie vote.
1205

1206 **11.** A written decision, with reasons thereon, shall be rendered within
1207 ten (10) days of the hearing and must be sent to the respondent by
1208 either certified mail or personal delivery.
1209

1210 **B.** If the foregoing procedures are not be likely to produce a sufficiently
1211 timely decision to do justice to the affected parties, an organization with
1212 original jurisdiction may authorize agent(s) or representative(s), upon
1213 appropriate notice to the parties concerned as time and circumstances
1214 may reasonably dictate, to use the following special procedures to render
1215 a timely decision.
1216

1217 **1.** A special hearing may be conducted at the site of scheduled
1218 competition or competitive event, or by telephone conference if
1219 necessary, but in any event, under such conditions that will fully
1220 protect the rights of procedural due process of the individual or
1221 entity charged.
1222

1223 **2.** The notice of charges given to the individual or entity charged may
1224 be oral or in writing. If oral, they should be reduced to writing as
1225 soon as possible. An oral notice must comply with all notice
1226 requirements (except the time frames) set forth in paragraph A. of
1227 this article, including notice of the right of appeal.
1228

1229 **C.** Original decisions rendered by an organization may be appealed in
1230 accordance with the procedures at Article VIII. Any person representing a
1231 real party in interest may appeal. The appeal must be filed with the
1232 Executive Director of the Corporation within 30 days after the
1233 respondent received the written notice of the decision. Upon timely
1234 petition and upon showing of good cause, the time for filing an appeal of
1235 decision may be extended.
1236
1237

1238 **ARTICLE VIII - APPEAL PROCEDURES**

1239

1240 The following procedures apply to any appeal of a due process decision coming
1241 before the National Rules Committee, the Executive Committee of the Board of
1242 Directors, or assumed by the National Board of Directors.
1243

1244 **A.** The right to appeal a due process ruling is NOT automatic. Decisions
1245 reached by authorities having original jurisdiction are final and will
1246 generally be honored by the Corporation. Only those matters that meet
1247 one of the following criteria may be appealed:
1248

1249 **1.** Allegations that due process procedure was not properly executed
1250 and thereby prejudiced the decision.
1251

1252 **2.** New evidence has since become available that could affect the

1253 decision, provided that the new evidence wasn't available at the
1254 time of the hearing.

1255
1256 **3.** Penalties imposed by the state association affect the player's ability
1257 to compete beyond the boundaries of the state.
1258

1259 **B.** The appellate decision consists of two steps--determination that the issue
1260 is one than can be appealed and, if so, determining what actions, if any,
1261 should be taken. The appellate authority can vacate, modify, sustain, or
1262 reverse any decision or order properly submitted for review, or remand
1263 the matter for further action.
1264

1265 **C.** Every appeal shall be instituted by a petition served upon the Executive
1266 Director of the Corporation and be accompanied by a \$100.00 filing fee
1267 payable to the Corporation. The fee shall be returned if the petition is
1268 upheld, but forfeited if it is rejected or abandoned.
1269

1270 **D.** The Executive Director shall send a copy of the appeal petition within
1271 15 days to the entity having appellate jurisdiction over the matter.
1272

1273 **E.** The appellate authority should designate a panel of no less than five (5)
1274 of its members, one of whom shall be an athlete representative, to hear
1275 and decide an appeal of a decision made an organization with original
1276 jurisdiction.
1277

1278 **F.** The procedures outlined in Article VII for original jurisdiction (with
1279 appropriate modification) shall also apply for the appeal process.
1280

1281 **G.** A final and binding decision about an appeal shall be rendered within
1282 75 days from date of filing of the petition by a majority of the acting panel
1283 based on the record submitted for review and on evidence submitted at
1284 such hearing as may be required by the panel. A written decision shall
1285 be sent to all parties. Petitions, once reviewed and decided, shall not be
1286 reopened except by direction of the Board of Directors of the Corporation
1287 or upon showing of sufficient cause to the chairperson of the National
1288 Rules Committee.

1289 **ARTICLE IX - ARBITRATION PROCEDURES**
1290

- 1291 **A.** Either before or after an appellate ruling, a grievant may request, in
1292 writing, that a due process decision be arbitrated by the American
1293 Arbitration Association--a neutral third party--subject to the rules of the
1294 American Arbitration Association current at the time of the request.
1295
- 1296 **B.** Such demand for arbitration shall be submitted within 30 days of the
1297 decision being appealed and said hearing shall be within 60 days of the
1298 written notice to the Corporation and be held at any Regional office of the
1299 American Arbitration Association.
1300
- 1301 **C.** Upon receipt of a request for arbitration, the American Arbitration
1302 Association shall serve notice on the parties to the arbitration and on the
1303 Corporation, and shall immediately proceed with arbitration according to
1304 the commercial rules of the American Arbitration Association in effect at
1305 the time of the filing of the demand, except that:
1306
- 1307 **1.** The arbitration panel shall consist of not less than three
1308 arbitrators, unless the parties to the proceedings mutually agree to
1309 a lesser number,
1310
 - 1311 **2.** The arbitration hearing shall take place at a site selected by the
1312 American Arbitration Association, unless the parties to the
1313 proceeding mutually agree to the use of another site,
1314
 - 1315 **3.** The arbitration hearing shall be open to the public,
1316
 - 1317 **4.** All expenses, e.g. legal fees, travel, per diem, etc., are the
1318 responsibility of each party in the arbitration. No fees/expenses
1319 may be paid from the Corporation to any parties bringing a
1320 grievance against the Corporation.
1321
- 1322 **D.** The arbitrators in any arbitration are empowered to settle any dispute
1323 arising under the provision of this act before making a final ruling, if
1324 mutually agreed to by the parties to the proceeding and achieved in a
1325 manner not inconsistent with the Constitution.
1326
- 1327 **E.** Each contesting party may be represented by counsel or by any other
1328 duly authorized representative at the arbitration proceeding. The parties
1329 may offer any relevant evidence that they desire and shall produce any
1330 additional evidence, as the arbitrators believe necessary to an
1331 understanding and determination of the dispute. The arbitrators shall
1332 be the sole judges of the relevance and materiality of the evidence offered.
1333 Conformity to legal rules of evidence shall not be necessary.
1334
- 1335 **F.** All decisions by the arbitrators shall be binding upon the involved

1336 parties, if such award is not inconsistent with the Constitution and By-
1337 Laws of the Corporation.

1338

1339 **G.** A hearing may be reopened by the arbitrators upon their own motion or
1340 upon the motion of any contesting party at any time before a final
1341 decision is made, except that if any contesting party makes such a
1342 motion all parties to the decision must agree to reopen the hearings if
1343 such reopening would result in the arbitrators' decision being delayed
1344 beyond the specific period agreed upon at the beginning of the
1345 arbitration proceedings.