

# ELITE PRO ATHLETE ELECTIONS AND APPOINTMENTS TO BOARDS AND COMMITTEES OF USA TRIATHLON

## RULES

### I. Athlete Director Elections

Article XXI Section 7(b) of the USAT Bylaws establishes that *The entire election process for Athlete Directors shall be subject to rules established by the Elite Pool.* Athlete Directors are ex-officio members of the Athlete Advisory Council.

#### Section 1. In General.

- (a) Fair Elections. It is intended that federation elections shall be as free from unfair influence and manipulation as is reasonably possible. Elections shall be by written ballot or proven electronic means.
- (b) Election Administrator. The USAT Executive Director shall have overall responsibility for assuring proper implementation of all provisions of USAT's Elite Pro Athlete Election Rules with respect to Athlete Advisory Council and Athlete Director elections, including recall elections.
- (c) Independent Outside Auditing Firm. The Executive Director shall be required to retain an independent outside auditing firm which will be responsible for collecting the ballots, counting the votes, and certifying the election results. The contract with the auditing firm shall specify that no USAT employee, board member, candidate or anyone outside the employment of the auditing firm shall have access to any information with respect to the number of ballots being received, any interim vote count or any other information with respect to an ongoing election, until such time as the election results are announced by the auditing firm.
- (d) Participation in Elections. Broad and robust participation in elections is important to the long-term success of the federation. Within the context of these Rules, the Board shall take steps to accomplish these goals.
- (e) Terms. Unless otherwise approved by the AAC, the term of all AAC members shall be two years.
- (f) Positions. An eligible candidate may run for an open seat as an Athlete Director and/or as a member of the AAC, but may only hold one seat at a time.

#### Section 2. Elections. Elections shall be held according to the following schedule:

May 1	Nominations open for upcoming year.
July 1	Nominations close.

August 1	Ballots made available to members, and ballots and candidate information posted on federation website
October 1	Final day for ballots to be postmarked or electronically recorded.
October 15	Election results announced.
November 1	Deadline to protest election.

### Section 3. Voter Eligibility.

- (a) The members of the Elite Pool who satisfy the requirements of Section 5(c) below (“Eligible Members”) shall have the right to vote in the Athlete Director elections.
- (b) In the interest of maintaining the broadest pool of candidates, a list of all Eligible Members, including those not current USAT members must be maintained by USAT. USAT must send to all members on this list by electronic mail the call for nominations and a letter describing the election process. The purpose of the letter shall be to serve notice of the opportunity to purchase membership in order to run for an Athlete Director seat, or vote in the Athlete Director election.

### Section 4. Recall.

- (a) The members of the Elite Pool who satisfy the requirements of Section 5(c) below shall have the power to recall an Athlete Director.
- (b) A recall petition shall include the following:
  1. The name of the Athlete Director to be recalled;
  2. a description of not more than 500 words setting forth the reasons for the recall; and
  3. the signatures of a number of Eligible Members in good standing, which number will be not less than that number which is equal to 10% of the Eligible Members as of December 31 of the calendar year immediately preceding the year of the recall petition. Each signature shall be accompanied by the name, complete address, day and evening telephone numbers, e-mail address, and annual membership number, of each Eligible Member.
- (c) The recall petition shall be submitted to the independent outside auditing firm retained by the Executive Director, whose responsibility it will be to determine if all of the requirements of a recall petition have been satisfied. If the auditing firm determines that the requirements have been satisfied, the auditing firm will forward the recall petition to the Executive Director. If the auditing firm determines that the petition does not satisfy the recall petition requirements, the petition shall be returned to the petitioners with a written explanation of the petition’s deficiencies. The auditing firm shall complete its responsibilities under this paragraph within 30 days of receipt of the petition.
- (d) Within 30 days of the Executive Director’s receipt of the recall petition from the auditing firm, the Executive Director shall oversee preparation of a ballot, the form of which shall be consistent with the form of ballot requirements set forth in Section 5(b), and shall make available the ballot and all the information set forth in paragraph

- (e), below to each Elite Pool Eligible Member. The recall vote shall close 30 days after the date the ballot is made available.
- (e) The recall ballot shall be accompanied by a document setting forth the name of the Athlete Director to be recalled, the description contained in the recall petition of the reasons for the recall, and if the Athlete Director subject to the recall chooses to submit a written defense to the recall petition not exceeding 500 words, this written defense shall also be made available with the ballot.
  - (f) For a recall ballot to be counted, the member must electronically record, mail or send it by delivery service with a postmark or send date no later than the date specified in the ballot, or physically return it by such date to the office of the independent outside auditing firm tabulating the votes. Only original ballots that are signed by the member and include the member's printed name, state of residence, membership number, and membership expiration date shall be counted.
  - (g) A super-majority of at least sixty percent (60%) of the votes will be required to recall an Athlete Director.
  - (h) The ballots shall be counted by the independent outside auditing firm. The decision as to whether a ballot satisfies all the requirements to be counted shall be the sole decision of the auditing firm tabulating the votes. The results of the recall shall be posted on USAT's website no later than 14 days after the last date for ballots to be made available. No USAT employee, Board member, or anyone else outside the employment of the auditing firm shall have access to any information with respect to the number of ballots being received, any interim vote count or any other information with respect to the recall election, until such time as the results are announced by the auditing firm.
  - (i) An Athlete Director who is recalled may protest the results of the recall election. The provisions of Article XV "Hearings and Appeals" of USAT's Bylaws shall govern this process. The recalled Director shall have 14 days from the date the election results are posted on USAT's website to protest the election. The protest shall be heard and decided within 30 days of the filing of the protest by the Director. No other protest of a recall election is permitted.

#### Section 5. Election Procedures.

- (a) In accordance with USOC Bylaw Section 8.8.2:
  - 1. Where there are three Athlete Directors on the USAT Board of Directors:
    - i. At least two Athlete Directors shall have competed in an event or discipline on the program of the Olympic or Pan American Games; and
    - ii. one Athlete Director may have competed in an event or discipline not on the program of the Olympic or Pan American Games, provided that such event or discipline is recognized by the ITU or is regularly included in the international competition program of the ITU; or the Paralympic Games, or an IPC-recognized World Championship in events on the Paralympic Games program.
- (b) Where two Athlete Director seats are simultaneously won by athletes meeting the requirements of (a)(1)(ii), one seat will go to the highest vote earner, and the second seat will go to the next-highest vote earner meeting the requirements of (a)(1)(i).

- (c) At the time of election, all voters and candidates for Athlete Director shall have demonstrated their qualifications as athletes by having:
1. within the ten (10) years preceding election, represented the United States in the Olympic or Pan American Games, or an Operation Gold event, or a World Championship recognized by the ITU for which a competitive selection process was administered by USAT; or
  2. within the twenty-four (24) months before election, demonstrated that they are actively engaged in amateur athletic competition by finishing in the top half of USAT's national championships for the events outlined in subparagraphs (1) or (2); or
  3. for the Paralympic Games, or an IPC-recognized World Championship in events on the Paralympic Games program, within the ten (10) years preceding election, represented the United States in the Paralympic Games, or an IPC recognized World Championship in events on the Paralympic Games program.
- (d) Athlete Directors and voters for Athlete Directors may not be drawn from events that categorize entrants in age-restricted classifications commonly known as "Juniors," "Masters," "Seniors," "Veterans" or other similarly designated age-restricted competition. This provision is not meant to exclude from eligibility athletes who compete in an event for which the IOC or an IF has established an age restriction but whom otherwise meet the standard set forth in USOC Bylaws Section 8.8.2.
- (e) Nominations for Athlete Directors. All persons meeting the standards of USOC Bylaw Section 8.8.2, and the following requirements shall be included on the ballot for the post of Athlete Director. Candidates not meeting all standards and requirements will not be placed on the ballot.
1. Incumbents. Any incumbent who is still a member in good standing of the federation and who is not subject to term limits shall be placed upon the ballot provided he/she submits the information required in paragraphs (2)(i),(ii) and (iv) below by the date nominations close.
  2. Non-incumbents. An Eligible Member of the Elite Pool and member in good standing of the federation who is also a citizen of the United States may submit a petition for his or her nomination to the Athlete Directors post. The petition shall include the following:
    - (a) The name, complete address, day and evening phone numbers, e-mail address, and annual membership number of the nominee.
    - (b) A written description of the nominee and his or her platform; the description shall not exceed 500 words.
    - (c) A passport-type photo of the nominee.
    - (d) One other photo of the nominee's choice (optional).
- (f) Form of the Ballot.
1. The ballot shall be posted electronically and/or printed so that it can be mailed to address of the independent outside auditing firm with the return postage paid by the Federation. Any mailed ballot shall be folded so that the vote of the member is not visible without unfolding. Such ballot shall be coded to ensure that only the ballots mailed by USAT may be used for voting.

Additionally, mailed ballots shall be color coded with a different color for each election contest. Mailed ballots shall provide a place for the member's signature and places for the member to print his or her name, state of residence, membership number, and membership expiration date. Electronic ballots shall provide for similar means to authenticate members' identities.

2. Elite Pool Eligible Members shall receive ballots and candidate information (including platform and photo). Candidate information and complete proposal language may be distributed separately from the ballot and may be mailed to the Elite Pool Eligible Members or published on the USA Triathlon website.
3. Photocopies of the mailed ballots or of ones downloaded from the USAT website may only be used for informational purposes and may not be used for voting.
4. Website Election Announcement. An announcement of the election, including the ballot and the candidate information, should be posted on USAT's website simultaneously with the individual mailing of ballot and candidate information to each member. This election announcement and the link to the ballot and candidate information should remain prominently posted on the website homepage throughout the entire election.

(g) Counting of Ballots.

1. The ballots should be counted by the independent outside auditing firm. The decision as to whether a ballot satisfies all the requirements to be counted shall be at the sole decision of the auditing firm tabulation the votes.
2. For a ballot to be counted, the member must electronically record, mail, or send it by delivery service with a postmark or send date no later than October 1. Mailed ballots must be signed by the member and include the member's printed name, state of residence, membership number, and membership expiration date.
3. As noted in Section 1(c) of these Rules, no USAT employee, Director, candidate or anyone else outside the employment of the auditing firm shall have access to any information with respect to the ongoing election, until such time as the election results are announced by the auditing firm.
4. The results of the election shall be posted on USAT's website no later than October 15.

(h) Protest of Election.

1. A candidate for an Athlete Director position may protest the results of an election in which he or she was involved. The provisions of USAT Bylaws Article XV "Hearings and Appeals" and the time lines set forth in and the time lines specified in Sections 2 of these Rules, above, shall govern this process. No other protest of an election for an Athlete Director is permitted.
2. Certification of Election. By December 1 the election should be certified by the independent outside auditing firm and notice of the certification should be promptly posted on USAT's website.

- (i) Vacancies. A vacancy in a seat of an Athlete Director should be filled by an affirmative vote of a majority of the number of Eligible Members of the Athlete Advisory Council at the time of the vote. Quorum requirements shall not apply. The person selected should be an Eligible Member of the federation in good standing, and

a citizen of the United States. The vote shall take place within 45 days of the vacancy or at the next regular meeting of the AAC, whichever comes first.

## **II. Athlete Advisory Council Elections**

Article XI Section 2(e) of the USAT Bylaws establishes that *the Athletes' Advisory Council shall consist of seven (7) members. The three (3) Athlete Directors shall automatically serve as members of the AAC. The remaining four (4) AAC members shall be selected by and each of whom shall be a member of the Elite Pool (as defined in Article VI, Section 2.*

### Section 1. Election.

- (a) All sections of the Rules governing the election and recall of Athlete Directors shall apply to the election and recall of the four Athlete Advisory Council members with the following exception:
  - 1. The standards for candidates and voters as Eligible Members of the Elite Pool shall include:
    - i. within the twenty-four (24) months before selection, demonstrated that they are actively engaged in amateur athletic competition.

### Section 2. Committee Chair.

- (a) The members of the AAC shall nominate and the President of USAT shall appoint one of the members of the AAC as the chair.
  - a. The Chair shall be nominated from the members of the AAC at the first regular meeting of the year following an election. The Chair shall serve a term of two (2) years or until his or her successor is duly elected and qualified.
- (b) The responsibilities of the Committee Chair include:
  - 1. Ensuring the committee adheres to it' s mission and achieves it' s annual goals
  - 2. Scheduling all meetings of the committee.
  - 3. Setting the agenda for all meetings.
  - 4. Presiding at all meetings of the committee and guiding the business of the committee.
  - 5. Keeping committee members informed of the activities of the committee or of USAT since the last committee meeting.
  - 6. Introducing guests and presenters to the committee.
  - 7. Serving as the spokesperson for the committee.
  - 8. Appointing a secretary to take minutes for the committee, and serve as moderator of the Elite Beat Newsgroup.
  - 9. Reviewing the draft of the minutes prepared by the secretary so that they may be submitted to the USAT staff liaison, members of the committee, and the Board Liaison for posting on the USAT web site.
  - 10. Working with the USAT staff liaison to manage the programs and activities of the committee within the approved budget.

11. Assuming responsibility for the committee's compliance with the policies of USAT.
12. Directing the committee's activities towards the completion of its goals
13. Maintaining regular contact with the USAT staff liaison and the Board liaison.
14. Submitting Committee Report to USAT fourteen (14) days prior to the first in person Board meeting of each year.

## **II. Executive Committee Athlete Director Elections**

In accordance with USOC Bylaws Section 8.8.5:

- (a) The members of the Athlete Advisory Council who meet the standards set forth in USOC Bylaws Section 8.8.2 shall elect an Athlete Director to the USAT Executive Committee.
  1. The election shall take place at the last meeting of the AAC in the calendar year.

## **III. Committee Appointments**

- (a) In accordance with the relevant USOC Bylaws under Section 8.8, Athlete Representatives to all other USA Triathlon committees and task forces shall be selected by the Athlete Advisory Council, with the following guidelines:
  1. Committees
    - i. within the twenty-four (24) months before selection, athlete representatives must have demonstrated that they are actively engaged in amateur athletic competition; or
    - ii. meet the standards set forth in section (a)(3) below.
  2. Designated Committees
    - i. "Designated Committees" means nominating and budget committees, panels empowered to resolve grievances and committees that prepare, approve or implement programs in the following areas:
      1. expenditures of funds allocated to NGBs by the corporation; and
      2. selection of international, Olympic, Paralympic and Pan American Games Team members including athletes, coaches, administrators and sports staff.
  3. Athlete representatives on designated committees shall meet the following standards:
    - i. at least one-half of the individuals serving as athlete representatives shall have competed in the NGB's events or disciplines that are on the sport's program in the Olympic or Pan American Games;
    - ii. up to one-half of the individuals serving as athlete representatives may have competed in (i) an event or discipline not on the program of the Olympic or Pan American Games, provided that such event

- or discipline is recognized by the IF of the NGB or is regularly included in the international competition program of the IF, or (ii) the Paralympic Games, or an IPC-recognized World Championship in events on the Paralympic Games program; and
- iii. at the time of election, all NGB athlete representatives shall have demonstrated their qualifications as athletes by having
1. within the ten (10) years preceding election, represented the United States in the Olympic or Pan American Games, or an Operation Gold event, or a World Championship recognized by the NGB's IF for which a competitive selection process was administered by the NGB, or, in a team sport, an international championship recognized by the IF of the NGB; or
  2. within the twenty-four (24) months before election, demonstrated that they are actively engaged in amateur athletic competition by finishing in the top half of the NGB's national championships or team selection competition for the events outlined in subparagraphs (1) or (2) or in a team sport, have been a member of the NGB's national team; or
  3. for the purposes of the standards outlined in Section 8.8.2.b(ii) only, within the ten (10) years preceding election, represented the United States in the Paralympic Games, or an IPC recognized World Championship in events on the Paralympic Games program.
4. Athlete representatives may not be drawn from events that categorize entrants in age-restricted classifications commonly known as "Juniors," "Masters," "Seniors," "Veterans" or other similarly designated age-restricted competition. This provision is not meant to exclude from eligibility athletes who compete in an event for which the IOC or an IF has established an age restriction but whom otherwise meet the standard set forth in USOC Bylaws Section 8.8.2.